

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 POST-HEARING COMMENTS 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: June 1, 2011

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

POST-HEARING COMMENTS OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

The ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA” or “Agency”), by its attorney, hereby submits its post-hearing comments in the above rulemaking proceeding.

PII/SGIA Comments

On April 15, 2011, the Printing Industry of Illinois/Indiana Association and the Specialty Graphic Imaging Association (“PII/SGIA”) submitted comments to the Board, suggesting several revisions to the Agency’s proposal. The Illinois EPA responded to several of these comments in its Motion to Amend Rulemaking Proposal (“Motion to Amend”) and in its first set of post-hearing comments (“Post-Hearing Comments I”). The outstanding issues are discussed below.

First, regarding PII/SGIA’s request that cleaning of substrates prior to screen printing be added to the list of exemptions in Section 218/219.187(a)(2)(A), the United States Environmental Protection Agency (“USEPA”) initially indicated that there was not a sufficient basis for the exemption, and requested additional information in order to further evaluate the proposed amendment. PII/SGIA supplied such information, which the Agency forwarded to the USEPA. USEPA responded that PII/SGIA still did not provide sufficient documentation to

support their requested amendment, and pointed out that the California Bay Area Air Quality Management District's cleaning regulations, which the USEPA relied upon in preparing its Control Techniques Guideline ("CTG") for Industrial Cleaning Solvents, does not contain such an exemption. Following more discussions, PII/SGIA submitted a request for a more limited exemption, along with supporting information, which the Agency again forwarded to the USEPA. The USEPA advised that a limited exemption is acceptable. The Illinois EPA therefore recommends that the exemption be added; as other changes to Section 218/219.187(a) and (e) are recommended in these post-hearing comments under the subsection titled "Other Proposed Changes Regarding Industrial Cleaning Solvents" below, the Illinois EPA has included this proposed change in such subsection as well.

Second, PII/SGIA requested that the exemption set forth in Section 218/219.187(a)(2)(C)(xiv) regarding cleaning of metering rollers, dampening rollers, and printing plates be removed to avoid confusion, as cleaning associated with lithographic printing is already exempt from the cleaning requirements in Section 218/219.187 per subsection (a)(2)(B). The Illinois EPA initially indicated at hearing that it would likely agree; however, the Agency subsequently received comments from another industry group that implied that certain sources intended to utilize this exemption. The Illinois EPA has learned that can coating operations, and potentially other types of operations as well, utilize lithographic-type presses that are not necessarily covered by the regulations governing lithographic printing lines (set forth in Section 218/219.405 through 411). Such printing lines would therefore not be covered by the exemption in Section 218/219.187 for lithographic printing, as this exemption was intended to relieve only lithographic printers that are already otherwise regulated from additional cleaning obligations. These printers would, however, still be able to utilize the exemption for metering

rollers, dampening rollers, and printing plates. Retention of the exemption is therefore necessary, and the Agency recommends against deletion of it. The Illinois EPA does not believe that the risk of confusion for lithographic printers is great enough to justify depriving other sources of the benefit of this exemption.

Pleasure Craft Surface Coatings

On May 6, 2011, Jim Sell prefiled testimony with the Board on behalf of the American Coatings Association (“ACA”) in connection with the second hearing that took place in this matter. The Illinois EPA forwarded the testimony to the USEPA. The USEPA approved the ACA’s proposed definition of “extreme high gloss coating,” approved a small container exemption (as set forth in the Agency’s Post-Hearing Comments I), and approved the ACA’s proposed VOM limitations, provided that the existing averaging alternative for pleasure craft surface coatings were eliminated. The USEPA indicated that the ACA’s proposed revision to the definition of “pretreatment wash primer” may be acceptable, but the USEPA needed additional information regarding the effect of the revision on VOM emissions in order to make a determination. The Illinois EPA informed Jim Sell of the USEPA’s responses, of the changes the Illinois EPA intended to propose, and of the USEPA’s request for information.

