

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
REASONABLY AVAILABLE CONTROL)
TECHNOLOGY (RACT) FOR VOLATILE)
ORGANIC MATERIAL EMISSIONS FROM)
GROUP IV CONSUMER & COMMERCIAL)
PRODUCTS: PROPOSED AMENDMENTS)
TO 35 ILL. ADM. CODE 211, 218, and 219)

R10- 20
(Rulemaking-Air)



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12. Documents Relied Upon:

Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.

Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.

Control Techniques Guidelines for Miscellaneous Industrial Adhesives, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.

Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.

Consumer and Commercial Products, Group IV: Control Techniques Guidelines in Lieu of Regulations for Miscellaneous Metal Products Coatings, Plastic Parts Coatings, Auto and Light-Duty Truck Assembly Coatings, Fiberglass Boat Manufacturing Materials, and Miscellaneous Industrial Adhesives, 73 FR 58481-58491 (October 7, 2008).

National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks; National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products, 72 FR 20227-20237 (April 24, 2007).

Illinois Environmental Protection Act (415 ILCS 5/et seq.)

Clean Air Act (42 U.S.C. 7401 et seq.)

Incorporations by reference:

"Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations," September 2008, United States Environmental Protection Agency, Washington, D.C., EPA-453/R-08-002.

40 CFR 63, Subpart PPPP, Appendix A (2008).

46 CFR, Subchapter Q (2007).

46 CFR, Subchapter T (2008).

A.S.T.M. D-523-80.

A.S.T.M. D-523-89.

Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136 (2009).

American Architectural Manufacturers Association Specification 2604-05
(Voluntary Specification, Performance Requirements and Test Procedures for
High Performance Organic Coatings on Aluminum Extrusions and Panels)
(2005).

American Architectural Manufacturers Association Specification 2605-05
(Voluntary Specification, Performance Requirements and Test Procedures for
Superior Performing Organic Coatings on Aluminum Extrusions and Panels)
(2005).

13. Certificate of Service

14. First Notice Forms

15. Disk in Microsoft WORD containing Agency's Proposed Amendments to Parts 211,
218, and 219, and First Notice Forms

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)
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ORGANIC MATERIAL EMISSIONS FROM)
GROUP IV CONSUMER & COMMERCIAL)
PRODUCTS: PROPOSED AMENDMENTS)
TO 35 ILL. ADM. CODE 211, 218, and 219)

R10-20
(Rulemaking-Air)

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STATE OF ILLINOIS
Pollution Control Board

NOTICE

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

Matthew Dunn, Chief
Division of Environmental Enforcement
Office of the Attorney General
69 W. Washington, Suite 1800
Chicago, IL 60602

Virginia Yang
Deputy Legal Counsel
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the REGULATORY PROPOSAL entitled "REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) FOR VOLATILE ORGANIC MATERIAL EMISSIONS FROM GROUP IV CONSUMER & COMMERCIAL PRODUCTS: PROPOSED AMENDMENTS TO 35 ILL. ADM. CODE 211, 218, and 219," MOTION FOR WAIVER OF COPY REQUIREMENTS, and APPEARANCE of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

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

DATED: March 3, 2010

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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD


IN THE MATTER OF:)
)
REASONABLY AVAILABLE CONTROL) R10-
TECHNOLOGY (RACT) FOR VOLATILE) (Railemaking-Air)
ORGANIC MATERIAL EMISSIONS FROM)
GROUP IV CONSUMER & COMMERCIAL)
PRODUCTS: PROPOSED AMENDMENTS)
TO 35 ILL. ADM. CODE 211, 218, and 219)

APPEARANCE

The undersigned hereby enters her appearance as an attorney on behalf of the Illinois Environmental Protection Agency.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: March 3, 2010

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R10-²⁰
(Rulemaking-Air)

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Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY PROPOSAL OF
REGULATIONS

The Illinois Environmental Protection Agency moves that the Illinois Pollution Control Board adopt the attached regulations.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Douglas P. Scott
Douglas P. Scott
Director

DATED: January 12, 2010

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
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R10- *20*
(Rulemaking-Air)

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CERTIFICATION OF REQUIRED RULE

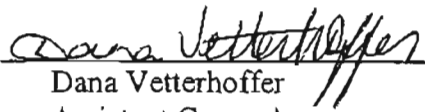
The Illinois Environmental Protection Agency certifies in accordance with 35 Ill. Adm. Code 102.202(h) and 102.500, and 415 ILCS 5/28.2(b), that it believes that this proposal for amendments to 35 Ill. Adm. Code 211, 218, and 219 is a federally required rule under Sections 172(c)(1) and 182(b)(2) of the Clean Air Act ("CAA"). 42 U.S.C. §§ 7502(c)(1) and 7511a(b)(2).

The proposal for amendments is needed to satisfy Illinois' obligation to submit a State Implementation Plan ("SIP") for sources of volatile organic materials ("VOM") emissions in areas designated as nonattainment with respect to the ozone National Ambient Air Quality Standard. Section 172(c)(1) of the CAA provides that states must include in their SIPs for nonattainment areas "reasonably available control measures," including "reasonably available control technology" ("RACT"), for sources of emissions. 42 U.S.C. § 7502(c)(1). Section 182(b)(2) of the CAA provides that, for ozone nonattainment areas, the State must revise its SIP to include RACT for sources of VOM emissions covered by a control techniques guideline ("CTG") issued between November 15, 1990, and the date of attainment. 42 U.S.C. § 7511a(b)(2).

The proposed amendments are intended to establish RACT requirements for Group IV Consumer and Commercial Product categories in response to CTGs issued by the United States Environmental Protection Agency on October 7, 2008, and thereby satisfy the CAA requirements described above.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: March 3, 2010

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

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CERTIFICATION OF ORIGINATION

The Illinois Environmental Protection Agency certifies in accordance with 35 Ill. Adm. Code 102.202(i) that this proposal for amendments to 35 Ill. Adm. Code 211, 218, and 219 amends the most recent version of the rules as published on the Illinois Pollution Control Board's website.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

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

DATED: March 3, 2010

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
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**Agency Analysis of Economic and
Budgetary Effects of Proposed Rulemaking**

Agency: Illinois Pollution Control Board

Part/Title: Definitions and General Provisions (35 Ill. Adm. Code Part 211)

Illinois Register Citation: _____

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant explanation.

1. Anticipated effect on State expenditures and revenues.

- (a) Current cost to the agency for this program/activity. \$ 0 per year
(approximately)
- (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect.
N/A
- (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity. N/A
- (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. N/A
- (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? No

2. Economic effect on persons affected by the rulemaking:

- (a) Indicate the economic effect and specify the persons affected:

Positive ___ Negative ___ No effect X

Persons affected: Owners and operators of affected automobile and light duty truck assembly coating lines, miscellaneous metal parts and products coating lines, plastic parts and products coating lines, sources using miscellaneous industrial adhesives, and sources using fiberglass boat manufacturing materials.

Dollar amount per person: 0

Total statewide cost: 0

- (b) If an economic effect is predicted, please briefly describe how the effect will occur. N/A

- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? No Will there be any change in requirements such as filing, documentation, reporting or completion of forms? No

The proposed changes to Part 211 should have no indirect effect that may result in increased administrative costs.

**Agency Analysis of Economic and
Budgetary Effects of Proposed Rulemaking**

Agency: Illinois Pollution Control Board

Part/Title: Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code Part 218)

Illinois Register Citation: _____

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant explanation.

1. Anticipated effect on State expenditures and revenues.
 - (a) Current cost to the agency for this program/activity. ~\$50,300 per year
 - (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect.
N/A
 - (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity. N/A
 - (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. N/A
 - (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? No

2. Economic effect on persons affected by the rulemaking:
 - (a) Indicate the economic effect and specify the persons affected:
Positive ___ Negative X No effect ___
Persons affected: See list of potentially affected sources in TSD.

