ILLINOIS POLLUTION CONTROL BOARD
August 22, 2024

IN THE MATTER OF:	)	
	)	
AMENDMENTS TO 35 ILL. ADM. CODE 201, 202, AND 212	)	R23-18(A)
	)	(Rulemaking - Air)

Adopted Rule. Final Notice.

OPINION AND ORDER OF THE BOARD (by M. Gibson):

The Board today adopts amendments to the Board's air regulations to provide alternative standards during periods of startup, shutdown, breakdown, and malfunction. The Board received five rulemaking proposals seeking to amend 35 Ill. Adm. Code 212, 215, 216, and 217. One proposal was filed by the Rain CII Carbon LLC; one jointly by Dynegy Midwest Generation, LLC, Illinois Power Generating Company, and Kincaid Generation, LLC and Midwest Generation LLC; one by the American Petroleum Institute; one by East Dubuque Nitrogen Fertilizers, LLC; and one by the Illinois Environmental Regulatory Group.

On August 17, 2023, the Board accepted the five rulemaking proposals for hearing, combined the proposed rule revisions, and – without commenting on its substantive merits – submitted it to first-notice publication in the *Illinois Register*. *See* Ill. Reg. 12810, 12824, 12836, 12842 (Sept. 1, 2023). The Board's July 11, 2024 second-notice opinion reviewed the rulemaking record, discussed various questions, issues, and changes made to the combined first notice rule. At its August 14, 2024 meeting, JCAR issued its certificate of no objection.

This opinion begins with a summary of the main docket and the procedural history of this rulemaking sub-docket. It then briefly reviews changes to its second-notice proposal and considers the economic reasonableness and technical feasibility of the proposal. The Board then directs its Clerk to submit the rules to the Secretary of State for publication in the *Illinois Register*. The adopted rules can be found in the addendum to this order.

SUMMARY OF MAIN DOCKET R23-18

On December 7, 2022, the Illinois Environmental Protection Agency (IEPA) proposed to amend Parts 201, 202, and 212 of the Board's air pollution regulations. 35 Ill. Adm. Code 201, 202, 212. IEPA filed the proposal under the "fast-track" procedures of Section 28.5 of the Environmental Protection Act (Act). 415 ILCS 5/28.5 (2022). Section 28.5 requires the Board to meet a series of specific deadlines when proceeding toward adoption of the rules required to be adopted by the 1990 Clean Air Act Amendments. IEPA proposed removing provisions addressing emission limit exceedances during a start-up, malfunction, or breakdown (SMB) events. IEPA asserted that its proposal would implement changes identified by the United States Environmental Protection Agency (USEPA) as necessary to comply with the federal Clean Air Act.

On December 15, 2022, the Board accepted IEPA's proposal for hearing without commenting on its substantive merits and submitted it to first-notice publication. *See* 46 Ill. Reg. 20627, 20638, 20644 (Dec. 30, 2022). After holding two public hearings, the Board on April 6, 2023, adopted a second-notice opinion and order. In it, the Board opened this sub-docket to consider alternative emission limits. At its July 18, 2023 meeting, the Joint Committee on Administrative Rules (JCAR) objected to the Board's proposal on three grounds. On July 20, 2023, the Board respectfully declined to modify or withdraw the proposal based on JCAR's objections and adopted amendments to Parts 201, 202, and 212. The adopted amendments became effective on July 25, 2023, and were published in the *Illinois Register* on August 11, 2023. *See* 47 Ill. Reg. 12089, 12101, 12107 (Aug. 11, 2023). After the Board adopted the amended rules, IEPA submitted them to USEPA as a State Implementation Plan (SIP) revision.

PROCEDURAL HISTORY OF SUBDOCKET (A)

In an order on July 6, 2023, the Board directed that anyone wishing to file a rulemaking proposal in this sub-docket must do so by August 7, 2023.

On August 7, 2023, the Board received five proposals for alternative emissions standards. Rain CII Carbon LLC filed its proposal including its Statement of Reasons (Rain Carbon SR) including proposed revisions to 35 Ill. Adm. Code 212.124, 212.322, and 215.302. East Dubuque Nitrogen Fertilizers (EDNF) filed its proposal including its Statement of Reasons (EDNF SR) including proposed revisions to 35 Ill. Adm. Code 217.381. Dynegy and Midwest Generation, LLC (MWG) filed their proposal including their Statement of Reasons (Dynegy/MWG SR) including nine exhibits (Dynegy/MWG Exh. 1-9), the seventh of which is their Technical Support Document (Dynegy/MWG TSD). API filed its proposal including its Statement of Reasons (API SR) and its Technical Support Document designated as Exhibit 1 (API TSD). API also submitted its proposed revisions to 35 Ill. Adm. Code 216.103, 216.104, and 216.361 and a motion for waiver of copy requirements under 35 Ill. Adm. Code 102.202. The Illinois Environmental Regulatory Group (IERG) filed its proposal including its Statement of Reasons and its Technical Support Document designated as Exhibit 1. IERG also submitted its proposed revisions to 35 Ill. Adm. Code 216.103, 216.104, and 216.121 and a motion for waiver of copy requirement.

On August 14, 2023, IEPA filed comments (PC1), which included a request that the Board conduct two hearings in this subdocket. PC1 at 2-4.

In an opinion and order on August 17, 2023, the Board accepted the five rulemaking proposals for hearing, combined the proposed rule revisions, and – without commenting on its substantive merits – submitted the combined proposals to first-notice publication in the *Illinois Register*. *See* 47 Ill. Reg. 12810, 12824, 12836, 12842 (Sept. 1, 2023). Also on August 17, 2023, the hearing officer scheduled two hearings, the first on September 27, 2023, and the second on November 1, 2023.

In a letter dated August 17, 2023, Board Chair Barbara Flynn Currie requested that DCEO conduct an economic impact study of the rulemaking proposed in this subdocket and

respond by October 2, 2023. *See* 415 ILCS 5/27(b) (2022). As of the date of this order, the Board has received no response to this request.

On August 28, 2023, the Board received pre-filed testimony for the first hearing from Ross Gares on behalf of Rain Carbon, Philip G. Crnkovich on behalf of EDNF, Cynthia Vodopivec on behalf of Dynegy, Sharene Shealey on behalf of MWG, John Derek Reese on behalf of API, and David Wall on behalf of IERG. After a hearing officer order on August 24, 2024, granted its motion to extend the filing deadline and allowed it to file supplemental testimony, Rain Carbon on September 5, 2023, filed supplemental testimony by Bryan Higgins accompanied by a Technical Support Document.

