

ILLINOIS POLLUTION CONTROL BOARD  
December 2, 1993

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

Adopted Rule.                      Final Order.

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

By today's action the Board adopts regulations implementing the small-source permit provision of the State's air pollution permit program. The small-source permit provision is at Section 39(a) of the Illinois Environmental Protection Act [415 ILCS 5/1 et seq.] (Act) as added by P.A. 87-1213<sup>1</sup>, effective September 26, 1992, and amended by P.A. 88-464, effective August 20, 1993. The provision is as follows:

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

The Board's responsibility in this matter arises from the Act, wherein the Board is charged to "determine, define and implement the environmental control standards applicable in the State of Illinois"<sup>2</sup>. More generally, the Board's rulemaking charge is based on the system of checks and balances integral to Illinois environmental governance: the Board bears responsibility for the rulemaking and principal adjudicatory functions, whereas the Illinois Environmental Protection Agency (Agency) is

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

<sup>2</sup> Act at Section 5(b).

responsible for carrying out the principal administrative duties. The latter's duties include administering any regulation that may result from today's action.

#### PROCEDURAL HISTORY

This matter originated before the Board on April 2, 1993 upon filing by the Agency of a proposal for rulemaking.

Beginning in October 1992 and prior to filing its proposal with the Board, the Agency conducted outreach sessions with persons potentially affected by the proposed rules. Response from these sessions was used by the Agency to help frame the proposal before the proposal was submitted to the Board. (Statement of Reasons at p. 5-6).

Hearings were held May 25, 1993 in Chicago and May 26, 1993 in DeKalb before hearing officer Michelle Dresdow. Participants at the Chicago hearing in addition to the Agency included Maribeth Flowers of the City of Chicago, Raymond Bodnar of the Illinois State Chamber of Commerce, Victor A. Denslow of Chemical Regulations Services, and Mary Ross of the Sierra Club.

Post-hearing public comments were filed by the City of Chicago and the Agency. The City of Chicago expressed its support for the proposal. The Agency recommended minor amendments to its original proposal. There was also need in the post-hearing period to allow a companion Board rulemaking in which Part 211 was undergoing extensive modification to proceed to the point where today's Part 211 amendment could be framed in context.

By order of July 22, 1993 the Board adopted the Agency's amended proposal for first notice. Publication occurred at 17 Ill. Reg. 13358, August 13, 1993.

Three public comments were received during the post-first notice comment period. The Illinois Department of Commerce and Community Affairs (DCCA) noted that the amendments will impact small businesses and deferred to the findings from the record before the Board. (PC #3.) The Administrative Code Division of the Office of the Secretary of State identified certain changes needed to bring the form of the amendments into acceptable style. (PC #4.) The Pennzoil Company expressed support for the amendments. (PC #5.)

On October 7, 1993 the Board adopted and submitted to the Joint Committee on Administrative Rules (JCAR) a second notice proposal that was substantively unchanged from the first notice proposal. On November 16, 1993 JCAR issued a certificate of no objection to the proposed amendments.

OVERVIEW

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

The major portion of today's provisions implementing the small-source air permit program are located at Subpart E<sup>3</sup> of 35 Ill. Adm. Code 201. For purpose of discussion, these provisions are accordingly in short-form today identified as the "Subpart E provisions".

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

The economy generated by the Subpart E provisions will not be offset by a crucial loss of oversight. All other existing rules that pertain to operating permits other than the duration and renewal provisions will continue to apply to all small sources<sup>4</sup>; among such continuing provisions are annual reporting requirements. Additionally, all requirements for construction permits will remain in place<sup>5</sup>. Moreover, the statute and Subpart E provide that the Agency can require an affected source to seek renewal of its operating permit, and exercise oversight thereby.

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<sup>3</sup> Subpart E previously had been held in reserve for provisions dealing with conditions attached to permits. There is no longer any need seen for holding the subpart in reserve, and accordingly its use is proposed to be given over to today's new rules.

