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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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PERMITS AND GENERAL PROVISIONS

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201.APPENDIX A   Rule into Section Table  
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AUTHORITY: Implementing Sections 10, 39, and 39.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27, 39, and 39.5].

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. 21483, effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17 at 21 Ill. Reg. 7878, effective June 17, 1997; amended in R98-13 at 22 Ill. Reg. 11451, effective June 23, 1998; amended in R98-28 at 22 Ill. Reg. 11823, effective July 31, 1998; amended in R02-10 at 27 Ill. Reg. 5820, effective March 21, 2003; amended in R05-19 and R05-20 at 30 Ill. Reg. 4901, effective March 3, 2006; amended in R07-19 at 33 Ill. Reg. 11999, effective August 6, 2009; amended in R10-21 at 34 Ill. Reg.19575, effective December 1, 2010; amended in R12-

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10 at 35 Ill. Reg. 19790, effective December 5, 2011; amended in \_\_\_\_\_ at \_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART C: PROHIBITIONS

Section 201.146 Exemptions from State Permit Requirements

Construction or operating permits, pursuant to Sections 201.142, 201.143 and 201.144 of this Part, are not required for the classes of equipment and activities listed below in this Section. The permitting exemptions in this Section do not relieve the owner or operator of any source from any obligation to comply with any other applicable requirements, including the obligation to obtain a permit pursuant to Sections 9.1(d) and 39.5 of the Act, sections 165, 173 and 502 of the Clean Air Act or any other applicable permit or registration requirements.

- a) Air contaminant detectors or recorders, combustion controllers or combustion shutoffs;
- b) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;
- c) Each fuel burning emission unit for indirect systems and for heating and reheating furnace systems used exclusively for residential, or commercial establishments using gas and/or fuel oil exclusively with a design heat input capacity of less than 14.6 MW (50 mmbtu/hr), except that a permit shall be required for any such emission unit with a design heat input capacity of at least 10 mmbtu/hr that was constructed, reconstructed or modified after June 9, 1989 and that is subject to 40 CFR 60, subpart D;
- d) Each fuel burning emission unit other than those listed in subsection (c) of this Section for direct systems used for comfort heating purposes and indirect heating systems with a design heat input capacity of less than 2930 kW (10 mmbtu/hr);
- e) Internal combustion engines or boilers (including the fuel system) of motor vehicles, locomotives, air craft, watercraft, lifttrucks and other vehicles powered by nonroad engines;
- f) Bench scale laboratory equipment and laboratory equipment used exclusively for chemical and physical analysis, including associated laboratory fume hoods, vacuum producing devices and control devices installed primarily to address

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potential accidental releases;

- g) Coating operations located at a source using not in excess of 18,925 l (5,000 gal) of coating (including thinner) per year;
- h) Any emission unit acquired exclusively for domestic use, except that a permit shall be required for any incinerator and for any fuel combustion emission unit using solid fuel with a design heat input capacity of 14.6 MW (50 mmbtu/hr) or more;
- i) Any stationary internal combustion engine with a rated power output of less than 1118 kW (1500 bhp) or stationary turbine, except that a permit shall be required for the following:
  - 1) Any internal combustion engine with a rating at equal to or greater than 500 bhp output that is subject to the control requirements of 35 Ill. Adm. Code 217.388(a) or (b); or
  - 2) Any stationary gas turbine engine with a rated heat input at peak load of 10.7 gigajoules/hr (10 mmbtu/hr) or more that is constructed, reconstructed or modified after October 3, 1977 and that is subject to requirements of 40 CFR 60, subpart GG;
- j) Rest room facilities and associated cleanup operations, and stacks or vents used to prevent the escape of sewer gases through plumbing traps;
- k) Safety devices designed to protect life and limb, provided that a permit is not otherwise required for the emission unit with which the safety device is associated;
- l) Storage tanks and fuel dispensing equipment that are both used for the dispensing of fuel to mobile sources, including on-road and off-road vehicles, for use in such mobile sources~~Storage tanks for liquids for retail dispensing except for storage tanks that are subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);~~
- m) Printing operations with aggregate organic solvent usage that never exceeds 2,839 l (750 gal) per year from all printing lines at the source, including organic solvent from inks, dilutents, fountain solutions and cleaning materials;

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- n) Storage tanks of:
- 1) Organic liquids with a capacity of less than 37,850 l (10,000 gal), provided the storage tank is not used to store any amount of material or mixture of any material listed as a hazardous air pollutant pursuant to section 112(b) of the Clean Air Act, ~~and provided the storage tank is not subject to the requirements of 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2) or 219.583(a)(2);~~
  - 2) Any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials; or
  - 3) Any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil or residual fuel oils;
- o) Threaded pipe connections, vessel manways, flanges, valves, pump seals, pressure relief valves, pressure relief devices and pumps;
- p) Sampling connections used exclusively to withdraw materials for testing and analyses;
- q) All storage tanks of Illinois crude oil with capacity of less than 151,400 l (40,000 gal) located on oil field sites;
- r) All organic material-water single or multiple compartment effluent water separator facilities for Illinois crude oil of vapor pressure of less than 34.5 kPa absolute (5 psia);
- s) Grain-handling operations, exclusive of grain-drying operations, with an annual grain through-put not exceeding 300,000 bushels;
- t) Grain-drying operations with a total grain-drying capacity not exceeding 750 bushels per hour for 5% moisture extraction at manufacturer's rated capacity, using the American Society of Agricultural Engineers Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers;

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- u) Portable grain-handling equipment and one-turn storage space;
- v) Cold cleaning degreasers that are not in-line cleaning machines, where the vapor pressure of the solvents used never exceeds 2 kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F) or 0.7 kPa (5 mmHg or 0.1 psi) at 20°C (68°F);
- w) Coin-operated dry cleaning operations;
- x) Dry cleaning operations at a source that consume less than 30 gallons per month of perchloroethylene;
- y) Brazing, soldering, wave soldering or welding equipment, including associated ventilation hoods;
- z) Cafeterias, kitchens, and other similar facilities, including smokehouses, used for preparing food or beverages, but not including facilities used in the manufacturing and wholesale distribution of food, beverages, food or beverage products, or food or beverage components;
- aa) Equipment for carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, sand blast cleaning, shot blasting, shot peening, or polishing ceramic artwork, leather, metals (other than beryllium), plastics, concrete, rubber, paper stock, wood or wood products, where such equipment is either:
  - 1) Used for maintenance activity;
  - 2) Manually operated;
  - 3) Exhausted inside a building; or
  - 4) Vented externally with emissions controlled by an appropriately operated cyclonic inertial separator (cyclone), filter, electro-static precipitor or a scrubber;
- bb) Feed mills that produce no more than 10,000 tons of feed per calendar year, provided that a permit is not otherwise required for the source pursuant to Section 201.142, 201.143 or 201.144;



