

**From:** [McGill, Richard](#)  
**To:** [Brown, Don](#)  
**Cc:** [Salk, Chloe](#); [Fox, Tim](#)  
**Subject:** FW: R23-18 (35 IAC 201/46 IR 20627, 35 IAC 202/46 IR 20638, 35 IAC 212/46 IR 20644)  
**Date:** Wednesday, March 29, 2023 1:19:54 PM  
**Attachments:** [image001.png](#)  
[R23-018 Responses to JCAR Questions.pdf](#)  
[35-201RG-P r01 \(46-53\).pdf](#)  
[35-202RG-P r01 \(46-53\).pdf](#)  
[35-212RG-P r01 \(46-53\).pdf](#)

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Good afternoon, Mr. Clerk:

Please docket this email exchange with JCAR, including the four attachments, as a public comment in R23-18.

Thank you.

Richard R. McGill, Jr.  
Senior Attorney for Research & Writing  
Illinois Pollution Control Board  
60 E. Van Buren St., Suite 630  
Chicago, Illinois 60605  
[richard.mcgill@illinois.gov](mailto:richard.mcgill@illinois.gov) (312) 814-6983



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**From:** McGill, Richard  
**Sent:** Wednesday, March 29, 2023 1:18 PM  
**To:** Eastvold, Jonathan C. <[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)>  
**Subject:** RE: R23-18 (35 IAC 201/46 IR 20627, 35 IAC 202/46 IR 20638, 35 IAC 212/46 IR 20644)

Good afternoon, Jonathan:

I've attached four documents. The first document contains Board staff responses to your question and proposed changes to Parts 201, 202, and 212, as emailed to me on January 17, 2023. The other three attachments are the JCAR line-numbered r01 documents referenced in your changes and our responses.

Thank you for your careful review. Please let me know if you have any questions.

Best regards,

Richard

Richard R. McGill, Jr.  
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Chicago, Illinois 60605  
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---

**From:** Eastvold, Jonathan C. <[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)>  
**Sent:** Tuesday, January 17, 2023 12:02 PM  
**To:** McGill, Richard <[Richard.McGill@illinois.gov](mailto:Richard.McGill@illinois.gov)>  
**Subject:** [External] R23-18 (35 IAC 201/46 IR 20627, 35 IAC 202/46 IR 20638, 35 IAC 212/46 IR 20644)

Greetings!

We had just a few suggested changes on the rulemakings in this docket (below), but also one question: why did the Agency and the Board fail to address this problem in 2015 when USEPA first required it?

201:

1. In line 193, strike "of this Chapter".
2. In lines 214-215, strike "; provided, however, that" and add ". but".
3. In line 334, strike "APA Act" and add "Illinois Administrative Procedure Act [5 ILCS 100]".

202:

1. In line 81, strike "which" and add "that".
2. In line 88, after "condition" add a comma.
3. In line 110, strike "which" and add "that".

212:

1. In line 206, strike "which" and add "that".
2. In line 208, strike "of this Subpart".
3. In line 232, strike "part".
4. In line 233, strike "of this Part".
5. In line 298, strike the comma.
6. In line 300, strike "one hour" and add "one-hour".

7. In line 303, strike "of this Section".
8. In lines 308-309 and 312, strike "of this Section".
9. In line 316, strike "lbs/ mmbtu" and add "lbs/MMbtu".
10. In lines 318-319 and 322, strike "of this Section".
11. In line 334, strike the period.
12. In line 338, strike "of this Section".
13. In line 352, strike "ten" and the parentheses.
14. In line 356, strike "three" and the parentheses.

Thanks for your consideration.

All the best,

Jonathan

Jonathan C. Eastvold, Ph.D.  
Rules Analyst III

Illinois General Assembly  
Joint Committee on Administrative Rules  
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217-524-9010

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**From:** Eastvold, Jonathan C. <JonathanE@ilga.gov>  
**Sent:** Tuesday, January 17, 2023 12:02 PM  
**To:** McGill, Richard <Richard.McGill@illinois.gov>  
**Subject:** [External] R23-18 (35 IAC 201/46 IR 20627, 35 IAC 202/46 IR 20638, 35 IAC 212/46 IR 20644)

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We had just a few suggested changes on the rulemakings in this docket (below), but also one question: why did the Agency and the Board fail to address this problem in 2015 when USEPA first required it?

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3. In line 232, strike "part".
4. In line 233, strike "of this Part".
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6. In line 300, strike "one hour" and add "one-hour".
7. In line 303, strike "of this Section".
8. In lines 308-309 and 312, strike "of this Section".
9. In line 316, strike "lbs/ mmbtu" and add "lbs/MMbtu".

10. In lines 318-319 and 322, strike "of this Section".
11. In line 334, strike the period.
12. In line 338, strike "of this Section".
13. In line 352, strike "ten" and the parentheses.
14. In line 356, strike "three" and the parentheses.

Thanks for your consideration.

All the best,

Jonathan

Jonathan C. Eastvold, Ph.D.  
Rules Analyst III

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**Board staff responses and related changes (3/29/23) appear in bold, red font below.**

We had just a few suggested changes on the rulemakings in this docket (below), but also one question: why did the Agency and the Board fail to address this problem in 2015 when USEPA first required it?

**As this question asks about both agencies, we initially point out the separate statutory roles of IEPA and the Board in proposing and adopting rules required by the federal Clean Air Act, as amended (CAA). Under the Environmental Protection Act (Act), IEPA is designated the “air pollution agency for the state for all purposes of the [CAA].” 415 ILCS 5/4(l). IEPA is authorized to “take all action necessary or appropriate to secure to the State the benefits of” the CAA. *Id.* This CAA rulemaking to amend 35 Ill. Adm. Code 202, 202, and 212 (Board docket R23-18) was proposed by IEPA under the “fast-track” provisions of Section 28.5 of the Act, under which only IEPA may file proposals with the Board. *See* 415 ILCS 5/28.5(a). While the Board is authorized to “act for the State in regard to the adoption of standards for submission to the United States under any federal law respecting environmental protection” (415 ILCS 5/5(c)), Section 28(b) of the Act prohibits the Board from “on its own motion, propos[ing] regulations . . . to implement the provisions required by or related to the Clean Air Act Amendments of 1990, as now or hereafter amended” (415 ILCS 5/28(b)).**

To understand why IEPA did not file its rulemaking proposal earlier requires a detailed explanation of what was happening and not happening at the executive and judicial levels of the federal government in the 2015-2022 timeframe. The following timeline of events is a matter of record in this proceeding (IEPA Proposal at 4-12 (Dec. 7, 2022); Jan. 19, 2023 Hrg. Tr. at 24-31) and the *Federal Register* (87 Fed. Reg. 1680-82 (Jan. 12, 2022)).