On May 16, 2011, the Illinois EPA filed post-hearing comments with the Board, proposing those changes that were both requested by the ACA and approved by the USEPA. At the second hearing, on May 18, 2011, the representative who testified for the ACA, Scott Townsend, indicated that he could not speak on behalf of the ACA as to the acceptability of the Agency’s proposed changes. Mr. Townsend presented testimony that neither reflected the Agency’s communications with Jim Sell, the amendments proposed in the Agency’s Post-Hearing Comments I, nor the existing rule as it currently applies to pleasure craft coatings. (See

Transcript of 5/18/11 Hearing, p. 7-17. For example, Mr. Townsend recommended that Illinois consider an averaging approach for pleasure craft coatings, which is already part of the current rule, and which the Agency is proposing to remove pursuant to both the USEPA's instructions and the ACA's stated preference for higher VOM limits). Consequently, after the hearing, the Illinois EPA engaged in additional discussions with the ACA to clarify the Illinois EPA's proposed changes and the information requested by USEPA. Based on these and other communications, the Illinois EPA believes that the only remaining pleasure craft coating issues are those set forth below.

On May 26, 2011, Jim Sell provided supplemental information regarding the definition of pretreatment wash primer, which the Illinois EPA forwarded to the USEPA. The USEPA indicated that the ACA's suggested revisions to this definition are not approvable at this time, as there is already an existing definition for pretreatment wash primer, and the information provided by the ACA did not indicate what impact the revision will have on VOM emissions. The Illinois EPA therefore recommends against revising the definition at this time.

On May 26, 2011, Mr. Sell also requested that the stricter VOM content limitation for finish primer/surfacer be delayed four years, as opposed to the approximate two and a half year extension proposed by the Agency. The Illinois EPA opposes this amendment, as the USEPA has indicated that extending the compliance date any further is unacceptable.

Finally, the ACA requested that a specific definition for "antifouling sealer/tie coat" be added to the rule. The USEPA approved the definition; therefore, the Illinois EPA recommends adding the definition to the rule as follows:

Section 211.493 Antifouling Sealer/Tie Coat

“Antifouling Sealer/Tie Coat” means a coating applied over biocidal antifouling coating for the purpose of preventing release of biocides into the environment and/or to promote adhesion between an antifouling and a primer or other antifouling.

The Illinois EPA’s proposed changes regarding pleasure craft surface coatings adequately address all of the concerns identified in the ACA’s prefiled testimony, to the extent allowed by the USEPA. The Illinois EPA therefore recommends that no further changes, other than those proposed in the Agency’s Motion to Amend and post-hearing comments, be made.

Comments of the Boeing Company

On May 17, 2011, the Boeing Company (“Boeing”) submitted comments to the Board, requesting that the exemption for “aerospace coatings” in Section 218/219.187(a)(2)(B) be retained, not deleted as proposed by the Illinois EPA. Boeing recommended that deletion of the exemption be “deferred until such time that aerospace solvent cleaning operations can be subject to a regulation that is RACT for aerospace manufacturing.”

The Illinois EPA contacted a representative of Boeing, who confirmed that the projected emissions of VOM from the facility at issue do not exceed 15 lb/day; therefore, the facility is not subject to Illinois’ industrial cleaning solvents rule. The representative indicated that Boeing’s concerns regard potential future expansion of the operations at the facility, such that emissions would exceed the applicability threshold.

The Illinois EPA understands that, in the future, a rulemaking to implement the recommendations contained in the Aerospace CTG may be warranted. This possible future rulemaking, however, should not impact the Illinois EPA’s current proposal. The USEPA has advised that the exemption for aerospace coatings in Section 218/219.187(a)(2)(B) must be removed, as the exemptions listed in this subsection are reserved for emission units already

governed by regulations that contain their own set of cleaning requirements. If and when an aerospace coatings rulemaking is necessary, interested parties can revisit the issue of exempting such coatings from the industrial cleaning solvents rule. Until that time, though, the Illinois EPA recommends complying with USEPA's requirement that the exemption be removed, particularly as the removal has no current impact upon the facility at issue.

Emission Adjustment Factor for Lithographic Printers

At the May 18, 2011, hearing, the Board inquired about the revisions to Sections 218/219.187 and 218/219.411 recommended by the Agency in its Post-Hearing Comments I. Specifically, the Board asked about the type of "demonstration" necessary to comply with the Agency's proposed language regarding vapor pressure, and whether lithographic printers that were not previously subject to this requirement will have any additional obligations. (Transcript of 5/18/11 Hearing, p. 22-23).

