

ILLINOIS POLLUTION CONTROL BOARD

June 5, 1997

IN THE MATTER OF:)
)
EXEMPTIONS FROM STATE PERMIT) R96-17
REQUIREMENTS, AMENDMENTS TO 35) (Rulemaking - Air)
ILL. ADM. CODE 201 AND 211.)

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by G.T. Girard):

On May 10, 1996, the Illinois Environmental Protection Agency (Agency) filed a proposal for rulemaking. The proposal amends the Board's air regulations at 35 Ill. Adm. Code 201 and 211 to expand, clarify and modify the list of emission units and activities that are exempt from state air permitting requirements specified at 35 Ill. Adm. Code 201.142, 201.143, and 201.144. The Board accepted the proposal on May 16, 1996, and directed that hearings be held on the proposal. Hearings were held before Board Hearing officer Marie Tipsord on July 23, 1996, in Collinsville, Illinois (Tr1) and August 16, 1996, in Chicago, Illinois (Tr2). Testimony at those hearings was presented by the Agency; no members of the public testified. On December 19, 1996, the Board adopted the proposal for first notice pursuant to the Administrative Procedure Act (APA) (5 ILCS 100/1-1 *et seq.* (1994)). The first notice was published on the *Illinois Register* on January 3, 1997, Part 211 was published at 21 Ill. Reg. 329 and Part 201 was published at 21 Ill. Reg. 342.

On April 17, 1997, the Board adopted the proposal for second notice pursuant to the Administrative Procedure Act (APA) (5 ILCS 100/5-5 *et seq.* (1994)). The Joint Committee on Administrative Rules (JCAR) reviewed the proposed rule and suggested minor changes which the Board has made. JCAR issued a certification of no objection on May 13, 1997. Having received a certification of no objection, the Board may now adopt the rule for final notice.

The Board today does proceed to final notice with this rulemaking and will discuss the amendments, the Agency's proposal and all comments received by the Board. The Board will direct that the rule be filed with the Secretary of State for final adoption pursuant to the APA.

The Board's responsibility in this matter arises from the Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.*(1994)). The Board is charged therein to "determine, define and implement the environmental control standards applicable to the state of Illinois." (415 ILCS 5/5(b) (1994).) More generally, the Board's rulemaking charge is based on the system of checks and balances integral to the Illinois environmental governance: the Board bears the responsibility for the rulemaking and principal adjudicatory functions, while the Agency bears

primary responsibility for the administration of the Act and Board regulations. The latter includes administering today's amendments.

AMENDMENTS

The Board amendments expand the list of activities and emission units that would qualify for exemption from state air permitting requirements by either adding categories of activities or emission units or by loosening the threshold for the exemptions. Specifically, the amendments to Section 201.146 update terminology and certain amendments are intended to clarify the types of activities or emission units that are covered by a particular exemption such as the exemption for fuel combustion equipment. That exemption is being clarified to make clear that they apply on an individual basis to each fuel burning emission unit. (Tr. at 9.) The rule is also clarifying that if an emission unit is exempt, associated air pollution control equipment is also exempt. (*Id.*) The Board is also proposing clarifying language which will make clear that an emission unit that is subject to federal New Source Performance Standard (NSPS) under 40 CFR 60 will be required to have a state permit. (Tr1 at 10.)

The rule also includes instances where an existing exemption is being modified so that an emission unit subject to certain state requirements will be required to be permitted. (Tr1 at 9.) An example is the coating operations located at a source subject to 35 Ill. Adm. Code 215, 218, or 219, Subpart F. (Tr1 at 9.) This change is proposed because the applicability of coating rules in ozone nonattainment areas is such that coating lines exempt from permit requirements are subject to control requirements. (Tr1 at 9-10.)

The rule also adds a definition to Section 211.2285 for the term "feed mill". Feed mill is defined as a process that produces food for animal consumption and is added to correspond with the exemption at Section 201.146(bb).

