

ILLINOIS POLLUTION CONTROL BOARD
October 7, 1993

IN THE MATTER OF:)
)
SMALLER SOURCE PERMIT RULES:) R93-11
AMENDMENTS TO 35 ILL. ADM. CODE) (Rulemaking)
PARTS 201 AND 211)

Proposed Rule. Second Notice.

OPINION AND ORDER OF THE BOARD (by R.C. Flemal):

This matter originated before the Board on April 2, 1993 upon filing by the Illinois Environmental Protection Agency (Agency) of a proposal for rulemaking. The proposal is intended to implement the small-source permit rules of the State's air pollution permit program. The small-source provision is at Section 39(a) of the Illinois Environmental Protection Act [415 ILCS 5/1 et seq.] (Act) as added by P.A. 87-1213¹, effective September 26, 1992, and P.A. 88-0464, effective August 20, 1993. The provision is as follows:

After January 1, 1994, operating permits issued under this Section by the Agency for sources of air pollution permitted to emit less than 25 tons per year of any combination of regulated air pollutants, as defined in Section 39.5 of this Act, shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and regulations promulgated hereunder. Such operating permits shall expire 180 days after the date of such a request. The Board shall revise its regulations for the existing State air pollution operating permit program consistent with this provision by January 1, 1994.

The Board's responsibility in this matter arises from the Illinois Environmental Protection Act (Act) (415 ILCS 5/1 et seq.). The Board is charged therein to "determine, define and implement the environmental control standards applicable in the State of Illinois"². More generally, the Board's rulemaking charge is based on the system of checks and balances integral to

¹ P.A. 87-1213, in addition to establishing the small-source provision, also established the operating permit program for major sources found at Section 39.5 of the Act and required by Title V of the Clean Air Act Amendments.

² Act at Section 5(b).

Illinois environmental governance: the Board bears responsibility for the rulemaking and principal adjudicatory functions, whereas the Illinois Environmental Protection Agency (Agency) is responsible for carrying out the principal administrative duties. The latter's duties include administering any regulation that may result from today's action.

On July 22, 1993 the Board adopted the Illinois Environmental Protection Agency's proposal in this matter for first notice. Publication occurred at 17 Ill. Reg. 13358, August 13, 1993.

Three public comments have been received during the 45-day post-first notice comment period. The first (PC #3) was filed by the Illinois Department of Commerce and Community Affairs (DCCA); DCCA notes that the instant proposal will impact small businesses and defers to the findings from the record before the Board. The second (PC #4), filed by the Administrative Code Division of the Office of the Secretary of State, identifies certain changes needed to bring the form of the amendments into acceptable style; these changes are made today. The third (PC #5), filed by Pennzoil Company, expresses support for the proposed amendments³.

Today's the Board adopts the proposal for second notice.

OVERVIEW

The purpose of today's action is to implement the regulatory portion of the State's new small-source air permit program. The program provides that a source that emits less than 25 tons per year of regulated air contaminants will no longer be subject to an automatic five-year renewal cycle for its operating permit. Rather, such permits may be of unlimited duration, subject only to review upon cause.

Today's provisions implementing the small-source air permit program are proposed to be located at Subpart E⁴ of 35 Ill. Adm. Code 201. For purpose of discussion, these provisions are

³ Pennzoil also recommends that the Board initiate a separate rulemaking to exempt from permitting requirements sources that emit less than one hundred pounds per year of air contaminants and facilities that store materials with a vapor pressure below 0.02 psia. The Board stands ready, as always, to entertain this or any other properly-brought proposal.

⁴ Subpart E previously had been held in reserve for provisions dealing with conditions attached to permits. There is no longer any need seen for holding the subpart in reserve, and accordingly its use is proposed to be given over to today's new rules.

accordingly in short-form today identified as the "Subpart E provisions".

The Agency estimates that approximately 6000 air emission sources are eligible under the Subpart E provisions. (Tr. at 51.) All of these currently hold permits for which renewal must be made on no less than a five-year cycle. (Tr. at 52.) This automatic renewal process constitutes a time, expense, and paperwork burden for both the affected sources and the Agency. Elimination of the automatic need for renewal will therefore provide an economy for all concerned.