The proposed amendments simply require that sources be able to demonstrate, through recordkeeping, that their cleaning solutions satisfy the criteria for use of the emission adjustment factor, i.e. that the solutions have a vapor pressure below the applicable threshold. The Agency does not believe that the proposed language subjects sources to any additional requirements. Under the existing language for both industrial cleaning solvents and lithographic printing operations, an exempt source is required to submit a certification to the Agency setting forth calculations that demonstrate that the source does not exceed the applicability threshold. Complying with this requirement necessarily entails maintaining sufficient records to support emissions calculations, including those necessary to demonstrate that cleaning solutions satisfy the criteria for use of the emission adjustment factor. Further, even absent the certification

requirement, sources are always required to demonstrate compliance. The Illinois EPA's proposed amendment simply clarifies this obligation, as required by the USEPA.

Other Proposed Changes Regarding Industrial Cleaning Solvents

The Illinois EPA received additional comments from an industry group regarding industrial cleaning solvents. First, the group requested that an exemption be added for cleaning performed with aerosol products if such use falls below a specified threshold. In response to this request, and after obtaining the USEPA's approval, the Illinois EPA proposes amending Section 218/219.187(a)(2)(C) as set forth below. The Illinois EPA also proposes adding the metric equivalents to two other daily limits in this subsection, which were mistakenly omitted from the Agency's original proposal.

Also, the group indicated that the introductory language to Section 218/219.187(a)(2)(B) should be amended to clarify that the exemptions in this subsection apply to emission units that fall within the specified categories; such emission units need not be located at sources that, as a whole, fall within such categories, and indeed sources may have operations that fall within multiple categories at the same location. The Illinois EPA therefore recommends the amendment below.

Finally, the industry group recommended that an exemption be added to Section 218/219.187(a)(2)(C) for cleaning associated with performance testing conducted on production lines. The USEPA requested additional information supporting such an exemption, which the group provided. The USEPA approved a limited exemption, which the Illinois EPA recommends as set forth below.

The USEPA also indicated that certain recordkeeping requirements must be added to Section 218/219.187(e) to address the additional exemptions described above, as well as the

exemption requested by PII/SGIA, discussed earlier in these comments. In addition, the USEPA suggested that the Illinois EPA amend references to cleaning operations being “subject to” exclusions, in order to avoid causing confusion. The Illinois EPA recommends implementing the USEPA’s requirements and suggestion as follows:

Section 218.187 Other Industrial Solvent Cleaning Operations

a)

(2)

B) Cleaning operations for emission units within the following source categories shall be exempt from the requirements of subsections (b), (c), (d), (e), (f), and (g) of this Section:

- i) Flexible package printing;
- ii) Lithographic printing;
- iii) Letterpress printing;
- iv) Flat wood paneling coating;
- v) Large appliance coating;
- vi) Metal furniture coating;
- vii) Paper, film, and foil coating;
- viii) Wood furniture coating;
- ix) Plastic parts coating;
- x) Miscellaneous metal parts coating;
- xi) Fiberglass boat manufacturing;
- xii) Miscellaneous industrial adhesives; and
- xiii) Auto and light-duty truck assembly coating;

C) The following cleaning operations shall be exempt from the requirements of subsections (b), (c), (f), and (g) of this Section:

- i) Cleaning of solar cells, laser hardware, scientific instruments, and high-precision optics;
- ii) Cleaning conducted as part of performance laboratory tests on coatings, adhesives, or inks; research and development operations; or laboratory tests in quality assurance laboratories;
- iii) Cleaning of paper-based gaskets and clutch assemblies where rubber is bonded to metal by means of an adhesive;
- iv) Cleaning of cotton swabs to remove cottonseed oil before cleaning of high-precision optics;
- v) Cleaning of medical device and pharmaceutical manufacturing operations if the facility uses no more than 5.7 liters (1.5 gallons) per day of solvents for such cleaning;
- vi) Cleaning of adhesive application equipment used for thin metal laminating;
- vii) Cleaning of electronic or electrical cables;
- viii) Touch-up cleaning performed on printed circuit boards where surface mounted devices have already been attached;
- ix) Cleaning of coating and adhesive application processes utilized to manufacture transdermal drug delivery products using no more than three gallons per day of ethyl acetate;
- x) Cleaning of application equipment used to apply coatings on satellites and radiation effect coatings;
- xi) Cleaning of application equipment used to apply solvent-borne fluoropolymer coatings;
- xii) Cleaning of ultraviolet or electron beam adhesive application;
- xiii) Cleaning of sterilization indicating ink application equipment if the facility uses no more than 5.7 liters (1.5 gallons) per day of solvents for such cleaning;