In June 2015, under the administration of President Obama, USEPA issued a State Implementation Plan (SIP) Call regarding the “startup, shutdown, and malfunction” (SSM) provisions of 36 states, including Illinois. USEPA found that Illinois’ SSM provisions could be interpreted as giving IEPA the discretion to provide exemptions from emission standards during SSM periods; therefore, the provisions were inconsistent with the CAA in USEPA’s view. The SSM SIP Call offered options to states for fixing their SSM provisions and required that these fixes be submitted to USEPA by November 22, 2016. However, in July 2015, several states appealed the SSM SIP Call to the D.C. Circuit Court.

While that case was pending, IEPA considered proceeding with a rulemaking to address the SSM SIP Call, but IEPA first required additional guidance from USEPA on implementing some of the available compliance options, including how to establish approvable alternative emission standards. IEPA asked USEPA for that guidance. However, the requested guidance was not provided before USEPA, under the administration of President Trump, indicated in 2017 that it was putting the SSM SIP Call on hold to reconsider it. IEPA therefore awaited the outcome of USEPA’s reconsideration. Meanwhile, also in 2017, the D.C. Circuit Court granted USEPA’s petition to hold the case in abeyance following the change in presidential administration. The litigation has remained in abeyance since 2017. During this abeyance, at monthly meetings, IEPA continued checking in with USEPA on the status of its reconsideration. But activity on SSM at the federal level remained on hold until 2020.

In 2020, USEPA withdrew the SSM SIP Call for some states and issued a memorandum that—as a new national policy—allowed exemptions and affirmative defenses for SSM periods. The memorandum, issued in October 2020, stated that it superseded the 2015 SSM SIP policy on exemption and affirmative defense provisions. The 2020 memorandum also stated that USEPA intended to review the SSM SIP Call for the remaining states to determine whether USEPA should maintain, modify, or withdraw it through future regulatory action. That review, however, never occurred due to the change in administrations from President Trump to President Biden.

On September 8, 2021, USEPA was sued by a group of non-governmental organizations in the Northern District of California for not issuing “findings of failure to submit” for those states that had not yet responded to the SSM SIP Call. On September 30, 2021, USEPA issued another memorandum; this one withdrew the 2020 memorandum and reinstated the SSM SIP Call. In this 2021 memorandum, USEPA stated that it no longer intended to review and potentially modify or withdraw the SIP Call. In keeping with its 2021 memorandum, USEPA published on January 12, 2022, a “Finding of Failure to Submit SIP

Revisions,” which became effective on February 11, 2022. USEPA’s Finding of Failure gave 12 states, including Illinois, 18 months to cure the finding of failure.

In response to the Finding of Failure, IEPA again sought guidance from USEPA. In mid-2022, USEPA advised IEPA that no formal guidance would be provided at that time concerning alternative emission standards and, further, the only compliance option clearly approvable to USEPA would be removing the offending SSM provisions. At that point, IEPA obtained management approval for and prepared a rulemaking proposal, for which IEPA conducted public outreach in November 2022. In turn, IEPA filed this rulemaking proposal with the Board on December 7, 2022. Under the CAA, USEPA must impose sanctions on states that fail to submit SSM SIP revisions by the 18-month deadline. Accordingly, to avoid sanctions for Illinois, IEPA must submit to USEPA the final rule amendments from this rulemaking by August 11, 2023.

**Part 201:**

4. In line 193, strike "of this Chapter".  
**Agree.**
5. In lines 214-215, strike "; provided, however, that" and add "but".  
**Agree.**
6. In line 334, strike "APA Act" and add "Illinois Administrative Procedure Act [5 ILCS 100]".  
**Agree.**

**Part 202:**

4. In line 81, strike "which" and add "that".  
**Agree.**
5. In line 88, after "condition" add a comma.  
**Agree.**
6. In line 110, strike "which" and add "that".  
**Agree.**

**Part 212:**

15. In line 206, strike "which" and add "that".  
**Agree.**
16. In line 208, strike "of this Subpart".  
**Agree.**
17. In line 232, strike "part".

**Agree.**

18. In line 233, strike "of this Part".  
**Agree.**
19. In line 298, strike the comma.  
**Agree.**
20. In line 300, strike "one hour" and add "one-hour".  
**Agree.**
21. In line 303, strike "of this Section".  
**Agree.**
22. In lines 308-309 and 312, strike "of this Section".  
**Agree.**
23. In line 316, strike "lbs/ mmbtu" and add "lbs/MMbtu".  
**Disagree. Strike "lbs/ mmbtu" and add "lbs/MMBtu".**
24. In lines 318-319 and 322, strike "of this Section".  
**Agree.**
25. In line 334, strike the period.  
**Agree.**
26. In line 338, strike "of this Section".  
**Agree.**
27. In line 352, strike "ten" and the parentheses.  
**Disagree. Strike "(10)".**
28. In line 356, strike "three" and the parentheses.  
**Disagree. Strike "(3)".**



1 TITLE 35: ENVIRONMENTAL PROTECTION  
2 SUBTITLE B: AIR POLLUTION  
3 CHAPTER I: POLLUTION CONTROL BOARD  
4 SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS  
5

6 PART 201  
7 PERMITS AND GENERAL PROVISIONS  
8

9 SUBPART A: DEFINITIONS  
10

11	Section	
12	201.101	Other Definitions
13	201.102	Definitions
14	201.103	Abbreviations and Units
15	201.104	Incorporations by Reference

16  
17 SUBPART B: GENERAL PROVISIONS  
18

19	Section	
20	201.121	Existence of Permit No Defense
21	201.122	Proof of Emissions
22	201.123	Burden of Persuasion Regarding Exceptions
23	201.124	Annual Report
24	201.125	Severability
25	201.126	Repealer

