ILLINOIS POLLUTION CONTROL BOARD
June 5, 1997

IN THE MATTER OF:	)	
	)	
9% ROP PLAN CONTROL MEASURES	)	R97-24
FOR VOM EMISSIONS--TIGHTENING	)	(Rulemaking - Air)
COLD CLEANING REQUIREMENTS:	)	
AMENDMENTS TO 35 ILL. ADM. CODE	)	
PARTS 211, 218 AND 219, SUBPART E.	)	

Adopted Rule. Final Order.

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

On January 16, 1997, the Illinois Environmental Protection Agency (Agency) filed a proposal for rulemaking pursuant to Section 28.5 of the Illinois Environmental Protection Act (Act). (415 ILCS 5/1 *et seq*. (1994).) The proposal amends the Board's air regulations at 35 Ill. Adm. Code 211, 218 and 219 to include more stringent requirements for solvents sold or used in cold cleaning degreasers. On January 23, 1997 the Board accepted the proposal, granted the Agency's motion regarding incorporations by reference and directed this matter to hearing.

The Board today proceeds to final notice with this rulemaking and will discuss the procedural history of the rule, the amendments, Agency's proposal and all comments received by the Board. The Board will direct that the rule be filed with the Secretary of State for final adoption pursuant to the Administrative Procedure Act (APA). (5 ILCS 100/5-5 *et seq*. (1994).)

The Board's responsibility in this matter arises from the Act which charges the Board to "determine, define and implement the environmental control standards applicable in the State of Illinois". (415 ILCS 5/5(b).) More generally, the Board's rulemaking charge is based upon the system of checks and balances integral to Illinois environmental governance: the Board bears the responsibility for the rulemaking and principal adjudicatory functions, while the Agency has primary responsibility for administration of the Act and the Board's regulations, including today's proposed regulation.

PROCEDURAL HISTORY

Since this proposal was filed pursuant to Section 28.5 of the Act, the Board is required to proceed under set time frames to adopt this regulation. Therefore, the Board adopted the first notice opinion and order on January 23, 1997 without commenting on the merits of the proposal. This proposal was published for first notice pursuant to the APA on February 18, 1997 at 21 Ill. Reg. 1754 (Part 211), 21 Ill. Reg. 1768 (Part 218) and 21 Ill. Reg. 1781 (Part 219). In response to the first notice publication, the Board received comments from the Joint

Committee on Administrative Rules (JCAR) regarding additional minor changes to the proposed rulemaking.

A public hearing was held before Hearing Officer K.C. Poulos in Chicago on March 4, 1997. The Agency presented the pre-filed testimony of Richard Forbes, Manager of the Ozone Regulatory Unit in the Air Quality Planning Section of the Agency's Bureau of Air, as well as the pre-filed testimony of Michael Rogers, an Environmental Protection Specialist in the Air Quality Planning Section of the Agency's Bureau of Air. (Exhibit 1.) Questions to the Agency were presented by representatives of the Chemical Industry Council of Illinois (CICI), Sunnyside Corporation (Sunnyside), Safety-Kleen Corporation (Safety-Kleen) and Cerro Copper Products Company (Cerro).

Having received no requests for another hearing, the second and third hearings in this matter were canceled by hearing officer order dated March 20, 1997. Final comments were due on March 30, 1997 and the Board received two public comments. The Board also received an Errata Sheet from the Agency.[1]

The Board adopted the second notice opinion and order on April 17, 1997 pursuant to the APA. JCAR reviewed the proposed rule and suggested minor changes which the Board has made. JCAR issued a certification of no objection on May 13, 1997. Having received the certification of no objection, the Board may now adopt the rule for final notice.

AMENDMENTS

The Board amendments add a definition for "electronic component" in Section 211.1885. Electronic component is defined as all portions of an electronic assembly, including, but not limited to, circuit board assemblies, printed wire assemblies, printed circuit boards, soldered joints, ground wires, bus bars, and associated electronic component manufacturing equipment such as screens and filters. The Board amendments also modify Sections 218.182 and 219.182 to limit the vapor pressures of solvents sold or used in cold cleaning degreasing operations.[2] Cold cleaning is defined as the process of cleaning and removing soils from surfaces by spraying, brushing, flushing or immersion while maintaining the organic solvent below its boiling point. (35 Ill. Adm. Code 211.1310.) The amendments limit the vapor pressure of solvents to 2.0 millimeters of mercury at 20° Centigrade, 68° Fahrenheit, beginning on March 15, 1999. Beginning March 15, 2001, the vapor pressure would be limited to 1.0 millimeters of mercury at the same temperature.

