

ILLINOIS POLLUTION CONTROL BOARD
March 20, 1997

IN THE MATTER OF:)
)
LISTING OF FEDERAL HAZARDOUS AIR)
POLLUTANTS, GREAT LAKES)
COMMISSIONS TOXIC COMPOUNDS) R96-4
AND GREAT WATERS PROGRAM TOXIC) (Rulemaking - Air)
COMPOUNDS, AND SOURCE)
REPORTING FOR ILLINOIS TOXIC AIR)
CONTAMINANTS: AMENDMENTS TO 35)
ILL. ADM. CODE 232)

Proposed Rule. Second Notice.

OPINION AND ORDER OF THE BOARD (by J. Yi):

Pursuant to Sections 9.5, 27 and 28 of the Environmental Protection Act (Act) (415 ILCS 5/9.5, 27 and 28), the Illinois Environmental Protection Agency (Agency) filed this rulemaking proposal on October 13, 1995. In addition to the proposal the Agency filed a motion to waive certain filing requirements, to expedite the hearing process and to consolidate R90-1(C), In the Matter of: Toxic Air Contaminant List (35 Ill. Adm. Code 232); Reporting Requirements for Emission Sources and R90-1(D), In the Matter of: Toxic Air Contaminant List, Styrene (35 Ill. Adm. Code 232.Appendix A), into this proceeding.

In our order of November 2, 1995 we granted the Agency's motions and found that the filing met the requirements of Sections 27 and 28 of the Act. The Board also accepted this matter for hearing and directed the hearing officer to set this matter for hearing. Additionally, the Board, in separate orders closed the dockets in both R90-1(C) and (D).

On January 9, 1997 the Board adopted an interim opinion and order proposing a Second Notice for further comments. Commentators Goodwin and Broms, Inc., Illinois Fertilizer and Chemical Association and Illinois Steel Group had requested to comment after the Board adopted the proposed rule for Second Notice. Since the Illinois Administrative Procedure Act does not allow the Board to make changes after it adopts a proposed rule for Second Notice and due to the numerous substantive comments, the Board found that proposing a Second Notice for comment prior to adopting a Second Notice was appropriate in this case. The Board allowed public comments on the proposed Second Notice to be filed until February 14, 1997. As discussed more fully below the Board received three public comments pursuant to the January 9, 1997 interim opinion and order.

The Board held two hearings in this matter. The first hearing was held on February 23, 1996 in Springfield, Illinois. The second hearing was held on April 9, 1996 in Chicago, Illinois. The post-hearing comment period ended May 17, 1996.

On August 1, 1996, the Board sent this rulemaking proposal for First Notice. Pursuant to Section 5.01 of the Illinois Administrative Procedure Act (IAPA) and Section 102.342 of the Board's procedural rules, the 45-day public comment period commenced upon publication of the August 1 opinion and order in the Illinois Register, during which the Board accepted written comments. The Board received 14 comments in that time period. The public comments are listed below:

- #4¹ Comments of Goodwin and Broms, Inc. (GBI) submitted by Daniel Goodwin, President
- #5 Comments of the Illinois Fertilizer and Chemical Association (IFCA) submitted by Victor J. Thompson, Vice President
- #6 Comments of the Chemical Industry Council of Illinois (CICI) submitted by Mark Homer
- #7 Comments of Growmark, Inc. submitted by Danny Vest, Manager, Regulatory Services
- #8 Comments of the Illinois Environmental Regulatory Group (IERG)
- #9 Comments of the Illinois Pest Control Association (IPCA) submitted by Dwight Dunbar, Governmental Affairs Consultant
- #10 Comments of the Illinois Steel Group (ISG) submitted by David Rieser, Ross & Hardies
- #11 Comments of the Styrene Information and Research Center (SIRC) submitted by David Rieser, Ross & Hardies
- #12 Comments of the Illinois Farm Bureau (IFB) submitted by Nancy Erickson
- #13 Comments of Mobil Oil Corporation (Mobil) submitted by Robert S. Elvert, Midwest State Regulatory Advisor
- #14 Comments submitted on behalf of Illinois Environmental Protection Agency (IEPA or Agency) submitted by Christina L. Archer

¹ The Board received three public comments prior to going to First Notice therefore the public comments received after First Notice begin with number four (4). Additionally, the Board received a filing from the American Lung Association prior to First Notice which did not receive a public comment number.

- #15 Comments on behalf of the Illinois Beef Association (IBA) submitted by Bill Engelbrecht, President
- #16 Comments of Trade Waste Incineration (TWI) submitted by Arlene Lyons, Environmental, Health and Safety Manager
- #17 Comments by the Illinois Farmers Union (IFU) submitted by Larry Quandt, President

Additionally, the Board received a public comment from C.B. Winkel of Catepillar Inc. (P.C. #18) on November 25, 1996 after the public comment period for First Notice had ended. However, the Board will consider these comments due to the interim opinion and order of January 9, 1997 establishing a second public comment period.

Finally, the Board received three public comments pursuant to our January 9, 1997 interim opinion and order. They are from Wendell A. Dickson of BASF Corporation (P.C. #19) on January 13, 1997, Victor J. Thompson of IFCA (P.C.#20) on February 13, 1997, and Laurel Kroack of the Agency (P.C.#21) on February 14, 1997. All the public comments will be discussed more fully in the opinion section entitled "Summary of Public Comments" at page 6.

For reasons fully discussed below the Board today adopts the proposed rule for Second Notice.

PURPOSE OF THE PROPOSAL

The Agency's proposal has two main purposes, both of which are connected to the Illinois' Toxic Air Contaminant (ITAC) list. First, the proposal updates the ITAC list by adding chemicals or substances to 35 Ill. Adm. Code Appendix A that have been either listed as federal Hazardous Air Pollutants (HAPs) under Section 112(b) of the Clean Air Act (CAA) as amended in 1990, or targeted as chemicals or compounds of concern under the United States Environmental Protection Agency's (USEPA) "Great Waters" program under Section 112(m) of the CAA. In addition to updating the ITAC list, the proposal requires all sources which meet the applicability criteria to submit an ITAC Source Report (emissions report) for the calendar year 1996. Finally, the proposal corrects typographical errors which appear in the current ITAC list.

SUMMARY OF PROPOSED AMENDMENTS

This portion of the opinion will discuss the proposed amendments to 35 Ill. Adm. Code 232 section by section as they appeared after the Board adopted a First Notice.

Section 232.120 Definitions

The proposed amendments to Section 232.120 delete definitions no longer applicable to this Part as a result of revisions to 35 Ill. Adm. Code 211 and add definitions for “commercial fuel”, “Illinois Toxic Air Contaminant”, “ITAC Source Report”, “manufacture”, “otherwise use”, “prices”, and “Toxic Air Contaminant” (TAC). The definition of “commercial fuel” is necessary because Section 9.5(e)(3) of the Act exempts emissions of ITACs from combustion processes using commercial fuel from the source reporting requirements. The definitions of “manufacture”, “otherwise use” and “process” are added to address applicability thresholds. These definitions are identical in substance to those in Section 313 of the Emergency Planning and Community Right-to Know Act, Title III of Superfund Amendments and Reauthorization Act of 1986 (SARA Section 313) (42 U.S.C. 11001 *et seq.*) The definitions of ITAC and TAC are added to delineate only those chemicals listed in Appendix A that are subject to this proposal. “ITAC Source Report” is added as a definition to address what information is required to be reported under this proposal.

Section 232.120 is revised to delete the definitions of “New emission source” and “Process unit” since these definitions were inconsistent with, or are no longer necessary because of, earlier revisions to Part 211 that resulted from another rulemaking.

The Agency’s proposal to the Board suggests that the definition of “‘Emits’ or ‘Emissions’ or ‘Emitted’”, be deleted because of earlier revisions to Part 211. However the definition of “‘Emits’ or ‘Emissions’ or ‘Emitted’”, contains the definition of “Fugitive emission” which is not defined in either Part 201 or 211. The definition of “Fugitive emission” appears only at Section 203.124. Since Parts 201 and 211 do not contain a definition of “Fugitive emission”, the definition of “‘Emits’ or ‘Emissions’ or ‘Emitted’” is deleted, but the definition for “Fugitive emission” is retained.

Subpart D: Source Identification Requirements

Sections 232.400 through 232.460 contain the requirements relating to source reporting. Section 232.400 states the purpose of Subpart D.

Section 232.410(a) provides the applicability threshold which is any source that manufactures, processes, or imports 25,000 lbs. or more of any individual ITAC in any calendar year, or otherwise uses 10,000 lbs. of any individual ITAC in any calendar year. Section 232.410(b) lists those processes or operations that are not subject to Subpart D, and incorporates the exemptions in Section 9.5(e) of the Act. Section 232.410(c) provides for an additional applicability threshold, beyond the threshold in Section 232.410(a).

Section 232.420 provides that the Agency will supply to all sources expected to be affected by this proposal an ITAC Source Report that contains all the data fields required by Subpart D. This report is designed to assist affected sources in complying with the requirements of Subpart D, although the information need not be submitted on this form. The ITAC Source Report form is similar to the form being utilized in SARA Section 313.

Section 232.421 requires that all emission reports submitted pursuant to Subpart D be certified, and specifies the criteria for a certifying individual, as well as the required certification.