26  
27 SUBPART C: PROHIBITIONS  
28

29	Section	
30	201.141	Prohibition of Air Pollution
31	201.142	Construction Permit Required
32	201.143	Operating Permits for New Sources
33	201.144	Operating Permits for Existing Sources
34	201.146	Exemptions from State Permit Requirements
35	201.147	Former Permits
36	201.148	Operation Without Compliance Program and Project Completion Schedule
37	201.149	Operation During Malfunction, Breakdown or Startups
38	201.150	Circumvention
39	201.151	Design of Effluent Exhaust Systems

40  
41 SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS  
42

43	Section	
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44	201.152	Contents of Application for Construction Permit
45	201.153	Incomplete Applications (Repealed)
46	201.154	Signatures (Repealed)
47	201.155	Standards for Issuance (Repealed)
48	201.156	Conditions
49	201.157	Contents of Application for Operating Permit
50	201.158	Incomplete Applications
51	201.159	Signatures
52	201.160	Standards for Issuance
53	201.161	Conditions
54	201.162	Duration
55	201.163	Joint Construction and Operating Permits
56	201.164	Design Criteria
57	201.165	Hearings
58	201.166	Revocation
59	201.167	Revisions to Permits
60	201.168	Appeals from Conditions
61	201.169	Special Provisions for Certain Operating Permits
62	201.170	Portable Emission Units
63	201.175	Registration of Smaller Sources (ROSS)

64

SUBPART E: SPECIAL PROVISIONS FOR OPERATING  
PERMITS FOR CERTAIN SMALLER SOURCES

65

66 Section

68	201.180	Applicability (Repealed)
69	201.181	Expiration and Renewal (Repealed)
70	201.187	Requirement for a Revised Permit (Repealed)

71

SUBPART F: CAAPP PERMITS

72

73 Section

74	201.207	Applicability
75	201.208	Supplemental Information
76	201.209	Emissions of Hazardous Air Pollutants
77	201.210	Categories of Insignificant Activities or Emission Levels
78	201.211	Application for Classification as an Insignificant Activity
79	201.212	Revisions to Lists of Insignificant Activities or Emission Levels

80

SUBPART G: EXPERIMENTAL PERMITS (Reserved)

81

SUBPART H: COMPLIANCE PROGRAMS AND  
PROJECT COMPLETION SCHEDULES

82

87		
88	Section	
89	201.241	Contents of Compliance Program
90	201.242	Contents of Project Completion Schedule
91	201.243	Standards for Approval
92	201.244	Revisions
93	201.245	Effects of Approval
94	201.246	Records and Reports
95	201.247	Submission and Approval Dates
96		
97		SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS
98		
99	Section	
100	201.261	Contents of Request for Permission to Operate During a Malfunction, Breakdown or Startup <a href="#">(Repealed)</a>
101		
102	201.262	Standards for Granting Permission to Operate During a Malfunction, Breakdown or Startup <a href="#">(Repealed)</a>
103		
104	201.263	Records and Reports <a href="#">(Repealed)</a>
105	201.264	Continued Operation or Startup Prior to Granting of Operating Permit <a href="#">(Repealed)</a>
106	201.265	Effect of Granting of Permission to Operate During a Malfunction, Breakdown or Startup <a href="#">(Repealed)</a>
107		
108		
109		SUBPART J: MONITORING AND TESTING
110		
111	Section	
112	201.281	Permit Monitoring Equipment Requirements
113	201.282	Testing
114	201.283	Records and Reports
115		
116		SUBPART K: RECORDS AND REPORTS
117		
118	Section	
119	201.301	Records
120	201.302	Reports
121		
122		SUBPART L: CONTINUOUS MONITORING
123		
124	Section	
125	201.401	Continuous Monitoring Requirements
126	201.402	Alternative Monitoring
127	201.403	Exempt Sources
128	201.404	Monitoring System Malfunction
129	201.405	Excess Emission Reporting

130 201.406 Data Reduction  
131 201.407 Retention of Information  
132 201.408 Compliance Schedules

133

134 SUBPART M: PERMIT BY RULE (PBR) –  
135 GENERAL PROVISIONS

136

137 Section

138 201.500 Purpose  
139 201.505 Applicability  
140 201.510 Notice of Intent to Be Covered By a PBR (Notification)  
141 201.515 Commencing Construction or Modification  
142 201.520 Modification or Change in Status of an Emission Unit Covered by a PBR  
143 201.525 Standard Conditions for PBR  
144 201.530 Recordkeeping and Reporting  
145 201.535 Authority to Operate  
146 201.540 Enforcement Authority

147

148 SUBPART N: PERMIT BY RULE (PBR) –  
149 BOILERS LESS THAN OR EQUAL TO 100 MMBTU/HR

150

151 Section

152 201.600 Applicability  
153 201.605 Boiler Notice of Intent to Be Covered by a PBR (Notification)  
154 201.610 Federal NSPS and NESHAP Requirements  
155 201.615 Opacity Requirements  
156 201.620 Requirements for Use of Diesel Fuel and Refinery Fuel Gas  
157 201.625 Carbon Monoxide (CO) Requirements  
158 201.630 Nitrogen Oxide (NO<sub>x</sub>) Requirements  
159 201.635 PBR Boiler Reporting Requirements

160

161 201.APPENDIX A Rule into Section Table  
162 201.APPENDIX B Section into Rule Table  
163 201.APPENDIX C Past Compliance Dates

164

165 AUTHORITY: Implementing Sections 10, 39, 39.5, and 39.12 and authorized by Section 27 of  
166 the Environmental Protection Act [415 ILCS 5/10, 27, 39, 39.5, and 39.12].