- xiv) Cleaning of metering rollers, dampening rollers, and printing plates;
- xv) Cleaning of numismatic dies; and
- xvi) Cleaning operations associated with digital printing;-
- xvii) Cleaning with aerosol products if the facility uses no more than 4.7 liters (1.25 gallons) per day of such products;
- xviii) Cleaning of plastic-based or vinyl-based substrates for use in the screen printing process when using UV curable ink and coating systems;
- xix) Cleaning conducted as part of performance tests on coatings, adhesives, or inks that are in research and development and that are not yet commercially used for the applications for which they are being tested. This exemption is limited to the use of up to a total of 90.9 liters (24 gallons) of cleaning solvent per calendar month and 416.3 liters (110 gallons) of cleaning solvent per calendar year for such cleaning.

.....

e) Recordkeeping and Reporting Requirements

.....

- 7) The owner or operator of a source with cleaning operations that fall under subject to one or more of the exclusions set forth in Section 218.187(a)(2)(C)(v), ~~or (a)(2)(C)(xiii), or (a)(2)(C)(xvii)~~, including sources exempt from the limitations of this Section because of the criteria in Section 218.187(a)(1) of this Subpart, shall:
 - A) By January 1, 2012, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes a declaration that the source has cleaning operations that fall under~~subject to~~ one or more of the exclusions set forth in Section 218.187(a)(2)(C)(v), ~~or (a)(2)(C)(xiii), or (a)(2)(C)(xvii)~~ and a statement identifying each such cleaning operation and the exclusion applicable to each cleaning operation;
 - B) Collect and record the name, identification, and volume of each cleaning solvent as applied each day in each cleaning operation that falls under~~subject to~~ one or more of the exclusions set forth in

Section 218.187(a)(2)(C)(v), ~~or (a)(2)(C)(xiii), or (a)(2)(C)(xvii);~~
and

- C) Notify the Agency in writing if the amount of cleaning solvent used in the cleaning of medical device and pharmaceutical manufacturing operations or of sterilization indicating ink application equipment at the source ever exceeds 5.7 liters (1.5 gallons) per day, or if the amount of aerosol cleaning products used at the source ever exceeds 4.7 liters (1.25 gallons) per day, within 30 days after the exceedance occurs;

8) The owner or operator of a source with cleaning operations that fall under one or more of the exclusions set forth in Section 218.187(a)(2)(C)(xviii) or (a)(2)(C)(xix), including sources exempt from the limitations of this Section because of the criteria in Section 218.187(a)(1) of this Subpart, shall:

- A) By January 1, 2012, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes a declaration that the source has cleaning operations that fall under one or more of the exclusions set forth in Section 218.187(a)(2)(C)(xviii) or (a)(2)(C)(xix), and a statement identifying each such cleaning operation and the exclusion applicable to each cleaning operation;
- B) Collect and record the name, identification, volume, and VOM content of each cleaning solvent as applied each month in each cleaning operation that falls under one or more of the exclusions set forth in Section 218.187(a)(2)(C)(xviii) or (a)(2)(C)(xix);
- C) For cleaning operations that fall under the exclusion set forth in Section 218.187(a)(2)(C)(xviii), collect and record each month information demonstrating that the exempt cleaning solvent is being used exclusively for the cleaning of plastic-based or vinyl-based substrates for use in the screen printing process when using UV curable ink and coating systems; and
- D) For cleaning operations that fall under the exclusion set forth in Section 218.187(a)(2)(C)(xix), collect and record each month information demonstrating that the exempt cleaning solvent is being used exclusively for production line performance testing of coatings that are in research and development and are not yet commercially used for the applications for which they are being tested;

98) All sources subject to the requirements of subsections (b) and (d) of this Section shall notify the Agency of any violation of subsection (b) or (d) by providing a description of the violation and copies of records documenting the violation to the Agency within 30 days following the occurrence of the violation;

109) All records required by this subsection (e) shall be retained by the source for at least three years and shall be made available to the Agency upon request.