Section 232.423 provides that the failure of an affected source to receive an ITAC Source Report from the Agency does not relieve a source from the obligation to file an emissions report.

Section 232.430(a) specifies the date by which a source must file an emissions report and lists the information required to be submitted. Section 232.430(b) lists which emissions of ITACs are considered to be *de minimis* and therefore not subject to reporting. Section 232.430(c) specifies the date for reporting for sources that become subject to this proposal after January 1, 1996. Section 232.430(d), (e), and (f) list when a source must submit a revised emissions report to the Agency.

Section 232.440 allows a source to use engineering estimates to determine emissions if the type of estimate is reasonable, is specified and is the best information available. The Section also notes that this Subpart does not require additional monitoring or testing in connection with these emissions reports.

Section 232.450(a) provides that the Agency may request additional information beyond that initially submitted or specified in Section 232.430. Section 232.450(b) specifies that a source must retain records upon which the data included in the emissions report is based for a minimum period of three years, and must make these records available to the Agency upon request.

Section 232.460 requires a source to correct any errors in the data previously submitted within 60 days of discovering such error.

Subpart E: Listing and Delisting

Section 232.501 contains an explanation for the inclusion of the chemicals and compound listed as HAPs under Section 112(b) of the CAA and for the inclusion of the “Great Waters” program targeted compounds under Section 112(m) of the CAA, and that these new compounds are exempt from the listing requirements of Section 232.500(b).

Section 232.Appendix A List of Toxic Air Contaminants

Appendix A has been amended to add the HAPS and Great Waters TACs not previously listed, and to denote the compounds as either HAPs, Great Water TACs, or both. Furthermore, Appendix A has also been revised to correct typographical errors and errors in the Chemical Abstract Service (CAS) numbers for previously listed chemicals.

SUMMARY OF PUBLIC COMMENTS

The following is a summary of the public comments as they relate to the sections of the proposal after the Board adopted a First Notice and the Board's responses.

Section 232.120: Definitions

Goodwin & Broms, Inc. (GBI) requests that the Board change the definition (b) of "commercial fuel" to include liquid fuel because it believes there is no distinction between gaseous and liquid by-product fuel. The Agency agrees that there is no need to differentiate between gaseous and liquid by-product fuel in this rule. However, the Agency also states that it concurs with the requested change as long as a permit is required to use liquid by-product.

The Board agrees that there is no need to differentiate between liquid and gaseous by-product. Accordingly, the Board has made changes to the definition of "commercial fuel" to include liquid fuel. Based on the record, the Board also agrees with the Agency that an Air Permit is required for construction and operation of emission sources pursuant to 35 Ill. Adm. Code Part 200 *et. seq.* that utilize liquid by-product fuel.

The Agency requests that the Board change the definition of "ITAC" to include the citation to Coastal Waters Program in order to reflect that Section 112(m) of the CAA requires USEPA to monitor atmospheric deposition of hazardous air pollutants to the Great Lakes, Chesapeake Bay, Lake Champlain and coastal waters. The Board agrees with the Agency and has made the suggested change.

The Agency also requests the Board to make the following changes to address some typographical errors in the following definitions:

- ◇ "LC50": where it says "50 per cent" it should say "fifty percent (0.50)."
- ◇ "LD50": where it says "50 per cent" it should say "fifty percent (0.50)."
- ◇ "Manufacture": "35 Ill. Adm Code" should be deleted.
- ◇ "Otherwise Use": "35 Ill. Adm. Code" should be deleted.
- ◇ "Process": "35 Ill. Adm. Code" should be deleted.
- ◇ "Toxic Air Contaminant": "Section 232" should be deleted.

The Board accepts these non-substantive changes and are reflected in today's order.

Subpart D: Source Identification Requirements

The Board finds that the title of Subpart D should be amended to reflect that it contains reporting requirements. Therefore the Board changes the title to "Source Identification and Reporting Requirements". This change is reflected in today's order.

Section 232.410: Applicability

A majority of the public comments were concerned with the applicability of the new rules pertaining to agrichemical facilities. (See the comments by GBI, Illinois Fertilizer & Chemical Association (IFCA), Chemical Industry Council of Illinois (CICI), Growmark, Inc., Illinois Farm Bureau (IFB), Illinois Beef Association (IBA), and the Illinois Farmers Union (IFU)). The Agency agreed with the above public comments and to address the commentators' concerns provided the following amendatory language which would exclude agrichemical facilities from the source identification requirements of Subpart D:

232.410(b)(5) Components of Commercial and Non-Commercial agrichemical facility operations that are permitted under 8 Illinois Administrative Code 255 by the Department of Agriculture and endorsed by the Agency pursuant to Section 39.4 of the Act.

232.410(b)(6) Farm storage or application of agricultural chemicals and distribution facilities not covered by 8 Illinois Administrative Code 255 used for the storage or distribution of agricultural chemicals.

The Board accepts the proposed amendments to the rule and has included this language in today's order.

IFCA's P.C.#20 filed after the issuance of the interim opinion and order of January 9, 1997 states that it accepts the above changes to Section 232.410.

Illinois Pest Control Association (IPCA) requests the Board to clarify the applicability of the proposed rules so that the application of registered pesticides, which include ITACs, in accordance with use instructions on the label be exempted from the ITAC reporting requirements of Subpart D.

The Board notes that the application of pesticides at agrichemical facilities has already been exempted by the Agency's proposed amendments to include (b)(5) and (b)(6) above. We agree with IPCA that application of registered pesticides in accordance with use instructions on the label should be exempted based on the record before the Board at this time. The Board bases its decision to exclude the application of pesticides on the amendments made concerning agrichemical facilities, because of the exemptions in Section 9.5 of the Act, and because no construction and operating permits pursuant to 35 Ill. Adm. Code Part 200 *et. seq.* are required. The Board adopts the following language in today's order:

232.410(b)(7) The requirements of this Subpart shall not apply to the application of registered pesticides.

IFCA's P.C.#20 filed after the issuance of the interim opinion and order of January 9, 1997 states that it accepts the changes to Section 232.410(b)(7).

Trade Waste Incineration (TWI) requests that the Board exempt chemical labpacking. In this regard, TWI notes that labpacking are larger containers surrounding one or more smaller containers that actually hold the waste. Most of the waste in labpacking is from laboratory scale operations and TWI claims the concentration of individual chemicals within a labpack is *de minimis*. Further, TWI states that Section 9.5(e)(4) of the Illinois Environmental Protection Act, which exempts incidental or minor sources, supports its arguments.

The Board disagrees that labpacking should be excluded pursuant to Section 9.5(e)(4) of the Act. Section 9.5(e)(4) of the Act excludes *de minimis* emission sources but not the waste generated at such sources. The cumulative emissions from labpacked chemical waste when incinerated together may not be *de minimis*. Therefore the Board will not change the proposal based on this comment. However, this does not preclude TWI from demonstrating that the cumulative emissions of ITACs are *de minimis*.

The Agency requests that the Board change subsection (c), which states “one-tenth of one percent (.001)” to read as “one-tenth of one percent (0.001).” The Board has made the requested change.

GBI states that subsection (c) is not clear as to the source of the “mixtures of chemicals.” GBI asserts that if they apply to process vent streams then this subsection is inconsistent with Sections 232.430(b)(2) and (b)(3). The Agency states that the use of the term “mixtures” is different in those two sections. The Agency asserts that in Section 232.410(c), the term “mixtures” refers to process raw materials and in Section 232.430(b)(2) and (b)(3), the term “mixtures” refers to unit gas streams or emissions. The Agency claims that the focus of Sections 232.430(b)(2) and (b)(3) are to target the applicable emission unit after the initial applicability is satisfied in Section 232.410(c). The Agency believes that there is no reason to clarify the rule.

The Board does not believe that the rule needs to be clarified. Section 232.410, Applicability, is concerned with the amount of ITAC a source is using for manufacturing, processing or is otherwise using to determine whether the source is required to meet the regulations of Subpart D. Once it is determined that Subpart D applies to a source, Section 232.430 (Emissions Report) focuses on the emission from the source.

TWI requests that the Board clarify Section 232.400(c) so that mixtures also include waste products. They believe that their waste streams can be thought of as mixtures. TWI's suggested clarification would result in the exclusion of their waste streams with less than 1% or 0.1% of toxic contaminants because of the *de minimis* exemption.

The Board interprets "mixture of chemicals" to be mixtures in any form, raw materials or waste. Therefore if the ITAC content of the waste meets the *de minimis* exclusion, emissions from that waste may be excluded from the emission reports.

Caterpillar argues that it would be appropriate to exclude items regulated under Sections 112(b) and 112(m) of the CAA in light of the reporting requirements connected to Titles III and V.

Section 9.5(c) of the Act requires the Agency to propose to the Board a list of air contaminants which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness, or may pose a significant threat to human health or the environment. Section 112(b) of the CAA lists contaminants that pose adverse effects to human health or the environment. Section 112(m) of the CAA creates a program to identify and monitor the effects of hazardous air pollutants on the Great Lakes. We find it appropriate to include those contaminants in Illinois' ITAC because they meet the intent of Section 9.5 of the Act to list contaminants that may pose a significant threat to human health or the environment. Furthermore, according to the legislative debate in Public Act 87-752 the ultimate goal is to regulate these substances in Illinois. (P.A. 87-752, June 29, 1987 Senate Floor Debates.) Therefore for the purposes of gathering data on ITACs, it is important that those contaminants regulated pursuant to Sections 112(b) and (m) be included as ITACs.