Dollar amount per person:
Affected miscellaneous metal and plastic parts coating operations: \$0-1760/ton
Affected automobile and light-duty truck assembly coating operations: \$0
Affected miscellaneous industrial adhesive sources: \$0-270/ton
Affected fiberglass boat manufacturing facilities: \$0

Total statewide cost:
Affected miscellaneous metal and plastic parts coating operations: \$2820/day
Affected automobile and light-duty truck assembly coating operations: \$0
Affected miscellaneous industrial adhesive sources: \$97/day

Affected fiberglass boat manufacturing facilities: \$0 (no affected sources)

- (b) If an economic effect is predicted, please briefly describe how the effect will occur. Costs due to control measures and switching to low-VOM materials at affected sources, as described in TSD.
- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? Will there be any change in requirements such as filing, documentation, reporting or completion of forms?

The rulemaking will require a small amount of additional reporting but should have no more than a negligible indirect effect that may result in increased administrative costs.

**Agency Analysis of Economic and
Budgetary Effects of Proposed Rulemaking**

Agency: Illinois Pollution Control Board

Part/Title: Organic Material Emission Standards and Limitations for the Metro East Area
(35 Ill. Adm. Code Part 219)

Illinois Register Citation: _____

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant explanation.

1. Anticipated effect on State expenditures and revenues.
 - (a) Current cost to the agency for this program/activity. ~\$5,500 per year
 - (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect.
N/A
 - (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity. N/A
 - (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. N/A
 - (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? No

2. Economic effect on persons affected by the rulemaking:
 - (a) Indicate the economic effect and specify the persons affected:

Positive ___ Negative X No effect ___

Persons affected: See list of potentially affected sources in TSD.

Dollar amount per person:
Affected miscellaneous metal and plastic parts coating operations: \$0-1760/ton
Affected automobile and light-duty truck assembly coating operations: \$0
Affected miscellaneous industrial adhesive sources: \$0-270/ton
Affected fiberglass boat manufacturing facilities: \$0

Total statewide cost:
Affected miscellaneous metal and plastic parts coating operations: \$374/day
Affected automobile and light-duty truck assembly coating operations: \$0 (no affected sources)

Affected miscellaneous industrial adhesive sources: \$10/day

Affected fiberglass boat manufacturing facilities: \$0 (no affected sources)

- (b) If an economic effect is predicted, please briefly describe how the effect will occur. Costs due to control measures or switching to low-VOM materials at sources, as described in TSD.
- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? Will there be any change in requirements such as filing, documentation, reporting or completion of forms?

The rulemaking will require a small amount of additional reporting but should have no more than a negligible indirect effect that may result in increased administrative costs.

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STATE OF ILLINOIS
Pollution Control Board

MOTION FOR WAIVER OF COPY REQUIREMENTS

The Proponent, the Illinois Environmental Protection Agency ("Illinois EPA"), by its attorney, and pursuant to 35 Ill. Adm. Code 101.500, 102.110, 102.200, and 102.402, respectfully moves that the Illinois Pollution Control Board ("Board") waive the requirement that the Illinois EPA submit the original and nine copies of the regulatory proposal including all documents relied upon, and waive the requirement that the Illinois EPA provide copies of certain documents relied upon. In support of its Motion, Illinois EPA states as follows:

1. Section 102.200 of the Board's procedural rules requires that the original and nine copies of each regulatory proposal be filed with the Clerk. 35 Ill. Adm. Code Section 102.200. Section 27(a) of the Environmental Protection Act also requires that the Illinois EPA provide information supporting a regulatory proposal. 415 ILCS 5/27(a).

2. The Illinois EPA directly relied upon several documents when drafting the regulatory proposal, and incorporated by reference certain documents as well. The documents relied upon/incorporated by reference are as follows:

- a. *Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings*, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.

- b. *Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings*, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.
- c. *Control Techniques Guidelines for Miscellaneous Industrial Adhesives*, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.
- d. *Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials*, United States Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, September 2008.
- e. *Consumer and Commercial Products, Group IV: Control Techniques Guidelines in Lieu of Regulations for Miscellaneous Metal Products Coatings, Plastic Parts Coatings, Auto and Light-Duty Truck Assembly Coatings, Fiberglass Boat Manufacturing Materials, and Miscellaneous Industrial Adhesives*, 73 Fed. Reg. 58481-58491 (October 7, 2008).
- f. *National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks; National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products*, 72 Fed. Reg. 20227-20237 (April 24, 2007).
- g. Illinois Environmental Protection Act (415 ILCS 5/et seq.).
- h. Clean Air Act (42 U.S.C. 7401 et seq.).
- i. Incorporations by reference:
 1. "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations", September 2008, United States Environmental Protection Agency, Washington, D.C., EPA-453/R-08-002.
 2. 40 CFR 63, Subpart PPPP, Appendix A (2008).
 3. 46 CFR, Subchapter Q (2007).
 4. 46 CFR, Subchapter T (2008).
 5. A.S.T.M. D-523-80.
 6. A.S.T.M. D-523-89.
 7. Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136 (2009).

8. American Architectural Manufacturers Association Specification 2604-05 (Voluntary Specification, Performance Requirements and Test Procedures for High Performance Organic Coatings on Aluminum Extrusions and Panels) (2005).
9. American Architectural Manufacturers Association Specification 2605-05 (Voluntary Specification, Performance Requirements and Test Procedures for Superior Performing Organic Coatings on Aluminum Extrusions and Panels) (2005).

3. Several of the documents described above--the Illinois Environmental Protection Act, Clean Air Act, several portions of the Code of Federal Regulations, and the Federal Insecticide, Fungicide, and Rodenticide Act--are readily accessible to or are within the possession of the Board. Given the ease of accessibility of these documents, listed as items (g), (h), (i)(2), (i)(3), (i)(4), and (i)(7) above, the Illinois EPA moves that the Board waive the requirement that the Illinois EPA provide copies of such documents.

4. Section 5-75(a) of the Illinois Administrative Procedure Act ("IAPA") provides that an agency may incorporate by reference the regulations, standards, and guidelines of an agency of the United States or a nationally recognized organization or association without publishing the incorporated material in full. 5 ILCS 100/5-75(a). Section 5-75(c) of the IAPA provides, however, that such agency shall maintain a copy of the referenced material in at least one of its principal offices and shall make it available to the public upon request. 5 ILCS 100/5-75(c).

5. In developing this proposed rulemaking, the Illinois EPA incorporated by reference two documents published by the American Society for Testing and Materials ("ASTM") and two voluntary specifications published by the American Architectural Manufacturers Association ("AAMA"), listed above as items (i)(5), (i)(6), (i)(8), and (i)(9). The documents are copyright protected and must be downloaded at a cost to the Illinois EPA. The Illinois EPA is also subject to additional fees for each copy provided to the Board. In order to keep costs incurred by the


Illinois EPA at a minimum, Illinois EPA requests that the Board waive the normal copy requirements and allow the Illinois EPA to file only the originals of such documents. Attached with the ASTMs is a copy of the License Agreement utilized by the owner of the copyright, and attached with the AAMA specifications is a copy of the copyright notice. The Illinois EPA directs the Board's attention to such documents so that the Board may conform its handling of the standards consistent with those agreements.

6. The remaining documents in the regulatory proposal consist of over 700 pages. Given the length of the proposal and the resources required to provide nine copies, Illinois EPA requests that the Board waive the normal copy requirements and allow Illinois EPA to file the original and four complete copies of such documents.

WHEREFORE, the Illinois EPA moves that the Board waive the requirement that the Illinois EPA provide copies of the documents listed as items (g), (h), (i)(2), (i)(3), (i)(4), and (i)(7); waive the requirement that the Illinois EPA provide an original and nine copies of the copyrighted materials listed as items (i)(5), (i)(6), (i)(8), and (i)(9), allowing the Illinois EPA to provide only the originals of such documents; and waive the requirement that the Illinois EPA provide an original and nine copies of the remaining documents in its proposal, allowing the Illinois EPA to provide the original and four copies.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: March 3, 2010

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P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

***THIS IS A
FAST TRACK
RULEMAKING***

**FILED IN ACCORDANCE WITH
SECTION 28.5 OF THE ENVIRONMENTAL
PROTECTION ACT (415 ILCS 5/28.5)**

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STATEMENT OF REASONS

I. INTRODUCTION

The Illinois Environmental Protection Agency ("Illinois EPA") submits this Statement of Reasons to the Illinois Pollution Control Board ("Board") pursuant to Sections 10, 27, 28, and 28.5 of the Environmental Protection Act ("Act") (415 ILCS 5/10, 27, 28, and 28.5) and 35 Ill. Adm. Code 102.202 in support of the attached proposal of regulations. These regulations are proposed to control emissions of Volatile Organic Material ("VOM"), which is effectively the same as volatile organic compounds ("VOC"), from the following Group IV Consumer and Commercial Product Categories: Miscellaneous Metal and Plastic Parts Coatings, Auto and Light-Duty Truck Coatings, Miscellaneous Industrial Adhesives, and Fiberglass Boat Manufacturing Materials.

