

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE
MAY 10 1996
STATE OF ILLINOIS
POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
EXEMPTIONS FROM STATE)
PERMIT REQUIREMENTS,)
AMENDMENTS TO 35 ILL. ADM.)
CODE 201 AND 211.)

R96-17
(Rulemaking)

NOTICE

TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Mark Biel
Chemical Industry Council
920 S. Second Street
Springfield, Illinois 62704

Sid Marder
Illinois Environmental Regulatory Group
215 E. Adams Street
Springfield, Illinois 62701

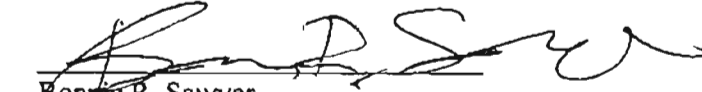
Steve Longhta
Illinois Manufacturers' Assn.
220 E. Adams Street
Springfield, Illinois 62701

Matt Dunn
Attorney General's Office
Environmental Control Division
State of Illinois Center
100 W. Randolph, 12th Floor
Chicago, IL 60601

Ron Burke
Chicago Lung Association
1440 W. Washington Street
Chicago, IL 60607

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the REGULATORY PROPOSAL FOR EXEMPTIONS FROM STATE PERMIT REQUIREMENTS, AMENDMENTS TO 35 ILL. ADM. CODE 201 AND 211, APPEARANCE AND MOTION FOR WAIVER OF REQUIREMENTS of the Illinois Environmental Protection Agency, a copy is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: 
Bonnie R. Sawyer
Assistant Counsel
Division of Legal Counsel

Date: May 6, 1996

**THIS FILING IS SUBMITTED
ON RECYCLED PAPER**

P.O. Box 19276
Springfield, Illinois 62794-9276
217/524-3333

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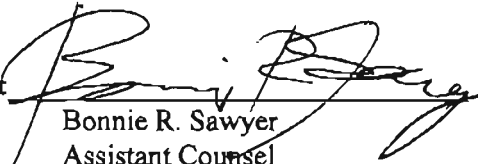
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CODE 201 AND 211.)	

APPEARANCE

The undersigned, as one of its attorneys, hereby enters an Appearance on behalf of the Illinois Environmental Protection Agency.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By 
 Bonnie R. Sawyer
 Assistant Counsel
 Division of Legal Counsel

DATED: May 6, 1996

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4. Motion for Waiver of Certain Requirements
5. Statement of Reasons
6. First Notice Form for 35 Ill. Adm. Code 201
7. The Proposed Amendments to 35 Ill. Adm. Code 201
 - (a) Five (5) One-Sided Copies for the Secretary of State
 - (b) Ten (10) Paginated Copies
8. Agency's Analysis of Economic and Budgetary Effects of Proposed Rulemaking for 35 Ill. Adm. Code 201
9. First Notice Form for 35 Ill. Adm. Code 211
10. The Proposed Amendments to 35 Ill. Adm. Code 211
 - (a) Five (5) One-Sided Copies for the Secretary of State
 - (b) Ten (10) Paginated Copies
11. Agency's Analysis of Economic and Budgetary Effects of Proposed Rulemaking for 35 Ill. Adm. Code 211

12. Documents Relied Upon (Note: An asterisk (*) indicates documents that the Agency has not provided for the Board in this proposal packet.)(one copy of each)

- *a. 35 Ill. Adm. Code 201.210
- b. "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning," 40 CFR 63.460-469, Note: Particular attention is called to the definition of "in-line cleaning machine" (page 31).
- c. "National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers," 40 CFR 63.400-406, Note: Particular attention is called to the definition of "cooling tower" (page 56).
- d. Letter to Mark Biel of the Chemical Industry Council dated August 30, 1995.
- e. Letter to Sid Marder of the Illinois Environmental Regulatory Group dated August 30, 1995.
- f. Letter to Steve Longhta of the Illinois Manufacturers' Association dated August 30, 1995.
- g. Feedmill.txt memo explaining the emissions calculations for "feed mills" at 10,000 tons of feed produced annually.
- h. Memorandum from Chris Romaine to Don Sutton dated April 29, 1996, concerning small printing units.
- i. Memorandum from Chris Romaine to Don Sutton dated April 29, 1996, concerning corona arc treatment units.
- j. Memorandum from Chris Romaine to Don Sutton dated April 29, 1996, concerning the size of boilers at schools.

