

ILLINOIS POLLUTION CONTROL BOARD
September 28, 1994

IN THE MATTER OF:)
)
15% ROP PLAN CONTROL MEASURES)
FOR VOM EMISSIONS-PART IV:)
TIGHTENING SURFACE COATING)
STANDARDS; SURFACE COATING OF)
AUTOMOTIVE\TRANSPORTATION AND)
BUSINESS MACHINE PLASTIC PARTS;) R94-21
WOOD FURNITURE COATING; REACTOR) (Rulemaking)
PROCESSES AND DISTILLATION)
OPERATION PROCESSES IN SOCM;)
AND BAKERY OVENS; AMENDMENTS TO)
35 ILL. ADM. CODE PARTS 211,)
218 AND 219)

ORDER OF THE BOARD (by G. T. Girard):

On September 20, 1994, the Illinois Environmental Protection Agency (Agency) filed a motion to amend the proposal originally filed on September 12, 1994. The Agency asks that the Board amend the proposal filed by the Agency on September 12, 1994 by renumbering a section in the proposal from Section 211.5060 to 211.5065. The Agency explained that the proposal needed to be amended as Section 211.5060 is already in use defining the term "Pressure/Vacuum Relief Valve". The proposal filed September 12 had included as Section 211.5060 a definition for "Primary Product". Thus, the proposed section needs to be renumbered.

The Board will grant the motion to amend the proposal and renumber the section proposed on September 12 as 211.5060 to 211.5065 in the first notice. The Board notes that this rulemaking was filed pursuant to Section 28.5 of the Act, which requires the Board to file the first notice with the Secretary of State within 14 days of receipt of the proposal. Therefore, the Board will calculate the time for filing from the receipt of the amended proposal.

On September 15, 1994, the Board adopted a first notice opinion and order in this proceeding which was over 150 pages long. The Board will not repeat that opinion and order in its entirety in this order. The amendment is reflected below and the first notice as filed with the Secretary of State will be correct.

Section 211.5060 Primary Product

"Primary Product" means a product of a chemical manufacturing process unit that shall be determined according to the procedures specified as follows:

- a) If a chemical manufacturing process unit produces more

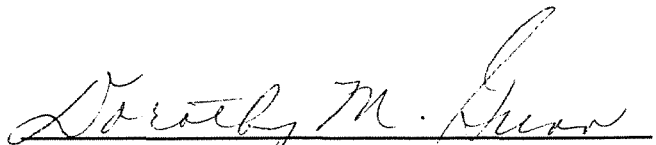
than one intended chemical product, the product with the greatest annual design capacity on a mass basis determines the primary product of the process.

- b) If a chemical manufacturing process unit has two more products that have the same maximum annual design capacity on a mass basis and if one of those chemicals is listed in Appendix A of 35 Ill. Adm. Code Part 218 or Part 219, then the listed chemical is considered the primary product. If more than one of the products is listed in Appendix A of 35 Ill. Adm. Code Part 218 or Part 219, then the owner or operator may designate as the primary product any of the listed chemicals.
- c) For a chemical manufacturing process unit that is designed and operated as flexible operation unit and is used predominantly to produce one or more of the listed chemicals in Appendix A of 35 Ill. Adm. Code Part 218 or Part 219, the primary product shall be determined based on the expected utilization for the five years following promulgation for existing sources and based on the expected utilization for the first five years after initial start-up for new sources.
- 1) If the flexible operation unit produces one product for the greatest annual operating time, then that product shall represent the primary product of the flexible operation unit.
 - 2) If the flexible operation unit produces multiple chemicals equally based on operating time, then the product with the greatest annual production on a mass basis shall represent the primary product of the flexible operation unit.

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

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 28th day of September, 1994, by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board