The amendments also include recordkeeping provisions which require solvent suppliers and users of solvents in cold cleaning operations to maintain documents for three years that indicate the solvent's vapor pressure at the prescribed temperature. Specifically, the suppliers

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[1] The transcript is cited as (Tr. at __.); the public comments are cited as (P.C.#__.) and the Agency's Errata Sheet is cited as (E.S. at __.).

[2] Part 218 is applicable to the Chicago area; Part 219 is applicable to the Metro East Area (St. Louis). The amendments to each Part are identical.

of cold cleaning solvents must keep records of the name and address of the solvent purchaser, the date of purchase, the type of solvent purchased, the solvent unit quantity, the total volume purchased and the vapor pressure of the solvent, measured in millimeters at 20° Centigrade, 68° Fahrenheit. Solvent users must maintain records of the name and address of the solvent supplier, the date of purchase, the type of solvent and the vapor pressure of the solvent, measured in millimeters at 20° Centigrade, 68° Fahrenheit. These requirements apply to the sale of solvents in units greater than five gallons.

Finally, the Board amendments include an exemption in new Sections 218.182(g) and 219.182(g) for Detrex degreasers or other similar large-scale degreasing units which provide equal or greater emissions reductions than what is required under these rules.

PROPOSAL

In support of its proposal the Agency filed a "Statement of Reasons" (Reasons) which indicates that Section 182(b)(1) of the Clean Air Act (CAA), as amended in 1990, (42 U.S.C. 7511a (b)(1)(A)) requires that by 1996, ozone nonattainment areas reduce emissions of volatile organic material (VOM) by 15% from 1990 levels. Section 182(c)(2)(B) of the CAA (42 U.S.C. 7511a (c)(2)(B)) further requires all ozone nonattainment areas rated as serious or above to achieve a 3% reduction of 1990 baseline emissions of VOM each year thereafter for three years until attainment is reached. (Reasons at 1.)

In Illinois, the Chicago and Metro-East St. Louis (Metro-East) areas are classified as "severe" and "moderate" ozone nonattainment areas respectively, and are subject to the 15% rate of progress (ROP) provisions of the CAA. The Chicago ozone nonattainment area is also subject to the 3% ROP reduction requirement, or a 9% total reduction for the year 1999. Although the Metro-East area is not immediately subject to the 3% ROP reduction requirement, the area is at risk of being elevated to the next higher classification, which would implicate the 3% ROP provisions. Furthermore, additional control measures will assist the area in reaching attainment of the ozone national ambient air quality standards (NAAQS). (Reasons at 2.)

The Agency states that in reviewing available control measures that could provide the necessary reductions, it has selected the measure that is the subject of this rulemaking, as well as the Emission Reduction Marketing System, which is the subject of another rulemaking currently before the Board. (*See* In the Matter of: Emissions Reduction Market System Adoption of 35 Ill. Adm. Code 205 and Amendments to 35 Ill. Adm. Code 106, R97-13.) (Reasons at 2.)

In addition to the Statement of Reasons filed with the proposal, the Agency presented the testimony of Richard Forbes, manager of the Ozone Regulatory Unit in the Air Quality Planning Section of the Agency's Bureau of Air. The Agency also presented the testimony of Michael Rogers, an Environmental Protection Specialist in the Air Quality Planning Section of the Agency's Bureau of Air. Mr. Rogers explained that cold cleaning degreaser operations occur in auto repair shops, car dealerships, machine shops and metal fabrication and

manufacturing businesses. Mr. Rogers stated that there are between 50,000 and 60,000 cold cleaning units in the Chicago area, and approximately 5,000 to 6,000 units in the Metro-East area. Mr. Rogers reported that about 32 tons per day of VOM emissions were emitted in 1990 in the Chicago area, and about 2.5 tons per day were emitted in the Metro-East area. (Tr. at 16-17.)

ECONOMIC REASONABLENESS AND TECHNICAL FEASIBILITY

At hearing, Mr. Rogers stated that the phased-in compliance dates of the proposed vapor pressure limits will allow solvent users and suppliers to acquire and adjust to the use of the lower vapor pressure solvents. (Tr. at 18.) Mr. Rogers further stated that the lower vapor pressure solvents are already available on the market. Therefore, the Agency believes that its proposal is technically feasible.