The economy generated by the Subpart E provisions will not be offset by a crucial loss of oversight. All other existing rules that pertain to operating permits other than the duration and renewal provisions will continue to apply to all small sources⁵; among such continuing provisions are annual reporting requirements. Additionally, all requirements for construction permits will remain in place⁶. Moreover, the statute and Subpart E provide that the Agency can require an affected source to seek renewal of its operating permit, and exercise oversight thereby.

DISCUSSION

25-ton Limit

These proposed rules, by statute (see above), apply to sources where the amount of emissions the source is permitted to emit is less than twenty-five (25) tons per year (TPY) of regulated air pollutants.

Historically in the Illinois air permitting process the emissions that a source is "permitted to emit" is the amount of emissions that a source is authorized to emit as specified by a permit, including any allowance for excess emissions during startup, but not including excess emissions during malfunction or breakdown. If the permit for the source does not contain an emission limit, then the source's permitted emissions are considered to be its potential to emit.

If a source does not wish to be constrained to the 25 TPY limit, it would remain eligible for the standard air operating permit with a maximum term of five years.

⁵ See proposed Section 201.180(d).

⁶ See proposed Section 201.180(c). Note also that a corollary to the obligation to obtain a construction permit is the obligation to obtain a revised operating permit that covers the new equipment (see proposed Section 201.187).

Regulated Air Pollutant

The term "regulated air pollutant" is defined at Section 39.5 of the Act. The Agency observes that, as a practical matter, a regulated air pollutant is one of the "five historic criteria air contaminants, i.e., particulate matter, sulfur dioxide, nitrogen oxide, volatile organic material/organic material and carbon monoxide" (Exh. 1 at 8). The Agency further observes that:

[T]he current definition of regulated air pollutant under Section 39.5 of the Act was intended to apply to sources required to obtain permits under Title V of the Clean Air Act and includes air pollutants for which the Board has no emission standards. It would be inappropriate to include in a calculation of eligibility for a Smaller Source Permit emissions from air pollutants for which the State has no emission standards. Therefore, the definition of regulated air pollutant for purposes of the Smaller Source rules should include the same pollutants as are presently included under the State program. (PC #2 at ¶4.)

Today's proposed regulation includes adds the definition for "regulated air pollutant" at new Section 211.5500.

CAAPP Exception

Neither the Section 39 statutory small-source provision nor today's proposed implementation in the Subpart E provisions apply to a source that is required to obtain a Clean Air Act Permit Program (CAAPP) permit under Section 39.5 of the Act⁷. An example would be a source that, although it emits less than 25 TPY total, emits more than 10 TPY of a hazardous air pollutant and is thereby a "major source" pursuant to Section 39.5.

Permit Termination

The statute and Subpart E provide that the Agency may cause a Subpart E permit to terminate by exercising its authority to have the permittee submit a renewal application. A permit for which renewal has been requested by the Agency expires 180 days after the Agency sends its renewal notice⁸. If the permittee in turn submits a renewal application at least 90 days prior to expiration, Section 9.1(f) of the Act provides that the terms and conditions of the old permit remain in effect until the final

⁷ See proposed Section 201.180(a)(2).

⁸ Section 39 of the Act and proposed 35 Ill. Adm. Code 201.181(a).

administrative action on the application has been taken, including any appeals to this Board.

A Subpart E permit also terminates if it is withdrawn upon written request by the permittee or is superseded by a revised permit issued for the source⁹.

Grounds for Agency Request of Renewal

Although the small-source permit enabling legislation at Section 39 of the Act clearly gives the Agency broad authority to request permit renewal, that authority is explicitly limited to be "consistent with applicable provisions of this Act and regulations promulgated" thereunder. As the Agency itself observes, it "cannot arbitrarily request that a smaller source operating permit be renewed" (Statement of Reasons at p. 3).

At the Agency's request, the Board is today maintains in the proposed rules three examples of conditions under which a renewal request explicitly may be made. These are a change in law applicable to the source, inaccuracy in the information upon which the permit was granted, and information that the source may not be in compliance with the Act, Board regulations, or an existing permit condition¹⁰.

