

ILLINOIS POLLUTION CONTROL BOARD

March 6, 1997

IN THE MATTER OF:)
) R97-17
EXEMPTIONS FROM THE DEFINITION) (Identical in Substance Rules-
OF VOM, USEPA AMENDMENTS) Air)
(July 1 through December 31, 1996;)
HFC 43-10mee and HCFC 225ca and cb))

Proposed Rule. Proposal For Public Comment.

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

This proceeding updates the definition of 35 Ill. Adm. Code 211.7150 to reflect the most recent United States Environmental Protection Agency (USEPA) exemption of compounds from regulation as tropospheric ozone precursors. This rulemaking is mandated by Section 9.1(e) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(e) (1994).) That provision requires the Board to exempt from the definition of Volatile Organic Material (VOM) those compounds that are determined by USEPA to be exempt from regulation under the State Implementation Plan (SIP) for ozone in the federal Recommended Policy. This action revises the definition of VOM for purposes of preparing SIPs to attain the national ambient air quality standards for ozone. Section 9.1(e) provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) (5 ILCS 100/5-35 & 5-40 (1992)) do not apply to this proceeding. Because it is not subject to Section 5 of the APA, this rulemaking is not subject to First Notice and Second Notice review by the Joint Committee on Administrative Rules.

DESCRIPTION OF PRESENT ACTION

The present amendments respond to USEPA amendments to the definition of VOM. On October 8, 1996, at 61 Fed. Reg. 52848, USEPA added three compounds to the list of chemical species that are exempted from the definition of VOM and, hence, are exempted from regulation for control of tropospheric ozone precursors. This action adds HFC 43-10mee and HCFC 225ca and cb to the list of compounds exempted from the definition of VOM on the basis that these compounds have negligible contribution to tropospheric ozone formation. These compounds are also known as 3,3-dichloro-1,1,1,2,2-pentafluoropropane, 1,2-dichloro-1,1,2,2,3-pentafluoropropane, and 1,1,1,2,3,4,4,5,5,5-decafluoropentane.

The primary Federal Register citation to the revision in the federal policy statement adding three compounds to the list of those exempted and used in this opinion and order is as follows:

61 Fed. Reg. 52848 (Oct. 8, 1996)

The Board has incorporated the federal amendment of October 8, 1996 with no

deviation from the added federal text.

PUBLIC COMMENTS

Pursuant to Section 9.1(e) of the Environmental Protection Act (415 ILCS 5/9.(3)), the Board will hold a public hearing at 1:30 p.m. on Wednesday, April 2, 1997, before Hearing Officer Amy Muran. The public hearing will be held in Room 11-500 of the James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois.

The Board invites public comments on the amendments as proposed. A Notice of Proposed Amendments will appear in the *Illinois Register* on this matter. The Board requests that those participants wishing to present testimony or ask questions at the hearing submit such testimony and questions to the Board prior to hearing. The original and four (4) copies of pre-submitted testimony or exhibits shall be filed with the Clerk of the Board by 4:30 p.m. on or before Tuesday March 25, 1997.

HISTORICAL SUMMARY EXEMPTIONS FROM THE DEFINITION OF VOM

The Board's opinion and order of July 7, 1995 in docket R95-2 includes a full discussion of the history of the exemptions from the definition of VOM. We do not wish to repeat that discussion here. However, we include a summary cumulative listing of Board actions relating to those exemptions for the convenience of the regulated community:

R78-3 & 4	Adopted August 23, 1979. (General rulemaking; RACT regulations)
R80-5	Adopted December 30, 1982. (General rulemaking; RACT II regulations)
R86-37	Adopted December 22, 1987. (General rulemaking; amendments to VOM regulations)
R89-8	Adopted October 18, 1989. (USEPA revisions of January 18, 1989)
R91-10	Adopted September 12, 1991. (USEPA revisions of March 18, 1991)
R91-24	Adopted July 30, 1992. (Extended exemptions to Chicago and Metro-East areas and responded to USEPA codification of February 3, 1992)
R92-6	Dismissed April 9, 1992. (No USEPA amendments during July 1

through December 31, 1991)