In addition, the Agency estimates the total annual cost of the 1.0 millimeter mercury solvent in both nonattainment areas to be between $1.8 million and $6 million. Dividing the total estimated cost by the annual VOM emission reduction of 7,675 tons yields a cost effectiveness range of between $238 and $779 per ton. (Tr. at 21.) Therefore, Mr. Rogers stated, the Agency believes the proposed modifications are an economically reasonable means of obtaining the necessary VOM emission reductions in both nonattainment areas. (Tr. at 23.)

COMMENTS

Several members of the public raised questions at hearing regarding the Agency's proposal. In addition, the Board received two public comments, the first from the Agency (P.C. #1) and the second from CICI (P.C. #2). This section will discuss the main issues and the Board's decisions made during second notice.

At hearing, Cerro questioned whether the Agency intended to create an exemption to the proposed modifications for Detrex degreasers or other substantially similar units. (Tr. at 28.) Mr. Rogers indicated that the Agency planned to create such an exemption. (Tr. at 28.) In its Errata Sheet, the Agency explained that Detrex degreasers, and other substantially similar, large-scale degreasing operations, are highly controlled and specialized operations which provide emissions reductions that are equivalent or more stringent than what it proposed in this rulemaking. The Agency stated that an exemption for these operations was necessary. The Agency also provided language for such an exemption. (E.S. at 1-2.)

The Board agreed with the Agency and Cerro that it is appropriate to exempt from this rulemaking Detrex degreasers or other similar large-scale degreasing units which provide equal or greater emissions reductions than what is otherwise required by this rulemaking. Accordingly, in its second notice opinion and order, the Board proposed the following language to be added in new Sections 218.182(g) and 219.182(g):

> Any cold cleaning taking place in a Detrex cold batch degreaser Model #2D-CC-SPL Size 24-4-10, or substantial equivalent, including automated loading of parts, totally

enclosed operation (excluding loading and unloading) and permitted by the Agency, is exempt from the requirements of subsection (c) of this Section.

The second issue, raised by Sunnyside, questioned the reason for restricting the sale of solvents. The Agency stated that it is consistent with the Act and Board regulations to restrict the sale of certain products, and that other states also restrict sales to achieve compliance. (P.C.#1 at 1; *see also* 35 Ill. Adm. Code 218.561 and 219.561 which limit the sale of architectural coatings; 35 Ill. Adm. Code 219.585 which limits gasoline distribution.) In addition, the Agency stated that the supply requirements in its proposal are intended to increase the use of compliant products which will result in air quality benefit. (Tr. at 31.)

In its second notice opinion and order, the Board agreed with the Agency that the proposed control focuses on the source of emissions, the solvents, and targeting the sale of these solvents is a common regulatory approach in achieving compliance. Therefore, the Board declined to make any changes in the rules regarding this issue.

Sunnyside's next questions to the Agency concerned the supplier's responsibility and liability over a purchaser's inappropriate use of a product in cold cleaning degreasing. The Agency stated in its final comments that "[t]he maverick use of an atypical cold cleaning product will not automatically implicate the supplier if the supplier's compliance efforts reflect reasonable diligence. Reasonable efforts at complying with the rule's requirements not to sell or offer for sale noncomplying products could include a showing that these noncompliant products or product types would not normally be used in typical cold cleaning degreasing operations." (P.C.#1 at 2.) In its final comments, CICI pointed out that if a solvent is not normally used in cold cleaning degreaser operations, then its sale is not covered under this proposed regulation and therefore its ultimate use is irrelevant in terms of the supplier's liability. (P.C.#2 at 2.)

In an effort to further address the issue, the Hearing Officer requested comments regarding the feasibility of placing a warning on product labels or invoices. (Tr. at 43-45.) In its final comments, the Agency explained that a labeling requirement would not be feasible because it would be an overly broad burden on manufacturers that market their products on a region-wide or nation-wide basis. The Agency suggests that a statement concerning compliance with the degreaser regulation would accomplish the same objectives. (P.C.#1 at 3.) CICI also stated its opposition to a label or invoice requirement. (P.C.#2 at 3-4.)