This proposed rulemaking is intended to meet certain obligations of the State of Illinois under the federal Clean Air Act ("CAA"), 42 U.S.C. § 7401 *et seq.* Specifically, the rulemaking is intended to satisfy Illinois' obligation to submit a State Implementation Plan ("SIP") to address requirements under Sections 172 and 182 of the CAA for sources of VOM emissions in areas designated as nonattainment with respect to the ozone National Ambient Air Quality Standard ("NAAQS"). *See* 42 U.S.C. §§ 7502 and 7511a.

Section 172(c)(1) of the CAA provides that states must include in their SIPs for nonattainment areas (“NAAs”) “reasonably available control measures” (“RACM”), including “reasonably available control technology” (“RACT”), for sources of emissions. 42 U.S.C. § 7502(c)(1). Section 182(b)(2) of the CAA provides that, for ozone NAAs, the State must revise its SIP to include RACT for sources of VOM emissions covered by a control techniques guideline (“CTG”) issued between November 15, 1990, and the date of attainment. 42 U.S.C. § 7511a(b)(2).

Illinois is proposing reasonable and cost effective VOM controls for Group IV Consumer and Commercial Product Categories in response to CTGs issued for such categories. Included in this proposal are amendments to 35 Ill. Adm. Code Part 218, Organic Material Emission Standards and Limitations for the Chicago Area; 35 Ill. Adm. Code Part 219, Organic Material Emission Standards and Limitations for the Metro East Area; and 35 Ill. Adm. Code Part 211, Definitions and General Provisions.

II. STATEMENT OF FACTS

The CAA establishes a comprehensive program for controlling and improving the nation’s air quality via state and federal regulations. The United States Environmental Protection Agency (“USEPA”) is charged with identifying air pollutants that endanger the public health and welfare and with formulating the NAAQS that specify the maximum permissible concentrations of those pollutants in the ambient air pursuant to Sections 108 and 109 of the CAA. 42 U.S.C. §§ 7408-7409.

A. 8-Hour Ozone NAAQS

Ozone occurs both in the Earth's upper atmosphere and at ground level. VOM is a primary precursor to the formation of ground-level ozone, which is formed when oxides of nitrogen and VOM react in the atmosphere in the presence of sunlight. Ground-level ozone is a major component of smog. *73 Fed. Reg.* 58482 (Oct. 7, 2008). Exposure to sufficient concentrations of ground-level ozone is associated with agricultural crop loss, damage to forests and ecosystems, and a variety of human health conditions, including acute respiratory symptoms, increased susceptibility to respiratory infection, and pulmonary inflammation. *73 Fed. Reg.* 58482.

On July 18, 1997, USEPA revised the NAAQS for ozone by replacing the 1-hour standard with an 8-hour standard. *62 Fed. Reg.* 38856 (July 18, 1997). In Illinois, there are two areas designated as nonattainment (moderate) for the 8-hour ozone standard: 1) the Chicago-Gary-Lake County, IL-IN designated area, which includes Cook, DuPage, Grundy (partial-Goose Lake and Aux Sable Townships), Kane, Kendall (partial-Oswego Township), Lake, McHenry, and Will Counties; and 2) the St. Louis, MO-IL designated area, which includes Jersey, Madison, Monroe, and St. Clair Counties. 40 CFR § 81.314.

B. CAA Requirements

1. Consumer and Commercial Products, Group IV

Section 183(e) of the CAA required that USEPA conduct a study of the emissions of VOM into the ambient air from consumer and commercial products in order to determine their potential to contribute to ozone levels which violate the ozone NAAQS and to establish criteria for regulating emissions of VOM from such products. *73 Fed. Reg.* 58482. Section 183(e) provides, “[T]he Administrator shall list those categories of consumer or commercial products that the Administrator determines, based on the study,

account for at least 80 percent of the VOC emissions . . . from consumer or commercial products in areas that violate the NAAQS for ozone” and shall divide the categories into groups. 42 U.S.C. § 7511b(e)(3)(A).

The CAA requires that USEPA then either regulate VOM emissions from such categories or issue a CTG in lieu of a national regulation if the Administrator determines that such guidance will be substantially as effective as regulations in reducing emissions of VOM which contribute to ozone levels in ozone NAAs. 42 U.S.C. § 7511b(e)(3)(C).

CTGs provide states with recommendations regarding what types of controls could constitute RACT for VOM for the applicable source categories. 73 *Fed. Reg.* 58483. States must either adopt regulations to implement the recommendations in the CTG or adopt alternative approaches that constitute RACT, either of which must be submitted to the USEPA for review and approval as part of the SIP process. 73 *Fed. Reg.* 58483.

On October 7, 2008, the USEPA issued final CTGs for Group IV Consumer and Commercial Product Categories. The USEPA required that states submit SIP revisions in response to the CTGs within one year. 73 *Fed. Reg.* 58484.

2. RACT Requirements

USEPA designated the Chicago and Metro East areas in Illinois as nonattainment (moderate) for the 8-hour ozone NAAQS, which triggered requirements under the CAA for adopting regulations that reduce emissions sufficiently to demonstrate attainment of the standard. Section 172(c)(1) of the CAA provides, in pertinent part:

(c) Nonattainment plan provisions

The plan provisions (including plan items) required to be submitted under this part shall comply with each of the following:

(1) In general

Such plan provisions shall provide for the implementation of all reasonably available control measures as expeditiously as practicable (including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of reasonably available control technology) and shall provide for attainment of the national primary ambient air quality standards.

42 U.S.C. § 7502(c)(1). A subset of RACM is RACT, which is defined as the lowest emission limitation that a particular source can meet by applying a control technique that is reasonably available considering technological and economic feasibility. *See 44 Fed. Reg. 53762* (September 17, 1979).

Additionally, Section 182(b) of the CAA provides, in pertinent part:

(b) Moderate Areas

Each State in which all or part of a Moderate Area is located shall, with respect to the Moderate Area, make the submissions described under subsection (a) of this section (relating to Marginal Areas), and shall also submit the revisions to the applicable implementation plan described under this subsection.

.....
(2) Reasonably available control technology

The State shall submit a revision to the applicable implementation plan to include provisions to require the implementation of reasonably available control technology under section 7502(c)(1) of this title with respect to each of the following:

- (A) Each category of VOC sources in the area covered by a CTG document issued by the Administrator between November 15, 1990, and the date of attainment.

42 U.S.C. § 7511a(b)(2).

Sections 172 and 182 of the CAA establish the requirement for Illinois to submit VOM regulations constituting RACT for Group IV Consumer and Commercial Product

Categories in ozone NAAs classified as moderate and above. Illinois is required to submit its SIP revisions by October 7, 2009.

C. Fast Track

This regulatory proposal is properly submitted to the Board under Section 28.5 of the Act as a fast-track rulemaking. Section 28.5 provides, “When the [CAA] requires rules other than identical in substance rules to be adopted, upon request by the Agency, the Board must adopt rules under fast-track rulemaking requirements.” A rule is “required to be adopted” when the USEPA “is empowered to impose sanctions against the State for failure to adopt such rules.” 415 ILCS 5/28.5.

This rulemaking proposal satisfies such criteria. First, the proposed rule is not identical in substance to any federal regulation. The CTGs at issue here are merely guidance documents a state may utilize when making VOM RACT determinations for Group IV product categories. Second, the proposed rule is required to be adopted. As previously discussed, Sections 172 and 182 of the CAA require that Illinois submit as a SIP revision VOM RACT regulations for Group IV categories in ozone NAAs. Pursuant to Section 179 of the CAA, two sanctions are available to USEPA if Illinois fails to do so: 1) the loss of highway funds; and 2) an increase in the emissions offset ratio for New Source Review. 42 U.S.C. § 7509. Further, if Illinois fails to make an adequate SIP submission, USEPA has the authority to impose a Federal Implementation Plan pursuant to Section 110(c)(1) of the CAA. 42 U.S.C. § 7410(c)(1). Illinois EPA’s submittal of its proposal as a fast-track rulemaking is therefore appropriate.