We note that redundancy of reporting is limited because based on public comments discussed on page 12 of this opinion, the rules allow for sources to utilize USEPA's Emergency Planning and Community Right to Know Act (EPCRA) Form R in lieu of the emissions reporting requirements of Section 232.430. As a result, additional effort and expense of the regulated sources is limited. Therefore the Board will not exclude those contaminants regulated under Sections 112(b) and 112(m) of the CAA.

Caterpillar requests that a second provision be added to this section to include an emission release basis for applicability. Caterpillar asserts that the current proposal does not connect emissions from a source with applicability which allows a source that does not meet the threshold amount of ITACs set forth in subsections (a) and (c) of this Section to emit ITACs without being required to submit an emissions report pursuant to Section 232.430.

The Board agrees that there exists the possibility that a facility may not meet the applicability requirements of Section 232.410, (e.g. a facility may manufacture, process or import less than 25,000 lbs of any individual ITAC in any calendar year or otherwise uses less than 10,000 lbs of any individual ITAC in any calendar year), but the source has ITAC emissions above the *de minimis* amount as set forth in Section 232.430(b) for emissions reporting. However, it should be noted that the Agency at the April 9, 1996 hearing discussed the evaluation of the *de minimis* level. The Agency explained that as more information is gathered pursuant to the ITAC program and other programs such as the Title V permitting as to the effects of the ITAC emissions the *de minimis* emissions will be reviewed. (April 9, 1996 Transcript at page 18-20.) The Agency stated further that it will have a better picture of the facilities and will be able to review their impact. (April 9, 1996 Transcript at 19) The Agency also stated that this rule was designed to provide sound data to determine the effects of the ITAC emissions and to meet the requirements of Section 9.5(c) of the Act. Finally, as stated in the statement of reasons "[t]he Agency intends to use the data generated from the

proposed reporting scheme to assess the necessity and extent of any controls or emissions limitations on sources emitting ITACs" which would fulfill the Agency's requirements under Section 9.5(d) of the Act. (Statement of Reasons at 3.) Based on the record, the Board finds that there is no need at this time to include the unlikely category of sources as described above.

Section 232.420: ITAC Source Report

Caterpillar states that the wording of this section and that of Section 232.430 Emissions Report makes the rule confusing and that clarifying language would be worthwhile.

The Board agrees with Caterpillar that the language of these sections may lead to confusion. The Board added language to this section that clarifies that the Agency provides the source with an ITAC Source Report, which a source may use to meet the informational requirements of Section 232.430.

The Agency in its public comments filed on February 14, 1997 states that due to the timing of when the proposed rule will be adopted as a final rule by the Board certain internal submittal dates that were proposed will no longer be valid. The Agency requests that the date for which the Agency may send the ITAC Source Report be changed from April 1, 1997 to July 1, 1997. The Board agrees with the Agency and has made the requested change.

Section 232.421: Emission Report Certification

Several comments were received concerning the requirements of this Section. To summarize, the commentators stated that the current certification language in the proposed rules, which includes the phrase "the best available information," implies knowledge of all methods and data that potentially could be used. The commentators suggest that the proposed language be replaced with the following alternative statement contained in Section 313 of SARA:

I hereby certify that I have reviewed the attached documents and that, to the best of my knowledge and belief, the submitted information is true and complete and that the amounts and values in this report are accurate based on reasonable estimates using data available to the preparers of this report.

The above statement would replace "All emissions data verified, modified, or provided on behalf of the source named above represents the best available information and is true and accurate to the best of my knowledge." (See public comments No. 4, 6, 8 and 10 from CICI, GBI, IERG, and ISG.) The Agency states that it sees no reason why there should be conflicting forms with different standards of review and urges the Board to adopt the commentators' suggested language. The Board agrees with the public comments and has made the change.

IERG believes that there are inconsistencies between the Community Right to Know Act Section 313 and Section 232.421 certification requirements. As a result IERG asserts that if a source chooses to send the Community Right to Know Act Section 313 report instead of the ITAC source report certifications from both reports would need to be filed. Specifically, IERG asserts that in Sections 232.421 the phrase “an individual responsible for the accuracy of the emissions report,” should be changed to read “an individual responsible for the certification of the accuracy of the emissions report” because the former statement does not follow the definition of a “certifying individual” under the Agency's Annual Emission reporting Rules at 35 Ill. Adm. Code 254. The Agency agrees with IERG’s suggested change. The Board accepts the requested change which is reflected in today's order.

Additionally, GBI states that the phrase, “who will take legal responsibility of the information verified or reported therein,” should be deleted in Section 232.421. GBI asserts that in these regulations, the owner or operator of the source is responsible for reporting, which is typically a corporation. Thus, employees or workers acting on behalf of the corporation are not usually responsible for compliance with environmental regulations. The Agency does not agree. The Agency says that the language is consistent with its Title V Program and other Board rules and therefore no changes should be made.

The Board agrees with the Agency. There are several programs that place legal responsibility on a person other than the owner or operator when certifying information. (See 35 Ill. Adm. Code 732.) We see no reason to change this certification.

IERG also believes that this Section should be revised to better explain exactly what information should be included in the report.

The Board does not agree with IERG. Section 232.430 clearly explains what information is required in an emission report and does not need to be further explained.

Section 232.423: Failure to Receive an ITAC Source Report

The Agency in its public comments filed on February 14, 1997 states that due to the timing of when the proposed rule will be adopted as a final rule certain internal submittal dates that were proposed will no longer be valid. The Agency requested that the date for which the Agency will send the ITAC Source Report be changed from April 1, 1997 to July 1, 1997 in Section 232.420. The Agency requests the Board reflect the change in Section 232.420 in Section 232.423. The Board agrees with the Agency and has made the requested change.

Section 232.430: Emissions Report

CICI and TWI request that the Board clarify the rules to explicitly state that sources may file the Community Right to Know Act Section 313 Form R instead of the Agency’s

ITAC source report. The Agency agrees and requested the Board to adopt the following language:

232.430(a)(3) If the owner or operator of a source subject to this Subpart so elects, the owner or operator may choose to submit the relevant portions of the USEPA's Emergency Planning and Community Right to Know Act (EPCRA) Form R in lieu of the report required under Subsections (a)(1) and (2) of this section. If the owner or operator so elects, the reporting of emissions under Form R may be reported in pounds per year rather than in tons per year (TPY) as required in subsections (a)(1) and (2).

The Board accepts the suggested changes which are reflected in today's order.

GBI states that the process vent streams are usually measured in volume percentage basis but the Agency wants the measurement to be in weight percentage basis. (See subsections (b)(2) and (b)(3).) GBI contends that such conversion can cause too much work. GBI notes that the *de minimis* exemption should be converted as well. The Agency disagrees. It says that NESHAP is typically reported in tons per year and it will be necessary to convert to be consistent with this rule. Additionally the Agency states that if emission units are tested on a volume percentage basis conversion is necessary for consistency with this rule.

The Board agrees with the Agency. Not only is using weight measurements consistent with NESHAP but the ITAC rule targets emissions on a weight basis. We also believe that changing from a volume percentage to a weight percentage will not be time consuming.

TWI wants to know if it can use actual air emissions monitoring data to reflect actual releases since the waste which includes ITACs usually does not contain concentration information.

The Board allowed for further comments on this issue pursuant to the interim opinion and order of January 9, 1997. However, the Board did not receive any further comments from the Agency or any other party. TWI's actual air emissions data may not be chemical specific which is necessary under these rules. Based on the record at this time the Board will not make a change to the rule to allow the use of actual air emissions data to be utilized, which is not specific as to the amount of an individual ITAC. The Board notes that the rule does not preclude the use of actual emission data if that data is specific to ITACs.

IERG and CICI suggests that the word "correct" in front of "emissions report" in subsection (d) should be deleted. The Agency agrees. The Board agrees and has made the suggested change.

Regarding subsections (c) and (e), instead of stating " Sections 232.410, of this Part," GBI recommended a change to " Subpart D of this Part." The Agency agrees with the requested changes. The Board accepts the requested changes which are reflected in today's order.

Regarding subsection (d)(1), Mobil wants to know if the initial July 1, 1997 submittal is the "baseline year." Mobil also wants it clarified that if the emission sources do not exceed the annual limits then no future emission reporting is necessary.

The Board interprets the proposed regulation to cause the July 1, 1997 submittal to be the "baseline year". However, based on the Agency's requested changes in P.C.#21 the submittal date has changed from July 1, 1997 to October 1, 1997 as discussed below. Additionally, the Board notes that emissions reports filed in 1997 are for the 1996 year. Further, the Board agrees that if actual annual emissions of the source do not increase by more than one-half (0.50) TPY or one (1) TPY, respectively, from the sources' emissions of ITACs initially reported under this Subpart; or the source does not emit an ITAC or combination of ITAC that exceeds the threshold for applicability as set forth in Section 232.410 of this Part which was not previously reported in the source's initial report of its emissions of ITACs or in any subsequent revised report of its emissions of ITACs required to be submitted pursuant to this subsection no future emission reporting is required.

