

ILLINOIS POLLUTION CONTROL BOARD  
August 11, 1994

IN THE MATTER OF: )  
 )  
CATEGORIES OF INSIGNIFICANT ) R94-14  
ACTIVITIES OR EMISSION LEVELS AT ) (Rule Making)  
A CAAPP SOURCE (AMENDMENTS TO )  
35 ILL. ADM. CODE 201 AND 211) )

PROPOSED RULE.            SECOND NOTICE.

OPINION AND ORDER OF THE BOARD (by E. Dunham):

Pursuant to Section 502(d) of the Clean Air Act (CAA) as amended in 1990 (42 U.S.C. §7661a(d)), Illinois is to submit to the United States Environmental Protection Agency (U.S. EPA), no later than November 15, 1993, a permit program that meets the requirements of Title V of CAA and the federal regulations promulgated thereunder (40 CFR 70). Illinois adopted Section 39.5 of the Environmental Protection Act (415 ILCS 5/39.5 (1992)) to implement the Clean Air Act Permit Program (CAAPP) which meets the federal requirements. Pursuant to Section 39.5(5)(w), the Illinois Environmental Protection Agency (Agency) is required to propose regulations to the Board defining insignificant activities or emission levels no later than March 16, 1994. These regulations must be consistent with the federal regulations, if any, and Section 112(n)(1) of the CAA. Because of ongoing negotiations, the Agency submitted this proposal after the deadline. The Board is required to adopt final regulations within nine months of the filing of the Agency's proposal. (415 ILCS 5/39.5(5)(w) (1992).)

On May 12, 1994, the Agency filed this proposal for rule making pursuant to Section 28.5 of the Environmental Protection Act (Act). (415 ILCS 5/28.5 (1992).) Pursuant to the provisions of that section the Board is required to proceed within the set timeframes toward the adoption of the regulation. The Board has no discretion to adjust these time frames under any circumstances. Today the Board acts to send this proposal to second notice under the Illinois Administrative Procedure Act (APA). (5 ILCS 100/1005-40 (1992).)

PROCEDURAL HISTORY

The Board sent this proposal to first notice under the APA on May 19, 1994, without commenting on the merits of the proposal. The proposed rule was published in the Illinois Register on June 3, 1994, at 18 Ill. Reg. 8331 (Part 211) and 18 Ill. Reg. 8347 (Part 201). A hearing was held on June 28, 1994, in Chicago, Illinois before hearing officer Diane O'Neill. Previously-scheduled second and third hearings were cancelled pursuant to Section 28.5(g) of the Act because a request for a second hearing was not received by the Board. (415 ILCS 5/28.5(g))

(1992).) Pursuant to Section 28.5(1), the comment period closed on July 21, 1994. (415 ILCS 5/28.5(1) (1992).)

### PROPOSAL

This proposal affects all sources subject to the CAAPP pursuant to Section 39.5 of the Act, which includes any "major source" as defined in Section 39.5(2)(c) or Section 112 of the CAA, excluding a source required to have a permit solely because it is subject to Section 112(r) of the CAA, and any affected source subject to Title IV of the CAA.

This rulemaking amends Parts 201 and 211 to define insignificant sources or emission levels. Emission information from insignificant activities or emissions may be submitted as a list within the CAAPP application. (415 ILCS 5/39.5(5)(2) (1992).)

Part 201 contains the general permitting regulations for sources of air pollution. The Agency proposes to amend Part 201 to establish a separate Subpart F to apply only to CAAPP sources.

Amendments to Part 211 are proposed to provide definitions for terms used in the accompanying proposed amendments in Part 201. Definitions for the following terms are proposed: "emergency or standby unit," "organic solvent," "rated heat capacity," "stationary gas turbine," and "stationary reciprocating internal combustion engine." Newly used abbreviations and conversion factors are also proposed to amend Section 211.102.

### PUBLIC COMMENTS

The Board received 8 public comments in this matter. Comments were received from the Department of Commerce and Community Affairs (DCCA) (PC# 1), the Administrative Code Division (Code Division) (PC# 2), Browning-Ferris Industries (BFI) (PC# 3), Society of Plastic Industries Inc.<sup>1</sup> (SPI) (PC #4) Illinois Environmental Regulatory Group (IERG) (PC# 5), American Automobile Manufacturers Association (AAMA) (PC# 6) and the Agency (PC# 7, 8 and 9).

The Board has considered all public comments, as well as all testimony and exhibits, in making its decisions in this matter.

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<sup>1</sup> The comment from SPI was received by the Board via telefax and copies of the comment were not served on the Agency or other parties on the service list. While the Board will consider the comment from SPI, the filing of this comment does not satisfy the Board's procedural rules. (See 35 Ill. Adm. Code 101.102 and 102.320.)