167

168 SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB  
169 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill.  
170 Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January  
171 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628,  
172 effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989;

173 amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B)  
 174 at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. 21483,  
 175 effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21,  
 176 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17  
 177 at 21 Ill. Reg. 7878, effective June 17, 1997; amended in R98-13 at 22 Ill. Reg. 11451, effective  
 178 June 23, 1998; amended in R98-28 at 22 Ill. Reg. 11823, effective July 31, 1998; amended in  
 179 R02-10 at 27 Ill. Reg. 5820, effective March 21, 2003; amended in R05-19 and R05-20 at 30 Ill.  
 180 Reg. 4901, effective March 3, 2006; amended in R07-19 at 33 Ill. Reg. 11965, effective August  
 181 6, 2009; amended in R10-21 at 34 Ill. Reg. 19575, effective December 1, 2010; amended in R12-  
 182 10 at 35 Ill. Reg. 19790, effective December 5, 2011; amended in R13-18 at 38 Ill. Reg. 1005,  
 183 effective December 23, 2013; amended in R17-9 at 41 Ill. Reg. 4140, effective March 24, 2017;  
 184 amended in R23-18 at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

185  
 186 **SUBPART C: PROHIBITIONS**

187  
 188 **Section 201.149 Operation During Malfunction, Breakdown or Startups**

189  
 190 ~~A~~No person ~~must not~~shall cause or allow the continued operation of an emission source during  
 191 malfunction or breakdown of the emission source or related air pollution control equipment if  
 192 such operation would cause a violation of the applicable standards or limitations set forth in  
 193 Subchapter c of this Chapter except as specifically provided for by such standard or  
 194 limitation.~~unless the current operating permit granted by the Agency provides for operation~~  
 195 ~~during a malfunction or breakdown.~~ ~~A~~No person ~~must not~~shall cause or allow violation of the  
 196 applicable standards or limitations set forth in that Subchapter during startup except as  
 197 specifically provided for by such standard or limitation.~~unless the current operating permit~~  
 198 ~~granted by the Agency provides for violation of such standards or limitations during startup.~~

199  
 200 (Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

201  
 202 **SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS**

203  
 204 **Section 201.157 Contents of Application for Operating Permit**

205  
 206 An application for an operating permit ~~must~~shall contain, as a minimum, the data and  
 207 information specified in Section 201.152. Each application ~~must~~shall list all individual emission  
 208 units and air pollution equipment for which a permit is sought. Any applicant may seek to obtain  
 209 from the Agency a permit for each emission unit, or such emission units as are similar in design  
 210 or principle of operation or function, or for all emission units encompassed in an identifiable  
 211 operating unit, unless subject to the provisions of Section 201.169 of this Subpart or required to  
 212 obtain an operating permit with federal enforceable conditions pursuant to Section 39.5 of the  
 213 Act. To the extent that the above specified data and information has previously been submitted  
 214 to the Agency pursuant to this Subpart, the data and information need not be resubmitted;  
 215 provided, however, that the applicant must certify that the data and information previously

submitted remains true, correct and current. ~~If emissions of an emission unit during startup would be higher than during normal operation of the emission unit, an~~ application for an operating permit ~~must~~shall contain a description of the startup procedure for each emission unit, the duration and frequency of startups, the types and quantities of emissions during startup, and the applicant's efforts to minimize any such startup emissions, duration of individual startups, and frequency of startups. ~~If applicable, pursuant to the requirements of Subpart I of this Part, an application for a permit shall contain a description of the startup procedure for each emission unit, the duration and frequency of startups and quantities of emissions during startup in excess of emissions during operations, and the applicant's efforts to minimize any such startup emissions.~~ The Agency may adopt procedures that require data and information in addition to and in amplification of the matters specified in the first sentence of this Section, that are reasonably designed to determine compliance with this Chapter and ambient air quality standards, and that set forth the format by which all data and information ~~must~~shall be submitted.

(Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS

**Section 201.261 Contents of Request for Permission to Operate During a Malfunction, Breakdown or Startup (Repealed)**

- a) ~~A request for permission to continue to operate during a malfunction or breakdown, if desired, shall be included as an integral part of the application for an operating permit pursuant to Subpart D, and shall include as a minimum: a full and detailed explanation of why such continued operation is necessary; the anticipated nature, sources and quantities of emissions which will occur during such continued operation; the anticipated length of time during which such operation will continue; all measures, such as use of off-shift labor or equipment which will be taken to minimize the quantity of air contaminant emissions and length of time during which such operation will continue. When the standards or limitations of Subchapter c of this Chapter will be violated during startup, a request for permission to violate such standards or limitations shall be an integral part of the application for an operating permit pursuant to Subpart D, and shall include, as a minimum: a description of the startup procedure for each emission source, the duration and frequencies of such startups, the type and quantities of emissions during such startups and the applicant's efforts to minimize any such startup emissions, duration of individual startups and frequency of startups.~~
- b) ~~The Agency may adopt procedures which require data and information in addition to or in amplification of the matters set forth in subsection (a), and which set forth the format in which all data and information shall be submitted. Such procedures and formats, and revisions thereto, shall not become effective until filed with the Secretary of State as required by the Administrative Procedure Act (Ill. Rev. Stat.~~

~~1981, ch. 127, par. 1001 et seq.) (APA Act).~~

(Source: Repealed at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 201.262 Standards for Granting Permission to Operate During a Malfunction, Breakdown or Startup (Repealed)**

~~Permission shall not be granted to allow continued operation during a malfunction or breakdown unless the applicant submits proof to the Agency that: such continued operation is necessary to prevent injury to persons or severe damage to equipment; or that such continuation is required to provide essential services; provided, however, that continued operation solely for the economic benefit of the owner or operator shall not be a sufficient reason for granting of permission. Permission shall not be granted to allow violation of the standards or limitations of Subchapter c of this Chapter during startup unless the applicant has affirmatively demonstrated that all reasonable efforts have been made to minimize startup emissions, duration of individual startups and frequency of startups.~~

(Source: Repealed at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 201.263 Records and Reports (Repealed)**

~~Any person who causes or allows the continued operation of an emission source during a malfunction or breakdown of the emission source or related air pollution control equipment when such continued operation would cause a violation of the standards or limitations set forth in Subchapter c of this Chapter shall immediately report such incident to the Agency by telephone, telegraph or such other method as constitutes the fastest available alternative, except if otherwise provided in the operating permit. Thereafter, any such person shall comply with all reasonable directives of the Agency with respect to the incident. In addition, any person subject to this Subpart shall maintain such records and make such reports as may be required in procedures adopted by the Agency pursuant to Subpart K.~~

(Source: Repealed at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 201.264 Continued Operation or Startup Prior to Granting of Operating Permit (Repealed)**

~~Any person desiring to continue to operate, or to startup in accordance with Section 201.149 prior to the date when an operating permit is required pursuant to Section 201.143 or 201.144, shall make immediate application for permission to operate during a malfunction, breakdown or startup in accordance with Section 201.261.~~