III. PURPOSE AND EFFECT OF THE PROPOSAL

As described in detail above, this rulemaking proposal has been prepared to satisfy Illinois' obligation to submit a SIP revision to address the requirements under Sections 172 and 182 of the CAA for sources of VOM emissions in areas designated as nonattainment with respect to the ozone NAAQS. *See* 42 U.S.C. §§ 7502 and 7511a.

Additionally, Illinois is required to submit these SIP revisions before the USEPA can redesignate the Chicago and Metro East NAAs to attainment of the 1997 ozone NAAQS, regardless of whether the VOM reductions obtained by the SIP revisions are actually necessary to achieve attainment of the NAAQS. Section 107(d)(3)(E) of the CAA provides that the Administrator may not redesignate a NAA to attainment unless the State has a fully-approved SIP for the area seeking redesignation and the State has met all applicable requirements of Section 110 and Part D (which includes the requirement that states adopt VOM RACT rules for categories covered by a CTG). 42 U.S.C. § 7407(d)(3)(E). In a September 17, 1993, guidance document from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation ("Shapiro Memorandum"), the USEPA confirmed, "[B]efore EPA can act favorably upon any State redesignation request, the statutorily-mandated control programs of section 110 and part D (that were due prior to the time of the redesignation request) must have been adopted by the State and approved by EPA into the SIP." (Shapiro Memorandum, p. 2).¹

On July 2, 2007, the Illinois EPA submitted to the USEPA an attainment demonstration for the Metro East NAA for the 1997 8-hour ozone NAAQS. On March

¹ *See also Wall v. USEPA*. In *Wall*, the United States Court of Appeals for the Sixth Circuit vacated the USEPA's redesignation of a state to attainment, in part because the state failed to promulgate VOC RACT rules in response to CTGs. The USEPA argued that fully adopted VOC RACT rules were unnecessary because the state did not need the reductions from such rules to achieve attainment. The court rejected USEPA's argument, holding that the CAA unambiguously requires that a SIP submitted with respect to a redesignation request contain fully adopted RACT rules required by Part D. Redesignation absent such rules was therefore improper. *Wall v. USEPA*, 265 F.2d 426, 433, 440-42 (6th Cir. 2001).

19, 2009, the Illinois EPA submitted an attainment demonstration for the Chicago NAA as well. Monitoring data indicates that these areas have, in fact, attained the 1997 8-hour ozone NAAQS, which qualifies them for redesignation to attainment. These areas cannot be redesignated to attainment, however, unless and until the Illinois EPA submits SIP revisions in response to the Group IV CTGs and the USEPA approves such revisions.

IV. GEOGRAPHIC REGIONS AND SOURCES AFFECTED

The geographic regions subject to the proposed regulations are the two areas designated as nonattainment for the 8-hour ozone standard: 1) the Chicago-Gary-Lake County, IL-IN designated area, which includes Cook, DuPage, Grundy (partial-Goose Lake and Aux Sable Townships), Kane, Kendall (partial-Oswego Township), Lake, McHenry, and Will Counties; and 2) the St. Louis, MO-IL designated area, which includes Jersey, Madison, Monroe, and St. Clair Counties. 40 CFR § 81.314.

The proposed regulations are generally expected to affect both new and existing sources that are covered by a Group IV CTG, are located in the Chicago or Metro East NAAs, and meet the applicability criteria specified in the proposed regulations. Table 2.3, Section 3.6, and Table 4.2 in the *Technical Support Document* lists the sources potentially affected by the proposed regulations.

V. TECHNICAL FEASIBILITY AND ECONOMIC REASONABLENESS

The technology for controlling VOM emissions from Group IV product categories is both technically feasible and economically reasonable. Affected sources can meet the requirements in the proposed amendments through a number of readily available control techniques.

Control approaches for reducing VOM emissions from automobile and light-duty truck assembly coatings and miscellaneous metal and plastic parts coatings include work practices, product substitution or reformulation (namely, the use of low-VOM or no-VOM coatings or cleaning materials), utilization of higher efficiency coating application equipment, and capture and control systems. Control devices available to automobile and light-duty truck assembly coatings include oxidizers and hybrid systems. Those available to miscellaneous metal and plastic parts coatings include oxidizers, absorbers, and adsorbers.

Similarly, VOM emissions from miscellaneous industrial adhesives can be controlled by product reformulation or substitution via low-VOM adhesives, work practice procedures, utilization of more efficient application equipment, such as electrostatic or high volume low pressure spray equipment, and capture systems and control devices, including oxidizers, adsorbers, and absorbers.

Finally, VOM control techniques for fiberglass boat manufacturing operations include use of one or more of the following: low monomer VOM resins and gel coats, vapor suppressed resins and gel coats, non-atomizing resin application methods, and closed molding processes, such as vacuum bagging.

In the *Technical Support Document*, the Illinois EPA explains in more detail that the above control approaches are both technically feasible and economically reasonable. *See also, CTGs.*

VI. COMMUNICATION WITH INTERESTED PARTIES

The Illinois EPA engaged in outreach on this proposal. On November 5, the Illinois EPA posted a draft of the proposed rule and copies of the pertinent CTGs on its

website for public comment. The Illinois EPA also contacted potentially affected sources via email, soliciting feedback on the proposed rule.

The Illinois EPA received several comments regarding the proposed rule. Generally, the comments can be categorized into the following areas: revisions to proposed definitions, requests that certain terms be defined, requests for clarification of specific provisions in the proposal, appropriate VOM content limitations, appropriate applicability language and exclusions, and the location of future hearings regarding the proposed rulemaking. This proposal incorporates many of the concerns and suggestions set forth in those comments, and discussions continue between the Illinois EPA and interested parties regarding certain other issues raised in comments.

These regulations are being proposed after the interested parties have had an opportunity to review the proposal and discuss any issues with the Illinois EPA.

VII. SYNOPSIS OF TESTIMONY

The Illinois EPA plans to call Rory Davis, Environmental Protection Engineer, Air Quality Planning Section, Bureau of Air, Illinois EPA, as a witness at hearing. Mr. Davis will testify and answer questions regarding the proposed amendments. The Illinois EPA may also call Rob Kaleel, Manager of the Air Quality Planning Section, Bureau of Air, Illinois EPA, to testify and answer questions regarding the proposed amendments as well. Written testimony will be submitted prior to hearing in accordance with the Board's procedural rules and with Board orders.

VIII. THE ILLINOIS EPA'S PROPOSAL

Generally, Illinois EPA's regulatory proposal aims to implement the recommendations contained in the CTGs to the extent that such recommendations are

consistent with existing regulations. The following is a Section-by-Section summary of the Illinois EPA's proposal.

35 Ill. Adm. Code 211

Subpart A: General Provisions

Section 211.101 Incorporations by Reference

The Illinois EPA proposes adding incorporations by reference for five documents referenced in the proposed amendments to Subpart B of Part 211.

Section 211.102 Abbreviations and Conversion Factors

The Illinois EPA proposes adding abbreviations for five terms referenced in the proposed amendments to Subpart B of Part 211.

Subpart B: Definitions

The Illinois EPA proposes amending current definitions in, and adding new definitions to, Part 211.

Section 211.200 Acrylonitrile-Butadiene-Styrene (ABS) Welding

The Illinois EPA proposes adding a definition for acrylonitrile-butadiene-styrene (ABS) welding. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.233 Adhesion Primer

The Illinois EPA proposes adding a definition for adhesion primer. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.235 Adhesive Primer

The Illinois EPA proposes adding a definition for adhesive primer. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.260 Aerosol Adhesive and Adhesive Primer

The Illinois EPA proposes adding a definition for aerosol adhesive and adhesive primer. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.492 Antifoulant Coating

The Illinois EPA proposes adding a definition for antifoulant coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.540 Architectural Structure

The Illinois EPA proposes adding a definition for architectural structure. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.715 Bedliner

The Illinois EPA proposes adding a definition for bedliner. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.735 Black Coating

The Illinois EPA proposes adding a definition for black coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.829 Business Machine Plastic Parts

The Illinois EPA proposes amending the definition of business machine plastic parts to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.825 Camouflage Coating

The Illinois EPA proposes adding a definition for camouflage coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.954 Cavity Wax

The Illinois EPA proposes adding a definition for cavity wax. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.965 Ceramic Tile Installation Adhesive

The Illinois EPA proposes adding a definition for ceramic tile installation adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.1128 Closed Molding

The Illinois EPA proposes adding a definition for closed molding. This definition is necessary for proposed Subpart II of Parts 218 and 219.