On September 7, 2023, the Board docketed as a public comment an email from the staff of Joint Committee on Administrative Rules (JCAR) posing questions about and suggesting changes to the Board's first-notice proposal.

On September 20, 2023, the Illinois Attorney General's Office (AG) pre-filed questions for witnesses testifying at the first hearing. Also on September 20, 2023, the hearing officer filed an order, attached to which were questions for witnesses and proposed nonsubstantive revisions to the first-notice proposal.

The first hearing took place as scheduled on September 27, 2023.

On October 18, 2023, the Board received post-hearing comment from API and IERG. On October 23, 2023, IEPA filed comments (PC5). On October 26, 2023, EDNF filed post-hearing comments. On November 3, 2023, Dynegy and MWG filed post-hearing comments.

On October 26, 2023, the AG filed a motion for an additional hearing.

On November 1, 2023, the second hearing took place as scheduled, and the Board received the transcript on November 16, 2023 (Tr.2).

On November 16, 2023, the Board granted the AG's motion for an additional hearing.

On December 1, 2023, the Board received initial responses to IEPA's comments in PC5 from IERG, API, EDNF, Rain Carbon, Dynegy/MWG.

In an order on March 6, 2024, the hearing officer scheduled the third hearing on April 15, 2024. The order set a deadline of March 15, 2024, to file responses to IEPA's requests for information and pre-filed testimony. The order also set a deadline of April 8, 2024, to file questions based on that information and testimony.

On March 15, 2024, the Board received four sets of responses. EDNF filed its supplemental response to IEPA's comments. Rain Carbon filed its supplemental response, attached to which were Rain Carbon's revised proposed AELs incorporating IEPA's suggested revisions. On the same date, Rain Carbon also filed the second pre-filed testimony of Bryan Higgins, attached to which was Rain Carbon's supplemental Technical Support Document. API

and CITGO Petroleum Corporation (CITGO) filed their supplemental response. Dynegy and MWG filed their second comment in response to IEPA and pre-filed testimony by Stephen K. Norfleet. On March 22, 2024, Dynegy and MWG filed their final comment in response to IEPA and supplemental pre-filed testimony by Mr. Norfleet.

On April 2, 2024, IEPA pre-filed testimony by Rory Davis.

On April 8, 2024, the Board received questions to IEPA from the AG, IERG, and API and CITGO. On the same day, the hearing officer filed an order attaching a single question for the participants.

Also on April 8, 2024, Rain Carbon filed its second supplemental response to IEPA's comments. On April 12, 2024, EDNF filed its supplemental comment in response to prefiled questions.

On April 15, 2024, the third hearing took place as scheduled, and the Board received the transcript on April 22, 2024. In an order on April 22, 2024, the hearing officer set a deadline of May 22, 2024, to file post-hearing comments.

On May 13, 2024, API and CITGO filed post-hearing comments. On May 20, 2024, Rain Carbon filed post-hearing comments. On May 22, 2024, the Board received post-hearing comments from the AG, IERG, IEPA, Dynegy and MWG, and EDNF. On June 5, 2024, Rain Carbon filed a motion or leave to file additional public comment (Mot. Leave), attached to which was its additional comment.

On July 11, 2024, the Board adopted a second-notice proposal (Second Notice) for review by JCAR.

At its meeting on August 14, 2024, JCAR issued its certificate of no objection, subject to a limited number of changes, which are addressed in the next section of this opinion.

SECOND NOTICE CHANGES

JCAR proposed a small number of non-substantive changes. Each of these is reflected in the adopted rules below but is not specifically addressed in this opinion.

TECHNICAL FEASIBILITY AND ECONOMIC REASONABLE

Affected Facilities

Rain Carbon

Rain Carbon states that its proposal applies only to its Robinson facility. Rain Carbon SR at 24. It asserts that the area subject to its proposal is Crawford County, Illinois, "which is not an area designated as Nonattainment or Maintenance for any NAAQS [National Ambient Air

Quality Standard], including applicable PM [particulate matter] and Ozone NAAQS." *Id*., *citing* 40 CFR 81.314.

Dynegy and MWG

Dynegy and MWG state that their proposal will apply to four units: the Baldwin Energy Complex, the Kincaid Power Station, the Newton Power Station, and the Powerton Generating Station. Dynegy/MWG SR at 7-8, Exh. 3 at 4.

API

API states that its proposed amendment affects petroleum and petrochemical processes because Section 216.361 applies only to these processes. API SR at 43. To API's knowledge, these processes include only four petroleum refineries in Illinois. *Id*.

First, API reports that it would affect the Joliet Refinery of ExxonMobil Oil Corporation located at 25915 South Frontage Road in Channahon, Will County. API SR at 43. "This refinery has a capacity of >250,000 barrels per day and operates a single fluid catalytic cracker." *Id*. Second, API reports that the proposal would affect the Wood River Refinery of WRB Refining LP located at 900 South Central Avenue in Roxana, Madison County. *Id*. "This refinery has a capacity of >350,00 barrels per day and operates two fluid catalytic crackers." *Id*. Third, API reports that it would affect the Lemont Refinery of CITGO Petroleum Corporation located at 135th Street and New Avenue in Lemont, Will County. *Id*. "This refinery has a capacity of >179,000 barrels per day and operates a single catalytic cracker." *Id*. Fourth, API states that the proposal would affect the Robinson Refinery of Marathon Petroleum Company located at 100 Marathon Avenue in Robinson, Crawford County. *Id*. "This refinery has a capacity of >250,000 barrels per day and operates a single fluid catalytic cracker." *Id*.

API states that three of these four refineries are not located in environmental justice (EJ) areas, although it does not identify the refinery located within one. API SR at 43 (*citing* IEPA mapping tool). Citing the 2015 SIP call, API argues that "human health or environmental risk addressed by this action will not have potential disproportionately high and adverse human health or environmental effects on minority, low-income or indigenous populations." *Id*., *citing* 80 Fed. Reg. 33985 (June 12, 2015). API asserts that adopting its proposed AELs "would not adversely impact EJ communities." API SR at 44.

EDNF

EDNF states that its proposed alternative emissions limits "would apply statewide to any weak nitric acid manufacturing process." ENDF SR at 12, 16. However, EDNF reports that, to the best of its knowledge, "it operates the only weak nitric acid manufacturing processes in Illinois." *Id*. at 6, 12, 16.

Technical Feasibility

Rain Carbon

Rain Carbon argues that during SMB events it complies with work practice standards, which "address the technical infeasibility of controlling the facility's emissions during SMB while ensuring that such are emissions are minimized and documented." Rain Carbon SR at 24.

