

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
REASONABLY AVAILABLE CONTROL) R10-10
TECHNOLOGY (RACT) FOR VOLATILE) (Rulemaking-Air)
ORGANIC MATERIAL EMISSIONS FROM)
GROUP III CONSUMER & COMMERCIAL)
PRODUCTS: PROPOSED AMENDMENTS)
TO 35 ILL. ADM. CODE 218 and 219)

NOTICE

To: John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the MOTION TO AMEND RULEMAKING PROPOSAL of the Illinois Environmental Protection Agency, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: December 28, 2009

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

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MOTION TO AMEND RULEMAKING PROPOSAL

The Proponent, the Illinois Environmental Protection Agency ("Illinois EPA"), by its attorney, and pursuant to 35 Ill. Adm. Code 101.500 and 102.402, moves that the Illinois Pollution Control Board ("Board") amend Parts 218 and 219 of this rulemaking proposal. In support of its Motion, the Illinois EPA states as follows:

1. On October 23, 2009, the Illinois EPA filed a proposal with the Board to amend 35 Ill. Adm. Code Parts 218 and 219 to control the emissions of volatile organic materials ("VOM") from Group III Consumer and Commercial Product categories. The proposal implements reasonably available control technology for such categories in response to Control Techniques Guidelines issued by the United States Environmental Protection Agency.
2. On December 9, 2009, the Board held its first hearing regarding this rulemaking proposal. Based upon questions asked and comments received at such hearing, the Illinois EPA proposes the following amendments to its proposal.
3. In response to a Board recommendation that the proposed application method limitations set forth in Section 218/219.204(g) and (h) be instead placed in a more appropriate section of Subpart F, the Illinois EPA recommends moving such limitations to Section 218/219.218, as follows:

Section 218/219.204(g)(3) and (h)(3):

g) Metal Furniture Coating

.....

~~3) On and after May 1, 2011, an owner or operator of a coating line subject to the limitations in subsection (g) of this Section shall apply all coatings using one or more of the following application methods:~~

~~A) Electrostatic spray;~~

~~B) High volume low pressure (HVLP) spray;~~

~~C) Flow coating. For the purposes of this subsection (g), flow coating means a non-atomized technique of applying coating to a substrate with a fluid nozzle with no air supplied to the nozzle;~~

~~D) Roll coating;~~

~~E) Dip coating, including electrodeposition. For purposes of this subsection (g), electrodeposition means a water borne dip coating process in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the substrate due to the electrochemical potential difference that is created; or~~

~~F) Another coating application method capable of achieving a transfer efficiency equal to or better than that achieved by HVLP spraying, if such method is approved in writing by the Agency.~~

(h) Large Appliance Coating

.....

~~3) On and after May 1, 2011, an owner or operator of a coating line subject to the limitations in subsection (h) of this Section shall apply all coatings using one or more of the following application methods:~~

~~A) Electrostatic spray;~~

- ~~B) — High volume low pressure (HVLP) spray;~~
- ~~C) — Flow coating. For the purposes of this subsection (h), flow coating means a non-atomized technique of applying coating to a substrate with a fluid nozzle with no air supplied to the nozzle;~~
- ~~D) — Roll coating;~~
- ~~E) — Brush coating;~~
- ~~F) — Dip coating, including electrodeposition. For purposes of this subsection (h), electrodeposition means a water-borne dip coating process in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the substrate due to the electrochemical potential difference that is created; or~~
- ~~G) — Another coating application method capable of achieving a transfer efficiency equal to or better than that achieved by HVLP spraying, if such method is approved in writing by the Agency.~~

Section 218.218(b):

- b) On and after May 1, 2011, every owner or operator of a source subject to the requirements of Section 218.204(g) or 218.204(h) of this Subpart shall:
 - 1) Store all VOM-containing coatings, thinners, coating-related waste materials, cleaning materials, and used shop towels in closed containers;
 - 2) Ensure that mixing and storage containers used for VOM-containing coatings, thinners, coating-related waste materials, and cleaning materials are kept closed at all times except when depositing or removing such materials;
 - 3) Minimize spills of VOM-containing coatings, thinners, coating-related waste materials, and cleaning materials, and clean up spills immediately;
 - 4) Convey VOM-containing coatings, thinners, coating-related waste materials, and cleaning materials from one location to another in closed containers or pipes; and

- 5) Minimize VOM emissions from the cleaning of storage, mixing, and conveying equipment; and-
- 6) Apply all coatings using one or more of the following application methods:
 - A) Electrostatic spray;
 - B) High volume low pressure (HVLP) spray;
 - C) Flow coating. For the purposes of this subsection (b), flow coating means a non-atomized technique of applying coating to a substrate with a fluid nozzle with no air supplied to the nozzle;
 - D) Roll coating;
 - E) Dip coating, including electrodeposition. For purposes of this subsection (b), electrodeposition means a water-borne dip coating process in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the substrate due to the electrochemical potential difference that is created;
 - F) Brush coating, if subject to the requirements of Section 218.204(h); or
 - G) Another coating application method capable of achieving a transfer efficiency equal to or better than that achieved by HVLP spraying, if such method is approved in writing by the Agency.