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- cc) Extruders used for the extrusion of metals, minerals, plastics, rubber or wood, excluding:
  - 1) Extruders used in the manufacture of polymers;
  - 2) Extruders using foaming agents or release agents that contain volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act; and
  - 3) Extruders processing scrap material that was produced using foaming agents containing volatile organic materials or Class I or II substances subject to the requirements of Title VI of the Clean Air Act;
- dd) Furnaces used for melting metals, other than beryllium, with a brim full capacity of less than 450 cubic inches by volume;
- ee) Equipment used for the melting or application of less than 22,767 kg/yr (50,000 lbs/yr) of wax to which no organic solvent has been added;
- ff) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;
- gg) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials;
- hh) Equipment used for the mixing and blending of materials at ambient temperatures to make water based adhesives, provided each material mixed or blended contains less than 5% organic solvent by weight;
- ii) Die casting machines where a metal or plastic is formed under pressure in a die located at a source with a through-put of less than 2,000,000 lbs of metal or plastic per year, in the aggregate, from all die casting machines;

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- jj) Air pollution control devices used exclusively with other equipment that is exempt from permitting, as provided in this Section;
- kk) ~~(Reserved)An emission unit for which a registration system designed to identify sources and emission units subject to emission control requirements is in place, such as the registration system found at 35 Ill. Adm. Code 218.586 (Gasoline Dispensing Operations—Motor Vehicle Fueling Operations) and 35 Ill. Adm. Code 218, Subpart HH (Motor Vehicle Refinishing);~~
- ll) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy;
- mm) Equipment used for hydraulic or hydrostatic testing;
- nn) General vehicle maintenance and servicing activities conducted at a source, motor vehicle repair shops, and motor vehicle body shops, but not including motor vehicle refinishing;
  - 1) ~~Gasoline fuel handling; and~~
  - 2) ~~Motor vehicle refinishing;~~
- oo) Equipment using water, water and soap or detergent, or a suspension of abrasives in water for purposes of cleaning or finishing, provided no organic solvent has been added to the water;
- pp) Administrative activities including, but not limited to, paper shredding, copying, photographic activities and blueprinting machines. This does not include incinerators;
- qq) Laundry dryers, extractors, and tumblers processing that have been cleaned with water solutions of bleach or detergents that are:
  - 1) Located at a source and process clothing, bedding and other fabric items used at the source, provided that any organic solvent present in such items before processing that is retained from cleanup operations shall be addressed as part of the VOM emissions from use of cleaning materials;

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- 2) Located at a commercial laundry; or
- 3) Coin operated;
- rr) Housekeeping activities for cleaning purposes, including collecting spilled and accumulated materials, including operation of fixed vacuum cleaning systems specifically for such purposes, but not including use of cleaning materials that contain organic solvent;
- ss) Refrigeration systems, including storage tanks used in refrigeration systems, but excluding any combustion equipment associated with such systems;
- tt) Activities associated with the construction, on-site repair, maintenance or dismantlement of buildings, utility lines, pipelines, wells, excavations, earthworks and other structures that do not constitute emission units;
- uu) Piping and storage systems for natural gas, propane and liquefied petroleum gas;
- vv) Water treatment or storage systems, as follows:
  - 1) Systems for potable water or boiler feedwater;
  - 2) Systems, including cooling towers, for process water, provided that such water has not been in direct or indirect contact with process streams that contain volatile organic material or materials listed as hazardous air pollutants pursuant to section 112(b) of the Clean Air Act;
- ww) Lawn care, landscape maintenance and grounds keeping activities;
- xx) Containers, reservoirs or tanks used exclusively in dipping operations to coat objects with oils, waxes or greases, provided no organic solvent has been mixed with such materials;
- yy) Use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act (15 USC 1261 et seq.), where the product is used at a source in the same manner as normal consumer use;
- zz) Activities directly used in the diagnosis and treatment of disease, injury or other medical condition;

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- aaa) Activities associated with the construction, repair or maintenance of roads or other paved or open areas, including operation of street sweepers, vacuum trucks, spray trucks and other vehicles related to the control of fugitive emissions of such roads or other areas;
- bbb) Storage and handling of drums or other transportable containers, where the containers are sealed during storage and handling;
- ccc) Activities at a source associated with the maintenance, repair or dismantlement of an emission unit or other equipment installed at the source, not including the shutdown of the unit or equipment, including preparation for maintenance, repair or dismantlement, and preparation for subsequent startup, including preparation of a shutdown vessel for entry, replacement of insulation, welding and cutting, and steam purging of a vessel prior to startup;
- ddd) Equipment used for corona arc discharge surface treatment of plastic with a power rating of 5 kW or less or equipped with an ozone destruction device;
- eee) Equipment used to seal or cut plastic bags for commercial, industrial or domestic use;
- fff) Each direct-fired gas dryer used for a washing, cleaning, coating or printing line, excluding:
  - 1) Dryers with a rated heat input capacity of 2930 kW (10 mmbtu/hr) or more; and
  - 2) Dryers for which emissions other than those attributable to combustion of fuel in the dryer, including emissions attributable to use or application of cleaning agents, washing materials, coatings or inks or other process materials that contain volatile organic material are not addressed as part of the permitting of such line, if a permit is otherwise required for the line;
- ggg) Municipal solid waste landfills with a maximum total design capacity of less than 2.5 million Mg or 2.5 million m<sup>3</sup> that are not required to install a gas collection and control system pursuant to 35 Ill. Adm. Code 220 or 800 through 849 or Section 9.1 of the Act;

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- hhh) Replacement or addition of air pollution control equipment for existing emission units in circumstances where:
- 1) The existing emission unit is permitted and has operated in compliance for the past year;
  - 2) The new control equipment will provide equal or better control of the target pollutants;
  - 3) The new control device will not be accompanied by a net increase in emissions of any non-targeted criteria air pollutant;
  - 4) Different State or federal regulatory requirements or newly proposed regulatory requirements will not apply to the unit; and

BOARD NOTE: All sources must comply with underlying federal regulations and future State regulations.

- 5) Where the existing air pollution control equipment had required monitoring equipment, the new air pollution control equipment will be equipped with the instrumentation and monitoring devices that are typically installed on the new equipment of that type.

BOARD NOTE: For major sources subject to Section 39.5 of the Act, where the new air pollution control equipment will require a different compliance determination method in the facility's CAAPP permit, the facility may need a permit modification to address the changed compliance determination method;

- iii) Replacement, addition, or modification of emission units at facilities with federally enforceable State operating permits limiting their potential to emit in circumstances where:
- 1) The potential to emit any regulated air pollutant in the absence of air pollution control equipment from the new emission unit, or the increase in the potential to emit resulting from the modification of any existing emission unit, is less than 0.1 pound per hour or 0.44 tons per year;
  - 2) The raw materials and fuels used or present in the emission unit that cause or contribute to emissions, based on the information contained in Material

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Safety Data Sheets for those materials, do not contain equal to or greater than 0.01 percent by weight of any hazardous air pollutant as defined under section 112(b) of the federal Clean Air Act;

- 3) The emission unit or modification is not subject to an emission standard or other regulatory requirement pursuant to section 111 of the federal Clean Air Act;
- 4) Potential emissions of regulated air pollutants from the emission unit or modification will not, in combination with emissions from existing units or other proposed units, trigger permitting requirements under Section 39.5, permitting requirements under section 165 or 173 of the federal Clean Air Act, or the requirement to obtain a revised federally enforceable State operating permit limiting the source's potential to emit; and
- 5) The source is not currently the subject of a Non-compliance Advisory, Clean Air Act Section 114 Request, Violation Notice, Notice of Violation, Compliance Commitment Agreement, Administrative Order, or civil or criminal enforcement action, related to the air emissions of the source;

jjj) Replacement, addition, or modification of emission units at permitted sources that are not major sources subject to Section 39.5 of the Act and that do not have a federally enforceable State operating permit limiting their potential to emit, in circumstances where:

- 1) The potential to emit of any regulated air pollutant in the absence of air pollution control equipment from the new emission unit, or the increase in the potential to emit resulting from the modification of any existing emission unit is either:
  - A) Less than 0.1 pound per hour or 0.44 tons per year; or
  - B) Less than 0.5 pound per hour, and the permittee provides prior notification to the Agency of the intent to construct or install the unit. The unit may be constructed, installed or modified immediately after the notification is filed;

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- 2) The emission unit or modification is not subject to an emission standard or other regulatory requirement under section 111 or 112 of the federal Clean Air Act;
  - 3) Potential emissions of regulated air pollutants from the emission unit or modification will not, in combination with the emissions from existing units or other proposed units, trigger permitting requirements under Section 39.5 of the Act or the requirement to obtain a federally enforceable permit limiting the source's potential to emit; and
  - 4) The source is not currently the subject of a Non-compliance Advisory, Clean Air Act Section 114 Request, Violation Notice, Notice of Violation, Compliance Commitment Agreement, Administrative Order, or civil or criminal enforcement action, related to the air emissions of the source;
- kkk) The owner or operator of a CAAPP source is not required to obtain an air pollution control construction permit for the construction or modification of an emission unit or activity that is an insignificant activity as addressed by Section 201.210 or 201.211 of this Part. Section 201.212 of this Part must still be followed, as applicable. Other than excusing the owner or operator of a CAAPP source from the requirement to obtain an air pollution control construction permit for the emission units or activities, nothing in this subsection shall alter or affect the liability of the CAAPP source for compliance with emission standards and other requirements that apply to the emission units or activities, either individually or in conjunction with other emission units or activities constructed, modified or located at the source;
- lll) Plastic injection molding equipment with an annual through-put not exceeding 5,000 tons of plastic resin in the aggregate from all plastic injection molding equipment at the source, and all associated plastic resin loading, unloading, conveying, mixing, storage, grinding, and drying equipment and associated mold release and mold cleaning agents.

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

**SUBPART F: CAAPP PERMITS**

**Section 201.210 Categories of Insignificant Activities or Emission Levels**

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- a) The owner or operator of a CAAPP source, pursuant to 35 Ill. Adm. Code 270, shall submit to the Agency within its CAAPP application a list of the following activities or emission levels:
  - 1) Any emission unit determined to be an insignificant activity by the Agency pursuant to Section 201.211 of this Part;
  - 2) Emission units with emissions that never exceed 0.1 lbs/hr of any regulated air pollutant in the absence of air pollution control equipment and that do not emit any air pollutant listed as hazardous pursuant to Section 112(b) of the Clean Air Act;
  - 3) Emission units with emissions that never exceed 0.44 tons/year of any regulated air pollutant in the absence of air pollution control equipment and that do not emit any air pollutant listed as hazardous pursuant to Section 112(b) of the Clean Air Act;
  - 4) Direct combustion units designed and used for comfort heating purposes and fuel combustion emission units as follows:
    - A) Units with a rated heat input capacity of less than 2.5 mmbtu/hr that fire only natural gas, propane or liquefied petroleum gas;
    - B) Units with a rated heat input capacity of less than 1.0 mmbtu/hr that fire only oil or oil in combination with only natural gas, propane, or liquefied petroleum gas;
    - C) Units with a rated capacity of less than 200,000 btu/hr which never burn refuse or treated or chemically contaminated wood;
  - 5) Extruders used for the extrusion of metals, minerals, plastics, rubber, or wood, excluding extruders used in the manufacture of polymers, provided that volatile organic materials or class I or II substances subject to the requirements of Title VI of the Clean Air Act are not used as foaming agents or release agents or were not used as foaming agents in the case of extruders processing scrap material;
  - 6) Furnaces used for melting metals other than beryllium with a brim full capacity of less than 450 cubic inches by volume;



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- 7) Equipment used for the melting or application of less than 50,000 lbs/yr of wax to which no organic solvent has been added;
- 8) Equipment used for filling drums, pails or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions;
- 9) Equipment used for the mixing and blending of materials at ambient temperature to make water based adhesives provided each material contains less than 5% organic solvent by weight;
- 10) Storage tanks as specified below:
  - A) Storage tanks of organic liquids with a capacity of less than 10,000 gallons and an annual throughput of less than 100,000 gallons provided the tank is not used for the storage of gasoline or any material listed as a hazardous air pollutant pursuant to Section 112(b) of the Clean Air Act;
  - B) Storage tanks of gasoline, including gasoline/ethanol blend fuels, with a capacity of less than 2000 gallons;
- 11) Storage tanks of virgin or rerefined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil, or residual fuel oils;
- 12) Die casting machines where a metal or plastic is formed under pressure in a die;
- 13) Coating operations (excluding powder, architectural and industrial maintenance coating) with aggregate VOM usage that never exceeds 15 lbs/day from all coating lines at the source, including VOM from coating, dilutents, and cleaning materials;
- 14) Printing operations with aggregate organic solvent usage that never exceeds 750 gallons per year from all printing lines at the source,

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including organic solvent from inks, dilutents, fountain solutions, and cleaning materials;

- 15) Gas turbines and stationary reciprocating internal combustion engines of less than 112 kW (150 horsepower) power output;
- 16) Gas turbines and stationary reciprocating internal combustion engines of between 1118 and 112 kW (1500 and 150 horsepower) power output that are emergency or standby units;
- 17) Storage tanks of any size containing exclusively soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous caustic solutions provided an organic solvent has not been mixed with such materials; and
- 18) Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials provided an organic solvent has not been mixed with such materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous caustic solutions.
- 19) Fuel dispensing operations and fuel dispensing equipment for fuels, as specified below, for mobile sources, including on-road and off-road vehicles, for use in such mobile sources. For purposes of this paragraph, fuel dispensing equipment means equipment for transferring fuel to a mobile source, including nozzles, hoses, swivels, breakaways, hose retractors, vapor valves, dispensers, vacuum-assist devices, vapor-return piping, and liquid collection points. Storage tanks and storage tank equipment are not included in fuel dispensing operations or fuel dispensing equipment and are addressed separately.
  - A) Gasoline, including gasoline/ethanol blend fuels, if the annual average throughput of such fuel dispensed is less than 120,000 gallons (rolling 12 month total).
  - B) Distillate oil, including kerosene and diesel fuel, biodiesel, and biodiesel/distillate oil blends.