Section 211.1455 Contact Adhesive

The Illinois EPA proposes adding a definition for contact adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.1560 Cove Base

The Illinois EPA proposes adding a definition for cove base. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.1565 Cove Base Installation Adhesive

The Illinois EPA proposes adding a definition for cove base installation adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.1655 Cyanoacrylate Adhesive

The Illinois EPA proposes adding a definition for cyanoacrylate adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.1700 Deadener

The Illinois EPA proposes adding a definition for deadener. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.1876 Electric Dissipating Coating

The Illinois EPA proposes adding a definition for electric dissipating coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.1877 Electric-Insulating Varnish

The Illinois EPA proposes adding a definition for electric-insulating varnish. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.1878 Electrodeposition Primer

The Illinois EPA proposes adding a definition for electrodeposition primer. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2040 Etching Filler

The Illinois EPA proposes adding a definition for etching filler. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2055 Ethylene Propylenediene Monomer (EPDM) Roof Membrane

The Illinois EPA proposes adding a definition for ethylene propylenediene monomer (EPDM) roof membrane. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.2200 Extreme High-Gloss Coating

The Illinois EPA proposes adding a definition for extreme high-gloss coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2210 Extreme Performance Coating

The Illinois EPA proposes amending the definition for extreme performance coating to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2310 Final Repair Coat

The Illinois EPA proposes amending the definition for final repair coat to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2320 Finish Primer/Surfacer

The Illinois EPA proposes adding a definition for finish primer/surfacer. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2367 Flexible Vinyl

The Illinois EPA proposes adding a definition for flexible vinyl. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.2415 Fog Coat

The Illinois EPA proposes adding a definition for fog coat. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2525 Gasket/Gasket Sealing Material

The Illinois EPA proposes adding a definition for gasket/gasket sealing material. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2625 Glass Bonding Primer

The Illinois EPA proposes adding a definition for glass bonding primer. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2825 Heat-Resistant Coating

The Illinois EPA proposes adding a definition for heat-resistant coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2955 High Bake Coating

The Illinois EPA proposes adding a definition for high bake coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2956 High Build Primer/Surfacer

The Illinois EPA proposes adding a definition for high build primer/surfacer. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2958 High Gloss Coating

The Illinois EPA proposes adding a definition for high gloss coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2960 High-Performance Architectural Coating

The Illinois EPA proposes adding a definition for high-performance architectural coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.2980 High Temperature Coating

The Illinois EPA proposes adding a definition for high temperature coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3100 Indoor Floor Covering Installation Adhesive

The Illinois EPA proposes adding a definition for indoor floor covering installation adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.3120 In-Line Repair

The Illinois EPA proposes adding a definition for in-line repair. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3240 Laminate

The Illinois EPA proposes adding a definition for laminate. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.3505 Lubricating Wax/Compound

The Illinois EPA proposes adding a definition for lubricating wax/compound. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3640 Marine Coating

The Illinois EPA proposes adding a definition for marine coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3665 Mask Coating

The Illinois EPA proposes adding a definition for mask coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3760 Metallic Coating

The Illinois EPA proposes adding a definition for metallic coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3775 Metal to Urethane/Rubber Molding or Casting Adhesive

The Illinois EPA proposes adding a definition for metal to urethane/rubber molding or casting adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.3785 Military Specification Coating

The Illinois EPA proposes adding a definition for military specification coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3820 Miscellaneous Industrial Adhesive Application Operation

The Illinois EPA proposes adding a definition for miscellaneous industrial adhesive application operation. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.3925 Mold Seal Coating

The Illinois EPA proposes adding a definition for mold seal coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3961 Motor Vehicle Adhesive

The Illinois EPA proposes adding a definition for motor vehicle adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.3967 Motor Vehicle Weatherstrip Adhesive

The Illinois EPA proposes adding a definition for motor vehicle weatherstrip adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.3968 Multi-Colored Coating

The Illinois EPA proposes adding a definition for multi-colored coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3969 Multi-Component Coating

The Illinois EPA proposes adding a definition for multi-component coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.3975 Multipurpose Construction Adhesive

The Illinois EPA proposes adding a definition for multipurpose construction adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4052 Non-Convertible Coating

The Illinois EPA proposes adding a definition for non-convertible coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.4080 One-Component Coating

The Illinois EPA proposes adding a definition for one-component coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.4220 Optical Coating

The Illinois EPA proposes adding a definition for optical coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.4280 Outdoor Floor Covering Installation Adhesive

The Illinois EPA proposes adding a definition for outdoor floor covering installation adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4455 Pan Backing Coating

The Illinois EPA proposes adding a definition for pan backing coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.4540 Perimeter Bonded Sheet Flooring

The Illinois EPA proposes adding a definition for perimeter bonded sheet flooring. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4735 Plastic

The Illinois EPA proposes adding a definition for plastic. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4760 Plastic Solvent Welding Adhesive

The Illinois EPA proposes adding a definition for plastic solvent welding adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4765 Plastic Solvent Welding Adhesive Primer

The Illinois EPA proposes adding a definition for plastic solvent welding adhesive primer. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4768 Pleasure Craft

The Illinois EPA proposes adding a definition for pleasure craft. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.4769 Pleasure Craft Surface Coating

The Illinois EPA proposes adding a definition for pleasure craft surface coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.4895 Polyvinyl Chloride Plastic (PVC Plastic)

The Illinois EPA proposes adding a definition for polyvinyl chloride plastic (PVC plastic). This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.4900 Porous Material

The Illinois EPA proposes adding a definition for porous material. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.5012 Prefabricated Architectural Coating

The Illinois EPA proposes adding a definition for prefabricated architectural coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5061 Pretreatment Coating

The Illinois EPA proposes adding a definition for pretreatment coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5061 Pretreatment Wash Primer

The Illinois EPA proposes amending the definition for pretreatment wash primer to implement the definition recommended in the CTG. The Illinois EPA also proposes changing the Section number of this definition to Section 211.5062 to make room for the proposed definition for pretreatment coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5090 Primer Surfacer Coat

The Illinois EPA proposes amending the definition for primer surfacer coat to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5400 Red Coating

The Illinois EPA proposes adding a definition for red coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5520 Reinforced Plastic Composite

The Illinois EPA proposes adding a definition for reinforced plastic composite. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.5550 Repair Coat

The Illinois EPA proposes amending the definition for repair coat to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5800 Rubber

The Illinois EPA proposes adding a definition for rubber. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.5890 Sealer

The Illinois EPA proposes amending the definition for sealer to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.5985 Sheet Rubber Lining Installation

The Illinois EPA proposes adding a definition for sheet rubber lining installation. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.5987 Shock-Free Coating

The Illinois EPA proposes adding a definition for shock-free coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6012 Silicone-Release Coating

The Illinois EPA proposes adding a definition for silicone-release coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6015 Single-Ply Roof Membrane

The Illinois EPA proposes adding a definition for single-ply roof membrane. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6017 Single-Ply Roof Membrane Adhesive Primer

The Illinois EPA proposes adding a definition for single-ply roof membrane adhesive primer. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6020 Single-Ply Roof Membrane Installation and Repair Adhesive

The Illinois EPA proposes adding a definition for single-ply roof membrane installation and repair adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6063 Solar-Absorbent Coating

The Illinois EPA proposes adding a definition for solar-absorbent coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6065 Solids Turnover Ratio (R_T)

The Illinois EPA proposes adding a definition for solids turnover ratio (R_T). This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6400 Stencil Coat

The Illinois EPA proposes amending the definition for stencil coat to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6425 Structural Glazing

The Illinois EPA proposes adding a definition for structural glazing. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6460 Subfloor

The Illinois EPA proposes adding a definition for subfloor. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6585 Thin Metal Laminating Adhesive

The Illinois EPA proposes adding a definition for thin metal laminating adhesive. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6640 Tire Repair

The Illinois EPA proposes adding a definition for tire repair. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.6670 Topcoat

The Illinois EPA proposes amending the definition for topcoat to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6690 Topcoat Operation

The Illinois EPA proposes amending the definition for topcoat operation to implement part of the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6720 Touch-Up Coating

The Illinois EPA proposes amending the definition for touch-up coating to implement the definition recommended in the CTG. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6740 Translucent Coating

The Illinois EPA proposes adding a definition for translucent coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6780 Trunk Interior Coating

The Illinois EPA proposes adding a definition for trunk interior coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6825 Underbody Coating

The Illinois EPA proposes adding a definition for underbody coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.6885 Vacuum Metalizing Coating

The Illinois EPA proposes adding a definition for vacuum metalizing coating. This definition is necessary for Subpart F of Parts 218 and 219.