13. Proof of Service

14. Disk in Word Perfect 5.1 containing:

- a. Agency's Analysis of Economic and Budgetary Effects for proposed rulemaking for 35 Ill. Adm. Code 201 and 211
- b. First Notice Form for 35 Ill. Adm. Code 201
- c. The Proposed Amendments to 35 Ill. Adm. Code 201
- d. First Notice Form for 35 Ill. Adm. Code 211
- e. The Proposed Amendments to 35 Ill. Adm. Code 211

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IEPA PROPOSAL OF REGULATIONS

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

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Mary A. Gade
Mary A. Gade
Director

DATED: April 29, 1996

P.O. Box 19276
Springfield, Illinois 62794-9276
217/524-3333

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MOTION FOR WAIVER OF REQUIREMENTS

NOW COMES Proponent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Agency"), by its attorney, Bonnie R. Sawyer, pursuant to 35 Ill. Adm. Code 102.103, 102.260 and 101.241, and moves that the Illinois Pollution Control Board ("Board") waive certain requirements, namely that the Agency submit the original and nine copies of the entire regulatory proposal, that the Agency submit an entire copy of the proposal to the Attorney General, that the Agency submit an entire copy of the proposal to the Department of Natural Resources ("DNR") and that the Agency submit copies of all documents upon which it relied. In support of its Motion, the Agency states as follows:

1. Section 102.120 of the Board's Procedural Rules requires that the original and nine copies of each proposal be filed with the Clerk. This entire regulatory proposal will consist of greater than one hundred pages. Given the length of the proposal and the resources required to provide nine copies, the Agency requests that it be allowed to file the original and five complete copies of the proposal plus four partial copies, the latter consisting of pleadings and the proposed rules absent supporting exhibits.

2. Section 102.120 also requires that a regulatory proposal be served on the Attorney General. On April 29, 1996, the Agency discussed the matter with Mr. Matthew Dunn,

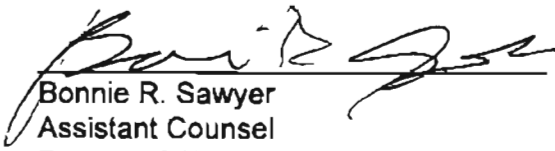
of the Environmental Control Division of the Attorney General's Office in Chicago, who agreed that the Agency need not supply that office with a copy of the entire proposal and only need be provided with a copy of the Statement of Reasons and proposed amended regulations.

3. Section 102.120 also requires that a regulatory proposal be served on the DNR. On April 30, 1996, the Agency discussed the matter with Mr. Bob Lieberman of the Division of Energy and Environmental Assessment of the DNR in Springfield who agreed that the Agency need not supply that office with a copy of the entire proposal, provided that his office be formally notified that a proposal has been made and where the proposal could be reviewed.

4. 35 Ill. Adm. Code 102.121(f) requires the Agency to submit copies of all documents that it relied upon in the development of the proposal or upon which it intends to rely at hearing. The Agency relied upon 35 Ill. Adm. Code 201.210, which is readily accessible, and given the ease of accessibility of this document, the Agency moves that the requirement that it provide a copy of this documents be waived.

WHEREFORE, for the reasons set forth above, the Agency moves that the Board waive the requirement that it provide the original and nine copies of the proposal, that the Agency file the proposal with the Attorney General and the DNR, and that the Agency provide the Board with a copy of one of the documents it relied on in development of the proposal.

Respectfully submitted,
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Bonnie R. Sawyer
Assistant Counsel
Bureau of Air

DATED: May 3, 1996

P.O. Box 19276
Springfield, Illinois 62794-9276
217/524-3333

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD



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STATEMENT OF REASONS

The Illinois Environmental Protection Agency ("Agency") hereby submits this Statement of Reasons to the Illinois Pollution Control Board ("Board") pursuant to Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 and 28 (1992)]("Act") and 35 Ill. Adm. Code 102.121(b) in support of the attached proposal of regulations. Included in this proposal are amendments to 35 Ill. Adm. Code 201 and 211.

I. GENERAL OVERVIEW

This proposal amends the list at 35 Ill. Adm. Code 201.146 ("Section 201.146") of emission units and activities that are exempt from state permitting requirements, as specified in 35 Ill. Adm. Code 201.142, 201.143 and 201.144 ("state permit requirements"). The proposal also amends Section 201.146 to establish consistency between the exemptions from state permit requirements and the insignificant activities provisions of the Clean Air Act Permit Program ("CAAPP"), as specified at 35 Ill. Adm. Code 201.210.