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- b) The owner or operator of a CAAPP source is not required to individually list the following activities in a CAAPP application pursuant to 35 Ill. Adm. Code 270. The applicant shall denote whether any of the following activities are present at the source in its CAAPP application:
- 1) Air conditioning or ventilating equipment not designed to remove air contaminants generated by or released from associated equipment;
  - 2) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy;
  - 3) Equipment used for hydraulic or hydrostatic testing;
  - 4) General vehicle maintenance and servicing activities at the source, other than gasoline, including gasoline/ethanol blend fuels, distillate oil, including kerosene and diesel fuel, biodiesel, and biodiesel/distillate oil blends fuel handling and dispensing;
  - 5) Cafeterias, kitchens, and other facilities used for preparing food or beverages primarily for consumption at the source;
  - 6) Equipment using water, water and soap or detergent, or a suspension of abrasives in water for purposes of cleaning or finishing provided no organic solvent has been added to the water;
  - 7) Administrative activities including, but not limited to, paper shredding, copying, photographic activities, and blueprinting machines. This does not include incinerators;
  - 8) Laundry dryers, extractors, and tumblers processing clothing, bedding, and other fabric items used at the source that have been cleaned with water solutions of bleach or detergents provided that any organic solvent present in such items before processing that is retained from clean-up operations shall be addressed as part of the VOM emissions from use of cleaning materials;
  - 9) Housekeeping activities for cleaning purposes, including collecting spilled and accumulated materials at the source, including operation of fixed

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vacuum cleaning systems specifically for such purposes, but not including use of cleaning materials that contain organic solvent;

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

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

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

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

- 28) Activities at a source associated with the modification only or construction only of a facility, an emission unit or other equipment at the source; and (Note: Notwithstanding the status of this activity as insignificant, a particular activity that entails modification or construction of an emission unit or construction of air pollution control equipment may require a construction permit pursuant to Section 201.142 of this Part and may subsequently require a revised CAAPP permit. A revised CAAPP permit may also be necessary for operation of an emission unit after completion of a particular activity if the existing CAAPP permit does not accommodate the new state of the emission unit.)
- 29) Activities at a source associated with the maintenance, repair, or dismantlement of an emission unit or other equipment installed at the source, not including the shutdown of the unit or equipment, including preparation for maintenance, repair or dismantlement, and preparation for subsequent startup, including preparation of a shutdown vessel for entry,

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replacement of insulation, welding and cutting, and steam purging of a vessel prior to startup.

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

SUBPART K: RECORDS AND REPORTS

Section 201.302 Reports

- a) The owner or operator of any emission unit or air pollution control equipment meeting the applicability criteria contained in 35 Ill. Adm. Code 254.102, ~~unless specifically exempted in this Section~~, shall submit to the Agency as a minimum, annual reports detailing the nature, specific emission units and total annual quantities of all specified air contaminant emissions; provided, however, that the Agency may require more frequent reports where necessary to accomplish the purposes of the Act and this Chapter.
- b) The Agency may adopt procedures which require that additional reports be submitted, and which set forth the format in which all reports 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 APA.
- c) All emission data received by the Agency, shall be available for public inspection at reasonable times and upon reasonable notice.
- d) ~~Retail gasoline dispensing operations are exempt from the requirements of subsection (a) above unless the source has failed to comply with 35 Ill. Adm. Code 218.586(h) or to obtain a permit under this Part if applicable.~~

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

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

PART 218  
ORGANIC MATERIAL EMISSION STANDARDS AND  
LIMITATIONS FOR THE CHICAGO AREA

SUBPART A: GENERAL PROVISIONS

Section	
218.100	Introduction
218.101	Savings Clause
218.102	Abbreviations and Conversion Factors
218.103	Applicability
218.104	Definitions
218.105	Test Methods and Procedures
218.106	Compliance Dates
218.107	Operation of Afterburners
218.108	Exemptions, Variations, and Alternative Means of Control or Compliance Determinations
218.109	Vapor Pressure of Volatile Organic Liquids
218.110	Vapor Pressure of Organic Material or Solvent
218.111	Vapor Pressure of Volatile Organic Material
218.112	Incorporations by Reference
218.113	Monitoring for Negligibly-Reactive Compounds
218.114	Compliance with Permit Conditions

SUBPART B: ORGANIC EMISSIONS FROM STORAGE  
AND LOADING OPERATIONS

Section	
218.119	Applicability for VOL
218.120	Control Requirements for Storage Containers of VOL
218.121	Storage Containers of VPL
218.122	Loading Operations
218.123	Petroleum Liquid Storage Tanks
218.124	External Floating Roofs
218.125	Compliance Dates

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NOTICE OF PROPOSED AMENDMENTS

- 218.126 Compliance Plan (Repealed)
- 218.127 Testing VOL Operations
- 218.128 Monitoring VOL Operations
- 218.129 Recordkeeping and Reporting for VOL Operations

SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

- Section
- 218.141 Separation Operations
  - 218.142 Pumps and Compressors
  - 218.143 Vapor Blowdown
  - 218.144 Safety Relief Valves

SUBPART E: SOLVENT CLEANING

- Section
- 218.181 Solvent Cleaning Degreasing Operations
  - 218.182 Cold Cleaning
  - 218.183 Open Top Vapor Degreasing
  - 218.184 Conveyorized Degreasing
  - 218.185 Compliance Schedule (Repealed)
  - 218.186 Test Methods
  - 218.187 Other Industrial Solvent Cleaning Operations

SUBPART F: COATING OPERATIONS

- Section
- 218.204 Emission Limitations
  - 218.205 Daily-Weighted Average Limitations
  - 218.206 Solids Basis Calculation
  - 218.207 Alternative Emission Limitations
  - 218.208 Exemptions from Emission Limitations
  - 218.209 Exemption from General Rule on Use of Organic Material
  - 218.210 Compliance Schedule
  - 218.211 Recordkeeping and Reporting
  - 218.212 Cross-Line Averaging to Establish Compliance for Coating Lines
  - 218.213 Recordkeeping and Reporting for Cross-Line Averaging Participating Coating Lines
  - 218.214 Changing Compliance Methods
  - 218.215 Wood Furniture Coating Averaging Approach

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### NOTICE OF PROPOSED AMENDMENTS

- 218.216 Wood Furniture Coating Add-On Control Use
- 218.217 Wood Furniture Coating and Flat Wood Paneling coating Work Practice Standards
- 218.218 Work Practice Standards for Paper Coatings, Metal Furniture Coatings, and Large Appliance Coatings
- 218.219 Work Practice Standards for Automobile and Light-Duty Truck Assembly Coatings and Miscellaneous Metal and Plastic Parts Coatings

### SUBPART G: USE OF ORGANIC MATERIAL

- Section
- 218.301 Use of Organic Material
- 218.302 Alternative Standard
- 218.303 Fuel Combustion Emission Units
- 218.304 Operations with Compliance Program

### SUBPART H: PRINTING AND PUBLISHING

- Section
- 218.401 Flexographic and Rotogravure Printing
- 218.402 Applicability
- 218.403 Compliance Schedule
- 218.404 Recordkeeping and Reporting
- 218.405 Lithographic Printing: Applicability
- 218.406 Provisions Applying to Heatset Web Offset Lithographic Printing Prior to March 15, 1996 (Repealed)
- 218.407 Emission Limitations and Control Requirements for Lithographic Printing Lines
- 218.408 Compliance Schedule for Lithographic Printing On and After March 15, 1996 (Repealed)
- 218.409 Testing for Lithographic Printing On and After March 15, 1996
- 218.410 Monitoring Requirements for Lithographic Printing
- 218.411 Recordkeeping and Reporting for Lithographic Printing
- 218.412 Letterpress Printing Lines: Applicability
- 218.413 Emission Limitations and Control Requirements for Letterpress Printing Lines
- 218.415 Testing for Letterpress Printing Lines
- 218.416 Monitoring Requirements for Letterpress Printing Lines
- 218.417 Recordkeeping and Reporting for Letterpress Printing Lines