Rain Carbon reviewed USEPA's Reasonable Available Control Technology/Best Available Control Technology/Lowest Achievable Emission Rate Clearinghouse but found no pollution control device employed at similar facilities "that will ensure compliance at all times with the applicable opacity and VOM [volatile organic material] limits during start-up and PM limits during SMB." Rain Carbon SR at 25. Rain Carbon concluded that it may be technically feasible to install new additional natural gas burners; however, it argues that these burners are integral to operating the kilns and are not pollution control equipment. *Id*. Rain Carbon adds that it "does not know the extent to which such new burners would control opacity and emission of PM and VOM." *Id*.

Rain Carbon adds that, for two reasons, these burners would not eliminate the need for the requested relief. First, "additional burners would not eliminate time periods when the pyroscrubbers operate below 1800ºF." Rain Carbon SR at 25. Instead, it reduces the start-up period or the amount of time necessary for the pyroscrubber to return to 1800ºF after a breakdown or malfunction. Also, because the estimated capital cost of installing new burners for both kilns is $10,027,718, Rain Carbon concluded that the option is not economically reasonable. *Id*.

Dynegy and MWG

Dynegy and MWG argue that it is not feasible for them to comply with the opacity limits 100% of the time during SMB events. Dynegy/MWG SR at 34-35. They argue that their proposed AELs would apply "narrowly tailored standards during periods of SMB when they otherwise could not comply." Dynegy/MWG SR at 40-41. They assert that those proposed AELs include "numeric opacity limits and work practices designed to minimize the frequency, duration, and level of opacity during periods of SMB." *Id*. at 41.

API

API argues that the amended SMB provision in Part 201 leave the affected petroleum refineries with "no technically feasible option for compliance" with the CO [carbon monoxide] standards in Part 216 during periods of startup and hot standby. API SR at 42. API asserts that it "is not aware of any control equipment options available" that would allow the refineries to comply with the Section 216.361, as applicable, during periods of startup and hot standby. *Id*., *citing* API TSD at 17-22.

API asserts that its proposed AELs are based on the National Emission Standards for Hazardous Air Pollutants Subpart UUU, USEPA promulgated in 2015. API SR at 44, *citing* 80 Fed. Reg. 75178 (Dec. 1, 2015). It states that USEPA found during that rulemaking process that the alternative standard applicable during periods of SSM was technically feasible. It argues that USEPA found the oxygen concentration limit appropriate because "air blast rates can be directly

controlled to ensure adequate oxygen supply on a short-term basis." API SR at 44, *citing* 79 Fed. Reg. 36880, 36943 (June 30, 2014). API adds that it understands that "each of the four refineries already utilize the alternate standards incorporated in API's proposed amendments and do not have any issues with maintaining compliance with those alternate standards." API SR at 44.

EDNF

EDNF argues that the Board needs to complete its response to the 2015 SIP Call and address technical conditions during startup and shutdown and amend Section 217.381. EDNF SR at 14. EDNF asserts that, because no change to existing facilities or operations is necessary to comply with it, its proposal is technically feasible and economically reasonable. *Id*.

Conclusion

Based on the record before it, the Board concluded that its second-notice proposal was technically feasible. Second Notice at 136. Since the Board found its second-notice proposal technically feasible, no addition to the record has persuasively disputed that finding. Based on its review of the record now before it, the Board concludes that its adopted rules are technically feasible. *See* 415 ILCS 5/27(a) (2022).

Economic Reasonableness

Rain Carbon

Rain Carbon asserts that the primary way for it to control opacity and reduce emissions of PM and VOM during SMB events "is to maintain a minimum operating temperature of 1800ºF at its pyroscrubbers." Rain Carbon SR at 24. Rain Carbon argues that it is implementing measures such as increasing the burner capacity of the kilns "that will help ensure that the operating temperature increase more quickly following SMB events and, thus, will aid in controlling opacity and emissions of PM and VOM." *Id*. The estimated cost of these measures is $1,290,000. *Id*. at 25.

Dynegy and MWG

Dynegy and MWG assert that, while they address discrete issues that result in opacity exceedances, they cannot take any additional steps to minimize those exceedances generally other than installing baghouses at units not already using them. Dynegy/MWG SR at 35, *citing* Exh. 8 at 2, Exh. 9 at 2-3. They argue that installing baghouses would take approximately three years and costs tens of millions of dollars. *Id*. They further argue that even coal-fired boilers equipped with both ESP and a baghouse cannot guarantee 100% compliance with opacity standards. Dynegy/MWG SR at 35. They also stress that these factors must be considered with the approaching retirements of the affected units. Dynegy/MWG SR at 35, *citing* Exh. 3 at 5-7, Exh. 9 at 3. Dynegy and MWG conclude that the possibility of adding baghouses does not eliminate the need for their proposed AELs. Dynegy/MWG SR at 35.

Dynegy and MWG argue that, without the proposed AELs, they may need to shutdown units to address any opacity exceedances that cannot be addressed through other means. Dynegy/MWG SR at 36. They further argue that this would require a new startup with longer operation with higher emissions in that mode and also risk enforcement actions based on "unavoidable opacity exceedances." *Id*., *citing* Dynegy/MWG TSD at 13-14. Dynegy and MWG also suggest that these factors could cause them to reevaluate retirement dates for the affected units. Dynegy/MWG SR at 36, *citing* Exh. 8 at 2, Exh. 9 at 2-3.

API

API argues that, when USEPA adopted the Subpart UUU rules on which its proposed AELs are based, it found them to be economically justified with a total capital investment cost of $283 million. API SR at 44, *citing* 80 Fed. Reg. 75178, 75225 (Dec. 1, 2015). API reports USEPA's estimate that "all petroleum refiners would incur annual compliance costs of less than 1% of their sales." API SR at 44, *citing* 80 Fed. Reg. 75178, 75226 (Dec. 1, 2015). API again stresses that the four affected Illinois refineries are already subject to Subpart UUU and rely on the AELs incorporated in its proposal, so "API's proposed amendment to Section 216.361 should not have any additional economic impact." API SR at 44.

EDNF

EDNF argues that the Board needs to complete its response to the 2015 SIP Call and address technical conditions during startup and shutdown and amend Section 217.381. EDNF SR at 14. EDNF asserts that, because no change to existing facilities or operations is necessary to comply with it, its proposal is technically feasible and economically reasonable. *Id*.

Request for Economic Impact Study

As noted above under "Procedural History," the Board on August 17, 2023, requested that DCEO conduct an economic impact study of the rulemaking proposed in this subdocket by October 2, 2023. *See* 415 ILCS 5/27(b) (2022). The Board did not receive a response to its request. At the second hearing, no participant testified or commented on the Board's request or the response to it. Tr.2 at 71-72.

