

ILLINOIS POLLUTION CONTROL BOARD
September 21, 1995

IN THE MATTER OF:)
)
15~~8~~ ROP PLAN: CLEAN-UP PART I -) R96-2
AMENDMENTS TO 35 ILL. ADM. CODE) (Rulemaking - Air)
219.585(a) AND 219.APPENDIX E)

Proposed Rule. First Notice.

OPINION AND ORDER OF THE BOARD (by R.C. Flemal):

This matter comes before the Board upon the filing on September 6, 1995 by the Illinois Environmental Protection Agency (Agency) of a petition for rulemaking.

The Agency requests that the Board make two amendments to its air emissions regulations applicable in the Metro-East St. Louis areas (Madison, Monroe, and St. Clair Counties). The principal amendment would establish a uniform annual date of June 1 upon which all regulated gasoline facilities must comply with 7.2 psi Reid vapor pressure (RVP) gasoline requirements; currently the June 1 date applies to retail outlets and wholesale purchaser-consumer facilities and a May 1 date applies to other facilities (i.e., refiners, distributors, bulk terminals). The second proposed amendment is a housekeeping matter that would correct an error in the identification number of a marine terminal at 35 Ill. Adm. Code 219.Appendix E.

The Board's responsibility in this matter arises from the Environmental Protection Act (Act) (415 ILCS 5/1 et seq. (1992)). The Board is charged therein to "determine, define and implement the environmental control standards applicable in the State of Illinois" (415 ILCS 5/5(b)). More generally, the Board's rulemaking charge is based on the system of checks and balances integral to Illinois environmental governance: the Board bears responsibility for the rulemaking and principal adjudicatory functions; the Agency has primary responsibility for administration of the Act and the Board's regulations, including the regulations today proposed for amendment.

EXPEDITED CONSIDERATION AND FIRST NOTICE

The Agency's petition is accompanied by a motion to expedite hearing on this matter. The Agency observes that the amendment it proposes today regarding the 7.2 psi RVP compliance date is identical to the text of an emergency rule adopted by the Board

in February 1995¹; the emergency rule was in effect for the 1995 ozone season. The Agency now proposes, as the principal action of the instant proposal, to make that emergency rule permanent.

The Agency contends, as it did in the emergency rule proceeding, that the uniform June 1 compliance date "is appropriate at this time in view of the need for consistency between the Board's rules and USEPA's regulations" (Motion at ¶3), and that the "change should be accomplished as quickly as possible to address concerns of enforceability of the current rule" (*Id.*).

The Board hereby grants the Agency's motion, and accordingly directs the hearing officer to set and conduct hearings in this matter on an expedited schedule.

In addition to expediting the hearing schedule, the Board believes that it is appropriate to begin today the notice sequence prescribed by the Illinois Administrative Procedure Act (5 ILCS 100/1-1 et seq. (1994)). The Board accordingly today adopts the Agency proposal for first notice. The Board takes this action in view of the record already developed on the compliance date issue in two prior Board reviews of the issue, and in belief that expeditious resolution of the whole matter would best serve the public interest².

NATURE OF PROPOSAL

Section 182(b)(1) of the Clean Air Act, as amended in 1990, requires all moderate and above ozone nonattainment areas to achieve a 15% reduction of 1990 emissions of volatile organic material (VOM) by 1996. In Illinois, the Chicago and Metro-East areas are classified as "severe" and "moderate" nonattainment for ozone, respectively, and as such are subject to the 15% reduction requirement. Illinois has met its 15% reduction obligations by designing a 15% Rate of Progress (ROP) plan, which included

¹ In the Matter of: Emergency Rule Amending 7.2 psi Reid Vapor Pressure Requirement in the Metro-East Area, 35 Ill. Adm. Code 219.585(a), R95-10, adopted by Board order of February 23, 1995, effective March 10, 1995.

² The Board notes that although the Agency does not present the instant proposed amendments under the Clean Air Fast Track rulemaking provisions found at Section 28.5 of the Act, the proposal as filed contains many of the elements necessary to support fast-tracking of an air rule, including statement of reasons, analysis of economic and budgetary effects, and prefiled testimony.

adoption of a series of regulations designed to decrease VOM emissions.