### SUBPART Q: SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING PLANT

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218.421	General Requirements
218.422	Inspection Program Plan for Leaks
218.423	Inspection Program for Leaks
218.424	Repairing Leaks
218.425	Recordkeeping for Leaks
218.426	Report for Leaks
218.427	Alternative Program for Leaks
218.428	Open-Ended Valves
218.429	Standards for Control Devices
218.430	Compliance Date (Repealed)
218.431	Applicability
218.432	Control Requirements
218.433	Performance and Testing Requirements
218.434	Monitoring Requirements
218.435	Recordkeeping and Reporting Requirements
218.436	Compliance Date

SUBPART R: PETROLEUM REFINING AND  
RELATED INDUSTRIES; ASPHALT MATERIALS

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218.441	Petroleum Refinery Waste Gas Disposal
218.442	Vacuum Producing Systems
218.443	Wastewater (Oil/Water) Separator
218.444	Process Unit Turnarounds
218.445	Leaks: General Requirements
218.446	Monitoring Program Plan for Leaks
218.447	Monitoring Program for Leaks
218.448	Recordkeeping for Leaks
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218.451	Sealing Device Requirements
218.452	Compliance Schedule for Leaks
218.453	Compliance Dates (Repealed)

SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

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218.461	Manufacture of Pneumatic Rubber Tires
218.462	Green Tire Spraying Operations
218.463	Alternative Emission Reduction Systems
218.464	Emission Testing
218.465	Compliance Dates (Repealed)
218.466	Compliance Plan (Repealed)

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218.480	Applicability
218.481	Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers
218.482	Control of Air Dryers, Production Equipment Exhaust Systems and Filters
218.483	Material Storage and Transfer
218.484	In-Process Tanks
218.485	Leaks
218.486	Other Emission Units
218.487	Testing
218.488	Monitoring for Air Pollution Control Equipment
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### SUBPART V: BATCH OPERATIONS AND AIR OXIDATION PROCESSES

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218.501	Control Requirements for Batch Operations
218.502	Determination of Uncontrolled Total Annual Mass Emissions and Average Flow Rate Values for Batch Operations
218.503	Performance and Testing Requirements for Batch Operations
218.504	Monitoring Requirements for Batch Operations
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218.520	Emission Limitations for Air Oxidation Processes
218.521	Definitions (Repealed)
218.522	Savings Clause
218.523	Compliance
218.524	Determination of Applicability
218.525	Emission Limitations for Air Oxidation Processes
218.526	Testing and Monitoring

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218.527 Compliance Date (Repealed)

SUBPART W: AGRICULTURE

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218.541 Pesticide Exception

SUBPART X: CONSTRUCTION

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218.561 Architectural Coatings  
218.562 Paving Operations  
218.563 Cutback Asphalt

SUBPART Y: GASOLINE DISTRIBUTION

Section  
218.581 Bulk Gasoline Plants  
218.582 Bulk Gasoline Terminals  
218.583 Gasoline Dispensing Operations – Storage Tank Filling Operations  
218.584 Gasoline Delivery Vessels  
218.585 Gasoline Volatility Standards (Repealed)  
218.586 Gasoline Dispensing Operations – Motor Vehicle Fueling Operations

SUBPART Z: DRY CLEANERS

Section  
218.601 Perchloroethylene Dry Cleaners (Repealed)  
218.602 Applicability (Repealed)  
218.603 Leaks (Repealed)  
218.604 Compliance Dates (Repealed)  
218.605 Compliance Plan (Repealed)  
218.606 Exception to Compliance Plan (Repealed)  
218.607 Standards for Petroleum Solvent Dry Cleaners  
218.608 Operating Practices for Petroleum Solvent Dry Cleaners  
218.609 Program for Inspection and Repair of Leaks  
218.610 Testing and Monitoring  
218.611 Applicability for Petroleum Solvent Dry Cleaners  
218.612 Compliance Dates (Repealed)  
218.613 Compliance Plan (Repealed)

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SUBPART AA: PAINT AND INK MANUFACTURING

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218.620	Applicability
218.621	Exemption for Waterbase Material and Heatset-Offset Ink
218.623	Permit Conditions (Repealed)
218.624	Open-Top Mills, Tanks, Vats or Vessels
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218.626	Storage Tanks
218.628	Leaks
218.630	Clean Up
218.636	Compliance Schedule
218.637	Recordkeeping and Reporting

SUBPART BB: POLYSTYRENE PLANTS

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218.640	Applicability
218.642	Emissions Limitation at Polystyrene Plants
218.644	Emissions Testing

SUBPART CC: POLYESTER RESIN PRODUCT MANUFACTURING PROCESS

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218.660	Applicability
218.666	Control Requirements
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218.668	Testing
218.670	Recordkeeping and Reporting for Exempt Emission Units
218.672	Recordkeeping and Reporting for Subject Emission Units

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218.680	Applicability
218.686	Control Requirements
218.688	Testing
218.690	Recordkeeping and Reporting for Exempt Emission Units
218.692	Recordkeeping and Reporting for Subject Emission Units

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218.722	Control Requirements (Repealed)
218.726	Testing (Repealed)
218.727	Monitoring (Repealed)
218.728	Recordkeeping and Reporting (Repealed)
218.729	Compliance Date (Repealed)
218.730	Certification (Repealed)

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218.760	Applicability
218.762	Control Requirements
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218.768	Testing and Monitoring
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218.784	Equipment Specifications
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218.787	Work Practices
218.788	Testing
218.789	Monitoring and Recordkeeping for Control Devices
218.790	General Recordkeeping and Reporting (Repealed)
218.791	Compliance Date
218.792	Registration (Repealed)
218.875	Applicability of Subpart BB (Renumbered)
218.877	Emissions Limitation at Polystyrene Plants (Renumbered)
218.879	Compliance Date (Repealed)
218.881	Compliance Plan (Repealed)
218.883	Special Requirements for Compliance Plan (Repealed)

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218.886 Emissions Testing (Renumbered)

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Section

218.890 Applicability  
218.891 Emission Limitations and Control Requirements  
218.892 Testing Requirements  
218.894 Recordkeeping and Reporting Requirements

SUBPART JJ: MISCELLANEOUS INDUSTRIAL ADHESIVES

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218.900 Applicability  
218.901 Emission Limitations and Control Requirements  
218.902 Testing Requirements  
218.903 Monitoring Requirements  
218.904 Recordkeeping and Reporting Requirements

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT  
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218.920 Applicability  
218.923 Permit Conditions (Repealed)  
218.926 Control Requirements  
218.927 Compliance Schedule  
218.928 Testing  
218.929 Cementable and Dress or Performance Shoe Leather

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218.940 Applicability  
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218.946 Control Requirements  
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218.960	Applicability
218.963	Permit Conditions (Repealed)
218.966	Control Requirements
218.967	Compliance Schedule
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218.980	Applicability
218.983	Permit Conditions (Repealed)
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218.987	Compliance Schedule
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218.990	Exempt Emission Units
218.991	Subject Emission Units

218.APPENDIX A	List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing
218.APPENDIX B	VOM Measurement Techniques for Capture Efficiency (Repealed)
218.APPENDIX C	Reference Methods and Procedures
218.APPENDIX D	Coefficients for the Total Resource Effectiveness Index (TRE) Equation
218.APPENDIX E	List of Affected Marine Terminals
218.APPENDIX G	TRE Index Measurements for SOCOMI Reactors and Distillation Units
218.APPENDIX H	Baseline VOM Content Limitations for Subpart F, Section 218.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Sections 27, 28, and 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28, and 28.5].