In other respects the renewal procedures for Subpart E sources will continue to be governed by the existing rules for air permit processing, including the permit application and review process rules found at Subpart D of 35 Ill. Adm. Code 201 and the revocation and revisions rules found at Subpart F of 35 Ill. Adm. Code 201.

Appeal Rights

Today's proposal is intended to comport with the standard provisions regarding appeal of permit decisions that are articulated at Section 40 of the Act. Among the central provisions found there is the statement at 40(a)(1) that:

If the Agency refuses to grant or grants with conditions a permit under Section 39 of this Act, the applicant may, within 35 days, petition for hearing before the Board to contest the decision of the Agency.

In general the Board will entertain review of an Agency action only when that action is a final action, complete as regards Agency decision in all respects except for consequences that flow from exercise of appeal rights. In the instant context, an

⁹ Ibid.

¹⁰ See proposed Section 201.181(b).

appeal to the Board will not be ripe until the Agency has taken final action by (a) denying a permit outright, (b) denying a permit based on a determination of insufficiency of information in the application or failure of the applicant to supplement the application as requested by the Agency¹¹, or (c) issuing a permit with conditions¹².

An Agency notice that renewal is required is by itself not a final Agency action, and will not be entertained by the Board as a basis for appeal until the Agency has taken one of the final actions listed above.

Permittee's Obligation to Obtain a Revised Permit

Today's proposal imposes an affirmative obligation upon a permittee to obtain a new or revised permit if operations change at the source¹³. This obligation must be discharged prior to the occurrence of the changes. Events considered to be "changes" in this context are:

- 1) An increase in emissions above the amount the source is permitted to emit; or
- 2) A modification; or
- 3) A change in operations which will result in the source's noncompliance with a condition in the existing permit; or
- 4) A change in ownership, company name, or address, so that the application or existing permit is no longer accurate.

The term "modification" listed above is a term-of-art used in the State's air program relating to alteration in the nature of air emissions; "modification" is defined at 35 Ill. Adm. Code 201.102.

If a person fails to apply for a new permit where a change requires obtaining a revised permit, the source and the permittee remain subject to the conditions of the existing Subpart E permit. However, the permittee is in violation of the obligation to have a new or revised permit and thereby open to an enforcement action.

¹¹ See proposed Section 201.181(c).

¹² See proposed Section 201.181(d).

¹³ See proposed Section 201.187.

ORDER

The Board hereby directs that second notice of the following proposed amendments be submitted to the Joint Committee on Administrative Rules.

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER a: PERMITS AND
GENERAL PROVISIONS

PART 201
PERMITS AND GENERAL PROVISIONS

SUBPART A: DEFINITIONS

Section
201.101 Other Definitions
201.102 Definitions
201.103 Abbreviations and Units
201.104 Incorporations by Reference

SUBPART B: GENERAL PROVISIONS

Section
201.121 Existence of Permit No Defense
201.122 Proof of Emissions
201.123 Burden of Persuasion Regarding Exceptions
201.124 Annual Report
201.125 Severability
201.126 Repealer

SUBPART C: PROHIBITIONS

Section
201.141 Prohibition of Air Pollution
201.142 Construction Permit Required
201.143 Operating Permits for New Sources
201.144 Operating Permits for Existing Sources
201.146 Exemptions from Permit Requirement
201.147 Former Permits
201.148 Operation Without Compliance Program and Project
Completion Schedule
201.149 Operation During Malfunction, Breakdown or Startups
201.150 Circumvention
201.151 Design of Effluent Exhaust Systems

SUBPART D: PERMIT APPLICATIONS AND REVIEW
PROCESS

Section

201.152	Contents of Application for Construction Permit
201.153	Incomplete Applications
201.154	Signatures
201.155	Standards for Issuance
201.156	Conditions
201.157	Contents of Application for Operating Permit
201.158	Incomplete Applications
201.159	Signatures
201.160	Standards for Issuance
201.161	Conditions
201.162	Duration
201.163	Joint Construction and Operating Permits
201.164	Design Criteria
201.165	Hearings

SUBPART E:

Permits

SPECIAL PROVISIONS FOR OPERATING PERMITS FOR CERTAIN SMALLER SOURCES

<u>Section</u>	
<u>201.180</u>	<u>Applicability</u>
<u>201.181</u>	<u>Expiration and Renewal</u>
<u>201.187</u>	<u>Requirement for a Revised Permit</u>

SUBPART F: RENEWAL, REVOCATION, REVISION AND APPEAL

Section	
201.207	Revocation
201.209	Revisions to Permits
201.210	Appeals from Conditions

SUBPART G: EXPERIMENTAL PERMITS (Reserved)

SUBPART H: COMPLIANCE PROGRAMS AND PROJECT COMPLETION SCHEDULES

Section	
201.241	Contents of Compliance Program
201.242	Contents of Project Completion Schedule
201.243	Standards for Approval
201.244	Revisions
201.245	Effects of Approval
201.246	Records and Reports
201.247	Submission and Approval Dates

SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS

Section

- 201.261 Contents of Request for Permission to Operate During a Malfunction, Breakdown or Startup
- 201.262 Standards for Granting Permission to Operate During a Malfunction, Breakdown or Startup
- 201.263 Records and Reports
- 201.264 Continued Operation or Startup Prior to Granting of Operating Permit
- 201.265 Effect of Granting of Permission to Operate During a Malfunction, Breakdown or Startup

SUBPART J: MONITORING AND TESTING

Section

- 201.281 Permit Monitoring Equipment Requirements
- 201.282 Testing
- 201.283 Records and Reports

SUBPART K: RECORDS AND REPORTS

Section

- 201.301 Records
- 201.302 Reports

SUBPART L: CONTINUOUS MONITORING

Section

- 201.401 Continuous Monitoring Requirements
- 201.402 Alternative Monitoring
- 201.403 Exempt Sources
- 201.404 Monitoring System Malfunction
- 201.405 Excess Emission Reporting
- 201.406 Data Reduction
- 201.407 Retention of Information
- 201.408 Compliance Schedules

- Appendix A Rule into Section Table
- Appendix B Section into Rule Table
- Appendix C Past Compliance Dates

AUTHORITY: Implementing Sections 10 and 39 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1010, 1027, and 1039) [415 ILCS 5/10, 27, and 39].

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; 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. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill.

Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. _____, effective _____.

SUBPART D: PERMIT APPLICATIONS
AND REVIEW PROCESS

Section 201.162 Duration

No operating permit shall be valid longer than five years or such shorter period as the Agency may specify in the operating permit as necessary to accomplish the purposes of the Act and this Chapter unless the source is subject to Subpart E of this Part. Applications for renewal of an operating permit shall be submitted to the Agency at least 90 days prior to the expiration of the prior permit, and shall conform to Sections 201.157, 201.158 and 201.159. The standards for issuance of renewal of operating permits shall be as set forth in Section 201.160.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 201.163 Joint Construction and Operating Permits

In cases where the Agency determines that an emission source or air pollution control equipment is sufficiently standard so as to obviate the need for separate construction and operating permits, the Agency may issue a joint construction and operating permit. The Agency may adopt procedures which: set forth the circumstances under which joint construction and operating permits may be issued; require data and information designed to determine compliance with this Chapter, and ambient air quality standards; and which set forth the format by which all data and information shall be submitted. The standards for issuance of joint construction and operating permits shall be as set forth in Sections 201.155 and 201.160. Except as herein provided, nothing in this Chapter shall be deemed to limit the power of the Agency in this regard. No joint construction and operating permit shall be valid for longer than five years or such shorter period as the Agency may specify the joint construction and operating permit as necessary to accomplish the purposes of this Chapter unless the source is subject to Subpart E of this Part. Applications for renewal of a permit shall be submitted to the Agency at least 90 days prior to the expiration of the prior permit, and shall conform to such procedures as may have been adopted by the Agency; and the standards for issuance of renewal permits shall be as set forth in Sections 201.155 and 201.160. The term "operating permit" as used elsewhere in this Chapter shall be deemed to include a joint construction and operating permit.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART E:

SPECIAL PROVISIONS FOR OPERATING PERMITS FOR
CERTAIN SMALLER SOURCES

Section 201.180 Applicability

- a) Persons required to obtain operating permits under Part 201 are subject to this Subpart if:
 - 1) The total emissions of all regulated air pollutants, as defined by 35 Ill. Adm. Code 211.5500(b), that the source is permitted to emit on an annual basis are less than 25 tons; and
 - 2) The source is not subject to the operating permit requirements under Section 39.5 of the Act.

