

ILLINOIS POLLUTION CONTROL BOARD
October 19, 2000

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO 35 ILL.) R01-16
ADM. CODE 217.SUBPART V, ELECTRIC) (Rulemaking – Air)
POWER GENERATION)

Proposed Rule. First Notice.

ORDER OF THE BOARD (by M. McFawn):

On October 16, 2000, the Illinois Environmental Protection Agency (Agency) filed a proposal to amend Subpart V of 35 Ill. Adm. Code 217: Electric Power Generation. This proposal was filed pursuant to the fast track rulemaking provisions of Section 28.5 of the Illinois Environmental Protection Act (Act) 414 ILCS 5/28.5 (1998). This order, which is supported by a separately issued Board opinion adopted today, directs publication of the proposed amendments in the *Illinois Register*. The opinion also describes the fast track rulemaking process and details statutory rulemaking milestones in the proceeding.

The Board directs the Clerk to cause the filing of the following rules with the Secretary of State for first-notice publication in the *Illinois Register*.

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER c : EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 217
NITROGEN OXIDES EMISSIONS

SUBPART A: GENERAL PROVISIONS

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SUBPART V: ELECTRIC POWER GENERATION

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Appendix A Rule into Section Table

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AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (~~Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1010 and 1027~~) [415 ILCS 5/10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 207: Nitrogen Oxides Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 2 Ill. Reg. 17, p. 101, effective April 13, 1978; codified at 7 Ill. Reg. 13609; amended in R01-9, _____ Ill. Reg. _____, effective _____; amended in R01-11, _____ Ill. Reg. _____, effective _____; and amended in R01-____, _____ Ill. Reg. _____, effective _____.

SUBPART V: ELECTRIC POWER GENERATION

Section 217.700 Purpose

The purpose of this Subpart is to control the emissions of nitrogen oxides (NO_x) from electrical generating units (EGUs) during the control period (for purposes of Subpart V, the control period is May 1 through September 30 of each year, beginning in 2003).

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

Section 217.702 Severability

If any section, subsection or clause of this Subpart is found invalid, such finding shall not affect the validity of this Subpart as a whole or any Section, subsection or clause not found invalid.

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

Section 217.704 Applicability

The following fossil fuel-fired stationary boilers, combustion turbines or combined cycle systems are electrical generating units (EGUs) and shall be subject to this Subpart on and after May 1, 2003:

- a) Any unit serving a generator that has a nameplate capacity greater than 25 MWe and produces electricity for sale, excluding those units listed in Appendix D of this Part and any new unit at a source listed in Appendix D of this Part.
- b) Any unit with a maximum design heat input that is greater than 250 mmbtu/hr that commences operation on or after January 1, 1999, serving at any time a generator that has a nameplate capacity of 25 MWe or less and has the potential to use more than 50% of the potential electrical output capacity of the unit. Fifty percent (50%) of a unit's potential electrical output capacity shall be determined by multiplying the unit's maximum design heat input by 0.0488 MWe/mmbtu. If the size of the generator is greater than this calculated number, the unit is an EGU subject to the provisions of this Subpart.

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

Section 217.706 Emission Limitations

- a) On or after May 1, 2003, no person subject to this Subpart shall cause or allow the emissions of NO_x into the atmosphere from any EGU to exceed 0.25 lbs/mmbtu of actual heat input during each control period, based on a control period average, for that unit.
- b) Notwithstanding the emission limitation in subsection (a) of this Section, any EGU subject to a more stringent NO_x emission limitation pursuant to any State or federal statute, including the Act, the Clean Air Act, or any regulations promulgated thereunder, shall comply with both the requirements of this Subpart and that more stringent emission limitation.

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

Section 217.708 NO_x Averaging

- a) Notwithstanding Section 217.706(a) of this Subpart, the owners or operators of EGUs listed in Appendix F of this Part and the owner or operator of Soyland Power may elect to demonstrate compliance with this Subpart by averaging for the control period the NO_x emission rates of any EGU listed in Appendix F or with any unit at Soyland Power that commenced commercial operation on or before January 1, 2000.
- b) The average NO_x emission rate for all EGUs being averaged pursuant to this Section must not exceed 0.25 lb/mmbtu and shall be determined as follows:

$$ER_{avg} = \frac{\sum_{i=1}^n (HI_i \times ER_i)}{\sum_{i=1}^n HI_i}$$

Where:

ER_{avg} ≡ average emission rate in lb/mmbtu of all EGUs in averaging demonstration

HI_i ≡ heat input for the control period of EGU i, mmbtu, as specified in the NO_x averaging demonstration

ER_i \equiv actual NO_x emission rate of EGU i, lbs/mmbtu, as specified in the NO_x averaging demonstration

n \equiv number of EGUs that are averaging

- c) Averaging under this Subpart must be authorized through federally enforceable permit conditions for such EGU.
- d) An EGU may be included in only one NO_x averaging demonstration during a control period.
- e) Compliance by averaging for each control period must be demonstrated by November 30 following each control period.
- f) If averaging is used to demonstrate compliance with this Subpart, the effect of a failure to demonstrate such compliance shall be that the compliance status of each EGU shall be determined pursuant to Section 217.706(a) as if the NO_x emission rates of such EGUs were not averaged.

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

Section 217.710 Monitoring

- a) The owner or operator of an EGU subject to this Subpart shall install, calibrate, maintain and operate continuous emissions monitoring systems (CEMS) for NO_x that meet the requirements of 40 CFR 75, subpart B.
- b) Notwithstanding subsection (a), the owner or operator of a gas-fired peaking unit or oil-fired peaking unit as defined in 40 CFR 72.2 may determine NO_x emissions in accordance with the emissions estimation protocol of 40 CFR 75, subpart E.

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

Section 217.712 Reporting and Recordkeeping

The owner or operator of an EGU subject to the requirements of this Subpart shall:

- a) Comply with the recordkeeping and reporting requirements of 40 CFR 75 applicable to NO_x emissions during the control period, including, but not limited to, 40 CFR 75.54(b) and (d), incorporated by reference in Section 217.104 of this Part.
- b) Submit, with the report required under subsection (c) of this Section, the following certification statement, to be signed by a responsible official:

“I certify under penalty of law that this report and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief after due inquiry, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Signature

Name

Official Title

Telephone No.

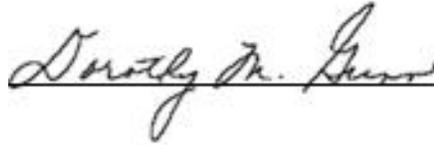
Date Signed

- c) If demonstrating compliance through Section 217.706(a) of this Subpart, by November 30 of each year beginning in 2003, submit to the Agency a report that demonstrates each EGU has not exceeded a NO_x emission rate of 0.25 lbs/mmbtu during the control period.
- d) If demonstrating compliance through Section 217.708 of this Subpart, by November 30 of each year beginning in 2003, submit to the Agency a report that demonstrates the following:
- (1) For all EGUs participating in the averaging demonstration, the averaged control period NO_x emission rate pursuant to the equation in Section 217.708(b) of this Subpart;
 - (2) The average control period NO_x emission rate of each EGU participating in the averaging demonstration; and
 - (3) The information required to determine the average NO_x emission rate pursuant to Section 217.708(b) of this Subpart.
- e) Keep and maintain, for five years, all records and data necessary to demonstrate compliance with the requirements of this Subpart, and upon request shall make such records and data available to Agency and USEPA representatives for inspection and copying during working hours; and
- f) Submit copies of any records and data required by this Section to the Agency within 30 days after receipt of a written request by the Agency.

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

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 19th day of October 2000 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board