Section 219.218(b):

- b) On and after May 1, 2011, every owner or operator of a source subject to the requirements of Section 219.204(g) or 219.204(h) of this Subpart shall:
 - 1) Store all VOM-containing coatings, thinners, coating-related waste materials, cleaning materials, and used shop towels in closed containers;
 - 2) Ensure that mixing and storage containers used for VOM-containing coatings, thinners, coating-related waste materials, and cleaning materials are kept closed at all times except when depositing or removing such materials;

- 3) Minimize spills of VOM-containing coatings, thinners, coating-related waste materials, and cleaning materials, and clean up spills immediately;
- 4) Convey VOM-containing coatings, thinners, coating-related waste materials, and cleaning materials from one location to another in closed containers or pipes; and
- 5) Minimize VOM emissions from the cleaning of storage, mixing, and conveying equipment; and
- 6) Apply all coatings using one or more of the following application methods:
 - A) Electrostatic spray;
 - B) High volume low pressure (HVLP) spray;
 - C) Flow coating. For the purposes of this subsection (b), flow coating means a non-atomized technique of applying coating to a substrate with a fluid nozzle with no air supplied to the nozzle;
 - D) Roll coating;
 - E) Dip coating, including electrodeposition. For purposes of this subsection (b), electrodeposition means a water-borne dip coating process in which opposite electrical charges are applied to the substrate and the coating. The coating is attracted to the substrate due to the electrochemical potential difference that is created;
 - F) Brush coating, if subject to the requirements of Section 219.204(h); or
 - G) Another coating application method capable of achieving a transfer efficiency equal to or better than that achieved by HVLP spraying, if such method is approved in writing by the Agency.

4. In response to a Board recommendation that any substantive requirements contained in Board "Notes" be instead placed in the body of the proposed rule, the Illinois EPA recommends amending the Note in Section 218/219.204(c) as follows:

Section 218.204(c):

c) Paper Coating

.....

3) ~~(Note:—~~The paper coating limitation set forth in this subsection (c) shall not apply to any owner or operator of any paper coating line on which flexographic or rotogravure printing is performed if the paper coating line complies with the emissions limitations in Section 218.401 of this Part. In addition, screen printing on paper is not regulated as paper coating, but is regulated under Subpart TT of this Part. On and after May 1, 2011, the paper coating limitation shall also not apply to coating performed on or in-line with any digital printing press, or to size presses and on-machine coaters on papermaking machines applying sizing or water-based clays.)

Section 219.204(c):

c) Paper Coating

.....

3) ~~(Note:—~~The paper coating limitation set forth in this subsection (c) shall not apply to any owner or operator of any paper coating line on which flexographic or rotogravure printing is performed if the paper coating line complies with the emissions limitations in Section 219.401 of this Part. In addition, screen printing on paper is not regulated as paper coating, but is regulated under Subpart TT of this Part. On and after May 1, 2011, the paper coating limitation shall also not apply to coating performed on or in-line with any digital printing press, or to size presses and on-machine coaters on papermaking machines applying sizing or water-based clays.)

5. For reasons similar to those set forth above, the Illinois EPA proposes amending the Note in Section 218/219.204(h) as follows:

Section 218/219.204(h):

(h) Large Appliance Coating

.....

3) ~~(Note:—~~These limitations set forth in this subsection (h) shall not apply to the use of quick-drying lacquers for repair of scratches

and nicks that occur during assembly, provided that the volume of coating does not exceed 0.95 l (1 quart) in any one rolling eight-hour period. On and after May 1, 2011, these limitations shall also not apply to stencil coatings, safety-indicating coatings, solid-film lubricants, electric-insulating and thermal-conducting coatings, touch-up and repair coatings, or coating applications utilizing hand-held aerosol cans.)

6. For reasons similar to those set forth above, the Illinois EPA proposes amending the proposed Note in Section 218/219.204(g) as follows:

Section 218/219.204(g):

g) Metal Furniture Coating

.....

3) ~~(Note: On and after May 1, 2011, these limitations set forth in this subsection (g) shall not apply to stencil coatings, safety-indicating coatings, solid-film lubricants, electric-insulating and thermal-conducting coatings, touch-up and repair coatings, or coating applications utilizing hand-held aerosol cans.)~~

WHEREFORE, for the reasons set forth above, the Illinois EPA moves that the Board amend Parts 218 and 219 as set forth herein.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: December 28, 2009

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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served electronically the attached MOTION TO AMEND RULEMAKING PROPOSAL upon the following person:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

and electronically to the following persons:

SEE ATTACHED SERVICE LIST.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: *Dana Vetterhoffer*
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: December 28, 2009

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