- b) This Subpart only applies to sources which meet the requirements of subsection (a) above and whose permit has not expired pursuant to a renewal request under Section 201.181(a) of this Subpart. If this Subpart no longer applies to a source and its permit has not expired pursuant to a renewal request under Section 201.181(a) of this Subpart, the terms and conditions of the permit shall remain in effect until the permit is superseded by a new or revised permit or it is withdrawn.

- c) Nothing in this Subpart shall be construed as exempting persons with permits issued pursuant to this Subpart from the requirements of Section 201.142 of this Part requiring a construction permit or from review under Part 203 procedures for new and modified emission units.

- d) Unless specifically stated otherwise in this Subpart, all rules in this Part apply.

(Source: Added at 17 Ill. Reg. _____, effective
_____)

Section 201.181 Expiration and Renewal

- a) Notwithstanding Section 201.162 of this Part, an operating permit subject to this Subpart shall expire 180 days after the Agency sends a written request for renewal of the permit. A permit shall also terminate if it is withdrawn upon written request by the permittee or is superseded by a revised permit issued for the source.

- b) The Agency may request the renewal of an operating permit subject to this Subpart for reasons including,

but not limited to, a change in the requirements applicable to the source; an indication that the information on the source's application is inaccurate; or information that the source may not be in compliance with the Act, a Board regulation or an existing permit condition.

- c) In its request for renewal pursuant to subsection (a) above, the Agency may include a request for any supplemental information that the Agency may need to determine the continued applicability of this Subpart or the ability of the source to comply with any applicable requirement.
- d) An owner or operator may appeal to the Board only a final determination by the Agency to deny a permit or to include conditions as provided by Section 40 of the Act and Section 201.210 of this Part, or a determination that a permit application is incomplete based upon, but not limited to, a failure to submit information requested under subsection (c) above or Section 201.158 of this Part.

(Source: Added at 17 Ill. Reg. _____, effective _____)

Section 201.187

Requirement for a Revised Permit

- a) Persons with operating permits subject to this Subpart must obtain a revised permit prior to any of the following changes at the source:
 - 1) An increase in emissions above the amount the emission unit or the source is permitted to emit; or
 - 2) A modification; or
 - 3) A change in operations which will result in the source's noncompliance with a condition in the existing permit; or
 - 4) A change in ownership, company name, or address, so that the application or existing permit is no longer accurate.
- b) If changes in the source's emission units or control equipment remove a source from the applicability of this Subpart, an owner or operator shall apply for a revised permit under Subpart D of this Part or under Section 39.5 of the Act.

(Source: Added at 17 Ill. Reg. _____, effective
_____)

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

Section
211.121 Other Definitions
211.122 Definitions (Repealed)
211.130 Accelacota
211.150 Accumulator
211.170 Acid Gases
211.210 Actual Heat Input
211.230 Adhesive
211.250 Aeration
211.290 Afterburner
211.310 Air Contaminant
211.330 Air Dried Coatings
211.350 Air Oxidation Process
211.370 Air Pollutant
211.390 Air Pollution
211.410 Air Pollution Control Equipment
211.430 Air Suspension Coater/Dryer
211.450 Airless Spray
211.470 Air Assisted Airless Spray
211.490 Annual Grain Through-Put
211.510 Application Area
211.530 Architectural Coating
211.550 As Applied
211.570 Asphalt
211.590 Asphalt Prime Coat
211.610 Automobile
211.630 Automobile or Light-Duty Truck Assembly Source or
Automobile or Light-Duty Truck Manufacturing Plant
211.650 Automobile or Light-Duty Truck Refinishing
211.670 Baked Coatings
211.690 Batch Loading
211.710 Bead-Dipping