SOURCE: Adopted at R91-7 at 15 Ill. Reg. 12231, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13564, effective August 24, 1992; amended in R91-28 and R91-30 at 16 Ill. Reg. 13864, effective August 24, 1992; amended in R93-9 at 17 Ill. Reg. 16636, effective

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September 27, 1993; amended in R93-14 at 18 Ill. Reg. 1945, effective January 24, 1994; amended in R94-12 at 18 Ill. Reg. 14973, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16392, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16950, effective November 15, 1994; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6848, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7359, effective May 22, 1995; amended in R96-13 at 20 Ill. Reg. 14428, effective October 17, 1996; amended in R97-24 at 21 Ill. Reg. 7708, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3556, effective February 2, 1998; amended in R98-16 at 22 Ill. Reg. 14282, effective July 16, 1998; amended in R02-20 at 27 Ill. Reg. 7283, effective April 8, 2003; amended in R04-12/20 at 30 Ill. Reg. 9684, effective May 15, 2006; amended in R06-21 at 31 Ill. Reg. 7086, effective April 30, 2007; amended in R08-8 at 32 Ill. Reg. 14874, effective August 26, 2008; amended in R10-10 at 34 Ill. Reg. 5330, effective March 23, 2010; amended in R10-8 at 34 Ill. Reg. 9096, effective June 25, 2010; amended in R10-20 at 34 Ill. Reg. 14174, effective September 14, 2010; amended in R10-8(A) at 35 Ill. Reg. 469, effective December 21, 2010; amended in R11-23 at 35 Ill. Reg. 13473, effective July 27, 2011; amended in R11-23(A) at 35 Ill. Reg. 18813, effective October 25, 2011; amended in R12-24 at 37 Ill. Reg. 1699, effective January 28, 2013; amended in \_\_\_\_\_ at \_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

### SUBPART A: GENERAL PROVISIONS

#### Section 218.112 Incorporations by Reference

The following materials are incorporated by reference and do not contain any subsequent additions or amendments.

- a) American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken PA 19428-9555:
  - 1) ASTM D 2879-86
  - 2) ASTM D 323-08
  - 3) ASTM D 86-82
  - 4) ASTM D 369-69 (1971)
  - 5) ASTM D 396-69
  - 6) ASTM D 2880-71

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- 7) ASTM D 975-68
  - 8) ASTM D 3925-81 (1985)
  - 9) ASTM E 300-86
  - 10) ASTM D 1475-85
  - 11) ASTM D 2369-87
  - 12) ASTM D 3792-86
  - 13) ASTM D 4017-81 (1987)
  - 14) ASTM D 4457-85
  - 15) ASTM D 2697-86
  - 16) ASTM D 3980-87
  - 17) ASTM E 180-85
  - 18) ASTM D 2372-85
  - 19) ASTM D 97-66
  - 20) ASTM E 168-67 (1977)
  - 21) ASTM E 169-87
  - 22) ASTM E 260-91
  - 23) ASTM D 2504-83
  - 24) ASTM D 2382-83
  - 25) ASTM D 2099-00
- b) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1987.

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- c) American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks", Second ed., February 1980.
- d) 40 CFR 60 (July 1, 1991) and 40 CFR 60, Appendix A, Method 24 (57 FR 30654, July 10, 1992).
- e) 40 CFR 61 (July 1, 1991).
- f) 40 CFR 50 (July 1, 1991).
- g) 40 CFR 51 (July 1, 1991) and 40 CFR 51, appendix M, Methods 204-204F (July 1, 1999).
- h) 40 CFR 52 (July 1, 1991).
- i) "A Guide for Surface Coating Calculation", July 1986, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-016.
- j) "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coating" (revised June 1986), United States Environmental Protection Agency, Washington, D.C., EPA-450/3-84-019.
- k) "A Guide for Graphic Arts Calculations", August 1988, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-88-003.
- l) "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations", December 1988, United States Environmental Protection Agency, Washington, D.C., EPA-450/3-88-018.
- m) "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products", December 1978, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-029.
- n) "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", December 1978, Appendix B, United States Environmental Protection Agency, Washington, D.C., EPA-450/-78-051.
- o) "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners", September 1982, United States Environmental Protection Agency,

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Washington, D.C., EPA-450/3-82-009.

- p) "APTI Course SI417 Controlling Volatile Organic Compound Emissions from Leaking Process Equipment", 1982, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-82-015.
- q) "Portable Instrument User's Manual for Monitoring VOC Sources", June 1986, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-015.
- r) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOC and VHAP", October 1988, United States Environmental Protection Agency, Washington, D.C., EPA-450/3-88-010.
- s) "Petroleum Refinery Enforcement Manual", March 1980, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-008.
- t) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", 1980, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-012.
- u) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", December 1977, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026.
- v) "Technical Guidance – Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities", November 1991, United States Environmental Protection Agency, Washington, D.C., EPA-450/3-91-022b.
- w) California Air Resources Board, Compliance Division. Compliance Assistance Program: Gasoline Marketing and Distribution: Gasoline Facilities Phase I & II (October 1988, rev. November 1993) (CARB Manual).
- x) South Coast Air Quality Management District (SCAQMD), Applied Science & Technology Division, Laboratory Services Branch, SCAQMD Method 309-91, Determination of Static Volatile Emissions (February 1993).
- y) South Coast Air Quality Management District (SCAQMD), Applied Science & Technology Division, Laboratory Services Branch, SCAQMD Method 312-91, Determination of Percent Monomer in Polyester Resins (April 1996).

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- z) "Guidelines for Determining Capture Efficiency", January 1995, Office of Air Quality Planning and Standards, United States Environmental Protection Agency, Research Triangle Park NC.
- aa) Memorandum "Revised Capture Efficiency Guidance for Control of Volatile Organic Compound Emissions", February 1995, John S. Seitz, Director, Office of Air Quality Planning and Standards, United States Environmental Protection Agency.
- bb) "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations", September 2008, United States Environmental Protection Agency, Washington, D.C., EPA-453/R-08-002.
- cc) 40 CFR 63, subpart PPPP, appendix A (2008).
- dd) 46 CFR subchapter Q (2007).
- ee) 46 CFR subchapter T (2008).
- ff) Petroleum Equipment Institute, "Recommended Practices for Installation and Testing of Vapor-Recovery Systems at Vehicle-Fueling Sites," PEI/RP300-09, (2009).