In general, there is no disagreement on the part of the participants and commenters on the substance of the proposal.

The comment from DCCA states that DCCA has reviewed the proposal for impact on small businesses. DCCA defers to the findings of the Board based on hearing and public comment. The Code Division suggest various form and typographical corrections which the Board accepts and incorporates into the proposed rules.

BFI suggests that "flares associated with energy recovery systems" be added to Section 201.210(a). BFI believes that this addition would clarify the regulatory status of flares and is consistent with the intent of the CAAPP permit program. The Agency does not agree with the exclusion for "flares associated with the energy recovery systems" as proposed by BFI. The Agency states that BFI has not provided any support for the exclusion or a definition for "flares associated with the energy recovery systems". The Agency contends that the types of flares that BFI seeks to exclude may be subject to new requirements under New Source Performance Standards which U.S. EPA intends to formulate. In addition, the Agency states that flares are air pollution control devices. Air pollution control devices have not been treated as insignificant sources by themselves but have only been treated as insignificant when associated with insignificant process equipment or fuel combustion. The Agency also states that the proper operation of flares associated with landfills could be a concern for permitting and therefore it would be inappropriate to treat any activity or emission point as insignificant. However, the Agency asserts that for direct safety flares on gas relief wells appropriate relief may be pursued under Section 201.211 or 201.210(b)(27) of the proposed rules.

The Board will not make the addition suggested by BFI. The Board finds no support in the record for the addition of "flares associated with energy recovery systems" to be added to the exclusions in Section 201.210(a).

In its comment, SPI suggest that following items be added to the list of insignificant activities in Section 201.210(b):

- an increase in the hours of operation or in the production rate, unless such a change would be prohibited under a permit condition.
- fabrication operations, including but not limited to equipment used to mill or grind coatings and molding compounds.
- finishing operations, including but not limited to, equipment operated for plastics.

In addition, SPI also states that the levels in the Agency's proposal are extremely low. SPI requests that the Agency reconsider its proposed level of 0.1 lbs/hr for hazardous air

pollutants. SPI references the U.S. EPA's proposed 112(g) rulemaking which sets de minimis emission levels for hazardous air pollutants at 1 to 5 tons per year depending on the pollutant. SPI suggests that the Agency adopt the de minimis levels set by the U.S. EPA in its rulemaking.

The Agency objects to the exemptions proposed by SPI. The Agency contends that the exemption relating to change in the hours or production rates is not relevant for insignificant activities in CAAPP permitting. The Agency contends that the exemptions for activities involving fabrication operations and finishing operations do not ensure that there will be insignificant emissions from these operations. The Agency maintains that the de minimis levels for HAP in the proposed federal rule are not applicable to permitting activities relating to insignificant sources. The Agency also contends that the proposed de minimis levels vary depending on the HAP emitted and will change from time to time with improvements in risk assessment methodology. In addition, the Agency states that Section 201.211 provides a procedure for an individual determination of insignificant emissions or activities.

The Board will not make any changes to the proposal based on SPI's comments. The Board finds no support in the record for the additions proposed by SPI.

IERG supports the adoption of this proposal. IERG further states that consistent with its question to the Agency at hearing and other sections of the proposal "glycerin" should be added to Section 201.210(a)(17). The Agency agrees that glycerin should be added to Section 201.210(a)(17). Therefore, the Board will add "glycerin" to Section 201.210(a)(17).

IERG also wishes to reiterate the Agency's affirmation that it is not the Agency's intent to require the reporting of emissions from insignificant activities on the Annual Emissions Inventory Report required by 35 Ill. Adm. Code Part 254.

AAMA takes the position that the threshold criteria for an insignificant activity determination based upon the content or composition of raw material established in Section 201.209 is inappropriate. AAMA recommends that such a determination should be based upon emission levels of the emission unit. AAMA requests that the exclusion for powder, architectural and industrial maintenance coatings in Section 201.210 be deleted. AAMA also contends that small uses of organic solvents should be listed as insignificant. AAMA also requests that the Agency review the definition of organic solvents in Section 211.4260. AAMA contends that the content criteria of 5% appears arbitrarily low and that some common household cleaning products would fall into this category. AAMA also argues that ethanol should be excluded from the definition of organic solvents.

