

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

CO-CHAIRMEN:  
SEN. EMIL JONES, JR.  
REP. JOHN W. COUNTRYMAN

VICE-CHAIRMAN:  
SEN. LAURA KENT DONAHUE

SECRETARY:  
REP. MONROE L. FLINN

EXECUTIVE DIRECTOR:  
BRUCE A. JOHNSON



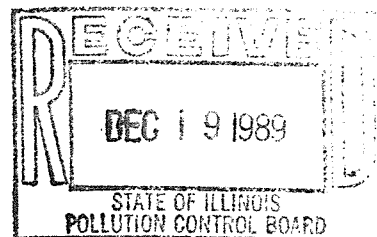
509 S. SIXTH STREET • ROOM 500  
SPRINGFIELD, ILLINOIS 62701  
217/785-2254

HOUSE MEMBERS:  
LARRY W. HICKS  
ELLIS B. LEVIN  
THOMAS J. MCCrackEN, JR.  
TOM RYDER

SENATE MEMBERS:  
THOMAS A. DUNN  
DORIS C. KARPIEL  
WILLIAM L. O'DANIEL  
HARRY "BABE" WOODYARD

R 89-16

December 15, 1989



John C. Marlin, Chairman  
Pollution Control Board  
State of Illinois Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

RE: Permits and General Provisions; 35 Ill. Adm. Code 201  
13 Ill. Reg. 16285 - October 20, 1989

Dear Chairman Marlin:

The Joint Committee has received your agency's request for a preliminary review of the above-referenced proposed rulemaking.

Enclosed please find a Preliminary General Problems or Questions sheet. This contains issues raised by the staff of the Joint Committee after review of the proposed rulemaking. If you wish to discuss these comments or other issues raised by the proposed rulemaking, please contact Matt Rice of the Joint Committee at 217/785-2254.

When this proposed rulemaking is submitted to the Joint Committee at the beginning of the second notice period provided for by Section 5.01 of the Illinois Administrative Procedure Act, there may be additional issues raised. This will depend, in part, on the nature and extent of any modifications the agency may make as a result of the first notice and comment period.

I hope these comments will be of assistance to your agency.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Bruce A. Johnson".

Bruce A. Johnson  
Executive Director

BAJ:MR:rm  
Attachment  
cc: Daniel Siegfried

PRELIMINARY GENERAL PROBLEMS AND QUESTIONS  
CONCERNING PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

PERMITS AND GENERAL PROVISIONS; 35 ILL. ADM. CODE 201

1. Section 220.500(b)(4) of the Joint Committee's Operational Rules states agencies, when filing their second notice under Section 5.01(b) of the IAPA, are to provide the text and location of any changes made in the rulemaking during the first notice period. In its Proposed Opinion and Order of the Board, submitted at the time of the Board's request for a preliminary review by the Joint Committee, the Board reported it would not "comment on each of the minor revisions made throughout these rules." Would the Board take steps to provide the text and location of any changes made in the rulemaking at the time it files its second notice for this rulemaking?
2. Would the Board submit a copy of the Wisconsin vs. Reilly settlement?

DRAFTING AND EDITING

1. Would the Board change the text "215 35 Ill. Adm. Code Subparts F and PP" in Section 201.146(g) to read "35 Ill. Adm. Code 215: Subparts F and PP"?

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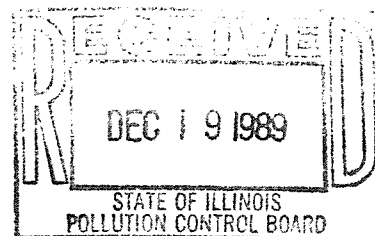
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R 89-16

December 15, 1989



John C. Marlin, Chairman  
Pollution Control Board  
State of Illinois Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

RE: Definitions and General Provisions; 35 Ill. Adm. Code 211  
13 Ill. Reg. 16257 - October 20, 1989

Dear Chairman Marlin:

The Joint Committee has received your agency's request for a preliminary review of the above-referenced proposed rulemaking.

Enclosed please find a Preliminary General Problems or Questions sheet. This contains issues raised by the staff of the Joint Committee after review of the proposed rulemaking. If you wish to discuss these comments or other issues raised by the proposed rulemaking, please contact Matt Rice of the Joint Committee at 217/785-2254.

When this proposed rulemaking is submitted to the Joint Committee at the beginning of the second notice period provided for by Section 5.01 of the Illinois Administrative Procedure Act, there may be additional issues raised. This will depend, in part, on the nature and extent of any modifications the agency may make as a result of the first notice and comment period.

I hope these comments will be of assistance to your agency.

Very truly yours,

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Bruce A. Johnson  
Executive Director

BAJ:MR:rm  
Attachment  
cc: Daniel Siegfried

PRELIMINARY GENERAL PROBLEMS AND QUESTIONS  
CONCERNING PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

DEFINITIONS AND GENERAL PROVISIONS; 35 ILL. ADM. CODE 211

DRAFTING AND EDITING

1. Would the Board place "(VOMC)" after the text "'Volatile Organic Material Content'" in Section 211.122?
2. Would the Board spell out the acronym "Kg" in the definition of "Volatile Organic Material Content" in Section 211.122?
3. The definition of "Coating" in Section 211.122 has the word "substate" in it, while in the definitions of "Fabric Coating" and "Paper Coating" in that Section, the word "substrate" is used. Would the Board comment as to whether that is the correct text for these two definitions?
4. Section 211.500(b)(4) of the Joint Committee's Operational Rules states agencies, when filing their second notice under Section 5.01(b) of the IAPA, are to provide the text and location of any changes made in the rulemaking during the first notice period. In its Proposed Opinion and Order of the Board, submitted at the time of the Board's request for a preliminary review by the Joint Committee, the Board reported it would not "comment on each of the minor revisions made throughout these rules." Would the Board take steps to provide the text and location of any changes made in the rulemaking at the time it files its second notice for this rulemaking?