- R92-15 Dismissed August 13, 1992. (No USEPA amendments during January 1 through June 30, 1992)
- R93-3 Dismissed January 21, 1993. (No USEPA amendments during July 1 through December 31, 1992)
- R93-21 Dismissed September 23, 1993. (No USEPA amendments during January 1 through June 30, 1993)
- R94-3 Dismissed March 31, 1994. (No USEPA amendments during July 1 through December 31, 1993)
- R94-22 Dismissed October 6, 1994. (No USEPA amendments during January 1 through June 30, 1994)
- R95-2 Adopted July 7, 1995. (USEPA amendments during July 1 through December 31, 1994: those of October 5, 1994)
- R95-16 Adopted October 19, 1995. (USEPA amendments during January 1 through June 30, 1995: those of June 16, 1995)
- R96-6 Dismissed February 15, 1996. (No USEPA amendments during July 1 through December 31, 1995)
- R96-16 Adopted February 6, 1997. (USEPA amendments during January 1 through June 30, 1996: those of February 7, 1996)
- R97-1 Dismissed October 17, 1996. (USEPA amendments during January 1 through June 30, 1996: those of February 7, 1996 included in docket R96-16)
- R97-17 This docket. (USEPA amendments during July 1 through December 31, 1996: those of October 8, 1996)

ORDER

The Board hereby proposes the following amendments to its definition of "volatile organic compound" at 35 Ill. Adm. Code 211.7150:

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 211
DEFINITIONS AND GENERAL PROVISIONS