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

SUBPART Y: GASOLINE DISTRIBUTION

Section 218.583 Gasoline Dispensing Operations - Storage Tank Filling Operations

- a) Subject to subsection (b) below, no person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing operation unless:
  - 1) The tank is equipped with a submerged loading pipe; and
  - 2) The vapors displaced from the storage tank during filling are processed by a vapor control system that includes one or more of the following:

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- A) A vapor collection system that meets the requirements of subsection (d)(4) below; or
  - B) A refrigeration-condensation system or any other system approved by the Agency and approved by the USEPA as a SIP revision, that recovers at least 90 percent by weight of all vaporized organic material from the equipment being controlled; and
  - C) The delivery vessel displays the appropriate sticker pursuant to the requirements of Section 218.584(b) or (d) of this Part; and
- 3) By March 15, 1995, all tank vent pipes are equipped with pressure/vacuum relief valves with the following design specifications:
- A) The pressure/vacuum relief valve shall be set to resist a pressure of at least 3.5 inches water column and to resist a vacuum of no less than 6.0 inches water column; or
  - B) The pressure/vacuum relief valve shall meet the requirements of Section 218.586(c) of this Part; and
- 4) The owner or operator of a gasoline dispensing operation demonstrates compliance with subsection (a)(3) of this Section, by March 15, 1995 or 30 days after installation of each pressure/vacuum relief valve, whichever is later, and at least annually thereafter, by measuring and recording the pressure indicated by a pressure/vacuum gauge at each tank vent pipe. The test shall be performed on each tank vent pipe within two hours after product delivery into the respective storage tank. For manifold tank vent systems, observations at any point within the system shall be adequate. The owner or operator shall maintain any records required by this subsection for a period of three years.
- b) The requirements of subsections (a)(2) and (a)(3) above shall not apply to transfers of gasoline to a stationary storage tank at a gasoline dispensing operation if:
- 1) The tank is equipped with a floating roof, or other system of equal or better emission control approved by the Agency and approved by the USEPA as a SIP revision;

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- 2) The tank has a capacity of less than 2000 gallons and was in place and operating before January 1, 1979; or
  - 3) The tank has a capacity of less than 575 gallons.
- c) Subject to subsection (b) above, each owner of a gasoline dispensing operation shall:
- 1) Install all control systems and make all process modifications required by subsection (a) above;
  - 2) Provide instructions to the operator of the gasoline dispensing operation describing necessary maintenance operations and procedures for prompt notification of the owner in case of any malfunction of a vapor control system; and
  - 3) Repair, replace or modify any worn out or malfunctioning component or element of design.
- d) Subject to subsection (b) above, each operator of a gasoline dispensing operation shall:
- 1) Maintain and operate each vapor control system in accordance with the owner's instructions;
  - 2) Promptly notify the owner of any scheduled maintenance or malfunction requiring replacement or repair of a major component of a vapor control system;
  - 3) Maintain gauges, meters or other specified testing devices in proper working order;
  - 4) Operate the vapor collection system and delivery vessel unloading points in a manner that prevents:
    - A) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in EPA 450/2-78-051 Appendix B incorporated by reference in Section 218.112 of this Part; and



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- B) Avoidable leaks of liquid during the filling of storage tanks; and
- 5) Within 15 business days after discovery of the leak by the owner, operator, or the Agency, repair and retest a vapor collection system which exceeds the limits of subsection (d)(4)(A) above.
- e) ~~(Reserved) Any retail gasoline dispensing operation subject to subsection (a) above, unless subject to Section 218.586 of this Part, shall be exempt from the permit requirements specified under 35 Ill. Adm. Code 201.142, 201.143, and 201.144 provided that:~~
- ~~1) The owner or operator of the gasoline dispensing operation submits to the Agency a registration which provides, at a minimum, the operation name and address, signature of the owner or operator, the location (including contact person's name, address and telephone number) of records and reports required by this Section, the number of underground tanks, the number of tank pipe vents, and the date of completion of installation of the vapor control system and pressure/vacuum relief valve.~~
  - ~~2) The registration is submitted to the Agency by March 15, 1995 or 30 days after installation of a vapor control system or pressure/vacuum relief valve, whichever is later.~~
  - ~~3) The registration certification is displayed at the gasoline dispensing operation.~~
  - ~~4) Upon modification of an existing vapor control system or pressure/vacuum relief valve, the owner or operator of the gasoline dispensing operation submits to the Agency a registration that details the changes to the information provided in the previous registration and which includes the signature of the owner or operator. The registration must be submitted to the Agency within 30 days after completion of such modification.~~

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

Section 218.586 Gasoline Dispensing Operations - Motor Vehicle Fueling Operations

- a) Definitions. For the purposes of this Section, the following definitions apply.

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- 1) Average monthly volume means the amount of motor vehicle fuel dispensed per month from a gasoline dispensing operation based upon a monthly average for the 2-year period of November, 1990 through October, 1992 or, if not available, the monthly average for the most recent twelve calendar months. Monthly averages are to include only those months when the operation was operating.
- 2) Certified means any vapor collection and control system which has been tested and approved by CARB as having a vapor recovery and removal efficiency of at least 95% (by weight) shall constitute a certified vapor collection and control system. CARB testing and approval is pursuant to the CARB manual, incorporated by reference at 218.112 of this Part
- 3) Completion of installation means the successful passing of one or more of the following tests applicable to the installed vapor collection and control system: Dynamic Backpressure Test, Pressure Decay/Leak Test, and Liquid Blockage Test, incorporated by reference at 218.112 of this Part.
- ~~4) Constructed means fabricated, erected or installed; refers to any facility, emission source or air pollution control equipment.~~
- ~~4)5) CARB means California Air Resources Board, P.O. Box 2815, Sacramento, CA 95812.~~
- ~~5)6) Employee means any person who performs work for an employer.~~
- ~~6)7) Operation means any building, structure, installation, operation or combination thereof located on contiguous properties and under common ownership that provides for the dispensing of motor vehicle fuel.~~
- ~~7)8) Gasoline dispensing operation means any operation where motor vehicle fuel is dispensed into motor vehicle fuel tanks or portable containers from a storage tank with a capacity of 2176 liters (575 gallons) or more.~~
- ~~8)9) Modification means any change, removal or addition, other than an identical replacement, of any component contained within the vapor collection and control system.~~

