

ILLINOIS POLLUTION CONTROL BOARD
July 8, 1998

IN THE MATTER OF:)
)
PETITION OF W.R. GRACE &) R98-16
COMPANY - CONNECTICUT, AND) (Rulemaking - Air)
THE ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY FOR)
SITE-SPECIFIC AIR REGULATION:)
35 ILL. ADM. CODE 218.940(h))

Adopted Rule. Final Order.

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

On November 19, 1997, W.R. Grace & Company - Connecticut (Grace) and the Illinois Environmental Protection Agency (Agency), pursuant to Section 27 of the Environmental Protection Act (Act) (415 ILCS 5/27 (1996)), filed a joint proposal for site-specific rulemaking. The proposal requests that a site-specific air regulation for Grace's facility be added to Subpart QQ of 35 Ill. Adm. Code 218 at Section 218.940(h).

The Board's responsibility in this matter arises from the Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.* (1996)). The Board is charged therein to "determine, define and implement the environmental control standards applicable in the State of Illinois." 415 ILCS 5/5(b). Today, the Board adopts the proposed amendments. Excepting several non-substantive items, the amendments adopted today are identical to those proposed for first notice.

The Board accepted the joint proposal on December 4, 1997, and sent it to first notice under the Illinois Administrative Procedure Act (APA) (5 ILCS 100/5-5 *et seq.* (1996)) on December 18, 1997, without commenting on the merits of the proposal. The first notice publication appeared at 22 Ill. Reg. 1091 (January 9, 1998). The second notice opinion and order was adopted by the Board on May 7, 1998.

Two hearings were held in this matter. The first hearing was held on January 8, 1998, and continued on the record until January 21, 1998. On January 21, 1998, the Board received testimony in support of the proposed rule from Rich Ireland, Aaron Abbott, Bob Wells, and LaDonna Driver on behalf of Grace. The Board also received testimony supporting the proposed rule from Kevin Mattison and Yeric Yarrington of the Agency. No members of the public were present on January 8, 1998, or January 21, 1998.

An additional hearing was held March 30, 1998, on the single issue of the decision of the Illinois Department of Commerce and Community Affairs (DCCA) not to conduct an Economic Impact Study in connection with this rulemaking. No one testified at this hearing, and the Board has not received any comments on the Economic Impact Study issue.

In summary, the proposal pertains solely to VOM emissions resulting from the production of the solvent lining compound mixers (mixers) used to produce solvent-based sealants at Grace's facility. Petition (Pet.) at 5. As noted, the Agency is a joint proponent in this rulemaking, and agrees that the site-specific relief sought is appropriate. At hearing, the testimony revealed that no add-on control technology is reasonably available for the solvation process at Grace, and that no impact to the land, water, or water supplies will result from the VOM emissions from Grace's mixers.¹

The Joint Committee on Administrative Rules considered this rulemaking at its June 16, 1998, meeting and issued a "Notice of No Objection."

Based upon the record, the Board finds that adoption of the proposed rule is warranted. The Board also finds that the proposed rule will not have an adverse economic impact on the people of the State of Illinois. See 415 ILCS 5/27 (a), (b) (1998).

ORDER

The Board hereby proposes the following amendments to 35 Ill. Adm. Code 218. The Clerk of the Board is directed to cause the following amendments to be published in the *Illinois Register*:

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	
218.100	Introduction
218.101	Savings Clause
218.102	Abbreviations and Conversion Factors
218.103	Applicability
218.104	Definitions
218.105	Test Methods and Procedures

¹ A more detailed discussion of the background, the procedural history, and the Board's rationale for adopting the proposed amendments can be found in the May 7, 1998, second notice opinion and order. See: In the Matter of: Petition of W.R. Grace & Company - Connecticut, and the Illinois Environmental Protection Agency for Site-Specific Air Regulation: 35 Ill. Adm. Code 218.940(h) (May 7, 1998), R98-16.