PROPOSAL

In addition to the Statement of Reasons (Reasons) filed with the proposal, Mr. William D. Marr, an air pollution analyst with the Agency and Mr. Christopher Romaine, manager of the new source review unit with the Agency, testified in support of the proposal at the two hearings. The Agency stated that the activities and emission units which are proposed for exemption are based on the historical experience of the Agency that such emissions units do not merit permitting as the emissions from the units or activities are minimal. (Tr1 at 8; Reasons at 2.) Further, individual information on these activities has not been needed for purposes of air quality planning. (*Id.*)

The Agency also believes that many, but not all, of the emissions units or activities that have been deemed insignificant under the Clean Air Act Permit Program (CAAPP) can also be exempt from state permitting. (Tr1 at 8.) The Agency retains discretion to require permits for insignificant sources under CAAPP so that the Agency can evaluate proposed insignificant emission units. (Tr1 at 8-9; Reasons at 2.)

ECONOMIC REASONABLENESS AND TECHNICAL FEASIBILITY

Mr. Marr testified that as the proposed amendments expand the list of exemptions from state air permit requirements, the amendments do not impose new emission limitations or control requirements on affected sources. (Tr1 at 10.) Thus, Mr. Marr stated this “proposal does not pose any issues with respect to technical feasibility.” (Tr1 at 11.) Mr. Marr further explained that the additional exemptions will not significantly impact the effectiveness of the permit program and may help focus attention on the more “important emission units”. (Tr1 at 11.)

Mr. Marr testified that as an economic matter the proposal will reduce costs as the amendments expand the list of exemptions and many affected sources will be relieved of the requirement to obtain a state permit. (Tr1 at 11.) A cost savings will result as those sources which no longer require permits will be relieved of the need to collect data, prepare permit applications and submit permit fees. (*Id.*) Mr. Marr also explained that the loss of permit fees will not affect the Agency as the loss of revenue will be matched by the savings from eliminating permitting of these sources. (*Id.*)

Mr. Marr also indicated that the only sources which may be required to obtain a state permit for the first time based on this proposal are sources with coating operations that are subject to 35 Ill. Adm. Code 215, 218, or 219, Subpart F. (Tr1 at 12.) The only new cost associated with these sources would be the \$100 permit application fee. (*Id.*)

COMMENTS

During the first hearing, the Board asked several questions of the Agency regarding language in the proposal. The Board asked that the Agency explain or modify language at several places in the rule. All of the issues raised were nonsubstantive issues. In a comment filed on August 9, 1996, the Agency did clarify several of those issues and proposed amendments to the proposal. (P.C. 1.) In addition, the testimony of Mr. Christopher Romaine at the second hearing further explained the Agency’s amendments in response to the questions raised by the Board.

After the second hearing the Agency filed an additional comment (P.C. 2) in which the Agency indicated that it would “abandon” the proposed revision to Section 201.146(t). In response to a question by the Board at the first hearing the Agency had proposed a revision to Section 201.146(t) which included using the terms “grain terminal elevator” and “grain storage elevator”. (P.C. 1 at Attachment A.) During the second hearing, the Agency was asked if the two terms should be defined in the Board’s rules. (Tr2 at 40.) Mr. Romaine indicated that the Agency did not “choose to introduce a separate listing” of the definitions in the Board’s rules. (Tr2 at 40.) In its comment the Agency indicated that it was withdrawing the proposed revision “because the Agency’s goal of ensuring that grain dryers subject to” NSPS are permitted will be achieved without this proposed revision. (P.C. 2 at 1.)

On September 27, 1996, the Chemical Industry Council of Illinois (CICI) filed a comment with the Board (P.C. 3). The CICI indicated that it strongly opposed the changes offered by the Agency in Section 201.146(g). (P.C. 3 at 1.) CICI asserts that the Agency's sole purpose for proposing the changes to Section 201.146(g) "is that permits are necessary for these smaller coating operations in order to address compliance with current regulations." (P.C. 3 at 2.) CICI argues that there are other ways to address this concern without requiring permits for these very small sources. (P.C. 3 at 3.)

In response to the CICI comment, the Agency filed a comment on November 1, 1996 (P.C. 4). In that comment the Agency agreed that distribution of information regarding compliance requirements to the individual smaller users is necessary to obtain greater compliance by these emission sources. (P.C. 4 at 3.) CICI has agreed to assist the Agency in getting relevant information about applicable rules to the coaters. (*Id.*) The Agency states that it is withdrawing the proposed revisions because the Agency's goal of ensuring compliance of coating operation maybe achievable without the proposed revision. (P.C. 4 at 4.)