(Source: Repealed at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

302 **Section 201.265 Effect of Granting of Permission to Operate During a Malfunction,**  
303 **Breakdown or Startup (Repealed)**

304  
305 ~~The granting of permission to operate during a malfunction or breakdown, or to violate the~~  
306 ~~standards or limitations of Subchapter c of this Chapter during startup, and full compliance with~~  
307 ~~any terms and conditions connected therewith, shall be a prima facie defense to an enforcement~~  
308 ~~action alleging a violation of Section 201.149, of the emission and air quality standards of this~~  
309 ~~Chapter, and of the prohibition of air pollution during the time of such malfunction, breakdown~~  
310 ~~or startup.~~

311  
312 (Source: Repealed at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

313  
314 **SUBPART K: RECORDS AND REPORTS**

315  
316 **Section 201.301 Records**

317  
318 The owner or operator of any emission source or air pollution control equipment mustshall  
319 maintain, ~~as a minimum~~: records detailing all activities pursuant to any compliance program and  
320 project completion schedule pursuant to Subpart H; ~~records detailing all malfunctions,~~  
321 ~~breakdowns or startups pursuant to Subpart I and~~ records of all monitoring and testing conducted  
322 pursuant to Subpart J, plus records of all monitoring and testing of any type whatsoever  
323 conducted with respect to specified air contaminants. All such records mustshall be made  
324 available to the Agency at any reasonable time.

- 325  
326 a) The Agency may adopt procedures which:
- 327  
328 1) Require additional records be maintained consistent with this Part~~these~~  
329 regulations; and
- 330  
331 2) Specify~~Set forth~~ the format in which all records mustshall be maintained.
- 332  
333 b) The~~Such~~ procedures and formats, and revisions ~~thereto~~, willshall not become  
334 effective until filed with the Secretary of State as required by the APA Act.

335  
336 (Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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

5  
6 PART 202  
7 ALTERNATIVE CONTROL STRATEGIES

8  
9 SUBPART A: GENERAL PROVISIONS

10  
11 Section  
12 202.101 Definitions  
13 202.104 Actual Emissions  
14 202.107 Allowable Emissions  
15 202.110 Alternative Control Strategy (ACS)  
16 202.113 Chapter  
17 202.116 Emission Baseline  
18 202.119 Multi-person ACS  
19 202.122 Potential to Emit  
20 202.125 Abbreviations  
21 202.140 Scope  
22 202.142 Severability

23  
24 SUBPART B: PERMIT APPLICATION

25  
26 Section  
27 202.201 Emission Baseline for Alternative Control Strategies  
28 202.210 Permit Application Information  
29 202.211 Analysis of Emissions  
30 202.212 Analysis of Environmental Quality  
31 202.213 Analysis of Methods of Assuring Compliance

32  
33 SUBPART C: PERMIT CONDITIONS AND ISSUANCE

34  
35 Section  
36 202.301 Permit Conditions  
37 202.302 Records and Reports  
38 202.303 Monitoring and Testing  
39 202.304 Compliance Dates  
40 202.305 Public Participation  
41 202.306 Standards for Issuance  
42 202.307 Notification to USEPA  
43

44 SUBPART D: PERMIT DURATION, REVISION AND RENEWAL

- 45  
46 Section  
47 202.401 Duration  
48 202.402 Revision  
49 202.403 Renewal

50  
51 SUBPART E: ALTERNATIVE CONTROL STRATEGIES  
52 INVOLVING MORE THAN ONE PERSON

- 53  
54 Section  
55 202.501 Applicability  
56 202.502 Permit Application  
57 202.503 Duration  
58 202.504 Permit Conditions  
59 202.505 Records and Reports  
60 202.506 Revocation  
61 202.507 Termination

62  
63 202.~~APPENDIX~~Appendix A Pre-Codification into Codified

64 202.~~APPENDIX~~Appendix B Codified into Pre-Codification

65  
66 AUTHORITY: Implementing Section 9.3 and authorized by Sections 5 and 27 of the  
67 Environmental Protection Act [415 ILCS 5/5, 9.3 and 27].

68  
69 SOURCE: 35 Ill. Adm. Code 212 adopted in R81-20 (Interim) at 6 Ill. Reg. 6703, effective May  
70 20, 1982; renumbered to 35 Ill. Adm. Code 202 and amended in R81-20(A) at 7 Ill. Reg. 8091,  
71 effective June 27, 1983; codified at 7 Ill. Reg. 13584; corrected at 7 Ill. Reg. 14561; amended in  
72 R81-20(B) at 8 Ill. Reg. 4171, effective March 16, 1984; amended in R23-18 at 47 Ill. Reg.  
73 \_\_\_\_\_, effective \_\_\_\_\_.

74  
75 SUBPART A: GENERAL PROVISIONS

76  
77 **Section 202.107 Allowable Emissions**

- 78  
79 a) "Allowable emissions" means the emission rate of an emission source calculated  
80 using the maximum rated capacity of the emission source (unless the emission  
81 source is subject to permit conditions or other enforceable limits which restrict the  
82 operating rate, or hours of operation, or both) and the more stringent of the  
83 following:  
84  
85 1) The applicable emission standard or limitation contained in this Chapter,  
86 including those with a future compliance date; or

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2) The emissions rate specified as a permit condition including those with a future compliance date.

b) The allowable emissions may be expressed as a permit condition limiting annual emissions or material or fuel throughput.

~~e) Allowable emissions shall include a reasonable estimate of emissions in excess of applicable standards during start-up, malfunction, or breakdown, as appropriate, only if the applicable provisions of 35 Ill. Adm. Code Part 201 have been complied with.~~

~~cd)~~ If an emission source is not subject to an emission standard under subsection (a) and is not conditioned pursuant to subsection (b), the allowable emissions ~~will~~ be the source's potential to emit.

(Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART B: PERMIT APPLICATION

**Section 202.211 Analysis of Emissions**

a) A permit application under this Subpart ~~must~~ provide a comparison of the baseline emissions and the emissions which would be permitted under the proposed ACS for each emission source involved in the ACS. Where appropriate, this analysis ~~must~~ address differences between the emission sources to be covered by the ACS ~~regarding~~ ~~with regard to~~:

- 1) Methods of determining emissions;
- 2) Consistency and reliability of the performance of the emission sources and any associated control devices;
- 3) Frequency and duration of operating during malfunction or breakdown ~~with excess emissions~~, or ~~excess emissions~~ during start-up ~~with excess emissions~~;
- 4) Methods of operation, including operating schedules, range of raw materials or products, ~~ete.~~; and
- 5) Other characteristics of the emission sources or their operation which may affect equivalence of emissions.

