

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
REASONABLY AVAILABLE CONTROL ) R11-23  
TECHNOLOGY (RACT) FOR VOLATILE ) (Rulemaking-Air)  
ORGANIC MATERIAL EMISSIONS FROM )  
GROUP II AND GROUP IV CONSUMER & )  
COMMERCIAL PRODUCTS: PROPOSED )  
AMENDMENTS TO 35 ILL. ADM. CODE 211, )  
218, and 219 )

**NOTICE**


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

**SEE ATTACHED SERVICE LIST**

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the MOTION TO AMEND RULEMAKING PROPOSAL of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Dana Vetterhoffer  
Assistant Counsel  
Division of Legal Counsel

DATED: April 25, 2011

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

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IN THE MATTER OF:	)	
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MOTION TO AMEND RULEMAKING PROPOSAL

The Proponent, the Illinois Environmental Protection Agency ("Illinois EPA"), by its attorney, and pursuant to 35 Ill. Adm. Code 101.500 and 102.402, moves that the Illinois Pollution Control Board ("Board") amend Parts 211, 218, and 219 of this rulemaking proposal. In support of its Motion, the Illinois EPA states as follows:

1. On March 7, 2011, the Illinois EPA filed a proposal with the Board to amend 35 Ill. Adm. Code Parts 211, 218, and 219 to control the emissions of volatile organic materials ("VOM") from Group II and Group IV Consumer and Commercial Product categories. The Illinois EPA proposes the following amendments to its proposal.

2. In response to a request from an industry representative, the Illinois EPA recommends amending Section 218/219.187(b)(2) to add "VOM" to a reference to composite vapor pressure, which was mistakenly omitted from the Illinois EPA's original proposal:

Section 218/219.187 Other Industrial Solvent Cleaning Operations

.....

b) Material and Control Requirements. No owner or operator of a source subject to this Section, other than manufacturers of coatings, inks, adhesives, or resins, shall perform any cleaning operation subject to this Section unless the owner or operator meets the requirements in subsection (b)(1), (b)(2), or (b)(3). No owner or operator of a source that manufactures coatings, inks, adhesives, or resins shall perform any cleaning operation subject to this Section unless the owner or

operator meets the requirements in at least one of the following subsections:  
(b)(1), (b)(2), (b)(3), (b)(4), or (b)(5):

.....

2) The VOM composite vapor pressure of each as-used cleaning solution used does not exceed 8.0 mmHg measured at 20°C (68°F);

3. In response to a comment by an industry representative, the Illinois EPA recommends amending Section 218/219.409(a) to specify that lithographic printing lines that conducted testing to demonstrate compliance with the requirements in Section 218/219.407 on or after May 9, 1995, and that satisfy certain other requirements, are not required to retest by January 1, 2012. The Illinois EPA also recommends specifying that sources that conducted testing prior to May 9, 1995, are also not required to retest if such sources submit specified information to the Illinois EPA:

Section 218.409 Testing for Lithographic Printing

a) Testing to demonstrate compliance with the requirements of Section 218.407 of this Subpart shall be conducted by January 1, 2012, unless such testing was conducted on or after May 9, 1995, the test was conducted pursuant to a test method approved by USEPA, the current operating conditions and operating capacity of the press are consistent with the operation of the press during such testing, and the test results were submitted to the Agency~~has been conducted within the two years immediately preceding January 1, 2012. If an owner or operator of a printing line performed such testing prior to May 9, 1995, the owner or operator shall either retest pursuant to this Section, or submit to the Illinois EPA all information necessary to demonstrate that the prior testing was conducted pursuant to a test method approved by the USEPA, and that the current operating conditions and operating capacity of the press are consistent with the operation of the press during prior testing.~~ Thereafter, testing shall be conducted by the owner or operator within 90 days after a request by the Agency, or as otherwise specified in this Subpart. Such testing shall be conducted at the expense of the owner or operator and the owner or operator shall notify the Agency in writing 30 days in advance of conducting such testing to allow the Agency to be present during such testing.

Section 219.409 Testing for Lithographic Printing

a) Testing to demonstrate compliance with the requirements of Section 219.407 of

this Subpart shall be conducted by January 1, 2012, unless such testing was conducted on or after May 9, 1995, the test was conducted pursuant to a test method approved by USEPA, the current operating conditions and operating capacity of the press are consistent with the operation of the press during such testing, and the test results were submitted to the Agency~~has been conducted within the two years immediately preceding January 1, 2012. If an owner or operator of a printing line performed such testing prior to May 9, 1995, the owner or operator shall either retest pursuant to this Section, or submit to the Illinois EPA all information necessary to demonstrate that the prior testing was conducted pursuant to a test method approved by the USEPA, and that the current operating conditions and operating capacity of the press are consistent with the operation of the press during prior testing.~~ Thereafter, testing shall be conducted by the owner or operator within 90 days after a request by the Agency, or as otherwise specified in this Subpart. Such testing shall be conducted at the expense of the owner or operator and the owner or operator shall notify the Agency in writing 30 days in advance of conducting such testing to allow the Agency to be present during such testing.