One of the 15% ROP provisions is a requirement that only low volatility gasoline be sold during the ozone season. Low volatility gasoline evaporates less readily, and hence is less prone to generating emissions of VOM.

The Board adopted low volatility gasoline regulations for the Metro-East area in docket R94-12, In the Matter of: 15% ROP Plan Control Measures for VOM Emissions - Part I: Pressure/Vacuum Relief Valves and 7.2 RVP (September 15, 1994). "Low volatility" gasoline, as defined for the Metro-East area, is gasoline with a Reid vapor pressure not exceeding 7.2 pounds per square inch (psi), with some latitude provided for ethanol blends. (see 35 Ill. Adm. Code 219.585(b) and (c).) The definition of what constitutes low volatility gasoline is not at issue in the instant matter.

What is at issue is the annual "regulatory control period" during which the low volatility gasoline regulations are in effect. The regulatory control period consists of that annual period during which "no person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois" gasoline that is other than low volatility gasoline. (see 35 Ill. Adm. Code 219.585(a).) As currently crafted, the regulatory control period is bifurcated, with a period extending from June 1 to September 15 applicable to retail outlets and wholesale purchaser-consumer facilities, and a period from May 1 to September 15 for "all other facilities". (*Id.*) The "other facilities" include refiners, distributors, and bulk terminals (collectively as "supply facilities").

Thus the existing regulations require that supply facilities comply with the low volatility gasoline regulations each year at a date that is a month earlier than the retail and consumer facilities they service. The Agency proposal is to remove this bifurcation, thereby establishing the same regulatory control period of June 1 to September 15 for all affected facilities.

It is important to note that removal of the current bifurcated regulatory control period under Illinois law would not be equivalent to removal of all volatility limitations during the month of May. Rather, the consequence would be default to volatility limits prescribed by the United States Environmental Protection Agency (USEPA) under federal law.

USEPA regulates gasoline volatility under Section 211(h) of the Clean Air Act. As part of that authority, USEPA has specified maximum gasoline volatility limits for various non-attainment areas, to which default occurs if local authority has not specified more stringent limitations. For the Metro-East

area for the month of May the default is gasoline of 9.0 psi RVP. (*Federal Register*, Vol. 55, No. 212, June 11, 1990, p. 23867.) Thus, if today's proposed gasoline volatility amendment is adopted, the consequence would be equivalent to raising the May limitation for supply facilities from 7.2 to 9.0 gasoline.

JUSTIFICATION

The justification that the Agency presents for today's proposed action is essentially the same as the justification that the Board found compelling in adopting the identical amendments as an emergency rule in February 1995 under docket R95-10. That is, the amendments would ease an economic hardship without detriment to the environment and air quality.

Hardship

In adopting the emergency rule in R95-10, the Board specifically identified three areas of hardship: 1) for the refiners, acceleration of production schedules to supply lower volatility gasoline for only one small area of a larger market area; 2) for pipelines, the need to ship a separate, low RVP to the Illinois market during the month of May; and 3) for gasoline distributors, the shortening of time to blend down their tanks from higher volatility winter gasoline and the resulting rise of the risk of being out of compliance. (R95-10 slip op. at p. 5, February 23, 1995.) The Agency asserts in the instant matter that each of these areas of hardship remains. (Statement of Reasons at p. 3; Rogers³ at p. 4.)

Some portion of this hardship results from the fact that the Metro-East area is part of the larger St. Louis metropolitan area and market. In the Missouri part of the metropolitan area, pursuant to Missouri and federal law, supply facilities are not required to comply with the 7.2 psi gasoline requirements until June 1; during May the federal default value of 9.0 psi applies. Thus, Metro-East supply facilities, if they wish to compete in the full metropolitan market, must during the month of May treat with two different gasoline volatility laws.

³ The petition package filed by the Agency in this matter contains, among other items, the prefiled testimony of Michael I. Rogers. Mr. Rogers was also the Agency's primary witness in the two prior rulemakings on the Metro-East low volatility gasoline issue, R94-12 and R95-10. Although the instant prefiled testimony has not yet been given, the Board nevertheless accepts it as representing the Agency's position as of this time and for the purposes of this first notice action.