Section 211.7220 Waterproof Resorcinol Glue

The Illinois EPA proposes adding a definition for waterproof resorcinol glue. This definition is necessary for proposed Subpart JJ of Parts 218 and 219.

Section 211.7240 Weatherstrip Adhesive

The Illinois EPA proposes adding a definition for weatherstrip adhesive. This definition is necessary for Subpart F of Parts 218 and 219.

35 Ill. Adm. Code 218/219

Subpart A: General Provisions

Section 218/219.105 Test Methods and Procedures

The Illinois EPA proposes amending subsection (b) by updating the testing protocol for automobile and light-duty truck primer-surfacer and topcoat operations.

Section 218/219.106 Compliance Dates

The Illinois EPA proposes adding subsection (e) to Section 218.106 and subsection (c) to Section 219.106, which establish May 1, 2011, as the compliance date for sources subject to the rulemaking proposal. The Illinois EPA also proposes amending subsection (a) of Section 219.106 to reference proposed subsection (c).

Section 218/219.112 Incorporations by Reference

The Illinois EPA proposes adding subsections (cc), (dd), (ee), and (ff) to Section 218.112, and subsections (aa), (bb), (cc), and (dd) to Section 219.112, which incorporate

by reference several documents mentioned in the Illinois EPA's proposed amendments to Parts 218 and 219.

Subpart F: Coating Operations

Section 218/219.204 Emission Limitations

The Illinois EPA proposes amending the introductory paragraph to reference revised and new subsections of Section 218/219.204.

The Illinois EPA proposes amending subsection (a) to restrict the VOM content of automobile and light-duty truck coatings to the limitations set forth in the CTG, and to separate the limits that are applicable to such coatings prior to the new compliance date from those applicable on and after the new compliance date. The Illinois EPA also proposes amending subsection (a) to include a definition for electrodeposition; to specify how compliance with the amended VOM content limitations for primer-surfacer, topcoat, and combined primer-surfacer and topcoat operations shall be demonstrated; to specify what testing is required for such operations; and to provide an equation for determining occurrence weighted average for final repair coat operations. Finally, the Illinois EPA's proposed amendments provide that the amended VOM content limitations shall not apply to materials supplied in containers with a net volume of 16 ounces or less, or a net weight of one pound or less.

The Illinois EPA proposes amending subsection (j) to specify that the limitations in (j) are only applicable to miscellaneous metal parts and products coatings prior to May 1, 2011, and that on and after such date, the limitations in subsection (q) shall apply.

The Illinois EPA proposes amending subsection (n) to specify that the limitations in (n) are only applicable to plastic parts coatings (automotive/transportation) prior to May 1, 2011, and that on and after such date, the limitations in subsection (q) shall apply.

The Illinois EPA proposes amending subsection (o) to specify that the limitations in (o) are only applicable to plastic parts coatings (business machines) prior to May 1, 2011, and that on and after such date, the limitations in subsection (q) shall apply.

The Illinois EPA proposes adding subsection (q), which sets forth VOM content limitations, definitions, and exclusions for metal parts and products coatings; plastic parts and products-miscellaneous coatings; plastic parts and products-automotive/transportation coatings; plastic parts and products-business machine coatings; pleasure craft surface coatings; and motor vehicle materials coatings.

Section 218/219.205 Daily-Weighted Average Limitations

The Illinois EPA proposes amending the introductory paragraph to reference proposed subsection (j) in Section 218.205, and proposed subsection (i) in Section 219.205.

The Illinois EPA proposes amending subsection (a) to provide that such subsection applies to Section 218/219.204(a)(1)(A), (a)(1)(D), (a)(2)(A), (a)(2)(E), and (a)(2)(F), among other listed subsections.

The Illinois EPA proposes amending subsection (b) to specify that the limitations in such subsection only apply to miscellaneous parts and products coatings prior to May 1, 2011.

The Illinois EPA proposes amending subsection (g) to specify that the limitations in such subsection only apply to plastic parts coatings prior to May 1, 2011.

The Illinois EPA proposes adding subsection (j) to Section 218.205 and subsection (i) to Section 219.205, which set forth the requirements for miscellaneous metal parts and products coating lines, plastic parts and products coating lines, pleasure craft surface coating lines, and motor vehicle materials coating lines utilizing the daily weighted averaging alternative on and after May 1, 2011.

Section 218/219.207 Alternative Emission Limitations

The Illinois EPA proposes amending subsection (a) to reference proposed subsection (l) in Section 218.207, and proposed subsection (k) in Section 219.207, and to exclude coating lines subject to Section 218/219.204(q)(6) from the alternative emission limitations option.

The Illinois EPA proposes amending subsection (b) to provide for sources complying with a proposed emission limitation in Section 218/219.204 that is already in terms of weight of VOM per volume of solids.

The Illinois EPA proposes amending subsection (c) to include references to certain amended VOM content limitations.

The Illinois EPA proposes adding subsection (l) to Section 218.207 and subsection (k) to Section 219.207, which set forth the requirements for miscellaneous metal parts and products coating lines, plastic parts and products coatings lines, and pleasure craft surface coating lines utilizing the alternative emissions limitation on and after May 1, 2011.

Section 218/219.208 Exemptions from Emission Limitations

The Illinois EPA proposes amending subsection (a) to provide that on and after May 1, 2011, for applicability purposes VOM emissions from heavy off-highway vehicle

products coatings lines shall be combined with VOM emissions from miscellaneous metal parts and products coating lines and plastic parts and products coating lines.

The Illinois EPA proposes amending subsection (c) and adding subsection (d) to provide that the exclusions contained in such subsections shall only apply to miscellaneous metal parts and products, plastic parts coatings for automotive/ transportation, and plastic parts coatings for business machines until May 1, 2011.

The Illinois EPA proposes relettering the existing subsection (d) to subsection (e) and correcting internal cross-references.

Section 218/219.210 Compliance Schedule

The Illinois EPA proposes amending the introductory paragraph to reference the proposed subsection (g).

The Illinois EPA proposes adding subsection (g), which provides that, on and after a date consistent with Section 218/219.106, sources subject to the proposed limitations in Section 218/219.204(a) or (q), or subject to the limitations in Section 218/219.219, shall comply with such limitations, as well as with all other applicable provisions in Subpart F.

Section 218/219.211 Recordkeeping and Reporting

The Illinois EPA proposes amending subsection (c) to include references to the amended VOM content limitations for automobile and light-duty truck coatings, and to provide that, for certain automobile and light-duty truck coating lines, VOM content information shall be maintained and/or reported in terms of weight of VOM per volume of solids or coatings, as applicable, as applied each day on each coating line. The Illinois EPA also proposes amending subsection (c) to provide that coating lines subject to

Section 218/219.204(a)(2)(A) shall maintain and/or report the solids turnover ratio of each electrodeposition primer operation. Subject printing lines shall also maintain certified product data sheets for each coating applied on each line.

The Illinois EPA proposes amending subsection (d) to provide that, for coating lines that are subject to Section 218/219.204(a)(2)(A) or (q) and that are utilizing the daily weighted averaging alternative, VOM content information shall be maintained and/or reported in terms of weight of VOM per volume of solids or coatings, as applicable, as applied each day on each coating line.