The amendments included in this proposal primarily expand the list of activities and emission units that would qualify for exemption from state permitting requirements by either adding categories of activities or emission units or by loosening the threshold for the exemption. The activities and emission units that are proposed for exemption are based on

the Agency's historical experience that such emission units do not merit permitting as associated emissions are very minimal and no informational need has been furthered by requiring a permit.

Furthermore, it is the Agency's determination that many of the emission units or activities that have been deemed insignificant under the CAAPP, as specified in 35 Ill. Adm. Code 201.210, should also be exempt from state permitting requirements. The Agency does not believe, however, that all of the activities or emission units listed as insignificant under the CAAPP merit exemption from the state permit requirements. This is because the Agency retains some discretion under the CAAPP to determine if a specific emission unit qualifies as insignificant. This discretion is appropriate for insignificant activities under the CAAPP as it applies to sources that are otherwise required to submit permit applications, thereby allowing the Agency the opportunity to evaluate proposed insignificant emission units. If an emission unit or activity qualifies for exemption from state permitting requirements pursuant to Section 201.146, however, no permit application is required to be submitted to the Agency, thereby allowing the Agency no opportunity to evaluate such emission units.

Certain of the proposed amendments to Section 201.146 are intended to clarify the types of activities or emission units that are covered by an exemption category. Additionally, in several instances, an existing exemption category is being modified so that emission units subject to certain requirements will require permits. The Agency believes permitting for these activities is appropriate to assure compliance with the underlying applicable requirements. The proposal also includes several revisions to reflect current terminology, such as changing "emission source" to "emission unit."

II. GEOGRAPHICAL AREAS AFFECTED

The provisions of the proposed amendments to 35 Ill. Adm. Code 201 and 211 apply to all sources subject to state permitting requirements. These permitting requirements apply statewide.

III. PURPOSE AND EFFECT OF PROPOSAL

The purpose of this rulemaking is to amend Section 201.146 to expand, clarify, and modify exemptions from state permit requirements and to establish greater consistency between the exemptions from state permit requirements and the insignificant activities provisions specified in 35 Ill. Adm. Code 201.210 for the CAAPP.

35 Ill. Adm. Code 201

The Agency proposes to amend Section 201.146 to supplement the exemptions from state permit requirements. The specific activities and emission units the Agency proposes for exemption pertain to more common activities present at many sources. This proposal addresses a potentially large population of emission units that have insignificant levels of emissions and, and as such, should not be subject to the state permit requirements. Additionally, the Agency believes that changes to Section 201.146 are appropriate to maintain consistency between the exemptions from state permit requirements and the insignificant activities provisions of the CAAPP permit program specified in 35 Ill. Adm. Code 201.210, which were adopted in October 1994, R94-14.

The proposal also amends several subsections of Section 201.146 to remove exemptions from state permit requirements for certain emission units that are subject to requirements in 35 Ill. Adm. Code 215, 218, or 219. Permitting is appropriate for these

emission units to help assure compliance with such requirements. Additionally, in several instances exemption categories are revised to clarify that an emission unit that is subject to a federal New Source Performance Standard (NSPS) under 40 CFR 60 requires a permit. These revisions are merely intended to clarify that permitting exemptions do not apply to sources subject to an NSPS, as such sources are required to obtain permits pursuant to Section 9.1(d)(2) of the Act.

35 Ill. Adm. Code 211

An amendment to 35 Ill. Adm. Code 211 is proposed to provide a definition for the term "feed mill", which is used in one of the accompanying proposed amendments to Section 201.146.

IV. TECHNICAL FEASIBILITY AND ECONOMIC REASONABLENESS

As stated above, the proposed amendments to 35 Ill. Adm. Code 201 and 211 pertain to exemptions from the requirement to obtain state permits and provide a definition for one term used in the proposed amendments. These revisions do not impose new emission limitations or require control devices on affected sources. Therefore, an analysis of the technical feasibility of these amendments is not applicable.