The Agency has undertaken an analysis of the economic effect caused by the difference in regulations in the two parts of the metropolitan area, and observes:

Revising the bulk supplier compliance date from May 1 to June 1, would delay the need for the more expensive, lower volatility gasoline by a month. In order to determine the monthly amount of fuel sold in the Metro-East area, statewide gasoline and ethanol-blended gasoline sales figures for 1990, were estimated for 1996 using gasoline sales growth figures from the Illinois Department of Transportation ("IDOT"). Total gasoline and ethanol-blend sales in the Metro-East area were estimated by apportioning statewide sales to the three-county area based on the areas fraction of statewide vehicle miles travelled. Using these IDOT-supplied figures, it is estimated that approximately 23,600,000 gallons of gasoline and ethanol-blended gasoline would be sold in May 1996. Applying the 1 to 2 cent per gallon cost increase estimate, contained in the TSD [technical support document] for R94-12, for the lower volatility fuel, gasoline suppliers will save between \$236,000 and \$472,000 through the compliance date change to June 1.

(Rogers at p. 4-5.)

Environmental/Air Quality Impact

The Board in adopting the emergency rule in R95-10 was persuaded that changing the regulatory control period would have little environmental effect. (R95-10 slip op. at p. 4, February 23, 1995.) Again, the Board is presented in the instant matter with the same argument:

If the May 1 Illinois supplier compliance date were changed to June 1, the current USEPA 9.0 psi RVP May standard would still be in effect. Therefore, no increase in VOM emissions would occur. (Rogers at p. 5.)

As regards air quality, one measure of the impact is presented by the effect today's proposal would have on Illinois' inventory of emission reductions, and hence ability to comply with the Clean Air Act's requirement to produce emission reductions. The Agency addresses this point thusly:

From an emission reduction point of view, changing the compliance date to June 1 would result in only a small loss of actual VOM emissions reductions. The Agency estimated in the TSD for R95-10 that the amount of emission reductions which would have been obtained from

affected gasoline storage terminals and bulk storage plants during the month of May is approximately 0.27 TPD [tons per day]. However, the 15 Percent ROP plan 7.2 psi RVP gasoline emissions reduction credit of 8.55 TPD, contained in the TSD for docket R94-12, should not be reduced because the ROP plan reduction is based on calculation methodologies which incorporate both driving patterns and meteorological conditions representative of summer (June through August) conditions.

(Rogers at p. 5.)

CORRECTION AMENDMENT

In addition to the issue of the regulatory control period for low volatility gasoline, the Agency also proposes in this docket to correct an error regarding the identification number for the Clark Oil Company, as found in 35 Ill. Adm. Code 219.Appendix E. The correction would change the number from 197800AAA to 119050AAA.

The Clark Oil Company terminal is subject to the Marine Vessel Loading rules. These rules were adopted by the Board in docket R94-15, In the Matter of: 15% ROP Plan Control Measures for VOM Emissions - Part II Marine Vessel Loading: Amendments 35 Ill. Adm. Code Parts 211, 218 and 219 (October 20, 1994). The incorrect identification number was adopted at that time.

CONCLUSION

The Board believes the record in this matter warrants adoption of the Agency's proposal for the purposes of first notice. The Board will again review the record in this matter upon completion of the first notice period, and determine then whether the record continues to support moving this matter towards adoption.

ORDER

The Board hereby proposes for first notice the following amendments. The Clerk of the Board is directed to cause filing of these proposed amendments with the Secretary of State.

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER c: EMISSIONS STANDARDS

AND LIMITATIONS FOR STATIONARY SOURCES

PART 219
ORGANIC MATERIAL EMISSION STANDARDS AND
LIMITATIONS FOR METRO EAST AREA

SUBPART A: GENERAL PROVISIONS

Section	
219.100	Introduction
219.101	Savings Clause
219.102	Abbreviations and Conversion Factors
219.103	Applicability
219.104	Definitions
219.105	Test Methods and Procedures
219.106	Compliance Dates
219.107	Operation of Afterburners
219.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
219.109	Vapor Pressure of Volatile Organic Liquids
219.110	Vapor Pressure of Organic Material or Solvents
219.111	Vapor Pressure of Volatile Organic Material
219.112	Incorporations by Reference
219.113	Monitoring for Negligibly-Reactive Compounds