Section 219.187 Other Industrial Solvent Cleaning Operations

a)

(2)

B) Cleaning operations for emission units within the following source categories shall be exempt from the requirements of subsections (b), (c), (d), (e), (f), and (g) of this Section:

- i) Flexible package printing;
- ii) Lithographic printing;
- iii) Letterpress printing;
- iv) Flat wood paneling coating;
- v) Large appliance coating;
- vi) Metal furniture coating;
- vii) Paper, film, and foil coating;
- viii) Wood furniture coating;
- ix) Plastic parts coating;
- x) Miscellaneous metal parts coating;
- xi) Fiberglass boat manufacturing;
- xii) Miscellaneous industrial adhesives; and
- xiii) Auto and light-duty truck assembly coating;

- C) The following cleaning operations shall be exempt from the requirements of subsections (b), (c), (f), and (g) of this Section:
- i) Cleaning of solar cells, laser hardware, scientific instruments, and high-precision optics;
 - ii) Cleaning conducted as part of performance laboratory tests on coatings, adhesives, or inks; research and development operations; or laboratory tests in quality assurance laboratories;
 - iii) Cleaning of paper-based gaskets and clutch assemblies where rubber is bonded to metal by means of an adhesive;
 - iv) Cleaning of cotton swabs to remove cottonseed oil before cleaning of high-precision optics;
 - v) Cleaning of medical device and pharmaceutical manufacturing operations if the facility uses no more than 5.7 liters (1.5 gallons) per day of solvents for such cleaning;
 - vi) Cleaning of adhesive application equipment used for thin metal laminating;
 - vii) Cleaning of electronic or electrical cables;
 - viii) Touch-up cleaning performed on printed circuit boards where surface mounted devices have already been attached;
 - ix) Cleaning of coating and adhesive application processes utilized to manufacture transdermal drug delivery products using no more than three gallons per day of ethyl acetate;
 - x) Cleaning of application equipment used to apply coatings on satellites and radiation effect coatings;
 - xi) Cleaning of application equipment used to apply solvent-borne fluoropolymer coatings;
 - xii) Cleaning of ultraviolet or electron beam adhesive application;

- xiii) Cleaning of sterilization indicating ink application equipment if the facility uses no more than 5.7 liters (1.5 gallons) per day of solvents for such cleaning;
- xiv) Cleaning of metering rollers, dampening rollers, and printing plates;
- xv) Cleaning of numismatic dies; and
- xvi) Cleaning operations associated with digital printing;:-
- xvii) Cleaning with aerosol products if the facility uses no more than 4.7 liters (1.25 gallons) per day of such products;
- xviii) Cleaning of plastic-based or vinyl-based substrates for use in the screen printing process when using UV curable ink and coating systems;
- xix) Cleaning conducted as part of performance tests on coatings, adhesives, or inks that are in research and development and that are not yet commercially used for the applications for which they are being tested. This exemption is limited to the use of up to a total of 90.9 liters (24 gallons) of cleaning solvent per month and 416.3 liters (110 gallons) of cleaning solvent per year for such cleaning.

.....
e) Recordkeeping and Reporting Requirements

.....
7) The owner or operator of a source with cleaning operations that fall under subject to one or more of the exclusions set forth in Section 219.187(a)(2)(C)(v), ~~or (a)(2)(C)(xiii), or (a)(2)(C)(xvii)~~, including sources exempt from the limitations of this Section because of the criteria in Section 219.187(a)(1) of this Subpart, shall:

A) By January 1, 2012, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes a declaration that the source has cleaning operations that fall under~~subject to one or more of the exclusions set forth in Section 219.187(a)(2)(C)(v), ~~or (a)(2)(C)(xiii), or (a)(2)(C)(xvii)~~ and a statement identifying each such cleaning operation and the exclusion applicable to each cleaning operation;~~