DISCUSSION

The record before the Board indicates that the proposal will be an economic benefit to sources which will be exempted from state permit requirements. Further, the exemption of certain emission units will not negatively impact the Agency's ability to monitor air quality in Illinois. The proposal does not require new or additional control options so the technical feasibility is not at issue. Thus, the Board finds that the rule is economically reasonable based on the record before us and warrants proceeding to second notice.

The only issue raised by the comments had to do with the new permitting requirement for coating operations. The Agency and CICI had agreed to the removal of that requirement and the Board concurred. Therefore, the Board did not proceed with that portion of the proposal at first notice.

The Board also agreed with the Agency's decision to withdraw revisions to Section 201.146(t) at first notice. As compliance can be assured through other avenues, the Board saw no reason to proceed with the Agency's proposed revision. The Board also agreed with the amendments provided by the Agency in response to the Board's questions at the first hearing. The amendments clarified confusing language and made the intent of the rule clear. The Board proceeded to first notice with the proposal as amended by the Agency.

The Board received only four substantive comments during first notice and the only comments from JCAR were asking for minor changes in punctuation in the rule. Therefore, the Board has made only minor changes from the first notice proposal and we will proceed to final notice with the rule.

CONCLUSION

The Board will proceed to final notice with the rule appearing essentially the same as proposed at second notice with only minor changes. The Board also finds that the proposal is economically reasonable and technically feasible. Therefore, the Board will proceed to final notice pursuant to the Administrative Procedure Act.

ORDER

The Board directs that the Clerk cause the filing of the following amendments with the Secretary of State for final notice publication in the *Illinois Register* and for inclusion in the Administrative Code:

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 201
 PERMITS AND GENERAL PROVISIONS

SUBPART A: DEFINITIONS

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201.101	Other Definitions
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201.103	Abbreviations and Units
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SUBPART B: GENERAL PROVISIONS

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201.121	Existence of Permit No Defense
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SUBPART C: PROHIBITIONS

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201.141	Prohibition of Air Pollution
201.142	Construction Permit Required

201.143	Operating Permits for New Sources
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201.146	Exemptions from <u>State Permit Requirements</u> Requirement
201.147	Former Permits
201.148	Operation Without Compliance Program and Project Completion Schedule
201.149	Operation During Malfunction, Breakdown or Startups
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SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS

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201.153	Incomplete Applications
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201.155	Standards for Issuance
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201.158	Incomplete Applications
201.159	Signatures
201.160	Standards for Issuance
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201.162	Duration
201.163	Joint Construction and Operating Permits
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SUBPART E: SPECIAL PROVISIONS FOR OPERATING PERMITS FOR CERTAIN SMALLER SOURCES

Section	
201.180	Applicability
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SUBPART F: CAAPP PERMITS

Section	
201.207	Applicability
201.208	Supplemental Information
201.209	Emissions of Hazardous Air Pollutants
201.210	Categories of Insignificant Activities or Emission Levels

- 201.211 Application for Classification as an Insignificant Activity
 201.212 Revisions to Lists of Insignificant Activities or Emission Levels

SUBPART G: EXPERIMENTAL PERMITS
 (Reserved)

SUBPART H: COMPLIANCE PROGRAMS AND PROJECT COMPLETION SCHEDULES

- Section
 201.241 Contents of Compliance Program
 201.242 Contents of Project Completion Schedule
 201.243 Standards for Approval
 201.244 Revisions
 201.245 Effects of Approval
 201.246 Records and Reports
 201.247 Submission and Approval Dates

SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS

- Section
 201.261 Contents of Request for Permission to Operate During a Malfunction,
 Breakdown or Startup
 201.262 Standards for Granting Permission to Operate During a Malfunction,
 Breakdown or Startup
 201.263 Records and Reports
 201.264 Continued Operation or Startup Prior to Granting of Operating Permit
 201.265 Effect of Granting of Permission to Operate During a Malfunction, Breakdown
 or Startup

SUBPART J: MONITORING AND TESTING

- Section
 201.281 Permit Monitoring Equipment Requirements
 201.282 Testing
 201.283 Records and Reports

SUBPART K: RECORDS AND REPORTS

- Section
 201.301 Records
 201.302 Reports

SUBPART L: CONTINUOUS MONITORING

Section

201.401	Continuous Monitoring Requirements
201.402	Alternative Monitoring
201.403	Exempt Sources
201.404	Monitoring System Malfunction
201.405	Excess Emission Reporting
201.406	Data Reduction
201.407	Retention of Information
201.408	Compliance Schedules

Appendix A	Rule into Section Table
Appendix B	Section into Rule Table
Appendix C	Past Compliance Dates

AUTHORITY: Implementing Sections 10, 39, and 39.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27, 39, and 39.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, 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. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. 21483, effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17 at 21 Ill. Reg. _____, effective _____.