SUBPART B: ORGANIC EMISSIONS FROM STORAGE
AND LOADING OPERATIONS

Section	
219.119	Applicability for VOL
219.120	Control Requirements for Storage Containers of VOL
219.121	Storage Containers
219.122	Loading Operations
219.123	Petroleum Liquid Storage Tanks
219.124	External Floating Roofs
219.125	Compliance Dates
219.126	Compliance Plan (Repealed)
219.127	Testing VOL Operations
219.128	Monitoring VOL Operations
219.129	Recordkeeping and Reporting for VOL Operations

SUBPART C: ORGANIC EMISSIONS FROM
MISCELLANEOUS EQUIPMENT

Section	
219.141	Separation Operations
219.142	Pumps and Compressors
219.143	Vapor Blowdown
219.144	Safety Relief Valves

SUBPART E: SOLVENT CLEANING

Section	
219.181	Solvent Cleaning in General
219.182	Cold Cleaning
219.183	Open Top Vapor Degreasing
219.184	Conveyorized Degreasing
219.185	Compliance Schedule (Repealed)
219.186	Test Methods

SUBPART F: COATING OPERATIONS

Section	
219.204	Emission Limitations
219.205	Daily-Weighted Average Limitations
219.206	Solids Basis Calculation
219.207	Alternative Emission Limitations
219.208	Exemptions From Emission Limitations
219.209	Exemption From General Rule on Use of Organic Material
219.210	Compliance Schedule
219.211	Recordkeeping and Reporting
219.212	Cross-Line Averaging to Establish Compliance for Coating Lines
219.213	Recordkeeping and Reporting for Cross-Line Averaging Participating Coating Lines
219.214	Changing Compliance Methods

SUBPART G: USE OF ORGANIC MATERIAL

Section	
219.301	Use of Organic Material
219.302	Alternative Standard
219.303	Fuel Combustion Emission Units
219.304	Operations with Compliance Program

SUBPART H: PRINTING AND PUBLISHING

Section	
219.401	Flexographic and Rotogravure Printing
219.402	Applicability
219.403	Compliance Schedule
219.404	Recordkeeping and Reporting
219.405	Lithographic Printing: Applicability
219.406	Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996
219.407	Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996
219.408	Compliance Schedule for Lithographic Printing on and After March 15, 1996
219.409	Testing for Lithographic Printing On and After March 15, 1996
219.410	Monitoring Requirements for Lithographic Printing
219.411	Recordkeeping and Reporting for Lithographic Printing

**SUBPART Q: SYNTHETIC ORGANIC CHEMICAL AND POLYMER
MANUFACTURING PLANT**

Section

219.421 General Requirements
219.422 Inspection Program Plan for Leaks
219.423 Inspection Program for Leaks
219.424 Repairing Leaks
219.425 Recordkeeping for Leaks
219.426 Report for Leaks
219.427 Alternative Program for Leaks
219.428 Open-Ended Valves
219.429 Standards for Control Devices
219.430 Compliance Date (Repealed)
219.431 Applicability
219.432 Control Requirements
219.433 Performance and Testing Requirements
219.434 Monitoring Requirements
219.435 Recordkeeping and Reporting Requirements
219.436 Compliance Date

**SUBPART R: PETROLEUM REFINING AND RELATED
INDUSTRIES; ASPHALT MATERIALS**

Section

219.441 Petroleum Refinery Waste Gas Disposal
219.442 Vacuum Producing Systems
219.443 Wastewater (Oil/Water) Separator
219.444 Process Unit Turnarounds
219.445 Leaks: General Requirements
219.446 Monitoring Program Plan for Leaks
219.447 Monitoring Program for Leaks
219.448 Recordkeeping for Leaks
219.449 Reporting for Leaks
219.450 Alternative Program for Leaks
219.451 Sealing Device Requirements
219.452 Compliance Schedule for Leaks
219.453 Compliance Dates (Repealed)