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- b) The analysis ~~must~~shall describe any increases in emissions from emission sources outside the ACS which may accompany the proposed ACS.

(Source: Amended at 47 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 212  
VISIBLE AND PARTICULATE MATTER EMISSIONS

SUBPART A: GENERAL

12	Section	
13	212.100	Scope and Organization
14	212.107	Measurement Method for Visible Emissions
15	212.108	Measurement Methods for PM-10 Emissions and Condensable PM-10 Emissions
16	212.109	Measurement Methods for Opacity
17	212.110	Measurement Methods For Particulate Matter
18	212.111	Abbreviations and Units
19	212.112	Definitions
20	212.113	Incorporations by Reference

SUBPART B: VISIBLE EMISSIONS

24	Section	
25	212.121	Opacity Standards (Repealed)
26	212.122	Visible Emissions Limitations for Certain Emission Units For Which Construction or Modification Commenced On or After April 14, 1972
28	212.123	Visible Emissions Limitations for All Other Emission Units
29	212.124	Exceptions
30	212.125	Determination of Violations
31	212.126	Adjusted Opacity Standards Procedures

SUBPART D: PARTICULATE MATTER EMISSIONS FROM INCINERATORS

35	Section	
36	212.181	Limitations for Incinerators
37	212.182	Aqueous Waste Incinerators
38	212.183	Certain Wood Waste Incinerators
39	212.184	Explosive Waste Incinerators
40	212.185	Continuous Automatic Stoking Animal Pathological Waste Incinerators

SUBPART E: PARTICULATE MATTER EMISSIONS FROM  
FUEL COMBUSTION EMISSION UNITS

44  
45 Section  
46 212.201 Emission Units For Which Construction or Modification Commenced Prior to  
47 April 14, 1972, Using Solid Fuel Exclusively Located in the Chicago Area  
48 212.202 Emission Units For Which Construction or Modification Commenced Prior to  
49 April 14, 1972, Using Solid Fuel Exclusively Located Outside the Chicago Area  
50 212.203 Controlled Emission Units For Which Construction or Modification Commenced  
51 Prior to April 14, 1972, Using Solid Fuel Exclusively  
52 212.204 Emission Units For Which Construction or Modification Commenced On or After  
53 April 14, 1972, Using Solid Fuel Exclusively  
54 212.205 Coal-fired Industrial Boilers For Which Construction or Modification  
55 Commenced Prior to April 14, 1972, Equipped with Flue Gas Desulfurization  
56 Systems  
57 212.206 Emission Units Using Liquid Fuel Exclusively  
58 212.207 Emission Units Using More Than One Type of Fuel  
59 212.208 Aggregation of Emission Units For Which Construction or Modification  
60 Commenced Prior to April 14, 1972  
61 212.209 Village of Winnetka Generating Station (Repealed)  
62 212.210 Emissions Limitations for Certain Fuel Combustion Emission Units Located in  
63 the Vicinity of Granite City  
64

65 SUBPART K: FUGITIVE PARTICULATE MATTER  
66

67 Section  
68 212.301 Fugitive Particulate Matter  
69 212.302 Geographical Areas of Application  
70 212.304 Storage Piles  
71 212.305 Conveyor Loading Operations  
72 212.306 Traffic Areas  
73 212.307 Materials Collected by Pollution Control Equipment  
74 212.308 Spraying or Choke-Feeding Required  
75 212.309 Operating Program  
76 212.310 Minimum Operating Program  
77 212.312 Amendment to Operating Program  
78 212.313 Emission Standard for Particulate Collection Equipment  
79 212.314 Exception for Excess Wind Speed  
80 212.315 Covering for Vehicles  
81 212.316 Emissions Limitations for Emission Units in Certain Areas  
82

83 SUBPART L: PARTICULATE MATTER EMISSIONS  
84 FROM PROCESS EMISSION UNITS  
85

86 Section

- 87 212.321 Process Emission Units For Which Construction or Modification Commenced On  
88 or After April 14, 1972  
89 212.322 Process Emission Units For Which Construction or Modification Commenced  
90 Prior to April 14, 1972  
91 212.323 Stock Piles  
92 212.324 Process Emission Units in Certain Areas  
93

94 SUBPART N: FOOD MANUFACTURING  
95

- 96 Section  
97 212.361 Corn Wet Milling Processes  
98 212.362 Emission Units in Certain Areas  
99

100 SUBPART O: PETROLEUM REFINING, PETROCHEMICAL  
101 AND CHEMICAL MANUFACTURING  
102

- 103 Section  
104 212.381 Catalyst Regenerators of Fluidized Catalytic Converters  
105

106 SUBPART Q: STONE, CLAY, GLASS  
107 AND CONCRETE MANUFACTURING  
108

- 109 Section  
110 212.421 Portland Cement Processes For Which Construction or Modification Commenced  
111 On or After April 14, 1972  
112 212.422 Portland Cement Manufacturing Processes  
113 212.423 Emission Limits for the Portland Cement Manufacturing Plant Located in LaSalle  
114 County, South of the Illinois River  
115 212.424 Fugitive Particulate Matter Control for the Portland Cement Manufacturing Plant  
116 and Associated Quarry Operations Located in LaSalle County, South of the  
117 Illinois River  
118 212.425 Emission Units in Certain Areas  
119

120 SUBPART R: PRIMARY AND FABRICATED METAL  
121 PRODUCTS AND MACHINERY MANUFACTURE  
122

- 123 Section  
124 212.441 Steel Manufacturing Processes  
125 212.442 Beehive Coke Ovens  
126 212.443 Coke Plants  
127 212.444 Sinter Processes  
128 212.445 Blast Furnace Cast Houses  
129 212.446 Basic Oxygen Furnaces