211.730 Binders
211.750 British Thermal Unit
211.770 Brush or Wipe Coating
211.790 Bulk Gasoline Plant
211.810 Bulk Gasoline Terminal
211.830 Can
211.850 Can Coating
211.870 Can Coating Line
211.890 Capture
211.910 Capture Device
211.930 Capture Efficiency
211.950 Capture System
211.970 Certified Investigation
211.990 Choke Loading
211.1010 Clean Air Act
211.1050 Cleaning and Separating Operation
211.1090 Clear Coating
211.1110 Clear Topcoat
211.1130 Closed Purge System
211.1150 Closed Vent System
211.1170 Coal Refuse
211.1190 Coating
211.1210 Coating Applicator
211.1230 Coating Line
211.1250 Coating Plant
211.1270 Coil Coating
211.1290 Coil Coating Line
211.1310 Cold Cleaning
211.1330 Complete Combustion
211.1350 Component
211.1370 Concrete Curing Compounds
211.1390 Concentrated Nitric Acid Manufacturing Process
211.1410 Condensate
211.1430 Condensible PM-10
211.1470 Continuous Process
211.1490 Control Device
211.1510 Control Device Efficiency
211.1530 Conventional Soybean Crushing Source
211.1550 ConveyORIZED Degreasing
211.1570 Crude Oil
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
211.1790 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
211.1890 Electrostatic Bell or Disc Spray
211.1910 Electrostatic Spray
211.1930 Emission Rate
211.1950 Emission Unit
211.1970 Enamel
211.1990 Enclose
211.2010 End Sealing Compound Coat
211.2050 Ethanol Blend Gasoline
211.2070 Excess Air
211.2090 Excessive Release
211.2110 Existing Grain-Drying Operation
211.2130 Existing Grain-Handling Operation
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
211.2310 Final Repair Coat
211.2330 Firebox
211.2350 Fixed-Roof Tank
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
211.2650 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 (HVL) Spray
211.3010 Hood
211.3030 Hot Well
211.3050 Housekeeping Practices
211.3070 In-Process Tank
211.3090 In-Situ Sampling Systems
211.3110 Incinerator
211.3130 Indirect Heat Transfer
211.3150 Ink
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
211.3490 Low Solvent Coating
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)
211.3630 Manufacturing Process
211.3650 Marine Terminal
211.3670 Material Recovery Section
211.3690 Maximum Theoretical Emissions
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
211.3930 Monitor
211.3970 Multiple Package Coating
211.3990 New Grain-Drying Operation
211.4010 New Grain-Handling Operation

211.4030 No Detectable Volatile Organic Material Emissions
211.4050 Non-contact Process Water Cooling Tower
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
211.4270 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
211.4750 Plasticizers
211.4770 PM-10
211.4790 Pneumatic Rubber Tire Manufacture
211.4810 Polybasic Organic Acid Partial Oxidation Manufacturing
Process
211.4870 Polystyrene Plant
211.4890 Polystyrene Resin
211.4910 Portable Grain-Handling Equipment
211.4930 Portland Cement Manufacturing Process Emission Source
211.4950 Portland Cement Process or Portland Cement
Manufacturing Plant
211.4990 Power Driven Fastener Coating
211.5030 Pressure Release
211.5050 Pressure Tank
211.5070 Prime Coat
211.5090 Primer Surfacer Coat

211.5110 Primer Surfacer Operation
211.5130 Primers
211.5150 Printing
211.5170 Printing Line
211.5185 Process Emission Source
211.5190 Process Emission Unit
211.5210 Process Unit
211.5230 Process Unit Shutdown
211.5250 Process Weight Rate
211.5270 Production Equipment Exhaust System
211.5310 Publication Rotogravure Printing Line
211.5330 Purged Process Fluid
211.5350 Reactor
211.5370 Reasonably Available Control Technology (RACT)
211.5410 Refiner
211.5430 Refinery Fuel Gas
211.5450 Refinery Fuel Gas System
211.5470 Refinery Unit or Refinery Process Unit
211.5490 Refrigerated Condenser
211.5500 Regulated Air Pollutant
211.5510 Reid Vapor Pressure
211.5550 Repair Coat
211.5570 Repaired
211.5590 Residual Fuel Oil
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
211.5990 Shotblasting
211.6010 Side-Seam Spray Coat
211.6030 Smoke
211.6050 Smokeless Flare
211.6070 Solvent
211.6090 Solvent Cleaning
211.6130 Source
211.6150 Specialty High Gloss Catalyzed Coating
211.6190 Specialty Soybean Crushing Source
211.6210 Splash Loading