In PC #8, the Agency states that it does not support the changes recommended by AAMA. The Agency believes that basing the threshold for insignificant activity on raw material composition is appropriate. The Agency contends that the proposed approach establishes a methodology that is consistent with Section 313 of the Superfund Amendments and Reauthorization Act. The Agency contends that powder, architectural and industrial maintenance coatings and small uses of organic solvent are addressed elsewhere in the proposal and therefore, are appropriately excluded from Section 201.210(a)(13). The Agency contends that powder coatings have insignificant emissions of volatile organic material but may have significant emissions of particulate matter and should be considered separately from 201.210(a)(13) coating operations. Powder coating operations may be addressed on a case by case basis as provided in Section 201.211 or under Sections 201.210(a)(2) and (3) based on the level of emissions. Similarly, the use of organic solvent may be addressed under these sections. The Agency believes that the definition of "organic solvent" is appropriate and that the 5 percent organic solvent content is a level at which the Agency is comfortable that emissions from such mixtures will be insignificant.

The Board will not make the changes proposed by AAMA in its comment. The Board finds that the record does not support the recommended changes and that the concerns raised by AAMA are better addressed by other sections of the proposal.

The Agency also notes the correction of a typographical error in Section 201.210(a)(10) discussed at the hearing. The phrase "any listed as hazardous" should be corrected to read "any material listed as a hazardous". The Board will correct this typographical error. The Board will also correct typographic and grammatical errors.

#### CONCLUSION

The Board finds that the proposed rules are technically feasible and economically reasonable, and that the rules are necessary to meet the requirements of the Clean Air Act. We find that the record supports proceeding with the proposed rules as amended to second notice.

To assist comparison to today's proposal with the proposal as adopted for first notice the Board indicates revisions by highlighting (redlining) in the order that follows. Appropriate underlining and strikeouts are included within the highlighted text.

#### ORDER

The Board hereby proposes the following amendments to 35 Ill. Adm. Code 201 and 211. The Board directs the Clerk to

submit the following amendments to the Joint Committee on Administrative Rules for second notice.<sup>2</sup>

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 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  |
| <del>201.207</del> 201.166 | Revocation                                      |
| <del>201.209</del> 201.167 | Revisions to Permits                            |
| <del>201.210</del> 201.168 | Appeals from Conditions                         |

SUBPART F: ~~RENEWAL, REVOCATION, REVISION AND APPEAL~~CAAPP  
PERMITS

|         |  |
|---------|--|
| Section |  |
| 201.207 | <u>Applicability</u>                         |
| 201.208 | <u>Supplemental Information</u>              |
| 201.209 | <u>Emissions of Hazardous Air Pollutants</u> |

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<sup>2</sup> For mailing purposes, the Board has omitted from the order those portions to the tables of contents, amounting to some 10 pages, that are not proposed to be changed in this rulemaking. Interested persons may view the tables of contents in its entirety in the copy of the proposal submitted by the Agency and retained in the Clerk's file. An entire version including the full tables of contents was published in the Illinois Register, and a copy of that submittal will be available in the Clerk's file.

- 201.210 Categories of Insignificant Activities or Emission Levels  
 201.211 Application for Classification as an Insignificant Activity  
 201.212 Revisions to Lists of Insignificant Activities or Emission Levels

AUTHORITY: Implementing Sections 10 and, 39, and 39.5 and authorized by Section 27 of the Environmental Protection Act (~~Ill. Rev. Stat. 1991, ch. 111 $\frac{1}{2}$ , pars. 1010, 1027, and 1039~~)[415 ILCS 5/10, 27, and 39, and 39.5].

SUBPART A: DEFINITIONS

Section 201.101 Other Definitions

- a) Except as ~~hereinafter~~ stated and unless a different meaning of a term is clear from its context, the definitions of terms used in ~~35 Ill. Adm. Code, Subtitle B, Chapter I (Chapter)~~, this Part shall be the same as those used in the Environmental Protection Act (~~Ill. Rev. Stat. 1981, ch. 111 $\frac{1}{2}$ , pars. 1001 et seq.~~)[415 ILCS 5/1](Act).
- b) All terms defined in 35 Ill. Adm. Code 211 which appear in this Part have the definitions specified by 35 Ill. Adm. Code 211.

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS

Section ~~201.207~~201.166 Revocation

Violation of any of the conditions of a permit, or the failure to comply with any rule or regulation of this Chapter, shall be grounds for revocation of the permit, as well as for other sanctions provided in the Act. Such sanctions shall be sought by filing a complaint with the Board.

(Source: Renumbered from Section 201.207 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section ~~201.209~~201.167 Revisions to Permits

The Agency may revise any permit issued pursuant to Subpart D or any condition contained in such permit, as follows:

- a) Upon reapplication by the permittee; or  
 b) Upon the revision of the Act or this Chapter.