130	212.447	Hot Metal Desulfurization Not Located in the BOF
131	212.448	Electric Arc Furnaces
132	212.449	Argon-Oxygen Decarburization Vessels
133	212.450	Liquid Steel Charging
134	212.451	Hot Scarfing Machines
135	212.452	Measurement Methods
136	212.455	Highlines on Steel Mills
137	212.456	Certain Small Foundries
138	212.457	Certain Small Iron-Melting Air Furnaces
139	212.458	Emission Units in Certain Areas
140		
141		SUBPART S: AGRICULTURE
142		
143	Section	
144	212.461	Grain-Handling and Drying in General
145	212.462	Grain-Handling Operations
146	212.463	Grain Drying Operations
147	212.464	Sources in Certain Areas
148		
149		SUBPART T: CONSTRUCTION AND WOOD PRODUCTS
150		
151	Section	
152	212.681	Grinding, Woodworking, Sandblasting and Shotblasting
153		
154		SUBPART U: ADDITIONAL CONTROL MEASURES
155		
156	Section	
157	212.700	Applicability
158	212.701	Contingency Measure Plans, Submittal and Compliance Date
159	212.702	Determination of Contributing Sources
160	212.703	Contingency Measure Plan Elements
161	212.704	Implementation
162	212.705	Alternative Implementation
163		
164	212.Appendix A	Rule into Section Table
165	212.Appendix B	Section into Rule Table
166	212.Appendix C	Past Compliance Dates
167	212.Illustration A	Allowable Emissions from Solid Fuel Combustion Emission Sources
168		Outside Chicago (Repealed)
169	212.Illustration B	Limitations for all New Process Emission Sources (Repealed)
170	212.Illustration C	Limitations for all Existing Process Emission Sources (Repealed)
171	212.Illustration D	McCook Vicinity Map
172	212.Illustration E	Lake Calumet Vicinity Map



173 212.Illustration F Granite City Vicinity Map

174  
 175 AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28.5 of the  
 176 Environmental Protection Act [415 ILCS 5/10, 27 and 28.5].  
 177

178 SOURCE: Adopted as Chapter 2: Air Pollution, Rules 202 and 203: Visual and Particulate  
 179 Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972;  
 180 amended in R77-15, 32 PCB 403, at 3 Ill. Reg. 5, p. 798, effective February 3, 1979; amended in  
 181 R78-10, 35 PCB 347, at 3 Ill. Reg. 39, p. 184, effective September 28, 1979; amended in R78-  
 182 11, 35 PCB 505, at 3 Ill. Reg. 45, p. 100, effective October 26, 1979; amended in R78-9, 38 PCB  
 183 411, at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; amended in R79-11, 43 PCB 481, at 5 Ill.  
 184 Reg. 11590, effective October 19, 1981; codified at 7 Ill. Reg. 13591; amended in R82-1 (Docket  
 185 A) at 10 Ill. Reg. 12637, effective July 9, 1986; amended in R85-33 at 10 Ill. Reg. 18030,  
 186 effective October 7, 1986; amended in R84-48 at 11 Ill. Reg. 691, effective December 18, 1986;  
 187 amended in R84-42 at 11 Ill. Reg. 1410, effective December 30, 1986; amended in R82-1  
 188 (Docket B) at 12 Ill. Reg. 12492, effective July 13, 1988; amended in R91-6 at 15 Ill. Reg.  
 189 15708, effective October 4, 1991; amended in R89-7(B) at 15 Ill. Reg. 17710, effective  
 190 November 26, 1991; amended in R91-22 at 16 Ill. Reg. 7880, effective May 11, 1992; amended  
 191 in R91-35 at 16 Ill. Reg. 8204, effective May 15, 1992; amended in R93-30 at 18 Ill. Reg. 11587,  
 192 effective July 11, 1994; amended in R96-5 at 20 Ill. Reg. 7605, effective May 22, 1996;  
 193 amended in R23-18 at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.  
 194

195 SUBPART B: VISUAL EMISSIONS

196  
 197 **Section 212.124 Exceptions**

- 198  
 199 a) ~~Sections 212.122 and 212.123 of this Subpart shall apply during times of startup,~~  
 200 ~~malfunction and breakdown except as provided in the operating permit granted in~~  
 201 ~~accordance with 35 Ill. Adm. Code 201.~~  
 202  
 203 ab) Sections 212.122 and 212.123 ~~will of this Subpart shall~~ not apply to emissions of  
 204 water or water vapor from an emission unit.  
 205  
 206 be) An emission unit which has obtained an adjusted opacity standard pursuant to  
 207 Section 212.126 ~~will of this Subpart shall~~ be subject to that standard rather than  
 208 the limitations of Section 212.122 or 212.123 of this Subpart.  
 209  
 210 cd) Compliance with the particulate regulations of this Part ~~will shall~~ constitute a  
 211 defense.  
 212  
 213 1) For all emission units ~~that which~~ are not subject to Chapters 111 or 112 of  
 214 the CAA and Sections 212.201, 212.202, 212.203 or 212.204 ~~of this Part~~  
 215 but ~~which~~ are subject to Sections 212.122 or 212.123 ~~of this Subpart~~: the

opacity limitations of Sections 212.122 and 212.123 ~~will of this Subpart shall~~ not apply if it is shown that the emission unit was, at the time of such emission, in compliance with the applicable particulate emissions limitations of Subparts D through T ~~of this Part~~.

2) For all emission units ~~that which~~ are not subject to Chapters 111 or 112 of the CAA but ~~which~~ are subject to Sections 212.201, 212.202, 212.203 or 212.204 ~~of this Part~~:

A) An exceedance of the limitations of Section 212.122 or 212.123 ~~will of this Subpart shall~~ constitute a violation of the applicable particulate limitations of Subparts D through T ~~of this Part~~. It ~~will shall~~ be a defense to a violation of the applicable particulate limitations if, during a subsequent performance test conducted within a reasonable time not to exceed 60 days, under the same operating conditions for the unit and the control devices, and in accordance with Method 5, 40 CFR part 60, incorporated by reference in Section 212.113 of this Part, the owner or operator shows that the emission unit is in compliance with the particulate emission limitations.

B) It ~~will shall~~ be a defense to an exceedance of the opacity limit if, during a subsequent performance test conducted within a reasonable time not to exceed 60 days, under the same operating conditions of the emission unit and the control devices, and in accordance with Method 5, 40 CFR part 60, Appendix A, incorporated by reference in Section 212.113 of this Part, the owner or operator shows that the emission unit is in compliance with the allowable particulate emissions limitation while, simultaneously, having visible emissions equal to or greater than the opacity exceedance as originally observed.

(Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART L: PARTICULATE MATTER EMISSIONS  
FROM PROCESS EMISSION UNITS

**Section 212.324 Process Emission Units in Certain Areas**

a) Applicability-

1) This Section ~~applies shall apply~~ to any process emission unit located in any of the following areas:

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- A) That area bounded by lines from Universal Transmercator (UTM) coordinate 428000mE, 4631000mN, east to 435000mE, 4631000mN, south to 435000mE, 4623000mN, west to 428000mE, 4623000mN, north to 428000mE, 4631000mN, in the vicinity of McCook in Cook County, as shown in Illustration D of this Part;
  - B) That area bounded by lines from Universal Transmercator (UTM) coordinate 445000mE, 4622180mN, east to 456265mE, 4622180mN, south to 456265E, 4609020N, west to 445000mE, 4609020mN, north to 445000mE, 4622180mN, in the vicinity of Lake Calumet in Cook County, as shown in Illustration E of this Part; and
  - C) That area bounded by lines from Universal Transmercator (UTM) coordinate 744000mE, 4290000mN, east to 753000mE, 4290000mN, south to 753000mE, 4283000mN, west to 744000mE, 4283000mN, north to 744000mE, 4290000mN, in the vicinity of Granite City in Madison County, as shown in Illustration F of this Part.
- 2) This Section ~~does~~shall not alter the applicability of Sections 212.321 and 212.322 ~~of this Subpart.~~
- 3) The emission limitations of this Section are not applicable to any emission unit subject to a specific emissions standard or limitation contained in any of the following Subparts ~~of this Part~~:
- A) Subpart N, Food Manufacturing;
  - B) Subpart Q, Stone, Clay, Glass, and Concrete Manufacturing;
  - C) Subpart R, Primary and Fabricated Metal Products, and Machinery Manufacture; and
  - D) Subpart S, Agriculture.
- b) General Emission Limitation. Except as otherwise provided in this Section, ~~any~~ person ~~must not~~shall cause or allow the emission into the atmosphere, of PM-10 from any process emission unit to exceed 68.7 mg/scm (0.03 gr/scf) during any one hour period.

302 c) Alternative Emission Limitation. In lieu of the emission limit of 68.7 mg/scm  
 303 (0.03 gr/scf) contained in subsection (b) of this Section, ~~any~~ person must not shall  
 304 cause or allow the emissions from the following emission units to exceed the  
 305 corresponding limitations ~~in the following table~~:  
 306

	Emission Units	Emissions Limit	
		Metric	English
1)	Shotblasting emissions units in the Village of McCook equipped with fabric filters as of June 1, 1991	22.9 mg/scm	0.01 gr/scf
2)	All process emission units at manufacturers of steel wool with soap pads located in the Village of McCook	5% opacity	5% opacity

307  
 308 d) Exceptions. The mass emission limits contained in subsections (b) and (c) of this  
 309 Section will shall not apply to those emission units with no visible emissions other  
 310 than fugitive particulate matter; however, if a stack test is performed, this  
 311 subsection is not a defense to a finding of a violation of the mass emission limits  
 312 contained in subsections (b) and (c) of this Section.  
 313

314 e) Special Emissions Limitation for Fuel-Burning Process Emission Units in the  
 315 Vicinity of Granite City. ~~A~~ No person must not shall cause or allow emissions of  
 316 PM-10 into the atmosphere to exceed 12.9 ng/J (0.03 lbs/ mmbtu) of heat input  
 317 from the burning of fuel other than natural gas at any process emission unit  
 318 located in the vicinity of Granite City as defined in subsection (a)(1)(C) of this  
 319 Section.  
 320

321 f) Maintenance and Repair. For any process emission unit subject to subsection (a)  
 322 of this Section, the owner or operator must shall maintain and repair all air  
 323 pollution control equipment in a manner that assures that the emission limits and  
 324 standards in this Section must shall be met at all times. ~~This Section shall not~~  
 325 ~~affect the applicability of 35 Ill. Adm. Code 201.149.~~ Proper maintenance  
 326 must shall include the following ~~minimum~~ requirements:  
 327

- 328 1) Visual inspections of air pollution control equipment;
- 329
- 330 2) Maintenance of an adequate inventory of spare parts; and
- 331
- 332 3) Expeditious repairs, unless the emission unit is shutdown.
- 333

- 334 g) Recordkeeping of Maintenance and Repair.  
335  
336 1) Written records of inventory and documentation of inspections,  
337 maintenance, and repairs of all air pollution control equipment ~~must~~  
338 be kept in ~~compliance~~ ~~accordance~~ with subsection (f) of this Section.  
339  
340 2) The owner or operator ~~must~~ document any period during which any  
341 process emission unit was in operation when the air pollution control  
342 equipment was not in operation or was malfunctioning so as to cause an  
343 emissions level in excess of the emissions limitation. These records  
344 ~~must~~ include documentation of causes for pollution control equipment  
345 not operating or such malfunction and ~~shall~~ state what corrective actions  
346 were taken and what repairs were made.  
347  
348 3) A written record of the inventory of all spare parts not readily available  
349 from local suppliers ~~must~~ be kept and updated.  
350  
351 4) Copies of all records required by this Section ~~must~~ be submitted to  
352 the Agency within ten (10) working days after a written request by the  
353 Agency.  
354  
355 5) The records required under this Section ~~must~~ be kept and maintained  
356 for at least three (3) years and ~~must~~ be available for inspection and  
357 copying by Agency representatives during working hours.  
358  
359 6) Upon written request by the Agency, a report ~~must~~ be submitted to  
360 the Agency for any period specified in the request stating the following:  
361 the dates during which any process emission unit was in operation when  
362 the air pollution control equipment was not in operation or was not  
363 operating properly, documentation of causes for pollution control  
364 equipment not operating or not operating properly, and a statement of  
365 what corrective actions were taken and what repairs were made.  
366  
367 h) Compliance Date. Emission units ~~must~~ comply with the emissions  
368 limitations and recordkeeping and reporting requirements of this Section by May  
369 11, 1993, or upon initial start-up, whichever occurs later.  
370

371 (Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)