Caterpillar asserts that the requirement in Section 232.430(d) is not reasonable. That section requires a source submit a "revised" emissions report if a single ITAC or combination of ITACs emissions increase by more than 0.5 TPY or 1.0 TPY. Caterpillar argues that this requirement will most likely require yearly reports and that at this low level of actual increase in emissions requiring a revised report "cannot be justified in light of the proposed applicability criteria and the fact that these emissions are effectively regulated as 'allowable' emissions in current air permits." (P.C.#18 at page 2.)

The Board disagrees with Caterpillar and finds that requiring revised emission reports when there is an increase in ITAC emissions justifiable given the intent of Section 9.5(c) of the Act. The Board finds that maintaining an ITAC list that has the most current information a vital aspect of the proposal. If the Board accepts Caterpillar's reasoning the only information required would be the allowable emission data contained in the current air permit which may only be updated every five years or when a source determines that it wants to increase its allowable emissions. The Agency's intention is to use the information gathered under these rules to determine if any future controls on ITAC emissions are necessary. The data collected must be reliable and current in order for the Agency to have any real basis for its determination concerning emission controls.

Caterpillar maintains that the requirement to update an ITAC emission report based on permit changes to an emission unit is redundant given the requirement of Section 232.430(d). Caterpillar explains that "permit changes are usually based on an increase in allowable emissions, actual emissions may or may not change at all and may not change in the same calendar year as the modification is granted." (P.C.#18 at page 2.) Caterpillar claims the requirement to update the emission report is being triggered by these same permit changes. Caterpillar argues that the only advantage is to provide an emission source by emission source review of emission increases that would already (in most cases) be summarized under the

reporting required by paragraph (d). Caterpillar also argues that this requirement adds a level of complexity to the proposed rule that is unwarranted given the comments made in connection with Section 232.430(d).

The Board agrees with Caterpillar that the requirements to revise an emission report in Sections 232.430(d) and 232.430(f) could overlap. However, both sections require an owner and operator to submit a revised emission report on or before July 1 of the year following the change or occurrence. Therefore, a source may submit one revised emission report to address both sections. The Board finds no reason to make any changes to address Caterpillar's concerns.

As stated above, the Agency states in its public comment filed on February 14, 1997 that due to the timeline by which the proposed rule will be adopted as a final rule by the Board, certain internal dates that were part of the original proposal will no longer be workable. As noted above the Agency requests that the date for which the Agency will send the ITAC Source Report as set forth in Section 232.420 be changed from April 1, 1997 to July 1, 1997. The Agency requests the Board to reflect the change in Section 232.420 in Section 232.430. The Agency requests that Section 232.430 require that sources submit their emissions reports on October 1, 1997 instead of July 1, 1997. The Board agrees with the Agency and has made the requested change.

Section 232.440: Use of Available Data

GBI states that subsection (a) should be rewritten to make clear that the emission determination methods need not be submitted unless requested by the Agency pursuant to Section 232.450. The Agency disagrees that the section is unclear. It believes that when reading the proposed rule as a whole, Section 232.450 means that additional documentation or information may be requested by it. The Board agrees with GBI and added language in Section 232.440 to address GBI's concern.

Section 232.450: Retention of Records/Additional Information

Subsection (a)(1) requires that maximum hourly emission rates be recorded. Mobil states that for facilities which are not measuring maximum hourly emissions rates, it can get expensive and be a burden on workers. In view of this, Mobil wants to know if it is acceptable to calculate the maximum hourly emission rates from the annual emission rate. It notes that NO_x and VOC emissions have been calculated this way.

The Board will not make Mobil's requested change. The Board finds that finding the maximum hourly emission rates from the annual emission rate actually gives the average hourly emission rates. The proposed rules require the maximum hourly emission rates. Additionally, Mobil's requested change would alter the type of information being documented changing its usefulness.

Caterpillar states that the information that the Agency may require pursuant to this section would generally be a subset of data made available through the normal air permitting process. Caterpillar argues that calculating maximum hourly emission rates of special ITACs would be a daunting task for facilities having hundreds of emission units. Caterpillar requests that the Agency's authority to request additional data be limited to actual annual emissions or limited to the units that the Agency can demonstrate that the emissions are of such quantity to warrant differentiation on an hourly basis.

At hearing the Agency testified that Sections 232.450(a)(1), (a)(2) and (a)(3) describes the type of additional information which the Agency may require and that a source would not have to perform any additional physical testing to provide the Agency that data pursuant to Section 232.450(a). (February 23, 1996 Transcript at 19-25.) Section 232.450(c) limits the requirement to information that can be provided without any additional monitoring not otherwise required by applicable rules or a permit condition.

The Board finds Caterpillar's concerns are addressed given the constraints on the type of additional information the Agency may request.

Section 232.501: Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters Program Toxic Compounds

The Agency requests that the Board amend "provisions of Section 232.500 of this Part" to read "provisions Section 232.500 of this Subpart" and "procedures of Section 232.500 of this Part" to read "procedures of Section 232.500 of this Subpart." The Board agrees and makes the requested changes.

GBI believes the proposed rule is unclear as to what will happen to Appendix A when future additions or deletions from the Great Lakes Commission list occur. GBI urges the Board to explicitly state that any future changes in Appendix A will only occur within a rulemaking and that no emission reporting is required until after the rulemaking is complete. The Agency disagrees that an explicit statement concerning future changes is necessary because this rulemaking is pursuant to Sections 27 and 28 of the Act and it is clear that any subsequent changes to this rule will have to go through the Board rulemaking process. The Board agrees with the Agency's statements and will not amend the rule to address this comment.

GBI believes that "Great Lakes Commission Toxic Compounds" should be deleted from the caption because no substances are being added to Appendix A that are "chemicals targeted as toxic compounds or chemicals by the Great Lakes Commission." The Agency notes that the addition of "or Great Lakes" in the definition of the symbols in Appendix A addresses GBI's concern, therefore, there is no need to change the caption. (The Agency's requested amendment is discussed in the next section of the opinion.)

The Board agrees with the Agency that the amendments to Appendix A, which designate that some chemicals are chemicals listed by the Great Lakes Commission Toxic

Compounds, justifies the caption of the rulemaking. Therefore the Board will not make the requested changes.

Appendix A List of Toxic Air Contaminants

GBI requests that the “Great Lakes Commission Toxic Compounds” and “chemicals targeted as toxic compounds or chemicals by the Great Lakes Commission” be deleted from the caption of the rulemaking because no chemical will be added to the ITAC list based upon their status as “chemicals targeted as toxic compounds or chemicals by the Great Lakes Commission”. The Agency states that the following changes to the Appendix A address GBI’s concern:

- * Indicates presence on HAP list
- ** Indicates presence on Great Waters or Great Lakes List.
- †† Indicates presence of HAP and Great Waters or Great Lakes lists.

The Board agrees with the Agency that some chemicals are being listed as chemicals targeted as toxic compounds or chemicals by the Great Lakes Commission and will indicate in Appendix A those chemicals.

The Agency suggest that “Section 232.” in the title be deleted. The Board agrees with the Agency. The amendment would be consistent with the Joint Committee on Administrative Rules and the Secretary of State rules.

IERG states that the listing of hydrogen sulfide was a mistake in CAA so it should be removed from Appendix A. The Agency agrees with IERG and requests that the Board delete the reference. IERG also states that caprolactum was removed from CAA in June 1996 so it should not be listed as a federal HAP and the Agency agrees. BASF also requests that the Board remove caprolactum from the ITAC list because it is no longer listed as a federal HAP. The Board agrees with IERG and BASF and will not list caprolactum from Appendix A as a HAP and agrees that hydrogen sulfide should not be listed and will be removed from Appendix A.

CICI states that only the aerosol forms of hydrochloric acid and sulfuric acid are reportable according to 60 Federal Register 38600 and 34182, respectively. Therefore, in Appendix A, next to their chemical names, the word aerosol should be added in parenthesis. The Agency agrees with the suggested changes. The Board will note that it is the aerosol forms of hydrochloric acid and sulfuric acid which are listed.

The Agency identified typographical errors in the chemical listing. The changes are listed in their comments sent October 8, 1996 (PC #14) on pages 9-10. The Board incorporates those non-substantive changes.

Caterpillar requests that certain contaminants regulated by Section 112(b) or 112(m) of the CAA be exempted from the applicability determination. Caterpillar states that the ITAC list does not depict that certain contaminants are being regulated by 112(b) or (m) and requests that the list depicts that so that Caterpillar's proposed exemption from the applicability determination can easily be determined.

The Board notes that at Second Notice that the Appendix reflects which contaminants are regulated by Section 112(b) or 112(m) of the CAA. Secondly, for the reasons stated previously we are not adopting Caterpillar's request to exclude those contaminants that are regulated by Section 112(b) or 112(m) of the CAA. Therefore the Board will not make changes to the proposal based on Caterpillar's comments.

ORDER

The Board hereby adopts the following regulations for Second Notice. The changes between First Notice and Second Notice are indicated by double underlining.

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER f: TOXIC AIR CONTAMINANTS

PART 232
TOXIC AIR CONTAMINANTS

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CHARACTERISTICS OF A TOXIC AIR CONTAMINANT

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<u>Section</u>	
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<u>232.421</u>	<u>Emissions Report Certification</u>
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<u>232.440</u>	<u>Use of Available Data</u>
<u>232.450</u>	<u>Retention of Records/Additional Information</u>
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SUBPART E: LISTING AND DELISTING

Section	
232.500	Procedures for Listing and Delisting Toxic Air Contaminants
<u>232.501</u>	<u>Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters Program Toxic Compounds</u>

APPENDIX A:	List of Toxic Air Contaminants
APPENDIX B:	Additional Procedures for Calculating the Chronic Toxicity Score
APPENDIX C:	Carcinogens (Categories A, B1, and B2) listed on the Integrated Risk Information System (IRIS) as of December 31, 1989 (United States Environmental Protection Agency, Office of Health and Environmental Assessment)

AUTHORITY: Implementing Section 9.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/9.5 and 27].