In its second notice opinion and order, the Board agreed with the Agency that suppliers subject to the regulations in this rulemaking should make a diligent effort to ensure that they are in compliance, but pointed out that the intent of these rules is not to find a supplier liable for the "maverick use of an atypical" product in a cold cleaning degreasing operation. The Board concluded that it was unnecessary to modify the rules to address the use of atypical products in cold cleaning operations, or to require notice of this regulation on labels or invoices.

The final issue, raised by Safety-Kleen, concerned whether or not there was a specified method by which to measure vapor pressure. (Tr. at 42.) The Agency stated that the test method for determining vapor pressures is specified in 35 Ill. Adm. Code 218.110 and 219.110. The Board concluded that the methods by which vapor pressures are measured are adequately outlined in the regulations, and declined to make modifications in this area.

DISCUSSION

The record before the Board indicates that the proposal will be an effective measure in achieving compliance with the 3% ROP reduction requirements of the Clean Air Act. The additional control measures in this proposal will also assist the Chicago and Metro-East areas in attaining the ozone national ambient air quality standards.

The Board further finds that the Agency's proposal is technically feasible in light of the phased-in approach for requiring the use of lower vapor pressure solvents, as well as the current availability of these lower vapor pressure solvents. The Board also finds the proposal to be economically reasonable because the estimated annual cost of the 1.0 millimeter mercury solvent is between $238 and $779 per ton in both nonattainment areas.

The Board received two public comments during first notice and the only comments from JCAR concerned minor grammatical and punctuation changes in the rule. In response to the comments received, the Board has added new Sections 218.182(g) and 219.182(g) to exempt Detrex degreasers, and other similar models that achieve equal or greater emissions reductions than what is required in this rulemaking. With these changes, the Board finds it appropriate to proceed to final notice with this rule.

ORDER

The Board directs that the Clerk cause the filing of the following amendments with the Secretary of State for final notice publication in the Illinois Register and for inclusion in the Administrative Code:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section
211.101 Incorporations by Reference
211.102 Abbreviations and Units

SUBPART B: DEFINITIONS

211.1590 Crude Oil Gathering
211.1610 Crushing
211.1630 Custody Transfer
211.1650 Cutback Asphalt
211.1670 Daily-Weighted Average VOM Content
211.1690 Day
211.1710 Degreaser
211.1730 Delivery Vessel
211.1750 Dip Coating
211.1770 Distillate Fuel Oil
211.1780 Distillation Unit
211.1790 Drum
211.1810 Dry Cleaning Operation or Dry Cleaning Facility
211.1830 Dump-Pit Area
211.1850 Effective Grate Area
211.1870 Effluent Water Separator
211.1875 Elastomeric Materials
211.1880 Electromagnetic Interference/Radio Frequency (EMI/RFI) Shielding Coatings
211.1885 Electronic Component
211.1890 Electrostatic Bell or Disc Spray
211.1900 Electrostatic Prep Coat
211.1910 Electrostatic Spray
211.1920 Emergency or Standby Unit
211.1930 Emission Rate
211.1950 Emission Unit
211.1970 Enamel
211.1990 Enclose
211.2010 End Sealing Compound Coat
211.2030 Enhanced Under-the-Cup Fill
211.2050 Ethanol Blend Gasoline
211.2070 Excess Air
211.2090 Excessive Release
211.2110 Existing Grain-Drying Operation (Repealed)
211.2130 Existing Grain-Handling Operation (Repealed)
211.2150 Exterior Base Coat
211.2170 Exterior End Coat
211.2190 External Floating Roof
211.2210 Extreme Performance Coating
211.2230 Fabric Coating
211.2250 Fabric Coating Line
211.2270 Federally Enforceable Limitations and Conditions
211.2290 Fermentation Time
211.2300 Fill
211.2310 Final Repair Coat
211.2330 Firebox