<sup>4</sup> See proposed Section 201.180(d).

<sup>5</sup> See proposed Section 201.180(c). Note also that a corollary to the obligation to obtain a construction permit is the obligation to obtain a revised operating permit that covers the new equipment (see proposed Section 201.187).

## DISCUSSION

### 25-ton Limit

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

Historically in the Illinois air permitting process the emissions that a source is "permitted to emit" is the amount of emissions that a source is authorized to emit as specified by a permit, including any allowance for excess emissions during startup, but not including excess emissions during malfunction or breakdown.

If the permit for the source does not contain an emission limit, then the source's permitted emissions are considered to be its potential to emit. The Board notes that a definition of "potential to emit" exists in federal air regulations, and that this same definition has been proposed for inclusion in Illinois' air regulations at 35 Ill. Adm. Code 211.4970. The Board sent this proposed definition to second notice on November 18, 1993<sup>6</sup>; adoption is anticipated in early 1994.

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

### Regulated Air Pollutant

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

[T]he current definition of regulated air pollutant under Section 39.5 of the Act was intended to apply to sources required to obtain permits under Title V of the Clean Air Act and includes air pollutants for which the Board has no emission standards. It would be inappropriate to include in a calculation of eligibility for a Smaller Source Permit emissions from air pollutants for which the State has no emission standards. Therefore, the definition of regulated air

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<sup>6</sup> In the Matter of: Reasonably Available Control Technology for Major Sources Emitting Volatile Organic Materials in the Chicago Ozone Nonattainment Area: 25 Tons (Amendments to 35 Ill. Adm. Code 211 and 218), Board Docket R93-14.

pollutant for purposes of the Smaller Source rules should include the same pollutants as are presently included under the State program. (PC #2 at ¶4.)

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

#### CAAPP Exception

Neither the Section 39 statutory small-source provision nor today's implementation of the Subpart E provisions apply to a source that is required to obtain a Clean Air Act Permit Program (CAAPP) permit under Section 39.5 of the Act<sup>7</sup>. An example would be a source that, although it emits less than 25 TPY total, emits more than 10 TPY of a hazardous air pollutant and is thereby a "major source" pursuant to Section 39.5.

#### Permit Termination

The statute and Subpart E provide that the Agency may cause a Subpart E permit to terminate by exercising its authority to have the permittee submit a renewal application. A permit for which renewal has been requested by the Agency expires 180 days after the Agency sends its renewal notice<sup>8</sup>. If the permittee in turn submits a renewal application at least 90 days prior to expiration, Section 9.1(f) of the Act provides that the terms and conditions of the old permit remain in effect until the final administrative action on the application has been taken, including any appeals to this Board.

A Subpart E permit also terminates if it is withdrawn upon written request by the permittee or is superseded by a revised permit issued for the source<sup>9</sup>.

#### Grounds for Agency Request of Renewal

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

At the Agency's request, the Board today maintains in the rules three examples of conditions under which a renewal request

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<sup>7</sup> See proposed Section 201.180(a)(2).

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

<sup>9</sup> Ibid.

explicitly may be made. These are a change in law applicable to the source, inaccuracy in the information upon which the permit was granted, and information that the source may not be in compliance with the Act, Board regulations, or an existing permit condition<sup>10</sup>.

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

### Appeal Rights

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

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

In general the Board will entertain review of an Agency action only when that action is a final action, complete as regards Agency decision in all respects except for consequences that flow from exercise of appeal rights. In the instant context, an appeal to the Board will not be ripe until the Agency has taken final action by (a) denying a permit outright, (b) denying a permit based on a determination of insufficiency of information in the application or failure of the applicant to supplement the application as requested by the Agency<sup>11</sup>, or (c) issuing a permit with conditions<sup>12</sup>.

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

### Permittee's Obligation to Obtain a Revised Permit

Today's rules impose an affirmative obligation upon a permittee to obtain a new or revised permit if operations change

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<sup>10</sup> See proposed Section 201.181(b).