The fees associated with the state permit requirements are \$100 for sources with total emissions of less than 25 tons per year, \$1,000 for sources with emissions between 25 and 100 tons per year and \$2,500 for sources with emissions of 100 tons per year or greater. 415 ILCS 5/9.6. As the amendments primarily expand the list of exemptions from state permit requirements, most affected sources will realize a cost savings because the associated fee will no longer be required. The only sources that may be required to obtain a permit for the first time based on this proposal are sources with coating operations that

are subject to certain requirements and use less than 5,000 gallons of coatings at the source annually. Most, if not all of these sources are small sources that would only be required to pay the \$100 fee. Furthermore, sources would only be required to pay this fee for the first time based on this proposal if the source was not required to obtain state operating permits for any other emission units at the source.

V. COMMUNICATION WITH INTERESTED PARTIES

The Agency sent letters with a draft of the proposal attached and engaged in telephone conversations with the Chemical Industry Council, Illinois Environmental Regulatory Group ("IERG") and the Illinois Manufacturers' Association. Additionally, on October 20, 1995, the Agency met with IERG to discuss the Agency's regulatory proposal. IERG widely distributed the Agency's proposal and submitted written comments to the Agency, which are reflected in the proposal.

It is the Agency's understanding that the above mentioned representatives of industry are in agreement with this proposal and support its contents.

VI. SOURCES AFFECTED

This regulatory proposal affects all sources subject to state permitting requirements pursuant to Section 39 of the Act and 35 Ill. Adm. Code 201.142, 201.143 and 201.144. For state operating permits, this includes emission units located at a source that is not subject to the CAAPP pursuant to Section 39.5 of the Act. For construction permits, this also includes all sources subject to the CAAPP.

VII. THE AGENCY'S PROPOSAL

The following is a Section-by-Section summary of the Agency's proposal.

35 Ill. Adm. Code 201

a. Section 201.146 Exemptions from State Permit Requirements

This section identifies specific activities and emission units that may be considered exempt from state permit requirements, as specified in Sections 201.142, 201.143, and 201.144. The activities and emission units considered for exemption in this proposal are primarily based on the level of emissions from such processes. Additionally, several subsections of Section 201.146 have been amended to remove exemptions from state permit requirements for certain emission units that are subject to the requirements of 35 Ill. Adm. Code 215, 218, or 219 and to clarify that emission units subject to NSPSs require permits. Each of the proposed exemptions are based on these principles. A discussion of each of the amended subsections of Section 201.146 follows.

(c) The proposal amends this subsection to clarify that state permits are required for each fuel burning emission unit for indirect heating systems of residential or commercial establishments using gas and/or fuel oil exclusively with a design heat input capacity of 10 million British thermal units ("mmbtu/hr") or more that is constructed, reconstructed, or modified after June 9, 1989, and which is subject to the requirements of the NSPS at 40 CFR 60, Subpart Dc.

(d) The proposal amends this subsection to add exemptions from state permit requirements for each industrial fuel burning emission unit for direct systems used for comfort heating purposes and indirect heating systems with a design heat input capacity of less than 10 mmbtu/hr. The proposal amends this subsection to raise the design heat input capacity from 1 mmbtu/hr to 10 mmbtu/hr. This

exemption is limited in application to direct systems used for comfort heating purposes because more significant emissions may be associated with direct systems used in processes as the emissions from the processes are typically vented with the emissions from the direct fuel burning system. The proposed amendment does not exempt a fuel burning emission unit for indirect heating systems with a design heat input capacity of 10 mmbtu/hr or more that is constructed, reconstructed, or modified after June 9, 1989, and which is subject to the requirements of the NSPS at 40 CFR 60, Subpart Dc.

(e) The proposal amends this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(24). It provides explicit confirmation that the propulsion engines for mobile sources are considered exempt from state permit requirements.

(f) The proposal amends this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(11). It identifies laboratory equipment used for purposes of analysis as being exempt from state permit requirements. Laboratory equipment includes associated fume hoods, vacuum systems, and any emergency control devices.

(g) This subsection exempts from state permit requirements coating operations located at a source using not in excess of 5,000 gallons of coating (including thinner) per year, except as follows. The proposal amends this subsection to remove exemptions from state permit requirements for coating operations located at a source that are subject to the limitations or control requirements of 35 Ill. Adm. Code 215, Subpart F, 35 Ill. Adm. Code 218, Subpart F, or 35 Ill. Adm. Code 219, Subpart F.

(h) The proposal amends this subsection to include the current terminology "emission unit," "fuel combustion emission unit," and "design heat input capacity."