- B) Collect and record the name, identification, and volume of each cleaning solvent as applied each day in each cleaning operation that falls under ~~subject to~~ one or more of the exclusions set forth in Section 219.187(a)(2)(C)(v), ~~or (a)(2)(C)(xiii), or (a)(2)(C)(xvii);~~ and
 - C) Notify the Agency in writing if the amount of cleaning solvent used in the cleaning of medical device and pharmaceutical manufacturing operations or of sterilization indicating ink application equipment at the source ever exceeds 5.7 liters (1.5 gallons) per day, or if the amount of aerosol cleaning products used at the source ever exceeds 4.7 liters (1.25 gallons) per day, within 30 days after the exceedance occurs;
- 8) The owner or operator of a source with cleaning operations that fall under one or more of the exclusions set forth in Section 219.187(a)(2)(C)(xviii) or (a)(2)(C)(xix), including sources exempt from the limitations of this Section because of the criteria in Section 219.187(a)(1) of this Subpart, shall:
- A) By January 1, 2012, or upon initial start-up of the source, whichever is later, submit a certification to the Agency that includes a declaration that the source has cleaning operations that fall under one or more of the exclusions set forth in Section 219.187(a)(2)(C)(xviii) or (a)(2)(C)(xix), and a statement identifying each such cleaning operation and the exclusion applicable to each cleaning operation;
 - B) Collect and record the name, identification, volume, and VOM content of each cleaning solvent as applied each month in each cleaning operation that falls under one or more of the exclusions set forth in Section 219.187(a)(2)(C)(xviii) or (a)(2)(C)(xix);
 - C) For cleaning operations that fall under the exclusion set forth in Section 219.187(a)(2)(C)(xviii), collect and record each month information demonstrating that the exempt cleaning solvent is being used exclusively for the cleaning of plastic-based or vinyl-based substrates for use in the screen printing process when using UV curable ink and coating systems; and
 - D) For cleaning operations that fall under the exclusion set forth in Section 219.187(a)(2)(C)(xix), collect and record each month information demonstrating that the exempt cleaning solvent is being used exclusively for production line performance testing of coatings that are in research and development and are not yet

commercially used for the applications for which they are being tested;

- 98) All sources subject to the requirements of subsections (b) and (d) of this Section shall notify the Agency of any violation of subsection (b) or (d) by providing a description of the violation and copies of records documenting the violation to the Agency within 30 days following the occurrence of the violation;
- 109) All records required by this subsection (e) shall be retained by the source for at least three years and shall be made available to the Agency upon request.

The group recommended additional changes, but such changes were rejected by the USEPA, and the Agency has already conveyed that information to the group.

In addition to changes recommended by the industry group, the USEPA requested changes to Section 218/219.187(f) regarding monitoring requirements for sources subject to Section 218/219.187(b)(3). The USEPA brought this same issue to the Illinois EPA's attention previously with regard to miscellaneous industrial adhesives; the USEPA indicated that a requirement for continuous monitoring equipment must be added when a carbon adsorber is used to demonstrate compliance. (See USEPA's letter to the Agency, dated March 7, 2011, submitted to the Board on April 14, 2011, as an Exhibit to the Testimony of David Bloomberg and Testimony of Yoginder Mahajan). The USEPA recently noticed, and advised the Agency, that the same mistake appears in the current rule regarding industrial cleaning solvents. The Illinois EPA therefore recommends the following changes. The Agency does not believe these changes will have any negative impact upon subject sources, as such sources are most likely already complying with these monitoring procedures:

Section 218.187 Other Industrial Solvent Cleaning Operations

.....

f) Monitoring Requirements

- 1) If an afterburner ~~or carbon adsorber~~ is used to demonstrate compliance, the owner or operator of a source subject to Section 218.187(b)(3) of this Subpart shall:
 - A) Install, calibrate, operate, and maintain temperature monitoring devices with an accuracy of 3°C or 5°F on the emissions control system in accordance with Section 218.105(d)(2) of this Part and in accordance with the manufacturer's specifications. Monitoring shall be performed at all times when the emissions control system is operating; and
 - B) Install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring devices, such as a strip chart, recorder or computer, with at least the same accuracy as the temperature monitor;
- 2) If a carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 218.187(b)(3) of this Subpart shall use Agency and USEPA approved continuous monitoring equipment which is installed, calibrated, maintained, and operated according to vendor specifications at all times the control device is in use. The continuous monitoring equipment shall monitor the VOM concentration of each carbon adsorption bed exhaust or the exhaust of the bed next in sequence to be desorbed;
- 32) If an emissions control system other than an afterburner or carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 218.187(b)(3) of this Subpart shall install, maintain, calibrate, and operate such monitoring equipment as set forth in the owner's or operator's plan approved by the Agency and USEPA pursuant to Section 218.187(b)(3).