211.2350 Fixed-Roof Tank
211.2360 Flexible Coating
211.2365 Flexible Operating Unit
211.2370 Flexographic Printing
211.2390 Flexographic Printing Line
211.2410 Floating Roof
211.2430 Fountain Solution
211.2450 Freeboard Height
211.2470 Fuel Combustion Emission Unit or Fuel Combustion Emission Source
211.2490 Fugitive Particulate Matter
211.2510 Full Operating Flowrate
211.2530 Gas Service
211.2550 Gas/Gas Method
211.2570 Gasoline
211.2590 Gasoline Dispensing Operation or Gasoline Dispensing Facility
211.2610 Gel Coat
211.2630 Gloss Reducers
211.2650 Grain
211.2670 Grain-Drying Operation
211.2690 Grain-Handling and Conditioning Operation
211.2710 Grain-Handling Operation
211.2730 Green-Tire Spraying
211.2750 Green Tires
211.2770 Gross Heating Value
211.2790 Gross Vehicle Weight Rating
211.2810 Heated Airless Spray
211.2830 Heatset
211.2850 Heatset Web Offset Lithographic Printing Line
211.2870 Heavy Liquid
211.2890 Heavy Metals
211.2910 Heavy Off-Highway Vehicle Products
211.2930 Heavy Off-Highway Vehicle Products Coating
211.2950 Heavy Off-Highway Vehicle Products Coating Line
211.2970 High Temperature Aluminum Coating
211.2990 High Volume Low Pressure (HVLP) Spray
211.3010 Hood
211.3030 Hot Well
211.3050 Housekeeping Practices
211.3070 Incinerator
211.3090 Indirect Heat Transfer
211.3110 Ink
211.3130 In-Process Tank
211.3150 In-Situ Sampling Systems
211.3170 Interior Body Spray Coat
211.3190 Internal-Floating Roof

211.3210 Internal Transferring Area
211.3230 Lacquers
211.3250 Large Appliance
211.3270 Large Appliance Coating
211.3290 Large Appliance Coating Line
211.3310 Light Liquid
211.3330 Light-Duty Truck
211.3350 Light Oil
211.3370 Liquid/Gas Method
211.3390 Liquid-Mounted Seal
211.3410 Liquid Service
211.3430 Liquids Dripping
211.3450 Lithographic Printing Line
211.3470 Load-Out Area
211.3480 Loading Event
211.3490 Low Solvent Coating
211.3500 Lubricating Oil
211.3510 Magnet Wire
211.3530 Magnet Wire Coating
211.3550 Magnet Wire Coating Line
211.3570 Major Dump Pit
211.3590 Major Metropolitan Area (MMA)
211.3610 Major Population Area (MPA)
211.3620 Manually Operated Equipment
211.3630 Manufacturing Process
211.3650 Marine Terminal
211.3660 Marine Vessel
211.3670 Material Recovery Section
211.3690 Maximum Theoretical Emissions
211.3695 Maximum True Vapor Pressure
211.3710 Metal Furniture
211.3730 Metal Furniture Coating
211.3750 Metal Furniture Coating Line
211.3770 Metallic Shoe-Type Seal
211.3790 Miscellaneous Fabricated Product Manufacturing Process
211.3810 Miscellaneous Formulation Manufacturing Process
211.3830 Miscellaneous Metal Parts and Products
211.3850 Miscellaneous Metal Parts and Products Coating
211.3870 Miscellaneous Metal Parts or Products Coating Line
211.3890 Miscellaneous Organic Chemical Manufacturing Process
211.3910 Mixing Operation
211.3915 Mobile Equipment
211.3930 Monitor
211.3950 Monomer
211.3960 Motor Vehicles

211.3965 Motor Vehicle Refinishing
211.3970 Multiple Package Coating
211.3990 New Grain-Drying Operation (Repealed)
211.4010 New Grain-Handling Operation (Repealed)
211.4030 No Detectable Volatile Organic Material Emissions
211.4050 Non-Contact Process Water Cooling Tower
211.4055 Non-Flexible Coating
211.4065 Non-Heatset
211.4070 Offset
211.4090 One Hundred Percent Acid
211.4110 One-Turn Storage Space
211.4130 Opacity
211.4150 Opaque Stains
211.4170 Open Top Vapor Degreasing
211.4190 Open-Ended Valve
211.4210 Operator of a Gasoline Dispensing Operation or Operator of a Gasoline Dispensing Facility
211.4230 Organic Compound
211.4250 Organic Material and Organic Materials
211.4260 Organic Solvent
211.4270 Organic Vapor
211.4290 Oven
211.4310 Overall Control
211.4330 Overvarnish
211.4350 Owner of a Gasoline Dispensing Operation or Owner of a Gasoline Dispensing Facility
211.4370 Owner or Operator
211.4390 Packaging Rotogravure Printing
211.4410 Packaging Rotogravure Printing Line
211.4430 Pail
211.4450 Paint Manufacturing Source or Paint Manufacturing Plant
211.4470 Paper Coating
211.4490 Paper Coating Line
211.4510 Particulate Matter
211.4530 Parts Per Million (Volume) or PPM (Vol)
211.4550 Person
211.4590 Petroleum
211.4610 Petroleum Liquid
211.4630 Petroleum Refinery
211.4650 Pharmaceutical
211.4670 Pharmaceutical Coating Operation
211.4690 Photochemically Reactive Material
211.4710 Pigmented Coatings
211.4730 Plant
211.4740 Plastic Part