**SUBPART S: RUBBER AND MISCELLANEOUS
PLASTIC PRODUCTS**

Section

219.461 Manufacture of Pneumatic Rubber Tires
219.462 Green Tire Spraying Operations
219.463 Alternative Emission Reduction Systems
219.464 Emission Testing
219.465 Compliance Dates (Repealed)
219.466 Compliance Plan (Repealed)

SUBPART T: PHARMACEUTICAL MANUFACTURING

Section	
219.480	Applicability
219.481	Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers
219.482	Control of Air Dryers, Production Equipment Exhaust Systems and Filters
219.483	Material Storage and Transfer
219.484	In-Process Tanks
219.485	Leaks
219.486	Other Emission Units
219.487	Testing
219.488	Monitoring for Air Pollution Control Equipment
219.489	Recordkeeping for Air Pollution Control Equipment

SUBPART V: BATCH OPERATIONS AND AIR OXIDATION PROCESSES

Section	
219.500	Applicability for Batch Operations
219.501	Control Requirements for Batch Operations
219.502	Determination of Uncontrolled Total Annual Mass Emissions and Actual Weighted Average Flow Rate Values for Batch Operations
219.503	Performance and Testing Requirements for Batch Operations
219.504	Monitoring Requirements for Batch Operations
219.505	Reporting and Recordkeeping for Batch Operations
219.506	Compliance Date
219.520	Emission Limitations for Air Oxidation Processes
219.521	Definitions (Repealed)
219.522	Savings Clause
219.523	Compliance
219.524	Determination of Applicability
219.525	Emission Limitations for Air Oxidation Processes (Renumbered)
219.526	Testing and Monitoring
219.527	Compliance Date (Repealed)

SUBPART W: AGRICULTURE

Section	
219.541	Pesticide Exception

SUBPART X: CONSTRUCTION

Section	
219.561	Architectural Coatings
219.562	Paving Operations
219.563	Cutback Asphalt

SUBPART Y: GASOLINE DISTRIBUTION

Section	
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219.581 Bulk Gasoline Plants
 219.582 Bulk Gasoline Terminals
 219.583 Gasoline Dispensing Operations - Storage Tank Filling
 Operations
 219.584 Gasoline Delivery Vessels
 219.585 Gasoline Volatility Standards
 219.586 Gasoline Dispensing Operations - Motor Vehicle Fueling
 Operations (Repealed)

SUBPART Z: DRY CLEANERS

Section
 219.601 Perchloroethylene Dry Cleaners
 219.602 Exemptions
 219.603 Leaks
 219.604 Compliance Dates (Repealed)
 219.605 Compliance Plan (Repealed)
 219.606 Exception to Compliance Plan (Repealed)
 219.607 Standards for Petroleum Solvent Dry Cleaners
 219.608 Operating Practices for Petroleum Solvent Dry Cleaners
 219.609 Program for Inspection and Repair of Leaks
 219.610 Testing and Monitoring
 219.611 Exemption for Petroleum Solvent Dry Cleaners
 219.612 Compliance Dates (Repealed)
 219.613 Compliance Plan (Repealed)

SUBPART AA: PAINT AND INK MANUFACTURING

Section
 219.620 Applicability
 219.621 Exemption for Waterbase Material and Heatset-Offset Ink
 219.623 Permit Conditions
 219.624 Open-Top Mills, Tanks, Vats or Vessels
 219.625 Grinding Mills
 219.626 Storage Tanks
 219.628 Leaks
 219.630 Clean Up
 219.636 Compliance Schedule
 219.637 Recordkeeping and Reporting

SUBPART BB: POLYSTYRENE PLANTS

Section
 219.640 Applicability
 219.642 Emissions Limitation at Polystyrene Plants
 219.644 Emissions Testing

SUBPART FF: BAKERY OVENS

Section
 219.720 Applicability
 219.722 Control Requirements

219.726 Testing
219.727 Monitoring
219.728 Recordkeeping and Reporting
219.729 Compliance Date
219.730 Certification

SUBPART GG: MARINE TERMINALS

Section
219.760 Applicability
219.762 Control Requirements
219.764 Compliance Certification
219.766 Leaks
219.768 Testing and Monitoring
219.770 Recordkeeping and Reporting