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218.107	Operation of Afterburners
218.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
218.109	Vapor Pressure of Volatile Organic Liquids
218.110	Vapor Pressure of Organic Material or Solvent
218.111	Vapor Pressure of Volatile Organic Material
218.112	Incorporations by Reference
218.113	Monitoring for Negligibly-Reactive Compounds
218.114	Compliance with Permit Conditions

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Section	
218.119	Applicability for VOL
218.120	Control Requirements for Storage Containers of VOL
218.121	Storage Containers of VPL
218.122	Loading Operations
218.123	Petroleum Liquid Storage Tanks
218.124	External Floating Roofs
218.125	Compliance Dates
218.126	Compliance Plan (Repealed)
218.127	Testing VOL Operations
218.128	Monitoring VOL Operations
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218.142	Pumps and Compressors
218.143	Vapor Blowdown
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Section	
218.181	Solvent Cleaning in General
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218.185	Compliance Schedule (Repealed)
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218.204	Emission Limitations
218.205	Daily-Weighted Average Limitations
218.206	Solids Basis Calculation
218.207	Alternative Emission Limitations
218.208	Exemptions from Emission Limitations
218.209	Exemption from General Rule on Use of Organic Material
218.210	Compliance Schedule
218.211	Recordkeeping and Reporting
218.212	Cross-Line Averaging to Establish Compliance for Coating Lines
218.213	Recordkeeping and Reporting for Cross-Line Averaging Participating Coating Lines
218.214	Changing Compliance Methods
218.215	Wood Furniture Coating Averaging Approach
218.216	Wood Furniture Coating Add-On Control Use
218.217	Wood Furniture Coating Work Practice Standards

SUBPART G: USE OF ORGANIC MATERIAL

Section	
218.301	Use of Organic Material
218.302	Alternative Standard
218.303	Fuel Combustion Emission Units
218.304	Operations with Compliance Program

SUBPART H: PRINTING AND PUBLISHING

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218.401	Flexographic and Rotogravure Printing
218.402	Applicability
218.403	Compliance Schedule
218.404	Recordkeeping and Reporting
218.405	Lithographic Printing: Applicability
218.406	Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996
218.407	Emission Limitations and Control Requirements for Lithographic Printing Lines On and After March 15, 1996
218.408	Compliance Schedule for Lithographic Printing On and After March 15, 1996
218.409	Testing for Lithographic Printing On and After March 15, 1996
218.410	Monitoring Requirements for Lithographic Printing
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218.422	Inspection Program Plan for Leaks

218.423	Inspection Program for Leaks
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218.427	Alternative Program for Leaks
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218.461	Manufacture of Pneumatic Rubber Tires
218.462	Green Tire Spraying Operations
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	Dryers
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218.541	Pesticide Exception

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Section	
218.561	Architectural Coatings
218.562	Paving Operations
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218.582	Bulk Gasoline Terminals
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218.601 Perchloroethylene Dry Cleaners
 218.602 Applicability
 218.603 Leaks
 218.604 Compliance Dates (Repealed)
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Section

218.660 Applicability
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 218.667 Compliance Schedule
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Section

218.680 Applicability
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SUBPART FF: BAKERY OVENS (REPEALED)

Section

218.720 Applicability (Repealed)
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 218.727 Monitoring (Repealed)
 218.728 Recordkeeping and Reporting (Repealed)
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 218.927 Compliance Schedule
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 218.960 Applicability
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- Section
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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 SOCFI 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 R97-24 at 21 Ill. Reg. 7708, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3556, effective February 2, 1998; amended in R98-16 at ____ Ill. Reg. _____, effective _____.