211.5500 Regulated Air Pollutant
211.5510 Reid Vapor Pressure
211.5530 Repair
211.5550 Repair Coat
211.5570 Repaired
211.5590 Residual Fuel Oil
211.5600 Resist Coat
211.5610 Restricted Area
211.5630 Retail Outlet
211.5650 Ringelmann Chart
211.5670 Roadway
211.5690 Roll Coater
211.5710 Roll Coating
211.5730 Roll Printer
211.5750 Roll Printing
211.5770 Rotogravure Printing
211.5790 Rotogravure Printing Line
211.5810 Safety Relief Valve
211.5830 Sandblasting
211.5850 Sanding Sealers
211.5870 Screening
211.5890 Sealer
211.5910 Semi-Transparent Stains
211.5930 Sensor
211.5950 Set of Safety Relief Valves
211.5970 Sheet Basecoat
211.5980 Sheet-Fed
211.5990 Shotblasting
211.6010 Side-Seam Spray Coat
211.6025 Single Unit Operation
211.6030 Smoke
211.6050 Smokeless Flare
211.6060 Soft Coat
211.6070 Solvent
211.6090 Solvent Cleaning
211.6110 Solvent Recovery System
211.6130 Source
211.6140 Specialty Coatings
211.6145 Specialty Coatings for Motor Vehicles
211.6150 Specialty High Gloss Catalyzed Coating
211.6170 Specialty Leather
211.6190 Specialty Soybean Crushing Source
211.6210 Splash Loading
211.6230 Stack
211.6250 Stain Coating

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504,

effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. 6489, effective May 16, 1997; amended in R97-24 at 21 Ill. Reg. ____, effective
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BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

SUBPART B: DEFINITIONS

Section 211.1885 Electronic Component

"Electronic Component" means, for the purposes of 35 Ill. Adm. Code 218.182(f) and 219.182(f), all portions of an electronic assembly, including, but not limited to, circuit board assemblies, printed wire assemblies, printed circuit boards, soldered joints, ground wires, bus bars, and associated electronic component manufacturing equipment such as screens and filters.

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

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 218
ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS FOR THE CHICAGO AREA

SUBPART A: GENERAL PROVISIONS

Section

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

SUBPART E: SOLVENT CLEANING

SUBPART F: COATING OPERATIONS

SUBPART G: USE OF ORGANIC MATERIAL

SUBPART H: PRINTING AND PUBLISHING

SUBPART Q: SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING PLANT

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

SUBPART T: PHARMACEUTICAL MANUFACTURING

SUBPART V: BATCH OPERATIONS AND AIR OXIDATION PROCESSES

SUBPART W: AGRICULTURE

SUBPART X: CONSTRUCTION

SUBPART Y: GASOLINE DISTRIBUTION

SUBPART Z: DRY CLEANERS

SUBPART AA: PAINT AND INK MANUFACTURING

SUBPART BB: POLYSTYRENE PLANTS

Section

SUBPART CC: POLYESTER RESIN PRODUCT MANUFACTURING PROCESS

Section

SUBPART DD: AEROSOL CAN FILLING

Section

SUBPART FF: BAKERY OVENS

Section

SUBPART GG: MARINE TERMINALS

Section

SUBPART HH: MOTOR VEHICLE REFINISHING

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section
218.960 Applicability
218.963 Permit Conditions (Repealed)
218.966 Control Requirements
218.967 Compliance Schedule
218.968 Testing

SUBPART TT: OTHER EMISSION UNITS

Section
218.980 Applicability
218.983 Permit Conditions (Repealed)
218.986 Control Requirements
218.987 Compliance Schedule
218.988 Testing

SUBPART UU: RECORDKEEPING AND REPORTING

Section
218.990 Exempt Emission Units
218.991 Subject Emission Units

Section 218.Appendix A:	List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
Section 218.Appendix B:	VOM Measurement Techniques for Capture Efficiency
Section 218.Appendix C:	Reference Methods and Procedures
Section 218.Appendix D:	Coefficients for the Total Resource Effectiveness Index (TRE) Equation
Section 218.Appendix E:	List of Affected Marine Terminals
Section 218.Appendix G:	TRE Index Measurements for SOCMI Reactors and Distillation Units
Section 218.Appendix H:	Baseline VOM Content Limitations for Subpart F, Section 218.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act [415 ILCS 5/10 and 28.5].