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211.570	Asphalt

211.590	Asphalt Prime Coat
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211.630	Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant
211.650	Automobile or Light-Duty Truck Refinishing
211.660	Automotive/Transportation Plastic Parts
211.670	Baked Coatings
211.680	Bakery Oven
211.685	Basecoat/Clearcoat System
211.690	Batch Loading
211.695	Batch Operation
211.696	Batch Process Train
211.710	Bead-Dipping
211.730	Binders
211.750	British Thermal Unit
211.770	Brush or Wipe Coating
211.790	Bulk Gasoline Plant
211.810	Bulk Gasoline Terminal
211.820	Business Machine Plastic Parts
211.830	Can
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211.910	Capture Device
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211.980	Chemical Manufacturing Process Unit
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211.1010	Clean Air Act
211.1050	Cleaning and Separating Operation
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211.1090	Clear Coating
211.1110	Clear Topcoat
211.1130	Closed Purge System
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211.1190	Coating
211.1210	Coating Applicator
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211.1250	Coating Plant
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211.1330	Complete Combustion
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211.1370	Concrete Curing Compounds
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211.1410	Condensate
211.1430	Condensible PM-10
211.1465	Continuous Automatic Stoking
211.1470	Continuous Process
211.1490	Control Device
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211.1630	Custody Transfer
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211.1670	Daily-Weighted Average VOM Content
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211.1780	Distillation Unit
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211.2010	End Sealing Compound Coat
211.2030	Enhanced Under-the-Cup Fill
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211.2110	Existing Grain-Drying Operation (Repealed)
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211.2270	Federally Enforceable Limitations and Conditions
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211.2360	Flexible Coating
211.2365	Flexible Operating Unit
211.2370	Flexographic Printing
211.2390	Flexographic Printing Line
211.2410	Floating Roof
211.2430	Fountain Solution
211.2450	Freeboard Height
211.2470	Fuel Combustion Emission Unit or Fuel Combustion Emission Source
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211.2710	Grain-Handling Operation
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211.2930	Heavy Off-Highway Vehicle Products Coating
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211.2990	High Volume Low Pressure (HVL) Spray
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211.3090	Indirect Heat Transfer
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211.3130	In-Process Tank
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211.3170	Interior Body Spray Coat
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211.3270	Large Appliance Coating
211.3290	Large Appliance Coating Line
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211.3330	Light-Duty Truck
211.3350	Light Oil
211.3370	Liquid/Gas Method
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211.3470	Load-Out Area
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211.3490	Low Solvent Coating
211.3500	Lubricating Oil
211.3510	Magnet Wire
211.3530	Magnet Wire Coating
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211.3570	Major Dump Pit
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211.3710	Metal Furniture
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211.3850	Miscellaneous Metal Parts and Products Coating
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211.4430	Pail
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211.4490	Paper Coating Line
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211.4530	Parts Per Million (Volume) or PPM (Vol)
211.4550	Person
211.4590	Petroleum
211.4610	Petroleum Liquid
211.4630	Petroleum Refinery
211.4650	Pharmaceutical
211.4670	Pharmaceutical Coating Operation
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211.4740	Plastic Part
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211.4810	Polybasic Organic Acid Partial Oxidation Manufacturing Process
211.4830	Polyester Resin Material(s)
211.4850	Polyester Resin Products Manufacturing Process
211.4870	Polystyrene Plant
211.4890	Polystyrene Resin
211.4910	Portable Grain-Handling Equipment
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211.4950	Portland Cement Process or Portland Cement Manufacturing Plant
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211.5090	Primer Surfacer Coat
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211.5185	Process Emission Source
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211.5210	Process Unit
211.5230	Process Unit Shutdown
211.5245	Process Vent
211.5250	Process Weight Rate
211.5270	Production Equipment Exhaust System
211.5310	Publication Rotogravure Printing Line
211.5330	Purged Process Fluid
211.5340	Rated Heat Input Capacity
211.5350	Reactor
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211.5390	Reclamation System
211.5410	Refiner
211.5430	Refinery Fuel Gas
211.5450	Refinery Fuel Gas System
211.5470	Refinery Unit or Refinery Process Unit
211.5480	Reflective Argent Coating
211.5490	Refrigerated Condenser
211.5500	Regulated Air Pollutant
211.5510	Reid Vapor Pressure
211.5530	Repair
211.5550	Repair Coat
211.5570	Repaired
211.5590	Residual Fuel Oil
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211.5650	Ringelmann Chart
211.5670	Roadway
211.5690	Roll Coater
211.5710	Roll Coating
211.5730	Roll Printer
211.5750	Roll Printing
211.5770	Rotogravure Printing
211.5790	Rotogravure Printing Line
211.5810	Safety Relief Valve
211.5830	Sandblasting
211.5850	Sanding Sealers
211.5870	Screening
211.5890	Sealer
211.5910	Semi-Transparent Stains
211.5930	Sensor
211.5950	Set of Safety Relief Valves
211.5970	Sheet Basecoat
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211.5990	Shotblasting
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211.6130	Source
211.6140	Specialty Coatings
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211.6190	Specialty Soybean Crushing Source
211.6210	Splash Loading
211.6230	Stack
211.6250	Stain Coating
211.6270	Standard Conditions
211.6290	Standard Cubic Foot (scf)
211.6310	Start-Up
211.6330	Stationary Emission Source
211.6350	Stationary Emission Unit
211.6355	Stationary Gas Turbine
211.6360	Stationary Reciprocating Internal Combustion Engine
211.6370	Stationary Source
211.6390	Stationary Storage Tank
211.6400	Stencil Coat
211.6410	Storage Tank or Storage Vessel
211.6430	Styrene Devolatilizer Unit
211.6450	Styrene Recovery Unit
211.6470	Submerged Loading Pipe
211.6490	Substrate
211.6510	Sulfuric Acid Mist
211.6530	Surface Condenser
211.6540	Surface Preparation Materials
211.6550	Synthetic Organic Chemical or Polymer Manufacturing Plant
211.6570	Tablet Coating Operation
211.6580	Texture Coat
211.6590	Thirty-Day Rolling Average
211.6610	Three-Piece Can
211.6620	Three or Four Stage Coating System
211.6630	Through-the-Valve Fill
211.6650	Tooling Resin

211.6670	Topcoat
211.6690	Topcoat Operation
211.6695	Topcoat System
211.6710	Touch-Up
211.6720	Touch-Up Coating
211.6730	Transfer Efficiency
211.6750	Tread End Cementing
211.6770	True Vapor Pressure
211.6790	Turnaround
211.6810	Two-Piece Can
211.6830	Under-the-Cup Fill
211.6850	Undertread Cementing
211.6860	Uniform Finish Blender
211.6870	Unregulated Safety Relief Valve
211.6880	Vacuum Metallizing
211.6890	Vacuum Producing System
211.6910	Vacuum Service
211.6930	Valves Not Externally Regulated
211.6950	Vapor Balance System
211.6970	Vapor Collection System
211.6990	Vapor Control System
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211.7150	Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)
211.7170	Volatile Petroleum Liquid
211.7190	Wash Coat
211.7210	Wastewater (Oil/Water) Separator
211.7230	Weak Nitric Acid Manufacturing Process
211.7250	Web
211.7270	Wholesale Purchase - Consumer
211.7290	Wood Furniture
211.7310	Wood Furniture Coating
211.7330	Wood Furniture Coating Line
211.7350	Woodworking
211.7400	Yeast Percentage
211.Appendix A	Rule into Section Table
211.Appendix B	Section into Rule Table