SUBPART C: PROHIBITIONS

Section 201.146 Exemptions from State Permit Requirements~~Requirement~~

No Construction or operating permits, pursuant to Sections 201.142, 201.143 and 201.144 of this Part, are not is required for the following classes of equipment and activities listed below in this Section. The permitting exemptions in this Section do not relieve the owner or operator of any source from any obligation to comply with any other applicable requirements, including the obligation to obtain a permit pursuant to Sections 9.1(d) and 39.5 of the Act, Sections 165, 173 and 502 of the Clean Air Act or any other applicable permit or registration requirements.

- a) Air contaminant detectors or recorders, combustion controllers or combustion shutoffs;
- b) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;

- c) Each ~~F~~fuel burning emission ~~sources~~ unit for indirect systems and for heating and reheating furnace systems used exclusively for residential, or commercial establishments using gas and/or fuel oil exclusively with a design heat input ~~total~~ capacity of less than 14.6 MW (50 mmbtu/hr) ~~input~~, except that a permit shall be required for any such emission unit with a design heat input capacity of at least 10 mmbtu/hr that was constructed, reconstructed or modified after June 9, 1989 and that is subject to 40 CFR 60, Subpart D;
- d) Each ~~F~~fuel burning emission ~~sources~~ unit other than those listed in subsection (c) of this Section for direct systems used for comfort heating purposes and indirect heating systems with a ~~total~~ design heat input capacity of less than ~~293~~ 2930 kW (~~1-10~~ mmbtu/hr)-~~input~~;
- e) ~~Mobile internal combustion and jet engines, marine installation and locomotives~~ Internal combustion engines or boilers (including the fuel system) of motor vehicles, locomotives, air craft, watercraft, liftrucks and other vehicles powered by nonroad engines;
- f) ~~Laboratory equipment used exclusively for chemical or physical analysis~~ Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated laboratory fume hoods, vacuum producing devices and control devices installed primarily to address potential accidental releases;
- g) ~~Coating ~~Painting~~ operations~~ located at a source using not in excess of 18,925 l (5,000 gal) of ~~paint~~ coating (including thinner) per year;
- h) Any emission ~~source~~ unit acquired exclusively for domestic use, except that a permit shall be required for any incinerator and for any ~~burning-emission-source fuel~~ combustion emission unit using solid fuel with a ~~total~~ design heat input capacity of 14.6 MW (50 mmbtu/hr) ~~input~~ or more;
- i) Any ~~S~~stationary internal combustion engines with a rated power output of less than 1118 kW (1500 horsepower), except that a permit shall be required for any stationary gas turbine engine with a rated heat input at peak load of 10.7 gigajoules/hr (10 mmbtu/hr) or more that is constructed, reconstructed or modified after October 3, 1977 and that is subject to requirements of 40 CFR 60, Subpart GG;
- j) ~~Stacks or vents used to prevent the escape of sewer gases through plumbing traps~~ Rest room facilities and associated cleanup operations, and stacks or vents used to prevent the escape of sewer gases through plumbing traps;
- k) Safety devices designed to protect life and limb, provided that a permit is not otherwise required for the emission unit with which the safety devices is associated ~~with an emission source shall be included within the permit for such emission source;~~