SOURCE: Adopted at R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective September 27, 1993; amended in R93-14 at 18 Ill. Reg. at 1945, effective January 24, 1994; amended in R94-12 at 18 Ill. Reg. at 14973, effective September 21, 1994;

amended in R94-15 at 18 Ill. Reg. 16392, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16950, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6848, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7359, effective May 22, 1995; amended in R96-13 at 20 Ill. Reg. 14428, effective October 17, 1996; amended in _____ at ___ Ill. Reg. _____, effective _____.

BOARD NOTE: This Part implements the Environmental Protection Act as of July 1, 1994.

SUBPART E: SOLVENT CLEANING

Section 218.182 Cold Cleaning

a) Operating Procedures: No person shall operate a cold cleaning degreaser unless:

1) Waste solvent is stored in covered containers only and not disposed of in such a manner that more than 20% of the waste solvent (by weight) is allowed to evaporate into the atmosphere;

2) The cover of the degreaser is closed when parts are not being handled; and

3) Parts are drained until dripping ceases.

b) Equipment Requirements: No person shall operate a cold cleaning degreaser unless:

1) The degreaser is equipped with a cover which is closed whenever parts are not being handled in the cleaner. The cover shall be designed to be easily operated with one hand or with the mechanical assistance of springs, counter-weights or a powered system if:

A) The solvent vapor pressure is greater than 2 kPa (15 mmHg or 0.3 psi) measured at 38^{o} C (100^{o} F);

B) The solvent is agitated; or

C) The solvent is heated above ambient room temperature.

2) The degreaser is equipped with a device for draining cleaned parts. The drainage device shall be constructed so that parts are enclosed under the cover while draining unless:

A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38^{o} C (100^{o} F); or

B) An internal drainage device cannot be fitted into the cleaning system, in which case the drainage device may be external.

3) The degreaser is equipped with one of the following control devices if the vapor pressure of the solvent is greater than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38° C (100° F) or if the solvent is heated above 50° C (120° F) or its boiling point:

A) A freeboard height of 7/10 of the inside width of the tank or 91 cm (36 in), whichever is less; or

B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 218.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon adsorber.

4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and

5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.

c) Material Requirements:

1) On and after March 15, 1999, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F).

2) On and after March 15, 2001, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F).

d) Recordkeeping Requirements: On and after March 15, 1999:

1) All persons subject to the requirements of subsections(c)(1)(A) and (c)(2)(A) of this Section must maintain records which include for each sale:

A) The name and address of the solvent purchaser;

B) The date of sale;

C) The type of solvent;

D) The unit volume of solvent;

E) The total volume of solvent; and

F) The vapor pressure of the solvent measured in mmHg at 20^{o} C (68^{o} F).

2) All persons subject to the requirements of subsections (c)(1)(B) and (c)(2)(B) of this Section must maintain records which include for each purchase:

A) The name and address of the solvent supplier;

B) The date of purchase;

C) The type of solvent; and

D) The vapor pressure of the solvent measured in mmHg at 20^{o} C (68^{o} F).

e) All records required by subsection (d) of this Section shall be retained for three years and shall be made available to the Agency upon request.

f) The cleaning of electronic components as defined in 35 Ill. Adm. Code Section 211.1885 is exempt from the requirements of subsection(c) of this Section.

g) Any cold cleaning taking place in a Detrex cold batch degreaser Model #2D-CC-SPL Size 24-4-10, or substantial equivalent, including automated loading of parts, totally enclosed operation (excluding loading and unloading) and permitted by the Agency, is exempt from the requirements of subsection (c) of this Section.