<sup>11</sup> See proposed Section 201.181(c).

<sup>12</sup> See proposed Section 201.181(d).

at the source<sup>13</sup>. This obligation must be discharged prior to the occurrence of the changes. Events considered to be "changes" in this context are:

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

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

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

#### ORDER

The Board directs the Clerk of the Board to submit the text of the following amendments to the Secretary of State for final notice pursuant to Section 6 of the Illinois Administrative Procedure Act.

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

PART 201  
PERMITS AND GENERAL PROVISIONS

SUBPART A: DEFINITIONS

Section

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<sup>13</sup> See proposed Section 201.187.

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

SUBPART B: GENERAL PROVISIONS

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

SUBPART C: PROHIBITIONS

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

SUBPART D: PERMIT APPLICATIONS AND REVIEW  
PROCESS

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

SUBPART E:

SPECIAL PROVISIONS FOR OPERATING



PERMITS FOR CERTAIN SMALLER SOURCES

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

SUBPART F: RENEWAL, REVOCATION, REVISION  
AND APPEAL

Section	
201.207	Revocation
201.209	Revisions to Permits
201.210	Appeals from Conditions

SUBPART G: EXPERIMENTAL PERMITS  
(Reserved)

SUBPART H: COMPLIANCE PROGRAMS AND  
PROJECT COMPLETION SCHEDULES

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

SUBPART I: MALFUNCTIONS, BREAKDOWNS  
OR STARTUPS

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

SUBPART J: MONITORING AND TESTING

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

SUBPART K: RECORDS AND REPORTS

Section  
201.301 Records  
201.302 Reports

SUBPART L: CONTINUOUS MONITORING

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

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

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

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART D: PERMIT APPLICATIONS  
AND REVIEW PROCESS

Section 201.162 Duration

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

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

Section 201.163 Joint Construction and Operating Permits

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

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

SUBPART E:

SPECIAL PROVISIONS FOR OPERATING PERMITS FOR  
CERTAIN SMALLER SOURCES

Section 201.180 Applicability

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

- b) This Subpart only applies to sources which meet the requirements of subsection (a) above and whose permit has not expired pursuant to a renewal request under Section 201.181(a) of this Subpart. If this Subpart no longer applies to a source and its permit has not expired pursuant to a renewal request under Section 201.181(a) of this Subpart, the terms and conditions of the permit shall remain in effect until the permit is superseded by a new or revised permit or it is withdrawn.
- c) Nothing in this Subpart shall be construed as exempting persons with permits issued pursuant to this Subpart from the requirements of Section 201.142 of this Part requiring a construction permit or from review under Part 203 procedures for new and modified emission units.
- d) Unless specifically stated otherwise in this Subpart, all rules in this Part apply.

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

Section 201.181

Expiration and Renewal

- a) Notwithstanding Section 201.162 of this Part, an operating permit subject to this Subpart shall expire 180 days after the Agency sends a written request for renewal of the permit. A permit shall also terminate if it is withdrawn upon written request by the permittee or is superseded by a revised permit issued for the source.
- b) The Agency may request the renewal of an operating permit subject to this Subpart for reasons including, but not limited to, a change in the requirements applicable to the source; an indication that the information on the source's application is inaccurate; or information that the source may not be in compliance with the Act, a Board regulation or an existing permit condition.
- c) In its request for renewal pursuant to subsection (a) above, the Agency may include a request for any supplemental information that the Agency may need to determine the continued applicability of this Subpart or the ability of the source to comply with any applicable requirement.
- d) An owner or operator may appeal to the Board only a final determination by the Agency to deny a permit or to include conditions as provided by Section 40 of the

Act and Section 201.210 of this Part, or a determination that a permit application is incomplete based upon, but not limited to, a failure to submit information requested under subsection (c) above or Section 201.158 of this Part.