SOURCE: Adopted in R90-1 at 16 Ill. Reg. 16592, effective October 18, 1992; amended in R96-4 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 232.120 Definitions

The definitions of 35 Ill. Adm. Code ~~201.102, 211.122 and 215.104~~, 201 and 211 apply to this Part, as well as the definitions contained in this Section. Where a definition contained in this Section is more specific than those found in 35 Ill. Adm. Code ~~201.102, 211.122 and 215.104~~ 201 and 211, it must take precedence in application of this Part.

"ACGIH" means the American Conference of Governmental Industrial Hygienists.

"Adverse health effect" means a health injury or disease that may be produced by exposure to a contaminant. This includes any decrement in the function of an organ or organ system or any subclinical organ lesion that is likely to lead to a decrement in an organ or organ system function.

"Commercial fuel" means:

- a) Any fuel offered for final sale for use in combustion processes;
- b) Any gaseous or liquid fuel generated as a by-product at a source for which the source has been issued an operating permit to use such fuel internally in combustion processes, including internal combustion engines; or

- c) Any waste derived fuel for which an operating permit has been issued and which represents no more than five percent (.05) by weight on a daily basis of total fuel used in combustion processes by a source.

"Critical gestation days" means the days during which the formation and differentiation of organs and organ systems occurs during embryonic development.

~~"Emits" or "Emission" or "Emitted" means any non-accidental release into the atmosphere from an emission source or air pollution control equipment, or fugitive emissions defined according to 35 Ill. Adm. Code 203.124.~~

"Fugitive emissions" is defined according to 35 Ill. Adm. Code 203.124.

"IARC" means the World Health Organization's International Agency for Research on Cancer.

"IRIS" means the USEPA's Integrated Risk Information System.

"Illinois Toxic Air Contaminant" (ITAC) means any toxic air contaminant listed pursuant to 35 Ill. Adm. Code 232, excluding, specifically: coke oven gas; any hazardous air pollutant (HAP) now or hereafter listed under Section 112(b) of the Clean Air Act (CAA), as amended; and any pollutant or contaminant listed as a compound of concern under the Great Waters and Coastal Waters Program under Section 112(m) of the CAA.

"ITAC Source Report" means the report that the Agency provides to the source that lists data fields for the information required in the emissions report for Subpart D of this Part, and contains the information, if any, that previously has been reported to the Agency for those data fields.

"LC50" means the concentration in the air of a contaminant that kills, or is estimated to kill, fifty percent (.50) ~~50 percent~~ of a population of laboratory animals where the exposure is brief (8 hours or less) and where the route of exposure is inhalation.

"LD50" means the dose of a contaminant that kills, or is estimated to kill, fifty percent (.50) ~~50 percent~~ of a population of laboratory animals where the route of exposure is ingestion.

"Lowest observed adverse effect level" means the lowest experimentally determined dose at which a statistically or biologically significant indication of the toxic effect of concern is observed.

"Manufacture" means, for the purposes of 35 Ill. Adm. Code Sections 232.400 through 232.460 of this Part, to produce, prepare, or compound a listed ITAC, and includes

coincidental production of an ITAC (e.g., as a by-product or impurity) as a result of the manufacture, processing or otherwise use or treatment of one or more chemical substances not an ITAC. An ITAC intentionally incorporated into a product is considered to be manufactured.

"NTP" means the United States' Department of Health and Human Services, Public Health Services' National Toxicological Program.

~~"New emission source" means an emission source or air pollution control equipment for which a construction permit is required by 35 Ill. Adm. Code 201 after (the effective date of these rules); or an emission source or air pollution control equipment for which an operating permit is required by 35 Ill. Adm. Code 201, where the owner or operator failed to apply for a construction permit and applies for the first operating permit.~~

"No observed effect" means the condition where no adverse health effect has been detected.

"Otherwise use" means, for the purposes of 35 Ill. Adm. Code Sections 232.400 through 232.460 of this Part, any activity involving a listed ITAC at a source that does not fall within the definitions of "manufacture" or "process."

"Process" means, for the purposes of 35 Ill. Adm. Code Sections 232.400 through 232.406 of this Part, the preparation of an ITAC after its manufacture for distribution in commerce in the same physical state as, or in a different form or physical state from, that in which it was received by the source, or preparation that produces a change in physical state or chemical form.

~~"Process unit" shall have the meaning set forth in 35 Ill. Adm. Code Section 211.5210.~~

"Toxic air contaminant" (TAC) means a contaminant identified pursuant to Section 232.200 or Section 232.501 of this Part and listed in Section 232-Appendix A of this Part.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

SUBPART D: SOURCE IDENTIFICATION AND REPORTING REQUIREMENTS

Section 232.400 Purpose

This Subpart establishes identification and reporting requirements for new and existing sources that emit Illinois Toxic Air Contaminants.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.410 Applicability

- a) This Subpart shall apply to any owner or operator of a source that manufactures, processes or imports 25,000 lbs. or more of any individual ITAC in any calendar year or otherwise uses 10,000 lbs. of any individual ITAC in any calendar year.
- b) This Subpart shall not apply to the following:
- 1) Retail dry cleaning operations;
 - 2) Retail and noncommercial storage and handling of motor fuels;
 - 3) Combustion processes, including internal combustion engines, using only commercial fuel; ~~and~~
 - 4) Equipment and operations which are exempt from permitting requirements pursuant to 35 Ill. Adm. Code 201.146;
 - 5) Components of Commercial and Non-Commercial agrichemical facility operations that are permitted under 8 Illinois Administrative Code 255 by the Department of Agriculture and endorsed by the Illinois Environmental Protection Agency pursuant to Section 39.4 of the Act; [415 ILCS 5/39.4.]
 - 6) Farm storage or application of agricultural chemicals and distribution facilities not covered by 8 Illinois Administrative Code 255 that are used for storage or distribution of agrichemicals; and
 - 7) The requirements of this Subpart ~~Part~~ shall not apply to the application of registered pesticides.
- c) If an ITAC is present in a mixture of chemicals at a source at a concentration below one percent (0.01) by weight, or one-tenth of one percent (0.001) by weight in the case of an ITAC which is a carcinogen listed in Appendix C of this Part, an owner or operator subject to this Subpart is not required to consider the quantity of the ITAC in such mixture when determining whether an applicable threshold has been met under subsection (a) of this Section or in determining the amount of emissions to be reported under Section 232.430 of this Part.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.420 ITAC Source Report

- a) On or before ~~July 1, 1997~~ ~~April 1, 1997~~, the Agency shall provide to the owner or operator of a source that is expected to be subject to this Subpart the ITAC Source Report. The ITAC Source Report shall contain all data fields for the information required under this Subpart.
- b) The information on emissions provided by the owner or operator of a source in the emissions report submitted pursuant to Section 232.430 of this Part shall be based on the best information available to the owner or operator and that is reflective of the operations of the source and its ITAC emissions.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.421 Emissions Report Certification

All emission reports filed pursuant to this Subpart shall contain the following certification statement: "~~All emissions data verified, modified or provided on behalf of the source named above represents the best available information and is true and accurate to the best of my knowledge.~~" "I hereby certify that I have reviewed the attached documents and that, to the best of my knowledge and belief, the submitted information is true and complete and that the amounts and values in this report are accurate based on reasonable estimates using data available to the preparers of this report." The certification statement shall be signed by an individual responsible for the certification of the accuracy of the emissions report ~~and~~ who will take legal responsibility for the information verified or reported therein. The certification statement shall be accompanied by the full name, title, actual signature, date of signature, and a telephone number of the individual signing the emissions report.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.423 Failure to Receive an ITAC Source Report

Failure to receive the ITAC Source Report from the Agency shall not relieve an owner or operator from the obligation to file a complete emissions report. Any owner or operator who does not receive the ITAC Source Report on or before ~~July 1, 1997~~ ~~April 1, 1997~~, may contact the Agency to request the ITAC Source Report.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.430 Emissions Report

- a) On or before ~~October 1, 1997~~ ~~July 1, 1997~~, the owner or operator of a source subject to this Subpart shall file an emissions report for the calendar year 1996 which shall include the following information:

- 1) Source identification information; and
 - 2) Identify by generic name and Chemical Abstract Service (CAS) number, the source's actual annual emissions of each ITAC expressed in tons per year (TPY), and the source's annual fugitive emissions of each ITAC, expressed in TPY, for each ITAC that exceeds the threshold for applicability as set forth in Section 232.410 of this Part. In determining the actual annual emissions of each ITAC, the source may exclude emissions of such ITAC from all emission units with de minimis emissions of ITACs; or
 - 3) If the owner or operator of a source subject to this Subpart so elects, the owner or operator may choose to submit the relevant portions of the USEPA's Emergency Planning and Community Right to know Act (EPCRA) Form R in lieu of the report required under Subsections (a)(1) and (2) of this section. If the owner or operator so elects, the reporting of emissions under Form R may be reported in pounds per year rather than in tons per year (TPY) as required in subsections (a)(1) and (2).
- b) The following emissions of ITACs shall be considered to be de minimis and shall not be subject to reporting requirements under this Subpart:
- 1) Emissions of ITACs from an emission unit which, in the aggregate, are less than one-half (0.5) TPY;
 - 2) Emissions from a process unit resulting from a process vent stream with ITAC concentrations that are always less than one-tenth of one percent (0.001) by weight on a daily basis, if such concentrations include any carcinogen listed in Appendix C of this Part;
 - 3) Emissions from a process unit resulting from a process vent stream with ITAC concentrations that are always less than one percent (0.01) by weight on a daily basis, if such concentrations do not include any carcinogen listed in Appendix C of this Part; or
 - 4) Fugitive emissions of ITACs from a process unit which, in the aggregate, are less than one-half (0.5) TPY.
- c) If a source becomes subject to this Subpart on or after January 1, 1996, the owner or operator of the source shall submit an emissions report to the Agency on or before July 1 of the year following the date the source becomes subject to this Subpart for the period from the date the source first becomes subject to this Subpart through the end of the calendar year before the year the first report

from such source is due under this Subpart. Such emissions report shall contain all of the information listed in subsections (a)(1), (a)(2), ~~and~~ or (a)(3) of this Section and any additional information requested by the Agency pursuant to Section 232.450 of this Part. Any such emissions report shall satisfy the requirements Subpart D of this Part of Sections 232.410, 232.420, 232.421, 232.423, 232.430 232.440, 232.450, and 232.460 of this Part.

- d) An owner or operator of a source subject to this Subpart shall submit to the Agency a revised, ~~correct~~ emissions report on or before July 1 of the year following the occurrence of any of the following:
- 1) If the source's actual annual emissions of any individual ITAC or any combination of ITACs required to be reported under this Subpart increases by more than one-half (0.50) TPY or one (1) TPY, respectively, from the sources' emissions of ITACs initially reported under this Subpart; or
 - 2) If the source emits an ITAC that exceeds the threshold for applicability as set forth in Section 232.410 of this Part which was not previously reported in the source's initial report of its emissions of ITACs or in any subsequent revised report of its emissions of ITACs required to be submitted pursuant to this subsection (d).
- e) Any revised emissions report required to be submitted under subsection (d) of this Section shall contain all of the information listed in subsection (a) of this Section and any additional information requested by the Agency pursuant to Section 232.450 of this Part. Any revised emissions report shall satisfy the requirements of Subpart D of this Part. Sections 232.410, 232.420, 232.421, 232.423, 232.430 232.440, 232.250, and 232.450 of this Part.
- f) By July 1 of the calendar year following any modification or change to an emission unit requiring a revision to an existing permit or a new permit ~~and~~ which may result in an increase in emissions of a previously reported ITAC by ten percent (.10) or more, an owner or operator of a source subject to this Subpart shall submit to the Agency a revised emissions report which includes the information required under Section 232.430 of this Part.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.440 Use of Available Data

- a) In order to provide the information requested by the Agency pursuant to Section 232.450 of this Part required under this Subpart, the owner or operator of a source may:

- 1) Use reasonable engineering estimates of total emissions of individual ITACs pursuant to an emissions determination method, if, in each case, the owner or operator of a source specifies the emissions determination method used to estimate total emissions and certifies that such data represents the best available information and is true and accurate to the best of his/her knowledge; or
 - 2) If available, use monitoring or measuring data collected pursuant to other provisions of law or regulation.
- b) Nothing in this Subpart requires the monitoring or measurement of the quantities, concentrations, or frequency of emissions of any ITAC beyond any monitoring or measurement required under other provisions of law or regulation.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.450 Retention of Records/ Additional Information

- a) For purposes of modeling and conducting assessments of information submitted under this Subpart, the Agency may request supporting documentation or additional information for any emissions report submitted by a source, including:
- 1) An identification by generic name and Chemical Abstract Service (CAS) number the source's emissions of each ITAC by emission unit, with maximum hourly emission rates in lbs/hr and actual annual emissions in TPY and the source's fugitive emissions of each ITAC in TPY;
 - 2) Operating data, exhaust point information and, if applicable, control device information for each emission unit; and
 - 3) Copies of engineering estimate calculations, mass balance calculations, and any other information or documentation used by the owner or operator of a source in preparing an emissions report.
- b) All records and calculations upon which the data submitted in the emissions report are based must be retained by the source for a minimum of three (3) years following the filing of a complete report. The owner or operator of a source shall provide the requested information in a format acceptable to the Agency within 60 days after the receipt of the request.

- c) Nothing in this Section shall be interpreted to impose upon any source subject to this Subpart any additional monitoring which is not otherwise required by applicable rules or a permit condition.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.460 Reporting of Errors

If, after submitting any emissions report required by this Subpart, the owner or operator of a source discovers any error in the data reported, the owner or operator shall notify the Agency of the error in writing and shall provide the Agency with the correct data. The notification and correction shall be conveyed to the Agency within sixty (60) days after the owner's or operator's discovery of the error. The corrected data shall be certified in accordance with Section 232.421 of this Part.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

SUBPART E: LISTING AND DELISTING

Section 232.501 Listing of Federal Hazardous Air Pollutants, Great Lakes Commission Toxic Compounds and Great Waters Program Toxic Compounds

Notwithstanding the provisions of Section 232.500 of this Subpart Part, all chemicals listed as "hazardous air pollutants" under Section 112(b) of the CAA, as amended in 1990 (42 U.S.C. 7412(b)), and all chemicals targeted as toxic compounds or chemicals by the Great Lakes Commission or under the United States Environmental Protection Agency's "Great Waters" Program which are not currently listed as toxic air contaminants under this Part, are hereby listed as toxic air contaminants under Appendix A of this Part. The listing of hazardous air pollutants and other toxic compounds or chemicals as toxic air contaminants under this Section is without reference to the listing procedures of Section 232.500 of this Subpart Part.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

Section 232.APPENDIX A List of Toxic Air Contaminants

Chemical Name	CAS Number
Acetaldehyde	75-07-0*
Acetamide	60-35-5*
Acetonitrile	75-05-8*
Acetophenone	98-86-2*
<u>2-Acetylaminofluorene</u>	<u>53-96-3*</u>
Acrolein	107-02-8*

Acrylamide	79-06-1*
Acrylic acid	79-10-7*
Acrylonitrile	107-13-1*
Aldrin	309-00-2**
Allyl chloride	107-05-1*
2-Aminoanthraquinone	117-79-3
4-Aminoazobenzene	60-09-3
o-Aminoazotoluene	93-56-3
4-Aminobiphenyl	92-67-1*
1-Amino-2-methylantraquinone	82-28-0
Amitrole	61-82-5
Aniline	62-53-3*
o-Anisidine	90-04-0*
o-Anisidine hydrochloride	134-29-2
Antimony	7440-36-0
Arsenic	7440-38-2**
Asbestos (friable)	1332-21-4*
Azobenzene	103-33-3
Benzo(a)anthracene	56-55-3**
Benzene	71-43-2*
Benzidine	92-87-5*
Benzo(a)pyrene	50-32-8**
Benzo(b)fluoranthene [3,4-Benzofluoranthene]	205-99-2**
Benzo(j)fluoranthene	205-82-3
Benzo(k)fluoranthene [11,12-Benzofluoranthene]	207-08-9**
<u>1,12-Benzoperylene</u>	<u>191-24-2**</u>
Benzotrichloride	98-07-7*
Benzyl chloride	100-44-7*
Benzyl violet	1694-09-3
Beryllium	7440-41-7
Beryllium oxide	1304-56-9*
Biphenyl	92-52-4*
<u>Bis(chloromethyl)ether</u>	<u>542-88-1*</u>
Boron trifluoride	7637-07-2
Bromoform	75-25-2*
<u>4-Bromophenyl phenyl ether</u>	<u>101-55-3**</u>
1,3-Butadiene	106-99-0*
Butyl benzyl phthalate	85-68-7
beta-Butyrolactone	3068-88-0
C.I. Basic Red 9 monohydrochloride	569-61-9
Cadmium	7440-43-9**
Cadmium oxide	1306-19-0*
<u>Calcium cyanamide</u>	<u>156-62-7*</u>
Caprolactam	105-60-2*