(Source: Renumbered from Section 201.209 at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

~~Section 201.210~~201.168 Appeals from Conditions

An applicant may consider any condition imposed by the Agency in a permit as a refusal by the Agency to grant a permit, which shall entitle the applicant to appeal the Agency's decision to the Board pursuant to Section 40 of the Act ~~(Ill. Rev. Stat. 1981, ch. 111 1/2 par. 1040)~~ [415 ILCS 5/40].

(Source: Renumbered from Section 201.210 and amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART F: ~~RENEWAL, REVOCATION, REVISION AND APPEAL~~CAAPP PERMITS

Section 201.207 Applicability

This Subpart shall apply only to sources subject to Section 39.5 of the Act. The requirements of Sections 201.143 through 201.148 of Subpart C, Sections 201.157 through 201.165 of Subpart D, and Subparts E, G, and H of this Part shall not apply to a source subject to the requirements of Section 39.5 of the Act.

(Source: Former Section 201.207 renumbered to Section 201.166, new Section 201.207 added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 201.208 Supplemental Information

Notwithstanding Sections 201.210, 201.211, and 201.212, an applicant for a CAAPP permit shall supplement its application with any information for an emission unit of the source that is needed to determine the applicability of any applicable requirement or to set forth in a permit any applicable requirement, when such information is requested by the Agency, pursuant to Section 39.5(5)(g) of the Act, or when the applicant becomes aware that such information has not been submitted or that incorrect information has been submitted, pursuant to 39.5(5)(i) of the Act.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 201.209 Emissions of Hazardous Air Pollutants

- a) For the purposes of establishing whether an emission unit qualifies as an insignificant activity and providing emission data for an emission unit in a CAAPP application, an applicant may presume that an emission unit does not emit an air pollutant listed as hazardous pursuant to Section 112(b) of the Clean Air Act if:

- 1) Raw material, other than fuel, for the emission unit contains a concentration by weight of such pollutant that is equal to or less than the following:
- A) 0.01 percent by weight for the following pollutants if more than 1 ton of the raw material are is used annually: alkylated lead compounds, polycyclic organic matter, hexachloro benzene, mercury, polychlorinated biphenyls, 2,3,7,8-tetrachlorodibenzofurans, and 2,3,7,8-tetrachloridibenzo-p-dioxin; or
  - B) 0.01 percent by weight for pollutants other than those in subsection (a)(1)(A) above if more than 1,000 tons of the raw material are used annually; or
  - C) 0.1 percent by weight for pollutants other than those addressed in subsection (a)(1)(A) or (B) above.
- 2) The fuel used in the emission unit does not qualify as a hazardous waste and the emission unit is not subject to an applicable requirement for the pollutant.
- b) Notwithstanding the above, pursuant to Section 39.5(5)(g) of the Act, the Agency may require an applicant to submit specific information for an emission unit concerning emissions of an air pollutant listed as hazardous pursuant to Section 112(b) of the Clean Air Act.

(Source: Former Section 201.209 renumbered to Section 201.167, new Section 201.109 added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 201.210      Categories of Insignificant Activities or Emission Levels

- a) The owner or operator of a CAAPP source, pursuant to 35 Ill. Adm. Code 270, shall submit to the Agency within its CAAPP application a list of the following activities or emission levels:
- 1) Any emission unit determined to be an insignificant activity by the Agency pursuant to Section 201.211 of this Part;

- 2) Emission units with emissions that never exceed 0.1 lbs/hr of any regulated air pollutant in the absence of air pollution control equipment and that do not emit any air pollutant listed as hazardous pursuant to Section 112(b) of the Clean Air Act;
- 3) Emission units with emissions that never exceed 0.44 tons/year of any regulated air pollutant in the absence of air pollution control equipment and that do not emit any air pollutant listed as hazardous pursuant to Section 112(b) of the Clean Air Act;
- 4) Direct combustion units designed and used for comfort heating purposes and fuel combustion emission units as follows:
  - A) Units with a rated heat input capacity of less than 2.5 mmbtu/hr that fire only natural gas, propane or liquified petroleum gas;
  - B) Units with a rated heat input capacity of less than 1.0 mmbtu/hr that fire only oil or oil in combination with only natural gas, propane, or liquified petroleum gas;
  - C) Units with a rated capacity of less than 200,000 btu/hr which never burn refuse, or treated or chemically contaminated wood;
- 5) Extruders used for the extrusion of metals, minerals, plastics, rubber, or wood, excluding extruders used in the manufacture of polymers, provided that volatile organic materials or class I or II substances subject to the requirements of Title VI of the Clean Air Act are not used as foaming agents or release agents or were not used as foaming agents in the case of extruders processing scrap material;
- 6) Furnaces used for melting metals other than beryllium with a brim full capacity of less than 450 cubic inches by volume;
- 7) Equipment used for the melting or application of less than 50,000 lbs/yr of wax to which no organic solvent has been added;
- 8) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils,

waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions;