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

Section 201.187                      Requirement for a Revised Permit

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

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

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

PART 211  
DEFINITIONS AND GENERAL PROVISIONS

SUBPART A: GENERAL PROVISIONS

Section  
211.101      Incorporations by Reference  
211.102      Abbreviations and Units

SUBPART B: DEFINITIONS

Section	
211.121	Other Definitions
211.122	Definitions (Repealed)
211.130	Accelacota
211.150	Accumulator
211.170	Acid Gases
211.210	Actual Heat Input
211.230	Adhesive
211.250	Aeration
211.290	Afterburner
211.310	Air Contaminant
211.330	Air Dried Coatings
211.350	Air Oxidation Process
211.370	Air Pollutant
211.390	Air Pollution
211.410	Air Pollution Control Equipment
211.430	Air Suspension Coater/Dryer
211.450	Airless Spray
211.470	Air Assisted Airless Spray
211.490	Annual Grain Through-Put
211.510	Application Area
211.530	Architectural Coating
211.550	As Applied
211.570	Asphalt
211.590	Asphalt Prime Coat
211.610	Automobile
211.630	Automobile or Light-Duty Truck Assembly Source or Automobile or Light-Duty Truck Manufacturing Plant
211.650	Automobile or Light-Duty Truck Refinishing
211.670	Baked Coatings
211.690	Batch Loading
211.710	Bead-Dipping
211.730	Binders
211.750	British Thermal Unit
211.770	Brush or Wipe Coating
211.790	Bulk Gasoline Plant
211.810	Bulk Gasoline Terminal
211.830	Can
211.850	Can Coating
211.870	Can Coating Line
211.890	Capture
211.910	Capture Device
211.930	Capture Efficiency
211.950	Capture System
211.970	Certified Investigation
211.990	Choke Loading
211.1010	Clean Air Act
211.1050	Cleaning and Separating Operation
211.1090	Clear Coating
211.1110	Clear Topcoat
211.1130	Closed Purge System

211.1150 Closed Vent System  
211.1170 Coal Refuse  
211.1190 Coating  
211.1210 Coating Applicator  
211.1230 Coating Line  
211.1250 Coating Plant  
211.1270 Coil Coating  
211.1290 Coil Coating Line  
211.1310 Cold Cleaning  
211.1330 Complete Combustion  
211.1350 Component  
211.1370 Concrete Curing Compounds  
211.1390 Concentrated Nitric Acid Manufacturing Process  
211.1410 Condensate  
211.1430 Condensible PM-10  
211.1470 Continuous Process  
211.1490 Control Device  
211.1510 Control Device Efficiency  
211.1530 Conventional Soybean Crushing Source  
211.1550 ConveyORIZED Degreasing  
211.1570 Crude Oil  
211.1590 Crude Oil Gathering  
211.1610 Crushing  
211.1630 Custody Transfer  
211.1650 Cutback Asphalt  
211.1670 Daily-Weighted Average VOM Content  
211.1690 Day  
211.1710 Degreaser  
211.1730 Delivery Vessel  
211.1750 Dip Coating  
211.1770 Distillate Fuel Oil  
211.1790 Drum  
211.1810 Dry Cleaning Operation or Dry Cleaning Facility  
211.1830 Dump-Pit Area  
211.1850 Effective Grate Area  
211.1870 Effluent Water Separator  
211.1890 Electrostatic Bell or Disc Spray  
211.1910 Electrostatic Spray  
211.1930 Emission Rate  
211.1950 Emission Unit  
211.1970 Enamel  
211.1990 Enclose  
211.2010 End Sealing Compound Coat  
211.2050 Ethanol Blend Gasoline  
211.2070 Excess Air  
211.2090 Excessive Release  
211.2110 Existing Grain-Drying Operation  
211.2130 Existing Grain-Handling Operation  
211.2150 Exterior Base Coat  
211.2170 Exterior End Coat  
211.2190 External Floating Roof  
211.2210 Extreme Performance Coating  
211.2230 Fabric Coating