(i) The proposal amends this subsection to clarify that any stationary gas turbine engine with a rated heat input at peak load of 10.7 gigajoules/hr (10 mmbtu/hr) or more that is constructed, reconstructed, or modified after October 3, 1977, and which is subject to the requirements of the NSPS at 40 CFR 60, Subpart GG are required to obtain state permits.

(j) The proposal amends this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(12). It identifies rest room facilities and associated cleanup operations as exempt from state permit requirements.

(k) The proposal amends this subsection to clarify the language to state that safety devices designed to protect life and limb are exempt from state permit requirements, provided that the equipment with which the safety device is associated with is exempt from state permit requirements.

(l) The proposal amends this subsection to clarify exemptions from state permit requirements should not apply to storage tanks that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2), or 219.583(a)(2). The current provision does not consider storage tanks that are regulated under 35 Ill. Adm. Codes 218 and 219, but excludes from exemption storage tanks regulated under 35 Ill. Adm. Code 215. Additionally, the proposal clarifies that subsection (a)(2) of Section 215.583 is the relevant provision.

(m) The proposal amends this subsection to be consistent with the

CAAPP insignificant activity provision specified in Section 201.210(a)(14). It identifies small printing operations that can be considered exempt from state permit requirements. Printing operations are considered small if total organic solvent usage for all printing operations at a source never exceeds 750 gallons per year, including organic solvent from inks, diluents, fountain solutions, and cleaning materials.

(n)(1) The proposal amends this subsection to add exemptions from state permit requirements for small storage tanks of organic liquids with a capacity of less than 10,000 gallons, except as follows. Storage tanks storing gasoline that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2), or 219.583(a)(2) continue to be subject to state permit requirements. All storage tanks storing materials listed as hazardous air pollutants pursuant to Section 112(b) of the Clean Air Act would become subject to state permit requirements. The proposed amendment to this subsection raises the storage tank capacity from 5,000 gallons to 10,000 gallons. The proposed amendment does not exempt from state permit requirements storage tanks of organic liquid with a capacity of 10,000 gallons or more that are subject to the requirements of the NSPS at 40 CFR 60, Subpart Kb.

(n)(2) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(17). It identifies storage tanks for certain materials as exempt from state permit requirements, provided that organic solvent has not been mixed with such material. These materials are soap, detergents, surfactants, wax, glycerin, vegetable oil, grease, animal fat, sweetener, corn syrup, aqueous salt solutions, and aqueous caustic solutions.

(n)(3) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(11). It identifies storage tanks for certain materials as exempt from state permit requirements. These materials are virgin or rerefined distillate oil, hydrocarbon condensate, lubricating oil, and residual fuel oil.

(o) The proposal expands this subsection to identify specific components of equipment that have the potential for leaks as exempt from state permit requirements.

(p) The proposal amends this subsection to delete the word "laboratory," thereby expanding this exemption to testing described therein performed outside of "laboratories."

(t) The proposal amends this subsection to remove exemptions from state permit requirements for a grain dryer constructed, reconstructed, or modified after August 3, 1978, that is located at a source with a permanent grain storage capacity of 2.5 million bushels or 1 million bushels, and which is subject to the requirements of the NSPS at 40 CFR 60, Subpart DD.

(v) The proposal amends this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(19). It identifies certain cold cleaning degreasers as exempt from state permit requirements where the vapor pressure of the solvent used in such degreasers does not exceed 0.3 psia at 100 F or 0.1 psia at 68 F. In addition, the provision clarifies that in-line cleaning machines are subject to state permit requirements.

(x) The proposal amends this subsection to delete "360 gallons per year" perchloroethylene consumption. Dry cleaning operations that consume less than 30

gallons per month of perchloroethylene would continue to be exempt from state permit requirements.

(y) The proposal adds this subsection to identify brazing, soldering, wave soldering, or welding equipment, including associated ventilation hoods, as exempt from state permit requirements.

(z) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(5). It identifies equipment, including smokehouses, at restaurants and other retail or institutional establishments that is used for preparing food for human consumption as exempt from state permit requirements. It identifies cafeteria, kitchen, and other similar facilities used to prepare food for on-site consumption as exempt from state permit requirements.

(aa) The proposal adds this subsection to exempt from state permit requirements equipment used for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals (excluding beryllium), plastics, concrete, rubber, paper stock, wood, or wood products, where such equipment is used for maintenance activity, manually operated, exhausted inside a building, or vented externally with emissions controlled by an appropriately operated cyclonic inertial separator (cyclone), filter, electro-static precipitator or scrubber.