- 9) Equipment used for the mixing and blending of materials at ambient temperature to make water based adhesives provided each material contains less than 5% organic solvent by weight;
- 10) Storage tanks of organic liquids with a capacity of less than 10,000 gallons and an annual throughput of less than 100,000 gallons provided the tank is not used for the storage of gasoline or any material listed as a hazardous air pollutant pursuant to Section 112(b) of the Clean Air Act;
- 11) Storage tanks of virgin or rerefined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil, or residual fuel oils;
- 12) Die casting machines where a metal or plastic is formed under pressure in a die;
- 13) Coating operations (excluding powder, architectural and industrial maintenance coating) with aggregate VOM usage that never exceeds 15 lbs/day from all coating lines at the source, including VOM from coating, dilutents, and cleaning materials;
- 14) Printing operations with aggregate organic solvent usage that never exceeds 750 gallons per year from all printing lines at the source, including organic solvent from inks, dilutents, fountain solutions, and cleaning materials;
- 15) Gas turbines and stationary reciprocating internal combustion engines of less than 112 kW (150 horsepower) power output;
- 16) Gas turbines and stationary reciprocating internal combustion engines of between 1118 and 112 kW (1500 and 150 horsepower) power output that are emergency or standby units;
- 17) Storage tanks of any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous

caustic solutions provided an organic solvent has not been mixed with such materials; and

18) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials provided an organic solvent has not been mixed with such materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous caustic solutions.

b) The owner or operator of a CAAPP source is not required to individually list the following activities in a CAAPP application pursuant to 35 Ill. Adm. Code 270. The applicant shall denote whether any of the following activities are present at the source in its CAAPP application:

- 1) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;
- 2) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy;
- 3) Equipment used for hydraulic or hydrostatic testing;
- 4) General vehicle maintenance and servicing activities at the source, other than gasoline fuel handling;
- 5) Cafeterias, kitchens, and other facilities used for preparing food or beverages primarily for consumption at the source;
- 6) Equipment using water, water and soap or detergent, or a suspension of abrasives in water for purposes of cleaning or finishing provided no organic solvent has been added to the water;
- 7) Administrative activities including, but not limited to, paper shredding, copying, photographic activities, and blueprinting machines. This does not include incinerators;
- 8) Laundry dryers, extractors, and tumblers processing clothing, bedding, and other fabric items used at the source that have been cleaned with water solutions of bleach or detergents

provided that any organic solvent present in such items before processing that is retained from clean-up operations shall be addressed as part of the VOM emissions from use of cleaning materials;

- 9) Housekeeping activities for cleaning purposes, including collecting spilled and accumulated materials at the source, including operation of fixed vacuum cleaning systems specifically for such purposes, but not including use of cleaning materials that contain organic solvent;
- 10) Refrigeration systems, including storage tanks used in refrigeration systems, but excluding any combustion equipment associated with such systems;
- 11) Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated laboratory fume hoods, vacuum producing devices and control devices installed primarily to address potential accidental releases;
- 12) Restroom facilities and associated clean-up operations, and stacks or vents used to prevent the escape of sewer gases through plumbing traps;
- 13) Activities associated with the construction, on-site repair, maintenance or dismantlement of buildings, utility lines, pipelines, wells, excavations, earthworks and other structures that do not constitute emission units;
- 14) Storage tanks of organic liquids with a capacity of less than 500 gallons, provided the tank is not used for storage of any material listed as a hazardous air pollutant pursuant to Section 112(b) of the Clean Air Act;
- 15) Piping and storage systems for natural gas, propane, and liquefied petroleum gas;
- 16) Water treatment or storage systems, as follows:
  - A) Systems for potable water or boiler feedwater;
  - B) Systems, including cooling towers, for process water provided that such water has not been in direct or indirect contact with process streams that contain volatile organic material or materials listed as hazardous air

pollutants pursuant to Section 112(b) of the Clean Air Act;

- 17) Lawn care, landscape maintenance, and groundskeeping activities;
- 18) Containers, reservoirs, or tanks used exclusively in dipping operations to coat objects with oils, waxes, or greases, provided no organic solvent has been mixed with such materials;
- 19) Cold cleaning degreasers that are not in-line cleaning machines, where the vapor pressure of the solvents used never exceed 2kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F) or 0.7 kPa (5 mm Hg or 0.1 psi) at 20°C (68°F);
- 20) Manually operated equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, scarfing, surface grinding or turning;
- 21) Use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.), where the product is used at a source in the same manner as normal consumer use;
- 22) Activities directly used in the diagnosis and treatment of disease, injury or other medical condition;
- 23) Firefighting activities and training in preparation for fighting fires conducted at the source (Note: Open burning permits may be required for certain training activities);
- 24) Internal combustion engine or boiler (including the fuel system) of motor vehicles, locomotives, aircraft, watercraft, lifttrucks, and other vehicles powered by nonroad engines;
- 25) Activities associated with the construction, repair or maintenance of roads or other paved or open areas, including operation of street sweepers, vacuum trucks, spray trucks and other vehicles related to the control of fugitive emissions of such roads or other areas;
- 26) Storage and handling of drums or other transportable containers where the containers are sealed during storage and handling;