<u>Captan</u>	<u>133-06-2*</u>
Carbaryl	<u>63-25-2*</u>
Carbofuran	1563-66-2
Carbon black	1333-86-4
Carbon disulfide	75-15-0*
Carbon tetrachloride	56-23-5 ^{±††}
<u>Carbonyl sulfide</u>	<u>463-58-1*</u>
Carbosulfan	55285-14-8
<u>Catechol</u>	<u>120-80-9*</u>
Chloramben	<u>133-90-4*</u>
Chlordane	57-74-9 ^{††}
Chlorinated dibenzodioxins	--
Chlorinated dibenzofurans	--
Chlorendic acid	115-28-6
Alpha-Chlorinated toluenes	--
Chlorinated paraffins {[C12, 60% chlorine]}	108171-26-2
Chlorine	7782-50-5*
Chloroacetic acid	79-11-18*
<u>2-Chloroacetophenone</u>	<u>532-27-4*</u>
Chlorobenzene	<u>108-90-7*</u>
<u>Chlorobenzilate</u>	<u>510-15-6*</u>
Chloroform	<u>67-66-3*</u>
Chloromethyl methyl ether	<u>107-30-2*</u>
<u>3,4-Chloro-2-methylpropene</u>	563-47-3
4-Chloro-o-phenylenediamine	95-83-0
p-Chloro-o-toluidine	95-69-2
<u>4-Chlorophenyl phenyl ether</u>	<u>7005-72-3**</u>
Chloroprene	<u>126-99-8*</u>
Chromium	7440-47-3**
Chromium (VI)	18540-29-9 ^{††}
Chrysene	218-01-9**
Coal tar (pitch) volatiles	65996-93-2
Cobalt	7440-48-4**
Coke Oven Emissions	-- ^{††}
Copper	7440-50-8**
p-Cresidine	120-71-8
Creosote (Coal)	8001-58-9
<u>Cresol (mixed isomers) [Cresols/Cresylic acid</u> <u>(isomers and mixture)]</u>	<u>1319-77-3*</u>
<u>o-Cresol</u>	<u>95-48-7*</u>
<u>m-Cresol</u>	<u>108-39-4*</u>
<u>p-Cresol</u>	<u>106-44-5*</u>
<u>Cumene</u>	<u>98-82-8*</u>
Cyanazine	21725-46-2

Cyclohexanone	108-94-1
DDD	72-54-8
DDE	3547-04-4*
4,4'-DDE	72-55-9**
DDT	50-29-3**
Di-n-octyl phthalate	117-84-0**
2,4-Diaminoanisole	615-05-4
2,4-Diaminoanisole sulfate	39156-41-7
4,4'-Diaminodiphenyl ether	101-80-4
2,4-Diaminotoluene	95-80-7*
Diazomethane	334-88-3*
Dibenzo(a,h)acridine	226-36-8
Dibenzo(a,j)acridine	224-42-0
Dibenzo(a,h)anthracene [<u>1,2:5.6-Dibenzanthracene</u>]	53-70-3**
Dibenzo(a,e)pyrene	192-65-4
Dibenzo(a,h)pyrene	189-64-0
Dibenzo(a,i)pyrene	189-55-9
Dibenzo(a,l)pyrene	191-30-0
Dibenzofurans	132-64-9*
Dibutyl phthalate	84-74-2††
1,2-Dibromo-3-chloropropane	96-12-8*
1,2-Dibromoethane [Ethylene dibromide]	106-93-4*
1,4-Dichlorobenzene(p-)	106-46-7*
3,3'-Dichlorobenzidine	91-94-1*
3,3'-Dichlorobenzidine dihydrochloride	612-83-9
Dichloroethyl ether [<u>Bis(2-chloroethyl)ether</u>]	111-44-4*
2,4-Dichlorophenoxyacetic acid [2,4-D,salts and esters]	94-75-7*
1,2-Dichloropropane [<u>Propylene dichloride</u>]	78-87-5*
1,3-Dichloropropylene [<u>1,3-Dichloropropene</u>]	542-75-6*
Dichlorovos	62-73-7*
Dieldrin	60-57-1**
Diepoxybutane	1464-53-5
Diethanolamine	111-42-2*
N,N-Diethyl aniline [<u>N,N-Dimethylaniline</u>]	121-69-7*
1,2-Diethylhydrazine	1615-80-1
Di(2-ethylhexyl) p _h thalate [<u>Bis(2-ethylhexyl) phthalate (DEHP)</u>]	117-81-7*††
Diethyl sulfate	64-67-5*
Diglycidyl resorcinol ether	101-90-6
3,3'-Dimethoxybenzidine [<u>Dianisidine</u>]	119-90-4*
Dimethyl acetamide	127-19-5
Dimethyl phthalate	131-11-3*
4-Dimethyl aminoazobenzene [<u>Dimethyl aminoazo-</u>	

<u>benzene]</u>	60-11-7*
3,3'-Dimethyl benzidene [o-Tolidine]	<u>119-93-7*</u>
Dimethyl carbamoyl chloride	79-44-7*
<u>N,N-Dimethyl formamide</u>	68-12-2*
1,1-Dimethyl hydrazine	57-14-7*
1,2-Dimethyl hydrazine	540-73-8
Dimethyl sulfate	77-78-1*
Dinitrocresol [<u>4,6-Dinitro-o-cresol, and salts</u>]	534-52-1*
2,4-Dinitrophenol	51-28-5*
2,4-Dinitrotoluene	121-14-2*
1,4-Dioxane [<u>1,4-Diethyleneoxide</u>]	123-91-1*
1,2-Diphenylhydrazine	122-66-7*
Disulfoton	298-04-4
Endothall	145-73-3
<u>Endrin</u>	<u>72-20-8††**</u>
Epichlorohydrin	106-89-8*
<u>1,2-Epoxybutane</u>	<u>106-88-7*</u>
2-Ethoxyethanol	110-80-5
Ethyl acrylate	140-88-5*††
<u>Ethyl benzene</u>	<u>100-41-4*††</u>
<u>Ethyl chloride [Chloroethane]</u>	<u>75-00-3*</u>
Ethylene dichloride [<u>1,2-Dichloroethane</u>]	107-06-2*††
<u>Ethylene glycol</u>	<u>107-21-1*</u>
<u>Ethylene-imine [Aziridine]</u>	<u>151-56-4*</u>
Ethylene oxide	75-21-8*
Ethylene thiourea	96-45-7*
<u>Ethylidene dichloride [1,1-Dichloroethane]</u>	<u>75-34-3*</u>
Etridiazole	2593-15-9
FMC-67825	95465-99-9
Fluorine	7782-41-4
Folpet	133-07-3
Formaldehyde	50-00-0*
Furmecyclox	60568-05-0
Heptachlor	76-44-8††
Heptachlor epoxide	1024-57-3**
Hexachlorobenzene	118-74-1††
Hexachloro-1,3-butadiene [<u>Hexachlorobutadiene</u>]	87-68-3††
Hexachlorocyclopentadiene	77-47-4*
Hexachlorodibenzo-p-dioxin	19408-74-3
Hexachloroethane	67-72-1*††
<u>Hexamethylene-1,6-diisocyanate</u>	<u>822-06-0*</u>
<u>Hexamethylphosphoramide</u>	<u>680-31-9*</u>
<u>Hexane</u>	<u>110-54-3*</u>
Hydrazine	302-01-2*

Hydrazine sulfate	10034-93-2
<u>Hydrochloric acid(aerosol)</u>	<u>7647-01-0*</u>
Hydrogen cyanide	74-90-8
<u>Hydrogen fluoride [Hydrofluoric acid]</u>	<u>7664-39-3*</u>
<u>Hydrogen sulfide</u>	<u>7783-06-4*</u>
<u>Hydroquinone</u>	<u>123-31-9*</u>
Indeno(1,2,3-cd)pyrene	193-39-5**
<u>Isophorone</u>	<u>78-59-1*</u>
Isophorone diisocyanate	4098-71-9
Lead	7439-92-1**
Lindane-[Hexachlorocyclohexane-alpha](alpha)	319-84-6**
Lindane-[Hexachlorocyclohexane-beta](beta)	319-85-7**
Lindane-[Hexachlorocyclohexane-gamma](gamma)	
<u>[Lindane all isomers]</u>	58-89-9††
Lindane-[Hexachlorocyclohexane-mixed isomers]	
<u>(mixed isomers)</u>	608-73-1
Linuron	330-55-2
Malathion	121-75-5
<u>Maleic anhydride</u>	<u>108-31-6*</u>
Manganese	7439-96-5**
Mercury	7439-97-6**
<u>Methanol</u>	<u>67-56-1*</u>
<u>Methoxychlor</u>	<u>72-43-5††</u>
2-Methoxyethanol	109-86-4
2-Methoxyethanol acetate	110-49-6
<u>Methyl bromide [Bromomethane]</u>	<u>74-83-9*</u>
<u>Methyl chloride [Chloromethane]</u>	<u>74-87-3*††</u>
<u>Methyl chloroform [1,1,1-Trichloroethane]</u>	<u>71-55-6*††</u>
<u>Methyl ethyl ketone [2-Butanone]</u>	<u>78-93-3*</u>
<u>Methyl isobutyl ketone [Hexone]</u>	<u>108-10-1*</u>
<u>Methyl isocyanate</u>	<u>624-83-9*</u>
<u>Methyl methacrylate</u>	<u>80-62-6*</u>
<u>Methyl tert-butyl ether</u>	<u>1634-04-4*</u>
5-Methylchrysene	3697-24-3
4,4'-Methylene bis(2-chloroaniline)	101-14-4*
Methylenebis(phenylisocyanate) <u>[Methylene</u>	
<u>diphenyl diisocyanate (MDI)]</u>	101-68-8*
4,4'-Methylenebis(N,N'-dimethyl)benzenamine)	101-61-1
<u>Methylene chloride [Dichloromethane]</u>	<u>75-09-2*††</u>
4,4'-Methylenedianiline	101-77-9*
4,4'-Methylenedianiline dihydrochloride	13552-44-8
Methyl hydrazine	60-34-4*
<u>Methyl iodide [Iodomethane]</u>	<u>74-88-4*</u>
Methyl mercaptan	74-93-1