- l) Storage tanks for liquids for retail dispensing except for storage tanks ~~located at gasoline dispensing facilities~~ that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);
- m) ~~All printing operations using less than 2839 l (750 gal) of organic solvents per year~~ Printing operations with aggregate organic solvent usage that never exceeds 2,839 l (750 gal) per year from all printing lines at the source, including organic solvent from inks, diluents, fountain solutions and cleaning materials;
- n) Storage tanks of: ~~organic liquids with a capacity of less than 18,925 l (5000 gal) except for storage tanks located at gasoline dispensing facilities that are subject to the requirements of 35 Ill. Adm. Code 215.583~~
- 1) Organic liquids with a capacity of less than 37,850 l (10,000 gal), provided the storage tank is not used to store any material listed as a hazardous air pollutant pursuant to Section 112(b) of the Clean Air Act, and provided the storage tank is not subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);
 - 2) Any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials; or
 - 3) Any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil or residual fuel oils.
- o) ~~Flanged and~~ Threaded pipe connections, vessel manways, flanges, valves, pump seals, pressure relief valves, pressure relief devices and pumps ~~and process valves capable of discharging specified air contaminants to the atmosphere;~~
- p) Sampling connections used exclusively to withdraw materials for laboratory testing and analyses;
- q) All storage tanks of Illinois crude oil with capacity of less than 151,400 l (40,000 gal) located on oil field sites;
- r) All organic material-water single or multiple compartment effluent water separator facilities for Illinois crude oil of vapor pressure of less than 34.5 kPa absolute (5 psia);
- s) Grain-handling operations, exclusive of grain-drying operations, with an annual grain through-put not exceeding 300,000 bushels;
- t) Grain-drying operations with a total grain-drying capacity not exceeding 750 bushels per hour for 5% moisture extraction at manufacturer's rated capacity, using the

American Society of Agricultural Engineers Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers;

- u) Portable grain-handling equipment and one-turn storage space;
- v) Cold cleaning degreasers that are not in-line cleaning machines, where the vapor pressure of the solvents used never exceeds 2 kPa (15 mmHg or 0.3 psi) measured at 38 C (100 F) or 0.7 kPa (5 mmHg or 0.1 psi) at 20 C (68 F);
- w) Coin-operated dry cleaning operations; and
- x) Dry cleaning facilities operations at a source that consume ~~consuming~~ less than 30 gallons per month ~~(360 gallons per year)~~ of perchloroethylene;-
- y) Brazing, soldering, wave soldering or welding equipment, including associated ventilation hoods;
- z) Cafeterias, kitchens, and other similar facilities, including smokehouses, used for preparing food or beverages, but not including facilities used in the manufacturing and wholesale distribution of food, beverages, food or beverage products, or food or beverage components;
- aa) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals (other than beryllium), plastics, concrete, rubber, paper stock, wood or wood products, where such equipment is either:
 - 1) Used for maintenance activity;
 - 2) Manually operated;
 - 3) Exhausted inside a building; or
 - 4) Vented externally with emissions controlled by an appropriately operated cyclonic inertial separator (cyclone), filter, electro-static precipitor or a scrubber.
- bb) Feed mills that produce no more than 10,000 tons of feed per calendar year, provided that a permit is not otherwise required for the source pursuant to Section 201.142, 201.143 or 201.144;
- cc) Extruders used for the extrusion of metals, minerals, plastics, rubber or wood, excluding:
 - 1) Extruders used in the manufacture of polymers;

- 2) Extruders using foaming agents or release agents that contain volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act; and
- 3) Extruders processing scrap material that was produced using foaming agents containing volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act.
- dd) Furnaces used for melting metals, other than beryllium, with a brim full capacity of less than 450 cubic inches by volume;
- ee) Equipment used for the melting or application of less than 22,767 kg/yr (50,000 lbs/yr) of wax to which no organic solvent has been added;
- ff) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;
- gg) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;
- hh) Equipment used for the mixing and blending of materials at ambient temperatures to make water based adhesives, provided each material mixed or blended contains less than 5% organic solvent by weight;
- ii) Die casting machines where a metal or plastic is formed under pressure in a die located at a source with a throughput of less than 2,000,000 lbs of metal or plastic per year, in the aggregate, from all die casting machines;
- jj) Air pollution control devices used exclusively with other equipment that is exempt from permitting, as provided in this Section;
- kk) An emission unit for which a registration system designed to identify sources and emission units subject to emission control requirements is in place, such as the registration system found at 35 Ill. Adm. Code 218.586 (Gasoline Dispensing Operations - Motor Vehicle Fueling Operations) and 35 Ill. Adm. Code 218, Subpart HH (Motor Vehicle Refinishing);