27) Individual points of emission or activities as follows:

- A) Individual flanges, valves, pump seals, pressure relief valves and other individual components that have the potential for leaks;
- B) Individual sampling points, analyzers, and process instrumentation, whose operation may result in emissions;
- C) Individual features of an emission unit such as each burner and sootblowers in a boiler or each use of cleaning materials on a coating or printing line;
- D) Individual equipment that is transportable or activities within a facility established for testing units prior to sale or distribution or for purposes of research; and
- E) Individual equipment or activities within a pilot plant facility that is used for research or training;

(Note: Notwithstanding the foregoing, such points of emissions or activities shall be addressed in a CAAPP application in sufficient detail to identify applicable requirements and demonstrate compliance with such requirements. Emission data for such activities shall be addressed in the aggregate for each emission unit or group of related emission units).

28) Activities at a source associated with the modification only or construction only of a facility, an emission unit or other equipment at the source; and

(Note: Notwithstanding the status of this activity as insignificant, a particular activity that entails modification or construction of an emission unit or construction of air pollution control equipment may require a construction permit pursuant to Section 201.142 of this Part and may subsequently require a revised CAAPP permit. A revised CAAPP permit may also be necessary for operation of an emission unit after completion of a particular activity if the existing CAAPP permit does not accommodate the new state of the emission unit.)

- 29) Activities at a source associated with the maintenance, repair, or dismantlement of an emission unit or other equipment installed at the source, not including the shutdown of the unit or equipment, including preparation for maintenance, repair or dismantlement, and preparation for subsequent startup, including preparation of a shutdown vessel for entry, replacement of insulation, welding and cutting, and steam purging of a vessel prior to startup.

(Source: Former Section 201.210 renumbered to Section 201.168, new Section 201.210 added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 201.211            Application for Classification as an Insignificant Activity

- a) An owner or operator of a CAAPP source may propose to the Agency in its CAAPP application that an emission unit at the source be treated as an insignificant activity consistent with Section 201.210 of this Part, provided the emission unit meets the following criteria and the owner or operator provides the information required in subsection (b) below regarding the emission unit:
- 1) The emission unit would not emit more than 1.0 lb/hr of any regulated air pollutant not listed as hazardous pursuant to Section 112(b) of the Clean Air Act in the absence of air pollution control equipment;
  - 2) The emission unit would not emit more than 0.1 lb/hr of any regulated air pollutant that is listed as hazardous pursuant to Section 112(b) of the Clean Air Act in the absence of air pollution control equipment; and
  - 3) The emission unit is not a process unit.
- b) The owner or operator of such emission unit shall include the following information in its CAAPP application:
- 1) A description of the emission unit including the function and expected operating schedule of the unit;
  - 2) A description of any air pollution control equipment or control measures associated with the emission unit;

- 3) The emissions of regulated air pollutants in lb/hr and ton/yr;
  - 4) The means by which emissions were determined or estimated;
  - 5) The estimated number of such emission units at the source; and
  - 6) Other information upon which the applicant relies to support treatment of such emission unit as an insignificant activity.
- c) The Agency shall determine whether such emission unit may be treated as an insignificant activity considering factors including, but not limited to, the following:
- 1) The amount and nature of emissions;
  - 2) The basis by which emissions were determined;
  - 3) The expected consistency and reliability of operation of the emission unit;
  - 4) The operating schedule or intended use of the emission unit;
  - 5) The air pollution control equipment or control measures applied to the emission unit;
  - 6) The nature of applicable requirements;
  - 7) The environmental impact of such emission unit; and
  - 8) The potential benefits to the environment if the emission unit were not treated as an insignificant activity.
- d) Unless the Agency notifies the applicant in writing that the emission unit cannot be treated as an insignificant activity following the Agency's determination in subsection (c) above, the emission unit shall be deemed an insignificant activity for purposes of Section 201.210(a) of this Part. If the Agency determines that an emission unit cannot be treated as an insignificant activity pursuant to this Section, the Agency shall notify the owner or operator in writing and request that such owner or operator submit the information required in a CAAPP application pursuant to Agency procedures regarding the emission unit within a reasonable time frame. The owner or

operator shall submit the requested information to the Agency within the time frame stated in the request.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 201.212            Revisions to Lists of Insignificant Activities or Emission Levels