N-Methyl-N'-nitro-N-nitrosoguanidine	70-25-7
Metolachlor	51218-45-2
Michler's Ketone	90-94-8
Mirex	2385-85-5**
Monoethanolamine	141-43-5
<u>Naphthalene</u>	<u>91-20-3^{†††}</u>
beta-Naphthylamide	91-59-8
Nickel	7440-02-0**
Nitric acid	7697-37-2
Nitrilotriacetic acid	139-13-9
Nitrobenzene	98-95-3*
<u>4-Nitrobiphenyl</u>	<u>92-93-3*</u>
5-Nitro-o-anisidine	99-59-2
2-Nitropropane	79-46-9*
<u>4-Nitrophenol</u>	<u>100-02-7*</u>
N-Nitroso-n-butyl-N-(3-carboxypropyl) amine	38252-74-3
N-Nitroso-n-butyl-N-(4-hydroxybutyl) amine	3817-11-6
N-Nitrosodi-n-butylamine	924-16-3
N-Nitrosodiethanolamine	1116-54-7
N-Nitrosodiethylamine	55-18-5
N-Nitrosodimethylamine	62-75-9*
N-Nitrosodiphenylamine	86-30-6
N-Nitrosodi-n-propylamine	621-64-7
N-Nitroso-N-ethylurea	759-73-9
3-(N-Nitrosomethylamino) propionitrile	60153-49-3
N-Nitrosomethylethylamine	10595-95-6
N-Nitroso-N-methylurea	684-93-5*
N-Nitrosomethylvinylamine	4549-40-0
N-Nitrosomorpholine	59-89-2*
N-Nitrosornicotine	16543-55-8
N-Nitrosopiperidine	100-75-4
N-Nitrosopyrrolidine	930-55-2
N-Nitrososarcosine	13256-22-9
Nitrofen	11836-75-5
<u>Octachlorostyrene</u>	<u>2908-74-4**</u>
<u>PCDDs (Total polychlorinated dibenzodioxins)</u>	<u>--**</u>
<u>PCDFs (Total polychlorinated dibenzofurans)</u>	<u>--**</u>
<u>PAHs (Total polycyclic aromatic hydrocarbons)</u>	<u>--**</u>
<u>Parathion</u>	<u>56-38-2^{†††}</u>
<u>Pentachlorobenzene</u>	<u>608-93-5^{††**}</u>
Pentachloronitrobenzene [<u>Quintobenzene</u>]	82-68-8 ^{†††}
Pentachlorophenol	87-86-5 ^{†††}
Peracetic acid	79-21-0
Phenol	108-95-2 ^{††}

<u>p-Phenylenediamine</u>	<u>106-50-3*</u>
Phenylhydrazine	100-63-0
Phorate	298-02-2
<u>Phosgene</u>	<u>75-44-5*</u>
<u>Phosphine</u>	<u>7803-51-2*</u>
Phosphorus	7723-14-0*
Phosphorus oxychloride	10025-87-3
Phosphorus pentachloride	10026-13-8
<u>Photomirex</u>	<u>39801-14-4**</u>
<u>Phthalic anhydride</u>	<u>85-44-9*</u>
Polybrominated biphenyls	--
Polychlorinated biphenyls [<u>Aroclors</u>]	1336-36-3††
Potassium bromate	7758-01-2
Propane sultone [<u>1,3-Propane sultone</u>]	<u>1120-71-4*</u>
beta-Propiolactone	57-57-8*
<u>Propionaldehyde</u>	<u>123-38-6*</u>
<u>Propoxur [Baygon]</u>	<u>114-26-1*</u>
Propyleneimine [<u>1,2-Propylenimine, (2-Methylaziridine)</u>]	75-55-8*
Propylene oxide	75-56-9*
Pyrene	129-00-0
Quinoline	921-22-5*
<u>Quinone</u>	<u>106-51-4*</u>
Selenium	7782-49-2
Sodium borate	1303-96-4
Styrene	100-42-5
<u>Styrene</u>	<u>100-42-5*</u>
Styrene oxide	96-09-3*
Sulfate	95-06-7
Sulfuric acid (<u>aerosol</u>)	7664-93-9
Terbufos	13071-79-9
<u>1,2,3,4-Tetrachlorobenzene</u>	<u>634-66-2††**</u>
<u>1,2,4,5-Tetrachlorobenzene</u>	<u>95-94-3††**</u>
1,1,2,2-Tetrachloroethane	79-34-35*
Tetrachloroethylene [<u>Perchloroethylene</u>]	127-18-4*††
2,3,7,8-Tetrachlorodibenzo-p-dioxin [<u>2,3,7,8-TCDD</u>]	1746-01-6††
4,4'-Thiodianiline	139-65-1
Thiophenol	108-98-5
Thiourea	62-56-6
Thorium dioxide	1314-20-1
<u>Titanium tetrachloride</u>	<u>7550-45-0*</u>
Toluene	108-88-3††
Toluene-2,4-diisocyanate [<u>2,4-Toluene diisocyanate</u>]	584-84-9*

Toluene-2,6-diisocyanate	91-08-7
o-Toluidine	95-53-4*
o-Toluidine hydrochloride	636-21-5
p-Toluidine	106-49-0
Toxaphene	8001-35-2††
1,2,4-Trichlorobenzene	120-82-1*
<u>1,1,2-Trichloroethane</u>	<u>79-00-5*</u>
Trichloroethylene	79-01-6*††
<u>2,4,5-Trichlorophenol</u>	<u>95-95-4*††</u>
<u>2,4,6-Trichlorophenol</u>	<u>88-06-2*††</u>
<u>Triethylamine</u>	<u>121-44-8*</u>
<u>Trifluralin</u>	<u>1582-09-8*††</u>
Trimethylbenzene	25551-13-7
1,2,4-Trimethyl benzene	95-63-6
2,4,6-Trinitrotoluene	118-96-7
<u>2,2,4-Trimethylpentane</u>	<u>540-84-1*</u>
Tris(2,3-dibromopropyl) phosphate	126-72-7
Trypan blue	72-57-1
Urethane [Ethyl carbamate]	51-79-6*
<u>Vinyl acetate</u>	<u>108-05-4*</u>
Vinyl bromide	593-60-2*
Vinyl chloride	75-01-4*
Vinylidene chloride [<u>1,1-Dichloroethylene</u>]	75-35-4*
<u>Xylenes (isomers and mixture)</u>	<u>1330-20-7*</u>
<u>o-Xylenes</u>	<u>95-47-6*</u>
<u>m-Xylenes</u>	<u>108-38-3*</u>
<u>p-Xylenes</u>	<u>106-42-3*</u>
Antimony compounds*	--
Includes any unique chemical substance that contains antimony as part of that chemical's infrastructure	
Arsenic compounds*	--
Includes any unique chemical substance that contains arsenic as part of that chemical's infrastructure	
Beryllium compounds*	--
Includes any unique chemical substance that contains beryllium as part of that chemical's infrastructure	
Cadmium compounds*	--

Includes any unique chemical substance that contains cadmium as part of that chemical's infrastructure	--
<u>Chromium compounds*</u> Includes any unique chemical substance that contains chromium as part of that chemical's infrastructure	--
<u>Cobalt compounds*</u> Includes any unique chemical substance that contains cobalt as part of that chemical's infrastructure	--
<u>Cyanide compounds*</u> x(pos) CN(neg) where X = H(pos) or any other group where a formal dissociation can be made. For example, KCN or Ca(CN) ₂	--
<u>Glycol ethers*</u> <u>Includes any unique chemical substance that contains glycol as part of that chemical's infrastructure. Includes mono- and di- ethers of ethylene glycol, diethylene glycol, and triethylene glycol R(OCH₂CH₂)_n-OR' where</u> <u>n = 1, 2, or 3</u> <u>R = alkyl or aryl groups</u> <u>R' = R, H, or groups which, when removed, yield glycol ethers with the structure: R(OCH₂CH₂)_n-OH.</u> <u>Polymers are excluded from the glycol category.</u>	--
<u>Fine mineral fibers*</u> <u>Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag fibers (or other mineral derived fibers) having the average diameter of 1 micrometer or less.</u>	--
<u>Lead compounds*</u> Includes any unique chemical substance	--

that contains lead as part of that
chemical's infrastructure

Manganese compounds*	--††
Includes any unique chemical substance that contains manganese as part of that chemical's infrastructure	
Mercury compounds*	--
Includes any unique chemical substance that contains mercury as part of that chemical's infrastructure	
Nickel compounds*	--††
Includes any unique chemical substance that contains nickel as part of that chemical's infrastructure	
<u>Polycyclic Organic Matter (POM)*</u>	--††
<u>Includes organic compounds having more than one benzene ring and a boiling point equal to or greater than 100 degrees Celsius (212 degrees Fahrenheit).</u>	
<u>Radionuclides (including radon)*</u>	--
<u>A type of atom which spontaneously undergoes radioactive decay.</u>	
<u>Selenium Compounds*</u>	--
<u>Includes any unique chemical substance that contains selenium as part of that chemical's infrastructure.</u>	

* Indicates presence on HAP List.

**Indicates presence on Great Waters or Great Lakes List.

††Indicates presence on HAP and Great Waters or Great Lakes Lists.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that
the above opinion and order was adopted on the ____ day of _____, 1997, by a vote
of _____.

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Dorothy M. Gunn, Clerk
Illinois Pollution Control Board