AUTHORITY: Implementing Sections 9, 9.1 and 10 and authorized by Section 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 10, 27 and 28.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13590; amended in R82-1 (Docket A) at 10 Ill. Reg. 12624, effective July 7, 1986; amended in R85-21(A) at 11 Ill. Reg. 11747, effective June 29, 1987; amended in R86-34 at 11 Ill. Reg. 12267, effective July 10, 1987; amended in R86-39 at 11 Ill. Reg. 20804, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 787, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7284, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7621, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10862, effective June 27, 1989; amended in R89-8 at 13 Ill. Reg. 17457, effective January 1, 1990; amended in R89-16(A) at 14 Ill. Reg. 9141, effective May 23, 1990; amended in R88-30(B) at 15 Ill. Reg. 5223, effective March 28, 1991; amended in R88-14 at 15 Ill. Reg. 7901, effective May 14, 1991; amended in R91-10 at 15 Ill. Reg. 15564, effective October 11, 1991; amended in R91-6 at 15 Ill. Reg. 15673, effective October 14, 1991; amended in R91-22 at 16 Ill. Reg. 7656, effective May 1, 1992; amended in R91-24 at 16 Ill. Reg. 13526, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16504, effective September 27, 1993; amended in R93-11 at 17 Ill. Reg. 21471, effective December 7, 1993; amended in R93-14 at 18 Ill. Reg. 1253, effective January 18, 1994; amended in R94-12 at 18 Ill. Reg. 14962, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15744, effective October 17, 1994; amended in R94-15 at 18 Ill. Reg. 16379, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16929, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6823, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7344, effective May 22, 1995; amended in R95-2 at 19 Ill. Reg. 11066, effective July 12, 1995; amended in R95-16 at 19 Ill. Reg. 15176, effective October 19, 1995; amended in R96-5 at 20 Ill. Reg. 7590, effective May 22, 1996; amended in R96-16 at 21 Ill. Reg. 2641, effective February 7, 1997; amended in R97-17 at 21 Ill. Reg. _____, effective _____.

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

SUBPART B: DEFINITIONS

Section 211.7150 Volatile Organic Material (VOM) or Volatile Organic Compound (VOC)

"Volatile organic material (VOM)" or "volatile organic compound (VOC)" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

- a) This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (HFC-23); 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro-1-fluoroethane (HCFC-141b); 1-chloro-1,1-difluoroethane (HCFC-142b); 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTf); perchloroethylene (tetrachloroethylene); cyclic, branched, or linear completely-methylated siloxanes; acetone (2-propanone or dimethylketone); and perfluorocarbon compounds which fall into these classes:
- 1) Cyclic, branched, or linear, completely fluorinated alkanes;
 - 2) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
 - 3) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
 - 4) Sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
- b) For purposes of determining VOM emissions and compliance with emissions limits, VOM will be measured by the test methods in the approved implementation plan or 40 CFR Part 60, Appendix A, incorporated by reference at 35 Ill. Adm. Code 215.105, 218.112, and 219.112, as applicable, or by source-specific test methods that have been established pursuant to a permit issued pursuant to a program approved or promulgated under Title V of the Clean Air Act; under 40 CFR Part 51, Subpart I or Appendix S, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112; or under 40 CFR Part 52.21, incorporated by reference at 35 Ill. Adm. Code 218.112 and 219.112, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOM if the amount of such compounds is accurately quantified and the exclusion is approved by the Agency.

- c) As a precondition to excluding these negligibly-reactive compounds as VOM, or at any time thereafter, the Agency may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Agency, the amount of negligibly-reactive compounds in the source's emissions.
- d) The USEPA shall not be bound by any State determination as to appropriate methods for testing or monitoring negligibly-reactive compounds if such determination is not reflected in any of the test methods in subsection (b) above.

(Source: Amended at 21 Ill. Reg. _____, effective _____)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above proposed opinion and order was adopted on the _____ day of _____, 1997 by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board