SUBPART HH: MOTOR VEHICLE REFINISHING

Section
219.780 Emission Limitations
219.782 Alternative Control Requirements
219.784 Equipment Specifications
219.786 Surface Preparation Materials
219.787 Work Practices
219.788 Testing
219.789 Monitoring and Recordkeeping for Control Devices
219.790 General Recordkeeping and Reporting
219.791 Compliance Date
219.792 Registration
219.875 Applicability of Subpart BB (Renumbered)
219.877 Emissions Limitation at Polystyrene Plants (Renumbered)
219.879 Compliance Date (Repealed)
219.881 Compliance Plan (Repealed)
219.883 Special Requirements for Compliance Plan (Repealed)
219.886 Emissions Testing (Renumbered)

SUBPART PP: MISCELLANEOUS FABRICATED
PRODUCT MANUFACTURING PROCESSES

Section
219.920 Applicability
219.923 Permit Conditions
219.926 Control Requirements
219.927 Compliance Schedule
219.928 Testing

SUBPART QQ: MISCELLANEOUS FORMULATION
MANUFACTURING PROCESSES

Section
219.940 Applicability
219.943 Permit Conditions

219.946 Control Requirements
 219.947 Compliance Schedule
 219.948 Testing

SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL
 MANUFACTURING PROCESSES

Section
 219.960 Applicability
 219.963 Permit Conditions
 219.966 Control Requirements
 219.967 Compliance Schedule
 219.968 Testing

SUBPART TT: OTHER EMISSION UNITS

Section
 219.980 Applicability
 219.983 Permit Conditions
 219.986 Control Requirements
 219.987 Compliance Schedule
 219.988 Testing

SUBPART UU: RECORDKEEPING AND REPORTING

Section
 219.990 Exempt Emission Units
 219.991 Subject Emission Units

Section 219.Appendix A: List of Chemicals Defining Synthetic
 Organic Chemical and Polymer
 Manufacturing
 Section 219.Appendix B: VOM Measurement Techniques for Capture
 Efficiency
 Section 219.Appendix C: Reference Methods And Procedures
 Section 219.Appendix D: Coefficients for the Total Resource
 Effectiveness Index (TRE) Equation
 Section 219.Appendix E: List of Affected Marine Terminals
 Section 219.Appendix G: TRE Index Measurements for SOCM
 Reactors and Distillation Units
 Section 219.Appendix H: Baseline VOM Content Limitations for
 Subpart F, Section 219.212 Cross-Line
 Averaging

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 at R91-8 at 15 Ill. Reg. 12491, effective August
 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective
 August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883,
 effective August 24, 1992; emergency amendment in R93-12 at 17

Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days, amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-12 at 18 Ill. Reg. 14987, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16415, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16980, effective November 15, 1994; emergency amendment in R95-10 at 19 Ill. Reg. 3059, effective February 28, 1995, for a maximum of 150 days; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6958, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7385, effective May 22, 1995; amended in R96-2 at 19 Ill. Reg. _____, effective _____.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

SUBPART Y: GASOLINE DISTRIBUTION

Section 219.585 Gasoline Volatility Standards

- a) No person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations set forth in subsections (b) and (c) below during the regulatory control periods, which shall be June 1 to September 15 ~~for retail outlets and wholesale purchaser consumer facilities and from May 1 to September 15 for all other facilities.~~
- b) The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 7.2 psi (49.68 kPa) during the regulatory control period in 1995 and each year thereafter.
- c) The Reid vapor pressure of ethanol blend gasolines having at least nine percent (9%) but not more than ten percent (10%) ethyl alcohol by volume of the blended mixture, shall not exceed the limitations for gasoline set forth in subsection (b) of this Section by more than 1.0 psi (6.9 kPa). Notwithstanding this limitation, blenders of ethanol blend gasolines whose Reid vapor pressure is less than 1.0 psi above the base stock gasoline immediately after blending with ethanol are prohibited from adding butane or any product that will increase the Reid vapor pressure of the blended gasoline.
- d) All sampling of gasoline required pursuant to the provisions of this Section shall be conducted in accordance with the procedures contained in 40 CFR Part 80, Appendix D, Sampling Procedures for Fuel

Volatility, which are incorporated by reference in Section 219.112 of this Part.