Conclusion

Based on the record before it, the Board concluded that its second-notice proposal was economically reasonable. Second Notice at 136. Since the Board found its second-notice proposal economically reasonable, no addition to the record has persuasively disputed that finding. Based on its review of the record now before it, the Board concludes that its adopted rules are economically reasonable and will not have an adverse economic impact on the people of the State of Illinois. *See* 415 ILCS 5/27(b)(2) (2022).

CONCLUSION

For the reason above, the Board concludes to adopt amendments to Parts 212, 215, 216, and 217. The Board finds that its proposed rules are technically feasible and economically reasonable and will not have an adverse economic impact on the people of the State of Illinois. The adopted rules appear in the addendum to this order.

ORDER

The Board directs the Clerk to submit adopted rules to the Secretary of State for publication in the *Illinois Register*.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on August 22, 2024, by a vote of 4-0.

Don A. Brown

Don A. Brown, Clerk
Illinois Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 212
VISIBLE AND PARTICULATE MATTER EMISSIONS

SUBPART A: GENERAL

Section

212.100 Scope and Organization
212.107 Measurement Method for Visible Emissions
212.108 Measurement Methods for PM-10 Emissions and Condensible PM-10 Emissions
212.109 Measurement Methods for Opacity
212.110 Measurement Methods For Particulate Matter
212.111 Abbreviations and Units
212.112 Definitions
212.113 Incorporations by Reference

SUBPART B: VISIBLE EMISSIONS

Section

212.121 Opacity Standards (Repealed)
212.122 Visible Emissions Limitations for Certain Emission Units For Which Construction or Modification Commenced On or After April 14, 1972
212.123 Visible Emissions Limitations for All Other Emission Units
212.124 Exceptions
212.125 Determination of Violations
212.126 Adjusted Opacity Standards Procedures

SUBPART D: PARTICULATE MATTER EMISSIONS FROM INCINERATORS

Section

212.181 Limitations for Incinerators
212.182 Aqueous Waste Incinerators
212.183 Certain Wood Waste Incinerators
212.184 Explosive Waste Incinerators
212.185 Continuous Automatic Stoking Animal Pathological Waste Incinerators

SUBPART E: PARTICULATE MATTER EMISSIONS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

FROM FUEL COMBUSTION EMISSION UNITS

Section

212.201 Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972, Using Solid Fuel Exclusively Located in the Chicago Area

212.202 Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972, Using Solid Fuel Exclusively Located Outside the Chicago Area

212.203 Controlled Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972, Using Solid Fuel Exclusively

212.204 Emission Units For Which Construction or Modification Commenced On or After April 14, 1972, Using Solid Fuel Exclusively

212.205 Coal-fired Industrial Boilers For Which Construction or Modification Commenced Prior to April 14, 1972, Equipped with Flue Gas Desulfurization Systems

212.206 Emission Units Using Liquid Fuel Exclusively

212.207 Emission Units Using More Than One Type of Fuel

212.208 Aggregation of Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972

212.209 Village of Winnetka Generating Station (Repealed)

212.210 Emissions Limitations for Certain Fuel Combustion Emission Units Located in the Vicinity of Granite City

SUBPART K: FUGITIVE PARTICULATE MATTER

Section

212.301 Fugitive Particulate Matter

212.302 Geographical Areas of Application

212.304 Storage Piles

212.305 Conveyor Loading Operations

212.306 Traffic Areas

212.307 Materials Collected by Pollution Control Equipment

212.308 Spraying or Choke-Feeding Required

212.309 Operating Program

212.310 Minimum Operating Program

212.312 Amendment to Operating Program

212.313 Emission Standard for Particulate Collection Equipment

212.314 Exception for Excess Wind Speed

212.315 Covering for Vehicles

212.316 Emissions Limitations for Emission Units in Certain Areas

SUBPART L: PARTICULATE MATTER EMISSIONS FROM PROCESS EMISSION UNITS

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section
212.321 Process Emission Units For Which Construction or Modification Commenced On or After April 14, 1972
212.322 Process Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972
212.323 Stock Piles
212.324 Process Emission Units in Certain Areas

SUBPART N: FOOD MANUFACTURING

Section
212.361 Corn Wet Milling Processes
212.362 Emission Units in Certain Areas

SUBPART O: PETROLEUM REFINING, PETROCHEMICAL AND CHEMICAL MANUFACTURING

Section
212.381 Catalyst Regenerators of Fluidized Catalytic Converters

SUBPART Q: STONE, CLAY, GLASS AND CONCRETE MANUFACTURING

Section
212.421 Portland Cement Processes For Which Construction or Modification Commenced On or After April 14, 1972
212.422 Portland Cement Manufacturing Processes
212.423 Emission Limits for the Portland Cement Manufacturing Plant Located in LaSalle County, South of the Illinois River
212.424 Fugitive Particulate Matter Control for the Portland Cement Manufacturing Plant and Associated Quarry Operations Located in LaSalle County, South of the Illinois River
212.425 Emission Units in Certain Areas

SUBPART R: PRIMARY AND FABRICATED METAL PRODUCTS AND MACHINERY MANUFACTURE

Section
212.441 Steel Manufacturing Processes
212.442 Beehive Coke Ovens
212.443 Coke Plants

212.444 Sinter Processes
212.445 Blast Furnace Cast Houses
212.446 Basic Oxygen Furnaces
212.447 Hot Metal Desulfurization Not Located in the BOF
212.448 Electric Arc Furnaces
212.449 Argon-Oxygen Decarburization Vessels
212.450 Liquid Steel Charging
212.451 Hot Scarfing Machines
212.452 Measurement Methods
212.455 Highlines on Steel Mills
212.456 Certain Small Foundries
212.457 Certain Small Iron-Melting Air Furnaces
212.458 Emission Units in Certain Areas

SUBPART S: AGRICULTURE

Section
212.461 Grain-Handling and Drying in General
212.462 Grain-Handling Operations
212.463 Grain Drying Operations
212.464 Sources in Certain Areas

SUBPART T: CONSTRUCTION AND WOOD PRODUCTS

Section
212.681 Grinding, Woodworking, Sandblasting and Shotblasting

SUBPART U: ADDITIONAL CONTROL MEASURES

Section
212.700 Applicability
212.701 Contingency Measure Plans, Submittal and Compliance Date
212.702 Determination of Contributing Sources
212.703 Contingency Measure Plan Elements
212.704 Implementation
212.705 Alternative Implementation

212.Appendix A Rule into Section Table
212.Appendix B Section into Rule Table
212.Appendix C Past Compliance Dates
212.Illustration A Allowable Emissions from~~From~~ Solid Fuel Combustion Emission Sources Outside Chicago (Repealed)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