The Illinois EPA proposes amending subsection (e) to provide that coating lines complying pursuant to Section 218.207(l) or 219.207(k) shall comply with the recordkeeping and reporting requirements set forth in subsection (e). The Illinois EPA also proposes amending internal cross references.

The Illinois EPA proposes adding subsection (g), which establishes recordkeeping and reporting requirements for coating lines subject to the work practices set forth in Section 218/219.219.

Section 218/219.212 Cross-Line Averaging to Establish Compliance for Coating Lines

The Illinois EPA proposes amending this Section to provide that the cross-line averaging alternative is not available to coating lines subject to the revised VOM content limitations.

Section 218/219.219 Work Practice Standards for Automobile and Light-Duty Truck Assembly Coatings and Miscellaneous Metal and Plastic Parts Coatings

The Illinois EPA proposes adding Section 218/219.219, which sets forth work practice requirements for VOM-containing coatings, thinner, coating-related waste

materials, cleaning materials, and cleaning-related activities associated with automobile and light-duty truck assembly coating lines or miscellaneous metal or plastic parts coatings lines. This Section also establishes application method requirements for certain coating lines described in Section 218/219.204(q).

Subpart II: Fiberglass Boat Manufacturing Materials

The Illinois EPA proposes adding Subpart II to Parts 218 and 219 regarding fiberglass boat manufacturing materials.

Section 218/219.890 Applicability

Subsection (a) provides that, on and after May 1, 2011, the requirements of Subpart II shall apply to the owners and operators of sources that manufacture hulls or decks of boats from fiberglass, or that build molds to make hulls or decks of boats from fiberglass, and that emit 15 lbs/day or more of VOM from specified operations. If a source meets such criteria, the limitations in Subpart II apply to the manufacture of all fiberglass boat parts at the source.

Subsection (b) establishes exemptions for certain coatings and operations.

Subsection (c) provides that if a source is or becomes subject to this Subpart, the source is always subject to the Subpart.

Subsection (d) provides that sources exempt pursuant to this Section are still subject to recordkeeping and reporting requirements.

Section 218/219.891 Emission Limitations and Control Requirements

Subsection (a) provides that resins and gel coats at subject sources shall comply with the limitations set forth in subsection (b)(1) or (b)(2), (c), or (d) of this Section, as well as with subsections (e), (g), and (h) of this Section. This subsection also provides

that if a source complies pursuant to subsection (b) or (c), and the non-monomer VOM content of a resin or gel coat exceeds five percent, by weight, the excess non-monomer VOM shall be added to the monomer VOM content of such resin or gel coat in accordance with a specified equation.

Subsection (b) establishes VOM content limitations for subject resins and gel coats, and a 12-month rolling weighted averaging alternative to such limitations.

Subsection (c) establishes an emission averaging alternative in which resin and gel coat operations utilizing the alternative comply with a source-specific monomer VOM mass emission limit on a 12-month rolling average basis. Subsection (c) sets forth several equations that sources shall utilize if complying by means of this alternative. Sources shall utilize Equation 2 to determine the source-specific monomer VOM mass emission limit; Equation 3 to calculate monomer VOM emissions from the resin and gel coat operations included in the emissions average; and Equation 4 to calculate the weighted-average monomer VOM emission rate for the previous 12 months for each resin and gel coat operation. Subsection (c) also sets forth monomer VOM emission rate formulas for use in Equation 4 and subsection (e)(3) of this Section.

Subsection (d) establishes an emissions control alternative for subject resin and gel coat operations. Subsection (d) provides that an afterburner, carbon adsorber, or other approved control device shall be installed and operated such that the VOM emissions at the outlet of the control device meet an emission limitation determined using a slightly altered version of Equation 2, as set forth in subsection (c)(1).

Subsection (e) sets forth Equation 5 and provides that, for all filled production and tooling resins, the owner or operator of a subject source shall use such equation to adjust

the monomer VOM emission rates determined pursuant to subsection (b). Subsection (e) also sets forth limitations to the emission rate determined using Equation 5 for sources complying pursuant to subsection (b).

Subsection (f) provides that certain types of materials are exempt from the limitations set forth in subsections (a) through (e). Such materials shall instead comply with the requirements set forth in subsection (f).

Subsection (g) provides that no owner or operator of a source subject to this Subpart shall use VOM-containing cleaning solutions to remove cured resin and gel coats from fiberglass boat manufacturing application equipment. Additionally, no owner or operator shall use VOM-containing cleaning solutions for routine cleaning of application equipment unless specified VOM content or composite vapor pressure requirements are met.

Subsection (h) provides that no owner or operator of a source subject to this Subpart shall use resin or gel coat mixing containers with a capacity equal to or greater than 55 gallons unless such containers have covers with no visible gaps in place at all times, except when material is being manually added to or removed from a container or when mixing or pumping equipment is being placed in or removed from a container.

Section 218/219.892 Testing and Monitoring Requirements

Subsection (a) provides that testing to demonstrate compliance with Section 218/219.891 shall be conducted within 90 days after a request by the Illinois EPA, or as otherwise specified in Subpart II. The Illinois EPA shall be notified in writing 30 days in advance of such testing.

Subsection (b) provides that testing to demonstrate compliance with the monomer VOM content limitations set forth in Section 218/219.891(b) shall be conducted in accordance with a specified test method.

Subsection (c) provides that the owner or operator of a source complying pursuant to the emissions control device requirements in Section 218/219.891(d) shall conduct an initial performance test of the control device that demonstrates compliance with the emission limitation determined pursuant to such Section. The owner or operator shall then conduct at least one performance test per calendar year. Subsection (c) also requires that performance tests used to demonstrate compliance be conducted at least six months apart, unless the test is being conducted pursuant to subsection (b)(1)(C) of this Section or per an Agency request. The owner or operator shall monitor and record relevant operating parameters during each performance test used to demonstrate compliance and shall continue to operate the fiberglass boat manufacturing process within such parameters until another performance test is conducted that demonstrates compliance. If the fiberglass boat manufacturing process exceeds any parameter by more than ten percent, the owner or operator shall conduct an additional performance test. Finally, subsection (c) sets forth the methods and procedures the owner or operator shall follow when testing, as well as monitoring requirements for emissions control systems.

Subsection (d) provides that testing to demonstrate compliance with the VOM content limitations for cleaning solutions set forth in Section 218/219.891(g), and with the non-monomer VOM content limitations set forth in Section 218/219.891(a), shall be conducted in accordance with specified test methods and procedures. For cleaning

solvents, testing may instead be conducted in accordance with the manufacturer's specifications if certain conditions are met.

Subsection (e) sets forth monitoring requirements for owners or operators relying on the VOM content of cleaning solutions to comply with Section 218/219.891(g)(1).

Subsection (f) provides that testing to demonstrate compliance with the VOM composite partial vapor pressure limitation for cleaning solvents shall be conducted in accordance with the methods and procedures set forth in Section 218/219.110.

Section 218/219.894 Recordkeeping and Reporting Requirements

Subsection (a) provides that the owners and operators of sources exempt from the limitations of Subpart II because of the criteria in Section 218/219.890(a) shall submit a certification to the Illinois EPA that includes a declaration that the source is exempt and calculations that demonstrate that the source is exempt. The owner or operator shall also notify the Illinois EPA if the combined emissions of VOM from subject fiberglass boat manufacturing operations at the source ever equal or exceed 15 lbs/day, within 30 days after the event occurs.

Subsection (b) sets forth recordkeeping and reporting requirements for all sources subject to the requirements of Subpart II. Such sources shall submit a certification to the Illinois EPA that includes specified information, notify the Illinois EPA at least 30 calendar days before changing the method of compliance between Sections 218/219.891(b), (c), and (d), notify the Illinois EPA of any violation of the requirements of Subpart II within 30 days following the violation, retain all records required by this Section for at least three years, and make such records available to the Illinois EPA upon request.

Subsection (c) provides that the owner or operator of a subject fiberglass boat manufacturing operation that is complying by means of Section 218/219.891(b) shall submit a certification to the Illinois EPA that includes the name, identification number, and VOM content of each subject resin and gel coat as applied each day. The owner or operator shall collect and record such information, as well as the daily weighted average VOM content of all subject resins and gel coats complying pursuant to Section 218/219.891(b)(2).