211.2250 Fabric Coating Line  
211.2270 Federally Enforceable Limitations and Conditions  
211.2310 Final Repair Coat  
211.2330 Firebox  
211.2350 Fixed-Roof Tank  
211.2370 Flexographic Printing  
211.2390 Flexographic Printing Line  
211.2410 Floating Roof  
211.2430 Fountain Solution  
211.2450 Freeboard Height  
211.2470 Fuel Combustion Emission Unit or Fuel Combustion  
Emission Source  
211.2490 Fugitive Particulate Matter  
211.2510 Full Operating Flowrate  
211.2530 Gas Service  
211.2550 Gas/Gas Method  
211.2570 Gasoline  
211.2590 Gasoline Dispensing Operation or Gasoline Dispensing  
Facility  
211.2650 Grain  
211.2670 Grain-Drying Operation  
211.2690 Grain-Handling and Conditioning Operation  
211.2710 Grain-Handling Operation  
211.2730 Green-Tire Spraying  
211.2750 Green Tires  
211.2770 Gross Heating Value  
211.2790 Gross Vehicle Weight Rating  
211.2810 Heated Airless Spray  
211.2830 Heatset  
211.2850 Heatset-Web-Offset Lithographic Printing Line  
211.2870 Heavy Liquid  
211.2890 Heavy Metals  
211.2910 Heavy Off-Highway Vehicle Products  
211.2930 Heavy Off-Highway Vehicle Products Coating  
211.2950 Heavy Off-Highway Vehicle Products Coating Line  
211.2970 High Temperature Aluminum Coating  
211.2990 High Volume Low Pressure (HVLP) Spray  
211.3010 Hood  
211.3030 Hot Well  
211.3050 Housekeeping Practices  
211.3070 In-Process Tank  
211.3090 In-Situ Sampling Systems  
211.3110 Incinerator  
211.3130 Indirect Heat Transfer  
211.3150 Ink  
211.3170 Interior Body Spray Coat  
211.3190 Internal-Floating Roof  
211.3210 Internal Transferring Area  
211.3230 Lacquers  
211.3250 Large Appliance  
211.3270 Large Appliance Coating  
211.3290 Large Appliance Coating Line  
211.3310 Light Liquid



211.3330 Light-Duty Truck  
211.3350 Light Oil  
211.3370 Liquid/Gas Method  
211.3390 Liquid-Mounted Seal  
211.3410 Liquid Service  
211.3430 Liquids Dripping  
211.3450 Lithographic Printing Line  
211.3470 Load-Out Area  
211.3490 Low Solvent Coating  
211.3510 Magnet Wire  
211.3530 Magnet Wire Coating  
211.3550 Magnet Wire Coating Line  
211.3570 Major Dump Pit  
211.3590 Major Metropolitan Area (MMA)  
211.3610 Major Population Area (MPA)  
211.3630 Manufacturing Process  
211.3650 Marine Terminal  
211.3670 Material Recovery Section  
211.3690 Maximum Theoretical Emissions  
211.3710 Metal Furniture  
211.3730 Metal Furniture Coating  
211.3750 Metal Furniture Coating Line  
211.3770 Metallic Shoe-Type Seal  
211.3790 Miscellaneous Fabricated Product Manufacturing Process  
211.3810 Miscellaneous Formulation Manufacturing Process  
211.3830 Miscellaneous Metal Parts and Products  
211.3850 Miscellaneous Metal Parts and Products Coating  
211.3870 Miscellaneous Metal Parts or Products Coating Line  
211.3890 Miscellaneous Organic Chemical Manufacturing Process  
211.3910 Mixing Operation  
211.3930 Monitor  
211.3970 Multiple Package Coating  
211.3990 New Grain-Drying Operation  
211.4010 New Grain-Handling Operation  
211.4030 No Detectable Volatile Organic Material Emissions  
211.4050 Non-contact Process Water Cooling Tower  
211.4070 Offset  
211.4090 One Hundred Percent Acid  
211.4110 One-Turn Storage Space  
211.4130 Opacity  
211.4150 Opaque Stains  
211.4170 Open Top Vapor Degreasing  
211.4190 Open-Ended Valve  
211.4210 Operator of a Gasoline Dispensing Operation or Operator  
of a Gasoline Dispensing Facility  
211.4230 Organic Compound  
211.4250 Organic Material and Organic Materials  
211.4270 Organic Vapor  
211.4290 Oven  
211.4310 Overall Control  
211.4330 Overvarnish  
211.4350 Owner of a Gasoline Dispensing Operation or Owner of a  
Gasoline Dispensing Facility