The Printing Industry of Illinois/Indiana Association (“PII”) and the Specialty Graphic Imaging Association (“SGIA”) recently submitted comments to the Board, also seeking changes to this subsection (April 15, 2011, Comments of PII/SGIA). PII/SGIA suggests that Section 218/219.409(a) be revised to eliminate retesting requirements completely for printing lines that have previously tested “in accordance with an existing operating permit.” The United States Environmental Protection Agency (“USEPA”), however, has advised that the applicable “cut-off date” for retesting requirements is May 9, 1995, the original effective date for the requirements in Section 218/219.407. The USEPA advised that other requirements must be met as well to ensure that prior tests still accurately reflect the current operation of the press. As the language proposed by the Agency above is required by USEPA, and has been approved by USEPA, the Agency recommends against PII/SGIA’s proposed revision.

PII/SGIA also suggests increasing the amount of time sources are given to conduct a test after a request by the Agency or after startup of a new press/control device--from 90 days to 180 days. The Agency opposes this revision. Ninety days is the current requirement for lithographic

printers, and has been the requirement for many years. PII/SGIA has not demonstrated that an additional 90 days (a total of six months) is now needed to prepare for a test.

4. In Section 218.901(c)(2) of the Illinois EPA's original rulemaking proposal, the Illinois EPA recommended changing "Mi" to "Vi" in the equation and changing the definition of "Vi" to reference only units of volume, not units of mass. In the version of the proposed rulemaking that appeared with the Notice of Proposed Amendments in the *Illinois Register* ("First Notice version"), however, the units of volume were deleted in the definition of "Vi" instead of the units of mass. (35 *Ill. Reg.* 4887, 5101). Assuming that this was an unintentional transcriptional error, the Illinois EPA recommends that it be corrected as follows:

Section 218.901 Emission Limitations and Control Requirements

(c) .....

(2) .....

$V_i$  = The volume of each adhesive, as applied, in units of ~~kg~~  
(gallb);

5. In Section 219.204(q)(3)(E)(i) of the Illinois EPA's original rulemaking proposal, the Illinois EPA proposed deleting the specialty coating category and limit for texture basecoats in response to a comment by the USEPA, in which USEPA indicated that there was not an adequate basis for the limit and that it should be deleted. The texture basecoat category and limit, however, still appear in the First Notice version of the proposal. (35 *Ill. Reg.* 4887, 5185). In light of USEPA's required change, the Illinois EPA recommends the following revision:

Section 219.204 Emission Limitations

(q) .....

3) Plastic Parts and Products Automotive/Transportation

E) Specialty

i)	Vacuum metallizing	0.66	2.62
	basecoats, <del>texture basecoats</del>	(5.5)	(21.8)

6. In response to a comment from an industry representative, the Illinois EPA recommends amending the definition of "extreme high gloss coating" (which was not originally part of this rulemaking proposal) as follows:

Section 211.2200 Extreme High-Gloss Coating


"Extreme high-gloss coating" means:

For purposes of 35 Ill. Adm. Code 218.204(q)(1) regarding metal parts and products coatings, a coating that, when tested by ASTM D 523-80, incorporated by reference in Section 211.101 of this Part, shows a reflectance of 75 or more on a 60° meter;

For purposes of 35 Ill. Adm. Code 218.204(q)(5) regarding pleasure craft coatings, any coating that achieves greater than 90~~at least 95~~ percent reflectance on a 60° meter when tested using ASTM D 523-89, incorporated by reference in Section 211.101 of this Part.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Dana Vetterhoffer  
Assistant Counsel  
Division of Legal Counsel

DATED: April 25, 2011  
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CERTIFICATE OF SERVICE

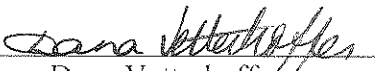
I, the undersigned, an attorney, state that I have served electronically the attached MOTION TO AMEND RULEMAKING PROPOSAL upon the following person:

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

and electronically to the following persons:

SEE ATTACHED SERVICE LIST.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Dana Vetterhoffer  
Assistant Counsel  
Division of Legal Counsel

DATED: April 25, 2011

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