(bb) The proposal adds this subsection to identify feed mills as exempt from state permit requirements based on total production of the feed mill. This subsection is supported by a proposed definition of "Feed mill" in Section

211.2285. The term feed mill does not include wet or dry corn mills, soybean mills, flour mills, or ethanol plants.

(cc) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(5). It defines categories of extrusion operations that can be considered exempt from state permit requirements. The exemption does not apply to extruders used in manufacture of polymers, which may emit more than insignificant amounts of unreacted monomer, and are subject to state permit requirements. The exemption also does not apply to certain other extrusion operations which may emit more than insignificant amounts of volatile organic material or class I or II substances subject to the requirements of Title VI of the Clean Air Act from foaming or release agents, and are subject to state permit requirements. The subsection recognizes that foaming agents such as pentane, which is commonly used as a foaming agent for expanded polystyrene plastic foam, can be released from both initial extrusion of a material and from subsequent extrusion of scrap.

(dd) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(6). It identifies small metal melting furnaces that can be considered exempt from state permit requirements based on volume capacity of the furnace. Small furnaces melting beryllium remain subject to state permit requirements.

(ee) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(7). It identifies equipment used for melting or applying wax that can be considered exempt from state permit requirements based on the amount of wax processed annually,

irrespective of the actual method of application. This category is further qualified by a requirement that organic solvent may not be added to the wax.

For the purpose of the category above and certain categories which follow, it is anticipated that the addition of organic solvent to wax or other material would be an intentional act. The presence of a trace amount of organic solvents, such as mineral spirits, toluene, acetone, or ether, as a contaminant in a material or the process would not be considered addition of organic solvent.

(ff) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(8). It identifies as exempt from state permit requirements the equipment used for filling drums, pails, and other packaging containers, but excluding aerosol cans, with certain materials, provided that organic solvent has not been mixed with such material. The qualifying materials listed in the subsection are soap, detergents, surfactants, lubricating oil, wax, vegetable oils, greases, animal fat, glycerin, sweeteners, corn syrup, aqueous salt solutions, and aqueous caustic solution. These materials have a very low vapor pressure at ambient conditions.

(gg) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(18). It identifies systems for loading and unloading rail cars, tank trucks, or watercraft with certain materials as exempt from state permit requirements provided that organic solvent has not been mixed with such material. These materials are soap, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous caustic solutions.

(hh) The proposal adds this subsection to be consistent with the CAAPP

insignificant activity provision specified in Section 201.210(a)(9). It identifies equipment used for the manufacture of water-based adhesives as exempt from state permit requirements. The subsection is subject to a qualification that none of the raw materials contain less than 5 percent organic solvent.

(ii) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(a)(12). It identifies metal or plastic die casting machines as exempt from state permit requirements based on the total throughput of the die casting machines.

(jj) The proposal adds this subsection to identify air pollution control devices as being exempt from state permit requirements if used exclusively with other equipment that is also exempt from state permit requirements.

(kk) The proposal adds this subsection to exempt from state permit requirements an emission unit for which a registration system is designed to identify sources and emission units that are subject to an emission control requirement. The proposed subsection cites the registration required of gasoline dispensing operations and motor vehicle refinishing operations as the types of registration systems for which this exemption is intended to apply.

(ll) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(2). It identifies photographic process equipment as exempt from state permit requirements.

(mm) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(3). It identifies equipment used for hydraulic or hydrostatic testing as exempt from state permit requirements.

(nn) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(4). It identifies general vehicle maintenance and servicing, other than gasoline fuel handling, as exempt from state permit requirements.

(oo) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(6). It identifies various wet cleaning operations as exempt from state permit requirements, provided that no organic solvent has been added to the water.

(pp) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(7). It identifies administrative activities typically associated with office work, other than incinerators, as exempt from state permit requirements.

(qq) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(8). It identifies laundry operations as exempt from state permit requirements. However, organic solvent present in articles being laundered that is attributable to cleanup activities must be addressed as part of the volatile organic material emissions from the use of cleaning materials.

(rr) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(9). It identifies housekeeping activities, not including use of cleaning materials that contain organic solvent, as exempt from state permit requirements.

(ss) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(10). It identifies

refrigeration systems, excluding any associated combustion equipment, as exempt from state permit requirements. The exemption from state permit requirements would not relieve sources and individuals from other requirements related to maintenance and repair of refrigeration systems, as the refrigerant materials constitute ozone depleting substances.