- e) The Reid vapor pressure of gasoline shall be measured in accordance with the procedures contained in "Tests for Determining Reid Vapor Pressure (RVP) of Gasoline and Gasoline-Oxygenate Blends" as set forth in 40 CFR 80, Appendix E, incorporated by reference in 35 Ill. Adm. Code 219.112 of this Part.
- f) The ethanol content of ethanol blend gasolines shall be determined by use of one of the approved testing methodologies specified in 40 CFR Part 80, Appendix F, incorporated by reference in 35 Ill. Adm. Code 219.112 of this Part.
- g) Any alternate to the sampling or testing methods or procedures contained in subsections (d), (e), and (f) of this Section must be approved by the Agency, which shall consider data comparing the performance of the proposed alternative to the performance of one or more approved test methods or procedures. Such data shall accompany any request for Agency approval of any alternate test procedure. If the Agency determines that such data demonstrates that the proposed alternative will achieve results equivalent to the approved test methods or will achieve results equivalent to the approved test methods or procedures, the Agency shall approve the proposed alternative.
- h) Recordkeeping and reporting:
 - 1) Each refiner or supplier that distributes gasoline or ethanol blends shall:
 - A) During the regulatory control period, state that the Reid vapor pressure of all gasoline or ethanol blends leaving the refinery or distribution facility for use in Illinois complies with the Reid vapor pressure limitations set forth in 35 Ill. Adm. Code 219.585(b) and (c) of this Part. Any source receiving this gasoline shall be provided with a copy of an invoice, bill of lading, or other documentation used in normal business practice stating that the Reid vapor pressure of the gasoline complies with the State Reid vapor pressure standard.
 - B) Maintain records for a period of three years on the Reid vapor pressure, quantity shipped and date of delivery of any gasoline or

ethanol blends leaving the refinery or distribution facility for use in Illinois. The Agency shall be provided with copies of such records if requested.

- 2) Records and reports required by subsections (h)(2)(A) and (h)(2)(B) below shall be made available to the Agency upon request. During the regulatory control period, the owner or operator of a gasoline dispensing operation subject to this Section shall:
 - A) Retain a copy of an invoice, bill of lading, or other documentation used in normal business practice stating that the Reid vapor pressure of the gasoline complies with the State Reid vapor pressure standard as provided in subsection (h)(1)(A) above; and
 - B) Maintain records for a period of three years on the Reid vapor pressure, quantity received and date of delivery of any gasoline or ethanol blends arriving at the gasoline operation.

(Source: Emergency Amendment at 19 Ill. Reg. 3059, effective February 28, 1995, for a maximum of 150 days; amended at ____ Ill. Reg. _____ effective _____)

Section 219. Appendix E: List of Affected Marine Terminals

The following table identifies the expected volatile organic material (VOM) emission reductions, in pounds per day in 1996, from the control of the marine vessel loading of gasoline and crude oil from the listed sources, their successors, and assigns. Such reduction of VOM emissions must occur after November 1990 and may not include reductions resulting from compliance with any federally required controls or from any measures included in any State Implementation Plan adopted by the State of Illinois to satisfy any other Clean Air Act requirement.

Facility	Permit#	Reduction
Phillips Pipeline Co. Facility ID # 163020AAB	73040515014	10
Clark Oil and Refining Corp. Facility ID # 197800AAA <u>119050AAA</u>	72110678053	468
Marathon Pipe Line Co. Facility ID # 119050AAF	73021451001	2,417

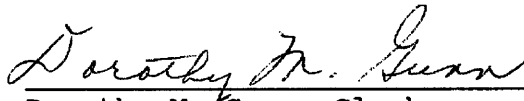
Conoco Pipe Line Co. Facility ID # 119050AAK	73031095011	2,759
Shell Oil Co. Facility ID # 119090AAA	87120058128	7,554
Amoco Distribution Center Facility ID # 119115AAY	73020080007	10,443

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

IT IS SO ORDERED.

Board Member J. Theodore Meyer dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 21st day of September, 1995, by a vote of 6-1.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board