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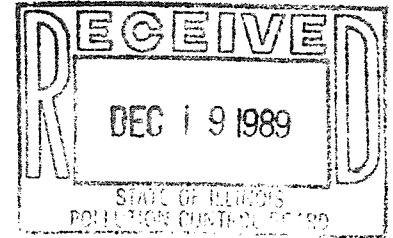
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R89-16

December 15, 1989



John C. Marlin, Chairman  
Pollution Control Board  
State of Illinois Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

RE: Organic Material Emission Standards and Limitations; 35 Ill. Adm. Code  
215  
13 Ill. Reg. 16645 - October 27, 1989

Dear Chairman Marlin:

The Joint Committee has received your agency's request for a preliminary review of the above-referenced proposed rulemaking.

Enclosed please find a Preliminary General Problems or Questions sheet. This contains issues raised by the staff of the Joint Committee after review of the proposed rulemaking. If you wish to discuss these comments or other issues raised by the proposed rulemaking, please contact Matt Rice of the Joint Committee at 217/785-2254.

When this proposed rulemaking is submitted to the Joint Committee at the beginning of the second notice period provided for by Section 5.01 of the Illinois Administrative Procedure Act, there may be additional issues raised. This will depend, in part, on the nature and extent of any modifications the agency may make as a result of the first notice and comment period.

I hope these comments will be of assistance to your agency.

Very truly yours,

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Bruce A. Johnson  
Executive Director

BAJ:MR:rm  
Attachment  
cc: Daniel Siegfried

PRELIMINARY GENERAL PROBLEMS AND QUESTIONS  
CONCERNING PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS  
35 ILL. ADM. CODE 215

1. Sections 215.127(b), 215.410(b), 215.464(b), 215.585(b), 215.615(b), 215.886(b), 215.928(b), 215.948(b) and 215.968(b) state that upon request by the Agency, the owner of an organic material emission source shall conduct emissions testing, at his own expense, to demonstrate compliance with applicable Subparts.
  - a) Would the Board provide standards governing when the Agency will make such requests?
  - b) Would the Board provide its statutory authority to require owners to conduct their own tests at their own expense?
2. Sections 215.208(a) and 215.929 prescribe the testing techniques for coatings and volatile organic material content, but provide that a person may propose an alternative method if he submits to the Agency proof that the prescribed method results are not representative and that proposed alternative methods give representative, accurate test results.
  - a) Would the Board state in its rulemaking the type of proof the Agency will deem acceptable?
  - b) Would the Board provide standards governing how the Agency will evaluate the submissions described above?
3. Would the Board explain its use of the term "rolling" in Sections 215.581(e)(2) and (f)(1) which set compliance and exemption requirements for producers of a stated amount of gasoline "on a thirty day rolling average"?
4. Section 220.500(b)(4) of the Joint Committee's Operational Rules states agencies, when filing their second notice under Section 5.01(b) of the IAPA, are to provide the text and location of any changes made in the rulemaking during the first notice period. In its Proposed Opinion and Order of the Board, submitted at the time of the Board's request for a preliminary review by the Joint Committee, the Board reported it would not "comment on each of the minor revisions made throughout these rules." Would the Board take steps to provide the text and location of any changes made in the rulemaking at the time it files its second notice for this rulemaking?

DRAFTING AND EDITING

1. Would the Board replace "Subpard" with "Subpart" in Section 215.128(a)?
2. Would the Board line up the text "169-63" in Section 215.105(a)(7) with the text "ASTM E" appearing in the first line of that Section?

3. Would the Board replace "St. Clare" with "St. Clair" in Section 215.181?
4. Would the Board replace "ot" with "to" in the second line of Section 215.211(d)?
5. Would the Board eliminate its use of parentheses in the Board Notes in Sections 215.11(h) and 215.211(b)?
6. Would the Board spell out "ppm" and "cm" in Section 215.421(b) if the Board has not already done so earlier in this Part?
7. Would the Board replace "and" with "an" in the third line of Section 215.447(b)(2)?
8. Would the Board place a space before "dry" in "perschloroenthyldry" in Section 215.602?
9. Would the Board spell out "kPa", "psi" and "C" and "F" appearing in the text "20C (68F)" in Section 215.626(a)?
10. Would the Board replace "methods" with "method" in the ninth line of Section 215.208(a)?
11. Would the Board delete the strike-out of the semi-colon in Section 215.581(d)(4)(A)?
12. Would the Board capitalize "subpart" in line 3 of Section 215.581(h)?
13. Would the Board strike through "an" in Section 215.601(g), line one?
14. Would the Board delete the space in "215.601 (c)" in Section 215.603, line two?
15. Would the Board strike-through label (b) of Section 215.610?