- ll) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy;
- mm) Equipment used for hydraulic or hydrostatic testing;
- nn) General vehicle maintenance and servicing activities conducted at a source, motor vehicle repair shops, and motor vehicle body shops, but not including:
 - 1) Gasoline fuel handling; and
 - 2) Motor vehicle refinishing.
- oo) Equipment using water, water and soap or detergent, or a suspension of abrasives in water for purposes of cleaning or finishing, provided no organic solvent has been added to the water;
- pp) Administrative activities including, but not limited to, paper shredding, copying, photographic activities and blueprinting machines. This does not include incinerators;
- qq) Laundry dryers, extractors, and tumblers processing that have been cleaned with water solutions of bleach or detergents that are:
 - 1) Located at a source and process clothing, bedding and other fabric items used at the source, provided that any organic solvent present in such items before processing that is retained from cleanup operations shall be addressed as part of the VOM emissions from use of cleaning materials;
 - 2) Located at a commercial laundry; or
 - 3) Coin operated.
- rr) Housekeeping activities for cleaning purposes, including collecting spilled and accumulated materials, including operation of fixed vacuum cleaning systems specifically for such purposes, but not including use of cleaning materials that contain organic solvent;
- ss) Refrigeration systems, including storage tanks used in refrigeration systems, but excluding any combustion equipment associated with such systems;
- tt) Activities associated with the construction, on-site repair, maintenance or dismantlement of buildings, utility lines, pipelines, wells, excavations, earthworks and other structures that do not constitute emission units;
- uu) Piping and storage systems for natural gas, propane and liquefied petroleum gas;

- vv) Water treatment or storage systems, as follows:
- 1) Systems for potable water or boiler feedwater;
 - 2) Systems, including cooling towers, for process water, provided that such water has not been in direct or indirect contact with process streams that contain volatile organic material or materials listed as hazardous air pollutants pursuant to Section 112(b) of the Clean Air Act.
- ww) Lawn care, landscape maintenance and grounds keeping activities;
- xx) Containers, reservoirs or tanks used exclusively in dipping operations to coat objects with oils, waxes or greases, provided no organic solvent has been mixed with such materials;
- yy) Use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.), where the product is used at a source in the same manner as normal consumer use;
- zz) Activities directly used in the diagnosis and treatment of disease, injury or other medical condition;
- aaa) Activities associated with the construction, repair or maintenance of roads or other paved or open areas, including operation of street sweepers, vacuum trucks, spray trucks and other vehicles related to the control of fugitive emissions of such roads or other areas;
- bbb) Storage and handling of drums or other transportable containers, where the containers are sealed during storage and handling;
- ccc) Activities at a source associated with the maintenance, repair or dismantlement of an emission unit or other equipment installed at the source, not including the shutdown of the unit or equipment, including preparation for maintenance, repair or dismantlement, and preparation for subsequent startup, including preparation of a shutdown vessel for entry, replacement of insulation, welding and cutting, and steam purging of a vessel prior to startup;
- ddd) Equipment used for corona arc discharge surface treatment of plastic with a power rating of 5 kW or less or equipped with an ozone destruction device;
- eee) Equipment used to seal or cut plastic bags for commercial, industrial or domestic use; and
- fff) Each direct-fired gas dryer used for a washing, cleaning, coating or printing line, excluding:

- 1) Dryers with a rated heat input capacity of 2930 kW (10 mmbtu/hr) or more; and
- 2) Dryers for which emissions other than those attributable to combustion of fuel in the dryer, including emissions attributable to use or application of cleaning agents, washing materials, coatings or inks or other process materials that contain volatile organic material are not addressed as part of the permitting of such line, if a permit is otherwise required for the line.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

PART 211 DEFINITIONS AND GENERAL PROVISIONS

SUBPART B: DEFINITIONS

Section	
211.2270	Federally Enforceable Limitations and Conditions
211.2285	<u>Feed Mill</u>
211.2290	Fermentation Time

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, 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. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994;

amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective June 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-17 at 20 Ill. Reg. _____, effective _____.

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

Section 211.2285 Feed Mill

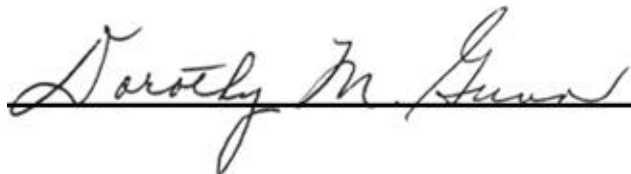
“Feed mill” means a source or equipment at a source that produces food, including premixes, supplements and concentrates, for animal (non-human) consumption from grain, grain byproducts, or alfalfa and other ingredients, without cooking, but not including wet or dry corn mills, soybean mills, flour mills and ethanol plants.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration.")

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 5th day of June, 1997, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board