212.Illustration B	Limitations for all New Process Emission Sources (Repealed)
212.Illustration C	Limitations for all Existing Process Emission Sources (Repealed)
212.Illustration D	McCook Vicinity Map
212.Illustration E	Lake Calumet Vicinity Map
212.Illustration F	Granite City Vicinity Map

AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rules 202 and 203: Visual and Particulate Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-15, 32 PCB 403, at 3 Ill. Reg. 5, p. 798, effective February 3, 1979; amended in R78-10, 35 PCB 347, at 3 Ill. Reg. 39, p. 184, effective September 28, 1979; amended in R78-11, 35 PCB 505, at 3 Ill. Reg. 45, p. 100, effective October 26, 1979; amended in R78-9, 38 PCB 411, at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; amended in R79-11, 43 PCB 481, at 5 Ill. Reg. 11590, effective October 19, 1981; codified at 7 Ill. Reg. 13591; amended in R82-1 (Docket A), at 10 Ill. Reg. 12637, effective July 9, 1986; amended in R85-33 at 10 Ill. Reg. 18030, effective October 7, 1986; amended in R84-48 at 11 Ill. Reg. 691, effective December 18, 1986; amended in R84-42 at 11 Ill. Reg. 1410, effective December 30, 1986; amended in R82-1 (Docket B) at 12 Ill. Reg. 12492, effective July 13, 1988; amended in R91-6 at 15 Ill. Reg. 15708, effective October 4, 1991; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R91-22 at 16 Ill. Reg. 7880, effective May 11, 1992; amended in R91-35 at 16 Ill. Reg. 8204, effective May 15, 1992; amended in R93-30 at 18 Ill. Reg. 11587, effective July 11, 1994; amended in R96-5 at 20 Ill. Reg.7605, effective May 22, 1996; amended in R23-18 at 47 Ill. Reg. 12107, effective July 25, 2023; amended in R23-18(A) at 48 Ill. Reg. _____, effective _____.

SUBPART B: VISIBLE EMISSIONS

Section 212.124 Exceptions

a) Sections 212.122 and 212.123 will not apply to emissions of water or water vapor from an emission unit.

b) An emission unit that has obtained an adjusted opacity standard in compliance with Section 212.126 will be subject to that standard rather than the limitations of Section 212.122 or 212.123.

c) Compliance with Particulate Emissions Limitations as a Defense ~~the particulate regulations of this Part will constitute a defense~~.

1) For all emission units that are not subject to Section~~Chapters~~ 111 or 112 of the CAA and Section ~~Sections~~ 212.201, 212.202, 212.203, or 212.204 but are subject to Section~~Sections~~ 212.122 or 212.123: the opacity limitations of Sections 212.122 and 212.123 will not apply if it is shown that the emission unit was, at the time of emission, in compliance with the applicable particulate emissions limitations of Subparts D through T.

2) For all emission units that are not subject to Section~~Chapters~~ 111 or 112 of the CAA but are subject to Section~~Sections~~ 212.201, 212.202, 212.203, or 212.204:

A) An exceedance of the limitations of Section 212.122 or 212.123 will constitute a violation of the applicable particulate limitations of Subparts D through T. It will be a defense to a violation of the applicable particulate limitations if, during a subsequent performance test conducted within a reasonable time not to exceed 60 days, under the same operating conditions for the unit and the control devices, and in accordance with Method 5, 40 CFR 60, incorporated by reference in Section 212.113, the owner or operator shows that the emission unit is in compliance with the particulate emission limitations.

B) It will be a defense to an exceedance of the opacity limit if, during a subsequent performance test conducted within a reasonable time not to exceed 60 days, under the same operating conditions of the emission unit and the control devices, and in accordance with Method 5, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113, the owner or operator shows that the emission unit is in compliance with the allowable particulate emissions limitation while, simultaneously, having visible emissions equal to or greater than the opacity exceedance as originally observed.

d) During startup of coal-fired boiler 1 or 2 at the Baldwin Energy Complex, coal-fired boiler 1 or 2 at the Kincaid Power Station, coal-fired boiler 1 at Newton Power Station, or coal-fired boiler 51, 52, 61, or 62 at the Powerton Generating Station, or malfunction or breakdown of these boilers or the air pollution control equipment serving these boilers, when a six-minute average opacity exceeds the applicable limitation in Section 212.122(a) or 212.123(a), compliance with the limitation may alternatively be demonstrated as follows:

1) Alternative Averaging Period.

A) For Baldwin Energy Complex coal-fired boilers 1 and 2, compliance for that six-minute period may be determined based on opacity readings averaged over a period of up to one hour beginning with the six-minute period in excess of the applicable standard.

B) For Kincaid Power Station coal-fired boilers 1 and 2, Newton Power Station coal-fired boiler 1, and Powerton Generating Station coal-fired boilers 51, 52, 61, and 62, compliance for that six-minute period may be determined based on opacity readings averaged over a period of up to three hours beginning with the six-minute period in excess of the applicable standard.

2) Recordkeeping and Reporting

A) Any owner or operator complying with the alternative averaging period in subsection (d)(1) must maintain records of these average opacity calculations and report these calculations to the Agency as part of the next quarterly excess emissions report for the source.

B) For each startup, the report must include:

i) The date, time, and duration of the startup.

ii) A description of the startup.

iii) The reasons for the startup.

iv) An indication of whether written startup procedures were followed. If any were not, the report must describe all departures from established procedures and all reasons the procedures could not be followed.

v) A description of all actions taken to minimize the magnitude or duration of opacity requiring the use of the alternative averaging period in subsection (d)(1).

vi) An explanation of whether similar incidents could be prevented in the future and, if so, a description of the actions taken or to be taken to prevent similar incidents in the future.

vii) Confirmation that the requirements of subsection (d)(3) have been fulfilled.

C) For each malfunction and breakdown, the report must include:

i) The date, time, and duration (i.e., the length of time during which operation continued with opacity exceeding the applicable limitation in Section 212.122(a) or 212.123(a) on a six-minute average basis) until corrective actions were taken or the boiler was taken out of service.

ii) A description of the incident.

iii) Any corrective actions used to reduce the magnitude or duration of opacity requiring the use of the alternative averaging period in subsection (d)(1).

iv) Confirmation that the requirements of subsections (d)(2)(D) and (d)(3) have been fulfilled.

D) Any person who causes or allows the continued operation of a coal-fired boiler during a malfunction or breakdown of the coal-fired boiler or related air pollution control equipment when that continued operation would require compliance with the alternative averaging period in subsection (d)(1) must immediately report the incident to the Agency by telephone at 217-782-3397 and as otherwise provided in the operating permit. After that, this person must comply with all lawful directives of the Agency regarding the incident.