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

SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section 218.940 Applicability

- a) Maximum theoretical emissions:
- 1) A source is subject to this Subpart if it contains process emission units not regulated by Subparts B, E, F (excluding Section 218.204(1)), H (excluding Section 218.405), Q, R, S, T (excluding Section 218.486), V, X, Y, Z or BB of this Part, which as a group both:
 - A) Have maximum theoretical emissions of 90.7 Mg (100 tons) or more per calendar year of VOM, and
 - B) Are not limited to less than 90.7 Mg (100 tons) of VOM emissions per calendar year in the absence of air pollution control equipment through production or capacity limitations contained in a federally enforceable permit or a SIP or FIP revision.
 - 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous formulation manufacturing process emission units which are not included within any of the categories specified in Subparts B, E, F, H, Q, R, S, T, V, X, Y, Z, AA, or BB of this Part.
- b) Potential to emit:
- 1) A source is subject to this Subpart if it has the potential to emit 22.7 Mg (25 tons) or more of VOM per year, in aggregate, from emission units that are:
 - A) Not regulated by Subparts B, E, F, H, Q, R, S, T (excluding Section 218.486), V, X, Y, Z, or BB of this Part, or
 - B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.
 - 2) If a source is subject to this Subpart as provided above, the requirements of this Subpart shall apply to a source's miscellaneous formulation

manufacturing process emission units which are:

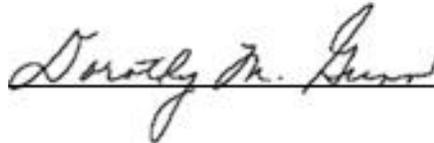
- A) Not included within any of the categories specified in Subparts B, E, F, H, Q, R, T, V, X, Y, Z, AA, BB, CC, or DD of this Part, or
 - B) Not included in any of the following categories: synthetic organic chemical manufacturing industry (SOCMI) distillation, SOCMI reactors, wood furniture, plastic parts coating (business machines), plastic parts coating (other), offset lithography, industrial wastewater, autobody refinishing, SOCMI batch processing, volatile organic liquid storage tanks and clean-up solvents operations.
- c) If a source ceases to fulfill the criteria of subsections (a) and/or (b) above, the requirements of this Subpart shall continue to apply to a miscellaneous formulation manufacturing process emission unit which was subject to the control requirements of Section 218.946 of this Part.
 - d) No limits under this Subpart shall apply to emission units with emissions of VOM to the atmosphere less than or equal to 2.3 Mg (2.5 tons) per calendar year if the total emissions from such emission units not complying with this Section does not exceed 4.5 Mg (5.0 tons) per calendar year.
 - e) For the purposes of this Subpart, an emission unit shall be considered regulated by a Subpart if it is subject to the limits of that Subpart. An emission unit is considered not regulated by a Subpart if it is not subject to the limits of that Subpart, e.g., the emission unit is covered by an exemption in the Subpart or the applicability criteria of the Subpart are not met.
 - f) For the purposes of this Subpart, VOM emissions in the absence of air pollution control equipment are the emissions of VOM which would result if no air pollution control equipment were used.
 - g) The control requirements in Subpart QQ shall not apply to sewage treatment plants; vegetable oil extraction and processing; coke ovens (including by-product recovery plants); fuel combustion units; bakeries; barge loading facilities; jet engine test cells; production of polystyrene foam insulation board including storage and extrusion of scrap where blowing agent is added to the ~~polystyrene~~ polystyrene resin at the source, but not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin; production of polystyrene foam packaging not including blending and preliminary expansion of resin prior to molding where blowing agent is incorporated into the polystyrene resin by the producer of the resin and not including storage and extrusion of scrap where blowing agent is added to the polystyrene resin at the source; and iron and steel production.

h) The control requirements of this Subpart shall not apply to the solvation mixers at the container sealant manufacturing facility located at 6050 West 51st Street in Chicago, Illinois.

(Source: ~~Amended at 18 Ill. Reg. 1945, effective January 24, 1994; a~~Amended in R98-16, at 22 Ill. Reg. _____, effective _____)

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 8th day of July 1998 by a vote of 5-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board