Section 219.187 Other Industrial Solvent Cleaning Operations

.....
f) Monitoring Requirements

- 1) If an afterburner ~~or carbon adsorber~~ is used to demonstrate compliance, the owner or operator of a source subject to Section 219.187(b)(3) of this Subpart shall:

- A) Install, calibrate, operate, and maintain temperature monitoring devices with an accuracy of 3°C or 5°F on the emissions control system in accordance with Section 219.105(d)(2) of this Part and in accordance with the manufacturer's specifications. Monitoring shall be performed at all times when the emissions control system is operating; and
 - B) Install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the temperature monitoring devices, such as a strip chart, recorder or computer, with at least the same accuracy as the temperature monitor;
- 2) If a carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 219.187(b)(3) of this Subpart shall use Agency and USEPA approved continuous monitoring equipment which is installed, calibrated, maintained, and operated according to vendor specifications at all times the control device is in use. The continuous monitoring equipment shall monitor the VOM concentration of each carbon adsorption bed exhaust or the exhaust of the bed next in sequence to be desorbed;
- ~~32)~~ If an emissions control system other than an afterburner or carbon adsorber is used to demonstrate compliance, the owner or operator of a source subject to Section 219.187(b)(3) of this Subpart shall install, maintain, calibrate, and operate such monitoring equipment as set forth in the owner's or operator's plan approved by the Agency and USEPA pursuant to Section 219.187(b)(3).

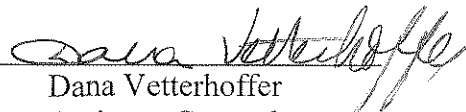
Agency Position Regarding All Other Substantive Revisions

This rulemaking is intended to address deficiencies identified by the USEPA in current regulations for certain product categories. The Illinois EPA has worked closely with the USEPA over the last nine months, both to correct these deficiencies, as well as to ensure that any other amendments made to the rule in response to stakeholder comments are acceptable to the USEPA. This effort has included working with industry groups and USEPA to resolve all issues brought to the Agency's attention, and obtaining USEPA approval before recommending/supporting any substantive amendments to the original rulemaking proposal.

The USEPA's disapproval of the regulations that are being amended is the main roadblock to Illinois' redesignation to attainment of the 1997 8-hour ozone standard. A second disapproval of Illinois' rule will require yet another rulemaking, which will further delay redesignation. The Illinois EPA therefore strongly opposes any changes to the rule that have not been first approved in writing by the USEPA.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Dana Vetterhoffer
Assistant Counsel
Division of Legal Counsel

DATED: June 1, 2011

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

CERTIFICATE OF SERVICE


I, the undersigned, an attorney, state that I have served electronically the attached POST-HEARING COMMENTS OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY 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: June 1, 2011

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

Service List R11-23

Timothy J. Fox
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601
foxt@ipcb.state.il.us

Virginia Yang
Deputy Legal Counsel
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271
virginia.yang@illinois.gov

Matthew Dunn, Chief
Division of Environmental Enforcement
Office of the Attorney General
100 West Randolph St., Suite 1200
Chicago, IL 60601
mdunn@atg.state.il.us

Alec M. Davis
General Counsel
Illinois Environmental Regulatory Group
215 E. Adams St.
Springfield, IL 62701
adavis@ierg.org

James Sell
American Coatings Association
1500 Rhode Island Avenue, NW
Washington, DC 20005
jsell@paint.org

Katherine D. Hodge
Monica T. Rios
Hodge Dwyer & Driver
3150 Roland Ave.
P.O. Box 5776
Springfield, IL 62705-5776
khodge@hddattorneys.com
mrios@hddattorneys.com