3) Work Practices. Any person relying on the alternative averaging period in subsection (d)(1) must comply with the following work practices.

A) Operate the coal-fired boiler and related air pollution control equipment in a manner consistent with good engineering practice for minimizing opacity during startup, malfunction, or breakdown.

B) Use good engineering practices and best efforts to minimize the frequency and duration of operation in startup, malfunction, and breakdown.

e) During startup of the emission unit designated Kiln 1 or Kiln 2 at the petroleum coke calcining facility located in Robinson, Illinois, when average opacity exceeds 30 percent for a six-minute period, under Section 212.123(a), compliance with Section 212.123(a) may alternatively be determined based on the average of opacity readings taken during a one-hour period using Test Method 9 (40 CFR 60, Appendix A-4, incorporated by reference in Section 212.113). However, compliance may be based on the average of up to three one-hour average periods if compliance is not demonstrated during the preceding hours. For this subsection (e), "startup" means the time from when green coke feed is introduced into the kiln until the temperature at the pyroscrubber inlet servicing the kiln achieves a minimum operating temperature of 1800 °F (based on a three-hour rolling average).

f) Section 212.123 will not apply to emission units subject to 35 Ill. Adm. Code 217.381(a).

(Source: Amended at 47 Ill. Reg._____, effective _____)

Section 212.322 Process Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972

a) Except as further provided in this Part, a ~~no~~ person must not~~shall~~ cause or allow the emission of particulate matter into the atmosphere in any one-hour ~~one hour~~ period from any process emission unit for which construction or modification commenced prior to April 14, 1972, that~~which~~, either alone or in combination with the emission of particulate matter from all other similar process emission units at a source or premises, exceeds the allowable emission rates specified in subsection (c) ~~of this Section~~.

b) Interpolated and extrapolated values of the data in subsection (c) ~~of this Section~~ must ~~shall~~ be determined ~~by~~ using the following equation:

$$E = C + A(P)^B$$

where:

P = process weight rate; and

E = allowable emission rate; and,

1) For process weight rates up to 27.2 Mg/hr (30 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lbs/hr
A	1.985	4.10
B	0.67	0.67
C	0	0

2) For process weight rates above ~~in excess of~~ 27.2 Mg/hr (30 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lbs/hr
A	25.21	55.0
B	0.11	0.11
C	-18.4	-40.0

c) Limits for Process Emission Units for~~For~~ Which Construction or Modification Commenced Prior to April 14, 1972

Metric		English	
P	E	P	E
Mg/hr	kg/hr	T/hr	lbs/hr
0.05	0.27	0.05	0.55
0.1	0.42	0.10	0.87
0.2	0.68	0.20	1.40
0.3	0.89	0.30	1.83
0.4	1.07	0.40	2.22
0.5	1.25	0.50	2.58
0.7	1.56	0.75	3.38
0.9	1.85	1.00	4.10
1.8	2.9	2.00	6.52
2.7	3.9	3.00	8.56
3.6	4.7	4.00	10.40
4.5	5.4	5.00	12.00
9.	8.7	10.00	19.20
13.	11.1	15.00	25.20
18.	13.8	20.00	30.50
23.	16.2	25.00	35.40
27.2	18.15	30.00	40.00

32.0	18.8	35.00	41.30
36.0	19.3	40.00	42.50
41.0	19.8	45.00	43.60
45.0	20.2	50.00	44.60
90.0	23.2	100.00	51.20
140.0	25.3	150.00	55.40
180.0	26.5	200.00	58.60
230.0	27.7	250.00	61.00
270.0	28.5	300.00	63.10
320.0	29.4	350.00	64.90
360.0	30.0	400.00	66.20
400.0	30.6	450.00	67.70
454.0	31.3	500.00	69.00

where:

P = Process weight rate in Mg/hr or T/hr, and

E = Allowable emission rate in kg/hr or lbs/hr.

d) Alternative Standard

1) The owner or operator of the petroleum coke calcining facility located in Robinson, Illinois, may emit particulate matter into the atmosphere from Kiln 1 or Kiln 2 exceeding the allowable emission rates specified in subsection (c) while the temperature of the inlet to the pyroscrubber servicing Kiln 1 or Kiln 2 does not achieve a minimum operating temperature of 1800 °F during startup, malfunction, or breakdown (based on a three-hour rolling average). During this period of time, the owner or operator must comply with subsection (d)(3). For purposes of this subsection, "startup" is defined as the duration from when green coke feed is first introduced into the kiln until the temperature at the pyroscrubber inlet servicing the kiln achieves a minimum operating temperature of 1800 °F (based on a three-hour rolling average).

2) Use of the alternative standard in subsection (d)(1) must not exceed a total of 300 hours per kiln in a calendar year.

3) During any time that Kiln 1 or Kiln 2 is operated while the pyroscrubber servicing the emission unit is not achieving the minimum operating temperature of 1800 °F, the owner or operator must:

A) minimize emissions to the extent practicable;

B) not introduce green coke into the kiln unless or until a minimum operating temperature of 400 °F measured at the inlet to the pyroscrubber is achieved; and

C) operate the natural gas-fired burners to minimize the time that a kiln operates below 1800 °F, consistent with technological limitations, manufacturer specifications, and good air pollution control practices for minimizing emissions.

4) The owner or operator must keep and maintain all records necessary to demonstrate compliance with this subsection (d), including records of each hour that the pyroscrubber operated below 1800 °F. The owner or operator must provide these records to the Agency upon request.