- a) The owner or operator of a CAAPP source is not required to notify the Agency of additional insignificant activities present at the source of a type that were previously listed in its CAAPP application pursuant to Section 201.210(a) or 201.211 of this Part, until its renewal CAAPP application is submitted.
- b) The owner or operator of a CAAPP source seeking to add a new insignificant activity of a type provided under Section 201.210(a) or 201.211 of this Part that was not previously listed in its CAAPP application must notify the Agency pursuant to Section 39.5(12)(b) of the Act.
- c) The owner or operator of a CAAPP source is not required to notify the Agency of additional insignificant activities present at the source of a type that were previously listed in its CAAPP application pursuant to Section 201.210(b) of this Part or any new insignificant activities of a type provided under Section 201.210(b) of this Part that were not previously listed in its CAAPP application, until its renewal CAAPP application is submitted.

(Source: Added at 18 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 211  
 DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

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AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Section 27 and 28.5 of the Environmental Protection Act (~~Ill. Rev. Stat. 1991, ch. 111<sup>1/2</sup>, pars. 1009, 1010 and 1027~~), (~~P.A. 87-1213, effective September 26, 1992~~) [415 ILCS 5/9, 9.1, 10, 27 and 28.5].

#### SUBPART A: GENERAL PROVISIONS

##### Section 211.102      Abbreviations and Units Conversion Factors

a) Abbreviations used in this Part include the following:

|                       |  |
|-----------------------|--|
| ASTM                  | American Society for Testing and Materials         |
| bb1                   | barrels (42 gallons)                               |
| btu                   | British thermal units (60°F)                       |
| <u>btu/hr</u>         | <u>btu per hour</u>                                |
| °C                    | degrees Celsius or centigrade                      |
| <u>CAAPP</u>          | <u>Clean Air Act Permit Program</u>                |
| cm                    | centimeters  |
| cu in                 | cubic inches                                       |
| °F                    | degrees Fahrenheit                                 |
| FIP                   | Federal Implementation Plan                        |
| ft                    | feet   |
| ft <sup>2</sup>       | square feet  |
| <u>ft<sup>3</sup></u> | <u>cubic feet</u>                                  |
| g                     | grams  |
| gpm                   | gallons per minute                                 |
| g/mole                | grams per mole                                     |
| gal                   | gallons  |
| <u>hp</u>             | <u>horsepower</u>                                  |
| hr                    | hours  |
| in                    | inch   |
| °K                    | degrees Kelvin                                     |
| kcal                  | kilocalories                                       |
| kg                    | kilograms  |
| kg/hr                 | kilograms per hour                                 |
| kPa                   | kilopascals; one thousand newtons per square meter |
| <u>kW</u>             | <u>kilowatt</u>                                    |
| l                     | liters   |
| l/sec                 | liters per second                                  |
| lbs                   | pounds   |
| <u>lbs/day</u>        | <u>pounds per day</u>                              |
| lbs/hr                | pounds per hour                                    |
| lbs/gal               | pounds per gallon                                  |
| <u>lbs/yr</u>         | <u>pounds per year</u>                             |

|                 |   |
|-----------------|---|
| LEL             | lower explosive limit                         |
| m               | meters  |
| m <sup>2</sup>  | square meters                                 |
| m <sup>3</sup>  | cubic meters                                  |
| mg              | milligrams                                    |
| Mg              | Megagrams, metric tons or tonnes              |
| ml              | milliliters                                   |
| min             | minutes                                       |
| MJ              | megajoules                                    |
| <u>mmbtu</u>    | <u>million British thermal units</u>          |
| <u>mmbtu/hr</u> | <u>million British thermal units per hour</u> |
| mmHg            | millimeters of mercury                        |
| <u>MTE</u>      | <u>maximum theoretical emissions</u>          |
| <u>MW</u>       | <u>megawatt; one million watts</u>            |
| <u>MW-hr</u>    | <u>megawatt per hour</u>                      |
| NDO             | natural draft opening                         |
| <u>NOx</u>      | <u>nitrogen oxides</u>                        |
| ppm (vol)       | parts per million                             |
| ppmv            | parts per million by volume                   |
| ppmvd           | parts per million by volume dry               |
| psi             | pounds per square inch                        |
| psia            | pounds per square inch absolute               |
| psig            | pounds per square inch gauge                  |
| <u>PTE</u>      | <u>potential to emit</u>                      |
| RACT            | reasonably available control technology       |
| scf             | standard cubic feet                           |
| scm             | standard cubic meters                         |
| sec             | seconds                                       |
| SIP             | State Implementation Plan                     |
| TTE             | temporary total enclosure                     |
| sq cm           | square centimeters                            |
| sq in           | square inches                                 |
| T               | short ton (2,000 lbs)                         |
| ton             | short ton (2,000 lbs)                         |
| <u>TPY</u>      | <u>tons per year</u>                          |
| USEPA           | United States Environmental Protection Agency |
| VOC             | volatile organic compounds                    |
| VOL             | volatile organic liquids                      |
| VOM             | volatile organic materials                    |

b) The following conversion factors are used in this Part.