211.6230 Stack
211.6270 Standard Conditions
211.6290 Standard Cubic Foot (scf)
211.6310 Start-Up
211.6330 Stationary Emission Source
211.6350 Stationary Emission Unit
211.6370 Stationary Source
211.6390 Stationary Storage Tank
211.6410 Storage Tank or Storage Vessel
211.6430 Styrene Devolatilizer Unit
211.6450 Styrene Recovery Unit
211.6470 Submerged Loading Pipe
211.6490 Substrate
211.6510 Sulfuric Acid Mist
211.6530 Surface Condenser
211.6550 Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570 Tablet Coating Operation
211.6590 Thirty-Day Rolling Average
211.6610 Three-Piece Can
211.6670 Topcoat
211.6690 Topcoat Operation
211.6730 Transfer Efficiency
211.6750 Tread End Cementing
211.6770 True Vapor Pressure
211.6790 Turnaround
211.6810 Two-Piece Can
211.6850 Undertread Cementing
211.6870 Unregulated Safety Relief Valve
211.6890 Vacuum Producing System
211.6910 Vacuum Service
211.6930 Valves Not Externally Regulated
211.6950 Vapor Balance System
211.6970 Vapor Collection System
211.6990 Vapor Control System
211.7010 Vapor-Mounted Primary Seal
211.7030 Vapor Recovery System
211.7070 Vinyl Coating
211.7090 Vinyl Coating Line
211.7110 Volatile Organic Liquid (VOL)
211.7130 Volatile Organic Material Content (VOMC)
211.7150 Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170 Volatile Petroleum Liquid
211.7190 Wash Coat
211.7210 Wastewater (Oil/Water) Separator
211.7230 Weak Nitric Acid Manufacturing Process
211.7250 Web
211.7270 Wholesale Purchase - Consumer
211.7290 Wood Furniture
211.7310 Wood Furniture Coating
211.7330 Wood Furniture Coating Line
211.7350 Woodworking

Section 211.APPENDIX A Rule into Section Table

Section 211.APPENDIX B Section into Rule Table

AUTHORITY: Implementing Sections 9 and 10 and authorized by Section 27 and 28.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, pars. 1009, 1010 and 1027), (P.A. 87-1213, effective September 26, 1992) [415 ILCS 5/9, 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 , 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 R93-11 at 17 Ill. Reg. , effective .

SUBPART B: DEFINITIONS

Section 211.5500

Regulated Air Pollutant

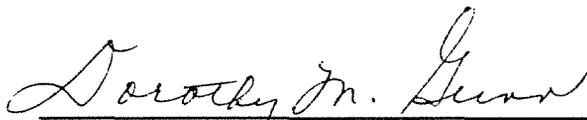
- a) "Regulated air pollutant" means the following:
- 1) Nitrogen oxides (NO_x) or any volatile organic compound.
 - 2) Any pollutant for which a national ambient air quality standard has been promulgated.
 - 3) Any pollutant that is subject to any standard promulgated under Section 111 of the Clean Air Act.

- 4) Any Class I or II substance subject to a standard promulgated under Section 112 of the Clean Air Act, including Sections 112(g), (j) and (r).
- A) Any pollutant subject to requirements under Section 112(j) of the Clean Air Act. Any pollutant listed under Section 112(b) shall be considered to be regulated 18 months after the date on which United States Environmental Protection Agency ("USEPA") was required to promulgate an applicable standard pursuant to Section 112(e) of the Clean Air Act, if USEPA fails to promulgate such standard.
- B) Any pollutant for which the requirements of Section 112(g)(2) of the Clean Air Act have been met, but only with respect to the individual source subject to Section 112(g)(2) requirement.
- b) "Regulated air pollutant" shall, for the purposes of 35 Ill. Adm. Code 201.180(a), mean any air contaminant as to which this Subtitle contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act.

(Source: Added at 17 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 7th day of October, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board