(Source: Amended at 47 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

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AUTHORITY: Implementing Sections 9.1 and 10 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/9.1, 10 and 27].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 205: Organic Material Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-3, 33 PCB 357, at 3 Ill. Reg. 18, p. 41, effective May 3, 1979; amended in R78-3 and R78-4, 35 PCB 75, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5 at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13601 Corrected at 7 Ill. Reg. 14575; amended in R82-14 at 8 Ill. Reg. 13254, effective July 12, 1984; amended in R83-36 at 9 Ill. Reg. 9114, effective May 30, 1985; amended in R82-14 at 9 Ill. Reg. 13960, effective August 28, 1985; amended in R85-28 at 11 Ill. Reg. 3127, effective February 3, 1987; amended in R82-14 at 11 Ill. Reg. 7296, effective April 3, 1987; amended in R85-21(A) at 11 Ill. Reg. 11770, effective June 29, 1987; recodified in R86-39 at 11 Ill. Reg. 13541; amended in R82-14 and R86-12 at 11 Ill. Reg. 16706, effective September 30, 1987; amended in R85-21(B) at 11 Ill. Reg. 19117, effective November 9, 1987; amended in R86-36, R86-39, R86-40 at 11 Ill. Reg. 20829, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 815, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7311, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7650, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10893, effective June 27, 1989; amended in R88-30(A) at 14 Ill. Reg. 3555, effective February 27, 1990; emergency amendments in R88-30A at 14 Ill. Reg. 6421, effective April 11, 1990, for a maximum of 150 days; amended in R88-19 at 14 Ill. Reg. 7596, effective May 8, 1990; amended in R89-16(A) at 14 Ill. Reg. 9173, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 3309, effective February 15, 1991; amended in R88-14 at 15 Ill. Reg. 8018, effective May 14, 1991; amended in R91-7 at 15 Ill. Reg. 12217, effective August 19, 1991; amended in R91-10 at 15 Ill. Reg. 15595, effective October 11, 1991; amended in R89-7(B) at 15 Ill. Reg. 17687, effective November 26, 1991; amended in R91-9 at 16 Ill. Reg. 3132, effective February 18, 1992; amended in R91-24 at 16 Ill. Reg. 13555, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13849, effective August 24, 1992; amended in R98-15 at 22 Ill. Reg. 11427, effective June 19, 1998; amended in R12-24 at 37 Ill. Reg. 1683, effective January 28, 2013; expedited correction at 37 Ill. Reg. 16858, effective January 28, 2013; amended in R19-1 at 44 Ill. Reg. 15032, effective September 4, 2020; amended in R23-18(A) at 48 Ill. Reg. _____, effective _____.

SUBPART K: USE OF ORGANIC MATERIAL

Section 215.302 Alternative Standard

a) Emissions of organic material exceeding ~~in excess of~~ those permitted by Section 215.301 are allowable if the ~~such~~ emissions are controlled by one of the following methods:

1)~~a)~~ Flame, thermal, or catalytic incineration so as to either ~~either to~~ reduce the~~such~~ emissions to 10 ppm equivalent methane (molecular weight 16) or less~~,~~ or ~~to~~ convert 85 percent of the hydrocarbons to carbon dioxide and water; ~~or,~~

2)~~b)~~ A vapor recovery system that~~which~~ adsorbs ~~and/~~or condenses at least 85 percent of the total uncontrolled organic material that would otherwise be emitted to the atmosphere; or~~,~~

3)~~c)~~ Any other air pollution control equipment approved by the Agency capable of reducing by 85 percent or more the uncontrolled organic material that would otherwise be ~~be otherwise~~ emitted to the atmosphere.

b) Compliance with the emissions standard in Section 215.301 during startup of the emission unit designated Kiln 1 or Kiln 2 at the petroleum coke calcining facility located in Robinson, Illinois, must be determined by the average of hourly emissions of organic material during startup of Kiln 1 or Kiln 2 over an averaging period of no more than 12 hours. For the alternative standard in this subsection (b), "startup" means the time from when green coke feed is first introduced into the kiln until the temperature at the pyroscrubber inlet servicing the kiln achieves a minimum operating temperature of 1800 °F (based on a 3-hour rolling average). During startup, the owner or operator must:

1) minimize emissions to the extent practicable;

2) not introduce green coke into the kiln until a minimum operating temperature of 400 °F measured at the inlet to the pyroscrubber is achieved; and

3) operate the natural gas-fired burners to minimize the duration of startup, consistent with technological limitations, manufacturer specifications, and good air pollution control practices for minimizing emissions.

c) The owner or operator that is subject to subsection (b) must keep and maintain all records necessary to demonstrate compliance with that subsection, including records of the duration and frequency of each startup.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

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SUBTITLE B: AIR POLLUTION
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SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 216
CARBON MONOXIDE EMISSIONS

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216.361 Petroleum and Petrochemical Processes
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216.APPENDIX~~Appendix~~ A Rule into Section Table
216.APPENDIX~~Appendix~~ B Section into Rule Table
216.APPENDIX~~Appendix~~ C Compliance Dates

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10 and 27].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 206: Carbon Monoxide Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 3 Ill. Reg. 47, p. 92, effective November 8, 1979; amended at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; codified at 7 Ill. Reg. 13607; amended in R87-18 at 12 Ill. Reg. 20774, effective December 6, 1988; amended in R90-23 at 16 Ill. Reg. 18075, effective November 13, 1992; amended in R23-18(A) at 48 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 216.103 Definitions

The definitions contained in 35 Ill. Adm. Code 201 and 211 apply to this Part. The definitions for "catalytic cracking unit" and "hot standby" in 40 CFR 63.1579, incorporated by reference in Section 216.104, apply to Section 216.361(d). The definition of "startup" in 40 CFR 63.2, incorporated by reference in Section 216.104, applies to Section 216.361(d).

(Source: Amended at 48 Ill. Reg. _____, effective _____)

Section 216.104 Incorporations by Reference

The following materials are incorporated by reference: non-dispersive infrared method, 40 CFR 60, Appendix A, Method 10 (1982); 40 CFR 63, Subpart A (2022); 40 CFR 63, Subpart UUU (2022). This Section incorporates no later editions or amendments.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

SUBPART B: FUEL COMBUSTION EMISSION SOURCES

Section 216.121 Fuel Combustion Emission Sources

A~~No~~ person must not ~~shall~~ cause or allow the emission of carbon monoxide (CO) into the atmosphere from any fuel combustion emission source with actual heat input greater than 2.9 MW (10 mmbtu/hr) to exceed 200 ppm, corrected to 50 percent excess air.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

SUBPART N: PETROLEUM REFINING AND CHEMICAL MANUFACTURE

Section 216.361 Petroleum and Petrochemical Processes

a) A ~~No~~ person must not ~~shall~~ cause or allow the emission of a carbon monoxide waste gas stream into the atmosphere from a petroleum or petrochemical process unless the ~~such~~ waste gas stream is burned in a direct flame afterburner or carbon monoxide boiler so that the resulting concentration of carbon monoxide in the ~~such~~ waste gas stream is less than or equal to 200 ppm corrected to 50 percent excess air, or the~~such~~ waste gas stream is controlled by other equivalent air pollution control equipment approved by the Agency under~~according to the provisions of~~ 35 Ill. Adm. Code 201.

b) Regardless of ~~Notwithstanding~~ subsection (a), any existing petroleum or petrochemical process using catalyst regenerators of fluidized catalytic converters equipped for in situ combustion of carbon monoxide~~,~~ may emit a carbon monoxide waste gas stream into the atmosphere if the carbon monoxide concentration of the ~~such~~ waste gas stream is less than or equal to 750 ppm corrected to 50 percent excess air.

c) Regardless of ~~Notwithstanding~~ subsection (a), any new petroleum or petrochemical process using catalyst regenerators of fluidized catalytic converters equipped for in situ combustion of carbon monoxide~~,~~ may emit a carbon monoxide waste gas stream into the atmosphere if the carbon monoxide concentration of the ~~such~~ waste gas stream is less than or equal to 350 ppm corrected to 50 percent excess air.

d) For the petroleum refinery facilities located in Channahon, Lemont, and Robinson Illinois, regardless of subsections (a) through (c), during startup and hot standby, petroleum catalytic cracking units must comply either with subsections (a) through (c) or the non-numerical standards for these operating modes in 40 CFR 63 Subpart UUU Tables 9, 10, 14, and 41, 40 CFR 63.1565(a)(5), 40 CFR 63.1570(c) and (f), 40 CFR 63.1572(c), and 40 CFR 63.1576(a)(2) and (d), incorporated by reference in Section 216.104.