| English   | Metric                          |
|-----------|---------------------------------|
| 1 gal     | 3.785 l                         |
| 1,000 gal | 3,785 l or 3.785 m <sup>3</sup> |
| 1 psia    | 6.897 kPa (51.71 mmHg)          |
| 2.205 lbs | 1 kg                            |
| 32°       | 0°C (273.15° K)                 |
| 1 bbl     | 159.0 l                         |
| 1 cu in   | 16.39 ml                        |

|                   |                       |
|-------------------|-----------------------|
| 1 lb/gal          | 119,800 mg/l          |
| <u>1 lb/mmbtu</u> | <u>1.548 kg/MW-hr</u> |
| <u>1 lb/T</u>     | <u>0.500 kg/Mg</u>    |
| 1 ton             | 0.907 Mg              |
| 1 T               | 0.907 Mg              |
| <u>mmbtu/hr</u>   | <u>0.293 MW</u>       |

(Source: Amended at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### SUBPART B: DEFINITIONS

##### Section 211.1920      Emergency or Standby Unit

"Emergency or standby unit" means, for a stationary gas turbine or a stationary reciprocating internal combustion engine, a unit that:

- a) Supplies power for the source at which it is located but operates only when the normal supply of power has been rendered unavailable by circumstances beyond the control of the owner or operator of the source and only as necessary to assure the availability of the engine or turbine;
- b) Operates exclusively for firefighting or flood control or both; or
- c) Operates in response to and during the existence of any officially declared disaster or state of emergency.

The term does not include equipment used for purposes other than emergencies, as described above, such as to supply power during high electric demand days.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

##### Section 211.3500      Lubricating Oil

"Lubricating oil" means an oil manufactured from petroleum or used oil for a use other than fuel, including engine oil, gear oil, transmission oil, turbine oil, hydraulic oil, aviation oil, heat transfer oil, as well as synthetic oils manufactured to serve such functions, base stock, and additive packages and individual additives for such lubricating oil including viscosity index improvers, dispersants, corrosion inhibitors, antioxidants, detergents, wear inhibitors, friction modifiers, and pour point depressants, but not including used oil.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

##### Section 211.3620      Manually Operated Equipment

"Manually operated equipment" means a machine or tool that is handheld, such as a handheld circular saw or compressed air chisel; a machine or tool where the workpiece is held or manipulated by hand, such as a bench grinder; a machine or tool where the tool or bit is manipulated by hand, such as a lathe or drill press; and any dust collection system which is part of such machine or tool; but not including any machine or tool where the extent of manual operation is to control power to the machine or tool and not including any central dust collection system serving more than one machine or tool.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.4260      Organic Solvent

"Organic solvent" means a solvent that consists of organic mineral spirits, methyl ethyl ketone, acetone, ethanol, ether, toluene, or other organic materials other than soap, detergent, surfactants, lubricating oil, wax, vegetable oil, grease, glycerin, or animal fat. For purposes of 35 Ill. Adm. Code 201, Subpart F, a solvent which is a mixture shall be an organic solvent if it contains more than 5 percent by volume of such organic materials.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.5340      Rated Heat Input Capacity

"Rated heat input capacity" means the ability of an emission unit to combust a maximum amount of fuel on a steady state basis, as limited by a federally enforceable permit condition, or otherwise as stated by the manufacturer of the unit, based on the physical design and characteristics of the unit, or, if higher than the manufacturer's stated maximum amount, as demonstrated by the actual operation of the unit.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.6355      Stationary Gas Turbine

"Stationary gas turbine" means any simple cycle gas turbine, regenerative cycle gas turbine or any gas turbine portion of a combined cycle steam/electric generating system that is not self propelled. It may, however, be mounted on wheels for portability.

(Source: Added at 18 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 211.6360      Stationary Reciprocating Internal Combustion Engine

"Stationary reciprocating internal combustion engine" means any internal combustion engine, except a gas turbine, that is not self-propelled. It may, however, be mounted on wheels for portability.

(Source: Added at 18 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 17<sup>th</sup> day of August, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board