211.4370 Owner or Operator  
211.4390 Packaging Rotogravure Printing  
211.4410 Packaging Rotogravure Printing Line  
211.4430 Pail  
211.4450 Paint Manufacturing Source or Paint Manufacturing Plant  
211.4470 Paper Coating  
211.4490 Paper Coating Line  
211.4510 Particulate Matter  
211.4530 Parts Per Million (Volume) or PPM (Vol)  
211.4550 Person  
211.4590 Petroleum  
211.4610 Petroleum Liquid  
211.4630 Petroleum Refinery  
211.4650 Pharmaceutical  
211.4670 Pharmaceutical Coating Operation  
211.4690 Photochemically Reactive Material  
211.4710 Pigmented Coatings  
211.4730 Plant  
211.4750 Plasticizers  
211.4770 PM-10  
211.4790 Pneumatic Rubber Tire Manufacture  
211.4810 Polybasic Organic Acid Partial Oxidation Manufacturing  
Process  
211.4870 Polystyrene Plant  
211.4890 Polystyrene Resin  
211.4910 Portable Grain-Handling Equipment  
211.4930 Portland Cement Manufacturing Process Emission Source  
211.4950 Portland Cement Process or Portland Cement  
Manufacturing Plant  
211.4990 Power Driven Fastener Coating  
211.5030 Pressure Release  
211.5050 Pressure Tank  
211.5070 Prime Coat  
211.5090 Primer Surfacer Coat  
211.5110 Primer Surfacer Operation  
211.5130 Primers  
211.5150 Printing  
211.5170 Printing Line  
211.5185 Process Emission Source  
211.5190 Process Emission Unit  
211.5210 Process Unit  
211.5230 Process Unit Shutdown  
211.5250 Process Weight Rate  
211.5270 Production Equipment Exhaust System  
211.5310 Publication Rotogravure Printing Line  
211.5330 Purged Process Fluid  
211.5350 Reactor  
211.5370 Reasonably Available Control Technology (RACT)  
211.5410 Refiner  
211.5430 Refinery Fuel Gas  
211.5450 Refinery Fuel Gas System  
211.5470 Refinery Unit or Refinery Process Unit  
211.5490 Refrigerated Condenser

211.5500 Regulated Air Pollutant  
211.5510 Reid Vapor Pressure  
211.5550 Repair Coat  
211.5570 Repaired  
211.5590 Residual Fuel Oil  
211.5610 Restricted Area  
211.5630 Retail Outlet  
211.5650 Ringelmann Chart  
211.5670 Roadway  
211.5690 Roll Coater  
211.5710 Roll Coating  
211.5730 Roll Printer  
211.5750 Roll Printing  
211.5770 Rotogravure Printing  
211.5790 Rotogravure Printing Line  
211.5810 Safety Relief Valve  
211.5830 Sandblasting  
211.5850 Sanding Sealers  
211.5870 Screening  
211.5890 Sealer  
211.5910 Semi-Transparent Stains  
211.5930 Sensor  
211.5950 Set of Safety Relief Valves  
211.5970 Sheet Basecoat  
211.5990 Shotblasting  
211.6010 Side-Seam Spray Coat  
211.6030 Smoke  
211.6050 Smokeless Flare  
211.6070 Solvent  
211.6090 Solvent Cleaning  
211.6130 Source  
211.6150 Specialty High Gloss Catalyzed Coating  
211.6190 Specialty Soybean Crushing Source  
211.6210 Splash Loading  
211.6230 Stack  
211.6270 Standard Conditions  
211.6290 Standard Cubic Foot (scf)  
211.6310 Start-Up  
211.6330 Stationary Emission Source  
211.6350 Stationary Emission Unit  
211.6370 Stationary Source  
211.6390 Stationary Storage Tank  
211.6410 Storage Tank or Storage Vessel  
211.6430 Styrene Devolatilizer Unit  
211.6450 Styrene Recovery Unit  
211.6470 Submerged Loading Pipe  
211.6490 Substrate  
211.6510 Sulfuric Acid Mist  
211.6530 Surface Condenser  
211.6550 Synthetic Organic Chemical or Polymer Manufacturing  
Plant  
211.6570 Tablet Coating Operation  
211.6590 Thirty-Day Rolling Average