(tt) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(13). It identifies activities associated with construction, repair, maintenance, or dismantlement of the "physical plant" at a source as exempt from state permit requirements. Specifically addressed are changes to buildings, utility lines, pipelines, wells, excavations, and earthworks.

(uu) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(15). It identifies piping and storage systems for natural gas, propane, and liquefied petroleum gas as exempt from state permit requirements.

(vv) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(16). It identifies water treatment or storage systems that are considered exempt from state permit requirements. It separately addresses potable and boiler feedwater systems and process water systems. Process water systems are subject to the qualification that water has not been in direct or indirect contact with process streams that contain volatile organic material or materials listed as hazardous air pollutants pursuant to Section 112(b) of the Clean Air Act.

(ww) The proposal adds this subsection to be consistent with the CAAPP

insignificant activity provision specified in Section 201.210(b)(17). It identifies landscape maintenance activities as exempt from state permit requirements.

(xx) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(18). It identifies equipment used to dip coat objects with oil, wax, or grease as exempt from state permit requirements, subject to the qualification that organic solvent has not been mixed with the oil, wax, or grease.

(yy) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(21). It identifies use of consumer products as exempt from state permit requirements, where the product is used at a source in a manner similar to the use the general public would make of a product. This use of consumer products extends to hazardous substances used in the same manner as normal consumer use.

(zz) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(22). It identifies activities directly used in the diagnosis and treatment of disease, injury, or other medical condition as exempt from state permit requirements. Exemption status is not extended to emission units that are not directly related to medical care such as boilers, incinerators, or chemical sterilizers.

(aaa) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(25). It identifies activities associated with construction, repair, and maintenance of roads, parking lots, and other open areas as exempt from state permit requirements. Exemption status is extended to sweepers, vacuum trucks, and other vehicles used to control

emissions of fugitive dust.

(bbb) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(26). It identifies storage and handling of sealed containers as exempt from state permit requirements.

(ccc) The proposal adds this subsection to be consistent with the CAAPP insignificant activity provision specified in Section 201.210(b)(29). It provides that activities at a source associated with maintenance, repair, or dismantlement of emission units can be considered exempt from state permit requirements. Examples of such activities are provided, including preparation of vessels for entry, replacement of insulation, welding or cutting, and steam purging. The shutdown of an emission unit, i.e., the operation of a unit during the transition from "on" to "off," is specifically excluded from maintenance, repair, or dismantlement. Maintenance, repair, or dismantlement are usually believed to be routine activities that should not trigger state permit requirements.

(ddd) The proposal adds this subsection to identify corona arc discharge surface treaters with a power rating of 5 kW or less or equipped with an ozone destruction device as exempt from state permit requirements. The Agency's past experience in permitting such operations suggests that the emissions from this equipment is insignificant because this equipment is operated carefully to minimize worker exposure and damage to equipment thereby minimizing ambient air emissions.

(eee) The proposal adds this subsection to identify equipment used to seal or cut plastic bags for commercial, industrial or domestic use as exempt from state

permit requirements.

(fff) The proposal adds this subsection to identify direct-fired gas dryers with a rated heat input capacity of 10 mmbtu/hr used for a washing, cleaning, coating or printing lines as exempt from state permit requirements. This subsection is limited to emissions attributable to the combustion of fuel in the dryer and does not exempt emissions attributable to the use or application of cleaning agents, washing materials, coatings or inks, which must be addressed as part of the permitting of the line, if the printing line requires a permit.

35 Ill. Adm. Code 211

b. **211.2285 Feed Mill**

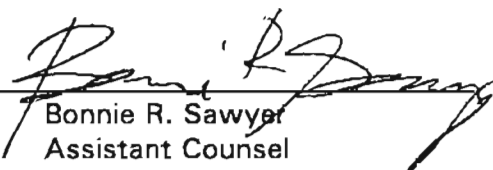
The proposal adds this section to define the term "feed mill" to correspond to the permit exemption added at section 201.146 (bb). Feed mill is defined as a process that produces food for animal consumption. Excluded from this definition are wet or dry corn mills, soybean mills, flour mills and ethanol plants.

VIII. CONCLUSION

For the foregoing reasons, the Agency proposes that the Board adopt these amendments to Parts 201 and 211 for the State of Illinois.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
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