Subsection (d) provides that the owner or operator of a subject fiberglass boat manufacturing operation that is complying by means of Section 218/219.891(c) shall collect and record each month the amount and VOM content of each subject resin and gel coat used in each subject manufacturing operation. At the end of the 12-month averaging period, and at the end of each subsequent month, the owner or operator shall also collect and record the monomer VOM mass emission limit for the subject manufacturing operations for the applicable 12-month averaging period, and the total actual emissions of VOM from such operations.

Subsection (e) provides that the owner or operator of a subject fiberglass boat manufacturing operation that is complying by means of Section 218/219.891(d) shall submit a certification to the Illinois EPA that includes information regarding the type of control device used to demonstrate compliance, the results of all tests and calculations necessary to demonstrate compliance, and a declaration that the owner or operator is in compliance with monitoring requirements. The owner or operator shall also submit to the Illinois EPA a copy of all test results within 90 days after conducting testing, and a certification providing specified details regarding such testing. Finally, the owner or

operator shall collect and record daily control device monitoring data, a log of operating time for the control device and monitoring equipment, a maintenance log for the control device and monitoring equipment, and information substantiating that the fiberglass boat manufacturing operation is operating in compliance with the parameters determined pursuant to Section 218/219.892.

Subsection (f) provides that the owner or operator of a source subject to Section 218/219.891(f) shall collect and record specified information regarding materials exempt pursuant to such Section.

Subsection (g) provides that the owner or operator of a subject source shall collect and record specified information for each cleaning solution used in each fiberglass boat manufacturing operation.

Subpart JJ: Miscellaneous Industrial Adhesives

Section 218/219.900 Applicability

Subsection (a) provides that, on and after May 1, 2011, the requirements in Subpart JJ apply to miscellaneous industrial adhesive application operations at sources where the total actual VOM emissions from such operations, including related cleaning activities, equal or exceed 15 lbs/day, in the absence of air pollution control equipment.

Subsection (b) establishes exemptions for certain coatings, adhesives, and operations.

Subsection (c) provides that if a source is or becomes subject to this Subpart, the source is always subject to the Subpart.

Subsection (d) provides that sources exempt pursuant to this Section are still subject to recordkeeping and reporting requirements.

Section 218/219.901 Emission Limitations and Control Requirements

Subsection (a) provides that the owner or operator of a source subject to the requirements of Subpart JJ shall comply with subsection (b), (c), or (d) of this Section, as well as with the limitations in subsections (e) and (f) of this Section. Sources subject to Section 218.900(b)(2), however, shall only comply with the limitations in subsection (f).

Subsection (b) establishes VOM content limitations for subject adhesives.

Subsection (c) establishes a daily-weighted averaging alternative to the VOM content limitations in subsection (b).

Subsection (d) establishes an emissions control alternative for subject adhesives. Subsection (d) provides that an afterburner, carbon adsorber, or other approved control device shall be utilized that provides at least 85% reduction in the overall emissions of VOM from the adhesive application operation. Alternatively, the owner or operator may comply with the applicable limitation set forth in Section 218.901(b) by utilizing a combination of low-VOM adhesives and an afterburner, carbon adsorber, or other approved control device.

Subsection (e) provides that the owner or operator of a subject source shall comply with specified application method requirements.

Subsection (f) provides that the owner or operator of a subject source shall comply with specified work practices for each subject adhesive application operation.

Section 218/219.902 Testing Requirements

Subsection (a) provides that testing to demonstrate compliance with Subpart JJ shall be conducted within 90 days after a request by the Illinois EPA, or as otherwise

specified. The Illinois EPA shall be notified in writing 30 days in advance of such testing.

Subsection (b) provides that testing to demonstrate compliance with the VOM content limitations set forth in Section 218/219.901(b) shall be conducted in accordance with specified test methods, or, under certain circumstances, in accordance with the manufacturer's specifications.

Subsection (c) provides that the owner or operator of a source complying with Section 218/219.901(d) by utilizing an afterburner or carbon adsorber shall perform testing pursuant to specified test methods and procedures.

Subsection (d) provides that the owner or operator of a source complying with Section 218/219.901(d) by utilizing an emissions control system other than afterburner or carbon adsorber shall conduct testing as set forth in the owner or operator's plan approved by the Illinois EPA and USEPA.

Section 218/219.903 Monitoring Requirements

Subsection (a) sets forth monitoring requirements for owners or operators utilizing an afterburner or carbon adsorber to demonstrate compliance with Section 218/219.901(d).

Subsection (b) sets forth monitoring requirements for owners or operators utilizing an emissions control system other than an afterburner or carbon adsorber to demonstrate compliance with Section 218/219.901(d).

Section 218/219.904 Recordkeeping and Reporting Requirements

Subsection (a) provides that the owners and operators of sources exempt from the limitations of Subpart JJ because of the criteria in Section 218/219.900(a) shall submit a

certification to the Illinois EPA that includes a declaration that the source is exempt and calculations that demonstrate that the source is exempt. The owner or operator shall also notify the Illinois EPA if the combined emissions of VOM from subject miscellaneous industrial adhesive application operations at the source ever equal or exceed 15 lbs/day, within 30 days after the event occurs.

Subsection (b) sets forth recordkeeping and reporting requirements for all sources subject to the requirements of Subpart JJ. Such sources shall submit a certification to the Illinois EPA that includes specified information, notify the Illinois EPA at least 30 calendar days before changing the method of compliance between Sections 218/219.901(b), (c), and (d), notify the Illinois EPA of any violation of the requirements of Subpart JJ within 30 days following the violation, retain all records required by this Section for at least three years, and make such records available to the Illinois EPA upon request.


Subsection (c) provides that the owner or operator of a subject adhesive application operation that is complying by means of Section 218/219.901(b) shall submit a certification to the Illinois EPA that includes the name, identification number, and VOM content of each subject adhesive as applied each day. The owner or operator shall also collect and record such information.

Subsection (d) provides that the owner or operator of a subject adhesive application operation that is complying by means of Section 218/219.901(c) shall submit a certification to the Illinois EPA that includes the name, identification number, and VOM content of each subject adhesive as applied each day. The owner or operator shall

also collect and record such information, along with the daily weighted average VOM content of all subject adhesives as applied.

Subsection (e) provides that the owner or operator of a subject adhesive application operation that is complying by means of Section 218/219.901(d) shall submit a certification to the Illinois EPA that includes information regarding the type of control device used to demonstrate compliance, the results of all tests and calculations necessary to demonstrate compliance, and a declaration that the owner or operator is in compliance with monitoring requirements. The owner or operator shall also submit to the Illinois EPA a copy of all test results within 90 days after conducting testing, and a certification providing specified details regarding such testing. Finally, the owner or operator shall collect and record daily control device monitoring data, a log of operating time for the control device, monitoring equipment, and the associated adhesive application unit, and a maintenance log for the control device and monitoring equipment.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: March 3, 2010

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
REASONABLY AVAILABLE CONTROL)
TECHNOLOGY (RACT) FOR VOLATILE)
ORGANIC MATERIAL EMISSIONS FROM)
GROUP IV CONSUMER & COMMERCIAL)
PRODUCTS: PROPOSED AMENDMENTS)
TO 35 ILL. ADM. CODE 211, 218, and 219)

R10- 20
(Rulemaking-Air)

RECEIVED
CLERK'S OFFICE
MAR 08 2010
STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served the attached REGULATORY PROPOSAL entitled "REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT) FOR VOLATILE ORGANIC MATERIAL EMISSIONS FROM GROUP IV CONSUMER & COMMERCIAL PRODUCTS: PROPOSED AMENDMENTS TO 35 ILL. ADM. CODE 211, 218, and 219," MOTION FOR WAIVER OF COPY REQUIREMENTS, and APPEARANCE of the Illinois Environmental Protection Agency upon the person to whom it is directed, by mailing it by first-class mail from Springfield, Illinois, with sufficient postage affixed, to the following persons:

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

Matthew Dunn, Chief
Division of Environmental Enforcement
Office of the Attorney General
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Chicago, IL 60602

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Deputy Legal Counsel
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ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Dana Vetterhoffer
Dana Vetterhoffer
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DATED: March 3, 2010

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