211.6610 Three-Piece Can  
211.6670 Topcoat  
211.6690 Topcoat Operation  
211.6730 Transfer Efficiency  
211.6750 Tread End Cementing  
211.6770 True Vapor Pressure  
211.6790 Turnaround  
211.6810 Two-Piece Can  
211.6850 Undertread Cementing  
211.6870 Unregulated Safety Relief Valve  
211.6890 Vacuum Producing System  
211.6910 Vacuum Service  
211.6930 Valves Not Externally Regulated  
211.6950 Vapor Balance System  
211.6970 Vapor Collection System  
211.6990 Vapor Control System  
211.7010 Vapor-Mounted Primary Seal  
211.7030 Vapor Recovery System  
211.7070 Vinyl Coating  
211.7090 Vinyl Coating Line  
211.7110 Volatile Organic Liquid (VOL)  
211.7130 Volatile Organic Material Content (VOMC)  
211.7150 Volatile Organic Material (VOM) or Volatile Organic  
Compound (VOC)  
211.7170 Volatile Petroleum Liquid  
211.7190 Wash Coat  
211.7210 Wastewater (Oil/Water) Separator  
211.7230 Weak Nitric Acid Manufacturing Process  
211.7250 Web  
211.7270 Wholesale Purchase - Consumer  
211.7290 Wood Furniture  
211.7310 Wood Furniture Coating  
211.7330 Wood Furniture Coating Line  
211.7350 Woodworking

Section 211.APPENDIX A Rule into Section Table

Section 211.APPENDIX B Section into Rule Table

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

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 201: Definitions, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R74-2 and R75-5, 32 PCB 295, at 3 Ill. Reg. 5, p. 777, effective February 3, 1979; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 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 R93-11 at 17 Ill. Reg. , effective .

SUBPART B: DEFINITIONS

Section 211.5500

Regulated Air Pollutant

- a) "Regulated air pollutant" means the following:
- 1) Nitrogen oxides (NO<sub>x</sub>) or any volatile organic compound.
  - 2) Any pollutant for which a national ambient air quality standard has been promulgated.
  - 3) Any pollutant that is subject to any standard promulgated under Section 111 of the Clean Air Act.
  - 4) Any Class I or II substance subject to a standard promulgated under Section 112 of the Clean Air Act, including Sections 112(g), (j) and (r).
    - A) Any pollutant subject to requirements under Section 112(j) of the Clean Air Act. Any pollutant listed under Section 112(b) shall be considered to be regulated 18 months after the date on which United States Environmental Protection Agency ("USEPA") was required to promulgate an applicable standard pursuant to Section 112(e) of the Clean Air Act, if USEPA fails to promulgate such standard.
    - B) Any pollutant for which the requirements of Section 112(g)(2) of the Clean Air Act have been met, but only with respect to the


individual source subject to Section 112(g)(2) requirement.

- b) "Regulated air pollutant" shall, for the purposes of 35 Ill. Adm. Code 201.180(a), mean any air contaminant as to which this Subtitle contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act.

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

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above opinion and order was adopted on the 3rd day of December, 1993, by a vote of 6-0.



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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board