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

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

PART 219
ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS FOR THE METRO EAST AREA

SUBPART A: GENERAL PROVISIONS

Section

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section

SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

SUBPART E: SOLVENT CLEANING

SUBPART F: COATING OPERATIONS

SUBPART G: USE OF ORGANIC MATERIAL

SUBPART H: PRINTING AND PUBLISHING

Section

SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING PLANT

Section

SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

SUBPART T: PHARMACEUTICAL MANUFACTURING

SUBPART V: BATCH OPERATIONS AND AIR OXIDATION PROCESSES

SUBPART W: AGRICULTURE

SUBPART X: CONSTRUCTION

SUBPART Y: GASOLINE DISTRIBUTION

SUBPART Z: DRY CLEANERS

SUBPART AA: PAINT AND INK MANUFACTURING

Section

SUBPART BB: POLYSTYRENE PLANTS

Section

SUBPART FF: BAKERY OVENS

Section

SUBPART GG: MARINE TERMINALS

Section

SUBPART HH: MOTOR VEHICLE REFINISHING

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

SUBPART TT: OTHER EMISSION UNITS

SUBPART UU: RECORDKEEPING AND REPORTING

AUTHORITY: Implementing Section 10 and authorized by Section 28.5 of the Environmental Protection Act [415 ILCS 5/10 and 28.5].

SOURCE: Adopted at R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at 17 Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days, amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-12 at 18 Ill. Reg. 14987, effective September 21,

1994; amended in R94-15 at 18 Ill. Reg. 16415, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16980, effective November 15, 1994; emergency amendment in R95-10 at 19 Ill. Reg. 3059, effective February 28, 1995, for a maximum of 150 days; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6958, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7385, effective May 22, 1995; amended in R96-2 at 20 Ill. Reg. 3848, effective February 15, 1996; amended in R96-13 at 20 Ill. Reg. 14462, effective October 28, 1996; amended in R97-24 at 21 Ill. Reg. _____, effective _____.

BOARD NOTE: This Part implements the Illinois Environmental Protection Act as of July 1, 1994.

SUBPART E: SOLVENT CLEANING

Section 219.182 Cold Cleaning

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A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38° C (100° F); or

B) An internal drainage device cannot be fitted into the cleaning system, in which case the drainage device may be external.

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A) A freeboard height of 7/10 of the inside width of the tank or 91 cm (36 in), whichever is less; or

B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 219.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon adsorber.

4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and

5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.

c) Material Requirements:

1) On and after March 15, 1999, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F) in units greater than five (5) gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F).

2) On and after March 15, 2001, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F) in units greater than five (5) gallons, for use in cold cleaning degreasing

operations located in the area covered by Section 218.103 of this Part.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F).

d) Recordkeeping Requirements: On and after March 15, 1999:

1) All persons subject to the requirements of subsections(c)(1)(A) and (c)(2)(A) of this Section must maintain records which include for each sale:

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B) The date of sale;

C) The type of solvent;

D) The unit volume of solvent;

E) The total volume of solvent; and

F) The vapor pressure of the solvent measured in mmHg at 20° C (68° F).

2) All persons subject to the requirements of subsections (c)(1)(B) and (c)(2)(B) of this Section must maintain records which include for each purchase:

A) The name and address of the solvent supplier;

B) The date of purchase;

C) The type of solvent; and

D) The vapor pressure of the solvent measured in mmHg at 20° C (68° F).

e) All records required by subsection (d) of this Section shall be retained for three years and shall be made available to the Agency upon request.

f) The cleaning of electronic components as defined in 35 Ill. Adm. Code Section 211.1885 is exempt from the requirements of subsection(c) of this Section.

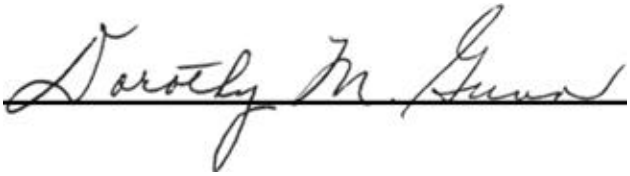
g) Any cold cleaning taking place in a Detrex cold batch degreaser Model #2D-CC-SPL Size 24-4-10, or substantial equivalent, including automated loading of parts, totally enclosed operation (excluding loading and unloading) and permitted by the Agency, is exempt from the requirements of subsection (c) of this Section.

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

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill.Adm.Code 101.246 "Motions for Reconsideration.")

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 5th day of June, 1997, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board