

ILLINOIS POLLUTION CONTROL BOARD
November 15, 1989

IN THE MATTER OF:)
CONTINUOUS MONITORING RULES) R89-7 (Docket A)
(Rulemaking)

ADOPTED RULE. FINAL ORDER.

OPINION AND ORDER OF THE BOARD (by J.D. Dumelle):

On May 11, 1989, the Board, on its own motion, proposed R89-7 In re: Continuous Monitoring Rules and Repeal of New Source Performance Standards and Hazardous Air Pollution Regulations for First Notice. On June 22, 1989 the Board determined that it was not necessary to prepare an economic impact study for this proceeding. The Board held two hearings in this matter, one in Chicago on August 16, 1989 and the other in Urbana on August 23, 1989. As the result of comments at hearing by the Illinois Environmental Protection Agency ("Agency") and the Illinois Manufacturers Association ("IMA"), the Board split this proceeding into two dockets on September 13, 1989. Docket A contains the correction to 35 Ill. Adm. Code 201.405, of the Continuous Monitoring Rules. Docket B contains the repeal of 35 Ill. Adm. Code 230 and 231, the New Source Performance Standards and Hazardous Air Pollutant Regulations.

Today the Board is proposing R89-7(A), the correction to 35 Ill. Adm. Code 201.405 of the Continuous Monitoring Rules, for final adoption. Section 201.405 was the subject of a previous Board rulemaking proceeding in R87-38. After fulfilling the rulemaking requirements of the Illinois Administrative Procedure Act (APA), the Board adopted Section 201.405 on December 15, 1988. In the Board's final Order, Section 201.405 consisted of five subsections, (a) through (e). However, the Board's submission of the adopted rules to the Secretary of State was incorrect. Although the Illinois Register copy correctly set forth Section 201.405, the official Secretary of State's file copy inadvertently omitted subsections (a) and (b). Thus, the official copy of Section 201.405 did not correctly represent the substantive provisions agreed upon by the R87-38 joint proponents and thereafter adopted by the Board. This rulemaking corrects the official copy of Section 201.405 to accurately represent the Board's intent in R87-38.

On September 13, 1989 the Board proposed this rulemaking, R89-7 Docket A, for Second Notice and forwarded the Second Notice package to the Joint Committee on Administrative Rules

("JCAR"). The only change from First Notice to Second Notice was that the phrase "requirements of this Subpart" was inserted in the first sentence between "monitoring" and "shall". On September 22, 1989 the Board received a letter from JCAR stating that the Second Notice Period began on September 18, 1989 and would end November 2, 1989. JCAR's September 22, 1989 letter also included a statement of general problems and questions concerning the proposed rulemaking. JCAR's statement pointed out that two additional changes relating to agreements between the Board and JCAR had not been inserted. As a result, the Board agreed to make the following changes in its final proposal:

1. Add "applicable to the source" after "limitation" in Section 201.405(a) as previously agreed to in R87-38.
2. Delete the word "applicable" before "emission" in Section 201.405(b).

On October 20, 1989 JCAR served the Board with a Certification of No Objection regarding this rulemaking. Since all corrections to Section 201.405 have been made in this rulemaking, as agreed to by the Board, the proponents and JCAR in R87-38, the Board hereby adopts the following amendment to the Illinois Administrative Code.

ORDER

The Board hereby adopts the following amendments to be filed with the Secretary of State.

Section 201.405 Excess Emission Reporting

Owners and operators of sources subject to the continuous monitoring requirements of this Subpart shall report the following information: ion applicable to the source. The report shall consist of emission averages in the units of the applicable limitation for each averaging period during which the limitation was exceeded.

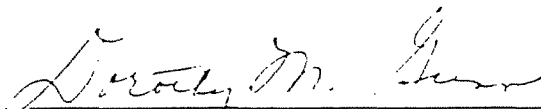
- a) For periods of emissions in excess of any emission limitation applicable to the source adopted by the Board:
 - 1) The starting date and time of the excess emissions;
 - 2) The duration of the excess emissions;
 - 3) The magnitude of excess emissions;
 - 4) The cause of the excess emissions, if known;

- 5) Corrective actions and actions taken to lessen the emissions;
 - 6) The operating status of the monitoring system, including the dates and times of any periods during which it was inoperative; and
 - 7) Other information, including but not limited to, monitoring location, monitoring maintenance records and source operating hours, which the Agency may require by permit.
- b) For gaseous sulfur dioxide, percent oxygen, or carbon dioxide measurements, the averaging period used for data reporting shall correspond to the averaging period used to determine compliance with the emission limitation applicable to the source. The report shall consist of emission averages in the units of the applicable limitation for each averaging period during which the limitation was exceeded.
- c) For opacity measurements, the report shall be based on six minute averages of opacity and contain.
- 1) The percent opacity for each continuous opacity excess period; and
 - 2) The start and stop time in six minute increments of any opacity measurements in excess of the limitation.
- d) If there were no excess emissions during the reporting period, the report shall so state and include information about the operating status of the monitoring equipment during that period.
- e) Reports shall be submitted within 45 days of the end of every calendar quarter.

(SOURCE: Amended at __ Ill. Reg. ____ effective _____)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 15th day of December, 1989, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board