(Source: Amended at 48 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 217
NITROGEN OXIDES EMISSIONS

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AUTHORITY: Implementing Sections 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9.9, 10, 27 and 28.5 (2004)].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 207: Nitrogen Oxides Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 2 Ill. Reg. 17, p. 101, effective April 13, 1978; codified at 7 Ill. Reg. 13609; amended in R01-9 at 25 Ill. Reg. 128, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4597, effective March 15, 2001; amended in R01-16 and R01-17 at 25 Ill. Reg. 5914, effective April 17, 2001; amended in R07-

18 at 31 Ill. Reg. 142715~~4~~, effective September 25, 2007; amended in R07-19 at 33 Ill. Reg. 11999, effective August 6, 2009; amended in R08-19 at 33 Ill. Reg. 13345, effective August 31, 2009; amended in R09-20 at 33 Ill. Reg. 15754, effective November 2, 2009; amended in R11-17 at 35 Ill. Reg. 7391, effective April 22, 2011; amended in R11-24 at 35 Ill. Reg. 14627, effective August 22, 2011; amended in R11-08 at 35 Ill. Reg. 16600, effective September 27, 2011; amended in R09-19 at 35 Ill. Reg. 18801, effective October 25, 2011; amended in R15-21 at 39 Ill. Reg. 16213, effective December 7, 2015; amended in R23-18(A) at 48 Ill. Reg. _____, effective _____.

SUBPART O: CHEMICAL MANUFACTURE

Section 217.381 Nitric Acid Manufacturing Processes

a) New Weak Nitric Acid Processes. A~~No~~ person must not~~shall~~ cause or allow the emission of nitrogen oxides into the atmosphere from any new weak nitric acid manufacturing process to exceed any of the following standards and limitations:

1) 0.75~~1.5~~ kg of nitrogen oxides (expressed as nitrogen dioxide) per metric tonne of acid produced (100 percent acid basis) (1.5 ~~3.0~~ lbs/T)~~)~~, on a 30-day rolling average basis, calculated from the quantity of NOx emitted per quantity of acid produced (100 percent acid basis) for each operating hour within the prior 30 operating days, and the average of those hourly values over the 30-day operating period;

2) Visible emissions greater than~~in excess of~~ 5 percent opacity except during startup and shutdown;

3) During startup and shutdown, as defined in subsection (e), visible emissions must be controlled through:

A) Operating in a manner consistent with good air pollution control practices for minimizing emissions;

B) Maintaining a log of startup and shutdown events, including the dates, times, and durations of those events, quantity of acid produced during those events (lb/hr), and NOx emissions during those events (lb/hr). These records shall be submitted to the Agency upon request; and

C) Operating in compliance with written startup and shutdown procedures that are specifically developed to minimize startup and

shutdown emissions, the duration of individual startups and shutdown, and the frequency of startups and shutdowns.

4)~~3)~~ 0.05 kg of nitrogen oxides (expressed as nitrogen dioxide) per metric tonne of acid produced (100 percent acid basis) from any acid storage tank vents (0.1 lbs/T).

5~~6~~) In determining compliance with subsection (a)(1), during process operating periods where there is little or no acid production (e.g., startup or shutdown), the average hourly acid production rate must be determined from the data collected over the previous 30 days of normal acid production periods. For any hour in which subsection (a)(5) is utilized for compliance calculations, the owner or operator must maintain records of the quantity of acid produced within that hour.

b) Existing Weak Nitric Acid Processes. A~~N~~o person must not ~~shall~~ cause or allow the emission of nitrogen oxides into the atmosphere from any existing weak nitric acid manufacturing process to exceed of any the following standards and limitations:

1) 2.75 kg of nitrogen oxides (expressed as nitrogen dioxide) per metric tonne of acid produced (100 percent acid basis) (5.5 lbs/T);

2) Visible emissions greater than ~~in excess of~~ 5 percent opacity;

3) 0.1 kg of nitrogen oxides (expressed as nitrogen dioxide) per metric tonne of acid produced (100 percent acid basis) from any acid storage tank vents (0.2 lbs/T).

c) Concentrated Nitric Acid Processes. A~~N~~o person must not ~~shall~~ cause or allow the emission of nitrogen oxides into the atmosphere from any concentrated nitric acid manufacturing process to exceed of any the following standards and limitations:

1) 1.5 kg of nitrogen oxides (expressed as nitrogen dioxide) per metric tonne of acid produced (100 percent acid basis) (3.0 lbs/T);

2) 225 ppm of nitrogen oxides (expressed as nitrogen dioxide) in any effluent gas stream emitted into the atmosphere;

3) Visible emissions greater than ~~in excess of~~ 5 percent opacity.

d) Nitric Acid Concentrating Processes. A~~No~~ person must not~~shall~~ cause or allow the emission of nitrogen oxides into the atmosphere from any nitric acid concentrating process to exceed any of the following standards and limitations:

1) 1.5 kg of nitrogen oxides (expressed as nitrogen dioxide) per metric tonne of acid produced (100 percent acid basis) (3.0 lbs/T);

2) Visible emissions greater than ~~in excess of~~ 5 percent opacity.

e) The following definitions apply to this Section:

1) "Operating Periods" means a period during which a process is producing nitric acid and nitrogen oxides are emitted. An operating period begins at the initiation of startup, ends at the completion of shutdown, and includes all periods of malfunction.

2) "Shutdown" means ceasing the nitric acid production operations of a process for any reason. Shutdown begins when ammonia is no longer being fed to the process and ends the earlier of three hours later or when compressed air is no longer being fed to the process.

3) "Startup" means the process of initiating the nitric acid production operations of a process. Startup begins one hour before ammonia is first fed to the process and ends no more than five hours after ammonia is first fed to the process.

(Source: Amended at 48 Ill. Reg. _____, effective _____)