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- ~~9)~~<sup>10)</sup> Motor vehicle means any self-propelled vehicle powered by an internal combustion engine including, but not limited to, automobiles and trucks. Specifically excluded from this definition are watercraft and aircraft.
- ~~10)~~<sup>11)</sup> Motor vehicle fuel means any petroleum distillate having a Reid vapor pressure of more than 27.6 kilopascals (kPa) (four pounds per square inch) and which is used to power motor vehicles.
- ~~11)~~<sup>12)</sup> Owner or operator means any person who owns, leases, operates, manages, supervises or controls (directly or indirectly) a gasoline dispensing operation.
- ~~12)~~<sup>13)</sup> Reid vapor pressure for gasoline, shall be measured in accordance with ~~either the method ASTM D323-08 or a modification of ASTM D323 known as the "dry method" as set forth in 40 CFR 80, Appendix E, incorporated by references in 35 Ill. Adm. Code 218.112 of this Part.~~
- ~~13)~~<sup>14)</sup> Vapor collection and control system means any system certified by CARB which limits the discharge to the atmosphere of motor vehicle fuel vapors displaced during the dispensing of motor vehicle fuel into motor vehicle fuel tanks.
- b) Applicability. The provisions of subsection (c) below shall apply to any gasoline dispensing operation which dispenses an average monthly volume of more than 10,000 gallons of motor vehicle fuel per month. Compliance shall be required and demonstrated in accordance with the schedule provided in subsection (d) below.
- c) Vapor Collection and Control Systems. No owner or operator of a gasoline dispensing operation subject to the requirements of subsection (b) above shall cause or allow the dispensing of motor vehicle fuel at any time from a motor fuel dispenser unless the dispenser is equipped with and utilizes a vapor collection and control system which is properly installed and operated as provided below:
- 1) Any vapor collection and control system installed, used or maintained has been CARB certified.
  - 2) Any vapor collection and control system utilized is maintained in accordance with the manufacturer's specifications and the certification.

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- 3) No elements or components of a vapor collection and control system are modified, removed, replaced or otherwise rendered inoperative in a manner which prevents the system from performing in accordance with its certification and design specifications.
  - 4) A vapor collection and control system has no defective, malfunctioning or missing components.
  - 5) Operators and employees of the gasoline dispensing operation are trained and instructed in the proper operation and maintenance of a vapor collection and control system.
  - 6) Instructions are posted in a conspicuous and visible place within the motor fuel dispensing area and describe the proper method of dispensing motor vehicle fuel with the use of the vapor collection and control system.
- d) Compliance. In conjunction with the compliance provisions of Section 218.105 of this Part, gasoline dispensing operations subject to the requirements of subsection (c) above shall comply and demonstrate compliance according to the following:
- 1) Gasoline dispensing operations that operate at any time prior to January 1, 2014, shall comply with subsection (c) above until decommissioning is allowed and commenced in accordance with subsection (i)(1) and (i)(2)(B) below.
  - 2) The provisions of subsection (c) above shall not apply to any new gasoline dispensing operation that commences operating for the first time on or after January 1, 2014.
  - 1) ~~Operations that commenced construction after November 1, 1990, must comply by May 1, 1993.~~
  - 2) ~~Operations that commenced construction before November 1, 1990, and dispense an average monthly volume of more than 100,000 gallons of motor fuel per month must comply by November 1, 1993.~~
  - 3) ~~Operations that commenced construction before November 1, 1990, and dispense an average monthly volume of less than 100,000 gallons of motor fuel per month must comply by November 1, 1994.~~

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- 4) ~~New operations constructed after the adoption of this Section shall comply with the requirements of subsection (c) above upon startup of the operation.~~
- 5) ~~Existing operations previously exempted from but which become subject to the requirements of subsection (c) above after May 1, 1993 shall comply with the requirements of subsection (c) above within six calendar months of the date from which the operation becomes subject.~~
- e) Except as provided in subsection (d) above, any Any gasoline dispensing operation that becomes subject to the provisions of subsection (c) above at any time shall remain subject to the provisions of subsection (c) above at all times.
- f) Upon request by the Agency, the owner or operator of a gasoline dispensing operation which claims to be exempt from the requirements of subsection (c) above~~this Section~~ shall submit records to the Agency within 30 calendar days from the date of the request which demonstrate that the gasoline dispensing operation is in fact exempt.
- g) Recordkeeping and reporting:
- 1) Any gasoline dispensing operation subject to subsection (c) above shall retain at the operation copies of the registration information required at subsection (h) below.
  - 2) Except as provided in subsection (g)(4), records~~Records~~ and reports required pursuant to this subsection shall be made available to the Agency upon request.
  - 3) Records and reports which shall be maintained by the owner or operator of at the gasoline dispensing operation subject to subsection (c) above shall clearly demonstrate:
    - A) That a certified vapor collection and control system has been installed and tested to verify its performance according to its specifications.
    - B) That proper maintenance has been conducted in accordance with the manufacturer's specifications and requirements.

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- C) The time period and duration of all malfunctions of the vapor collection and control system.
  - D) The motor vehicle fuel throughput of the operation for each calendar month of the previous year.
  - E) That operators and employees are trained and instructed in the proper operation and maintenance of the vapor collection and control system and informed as to the potential penalties associated with the violation of any provision of this Section.
- 4) Any and all records relating to decommissioning shall be maintained by the owner or operator of a gasoline dispensing operation for a period of 5 years after completion of decommissioning in accordance with subsection (i) below. For purposes of this paragraph, "records" include, but are not limited to, any documents, papers, reports, test results, logs, invoices, forms, certifications, and receipts that relate to decommissioning. Records relating to decommissioning shall be made available to the Agency or its designee within 30 minutes after the Agency's, or its designee's, request.
- h) Any gasoline dispensing operation subject to subsection (c) above shall comply with the following registration requirements~~be exempt from the permit requirements specified under 35 Ill. Adm. Code 201.142, 201.143 and 201.144 for its vapor collection and control systems, provided that:~~
- 1) Upon the installation of a vapor collection and control system, the owner or operator of the gasoline dispensing operation ~~shall submit~~submits to the Agency a registration which provides at minimum the operation name and address, signature of the owner or operator, the CARB Executive Order Number for the vapor collection and control system to be utilized, the number of nozzles (excluding diesel or kerosene) used for motor vehicle refueling, the monthly average volume of motor vehicle fuel dispensed, the location (including contact person's name, address, and telephone number) of records and reports required by this Section, and the date of completion of installation of the vapor collection and control system.
  - 2) The registration ~~shall be~~is submitted to the Agency within 30 days of completion of such installation.

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- 3) A copy of the registration information shall be maintained at the gasoline dispensing operation.
- 4) Upon the modification of an existing vapor collection and control system, the owner or operator of the gasoline dispensing operation shall submit to the Agency a registration that details the changes to the information provided in the previous registration of the vapor collection and control system and which includes the signature of the owner or operator. The registration must be submitted to the Agency within 30 days of completion of such modification.
  - i) Decommissioning. The owner or operator of a gasoline dispensing operation subject at any time to subsection (c) above shall decommission vapor collection and control systems in accordance with the provisions of this subsection.
    - 1) Compliance.
      - A) Beginning January 1, 2014, an owner or operator of a gasoline dispensing operation may commence decommissioning of vapor collection and control systems. The decommissioning of vapor collection and control systems must be conducted in accordance with the all of the provisions specified in subsection (i)(2) below.
      - B) No later than December 31, 2016, an owner or operator of a gasoline dispensing operation shall complete the decommissioning of all vapor collection and control systems in accordance with all of the provisions specified in subsection (i)(2) below.
    - 2) Decommissioning Procedures and Standards. The decommissioning of vapor collection and control systems shall be conducted as follows:
      - A) The owner or operator of a gasoline dispensing operation shall complete and submit a notice of intent form, provided by the Agency, notifying the Agency of its intent to decommission. The completed notice of intent form shall be submitted to the Agency at least 10 days prior to commencing decommissioning in accordance with subsection (i)(2)(B) below;
      - B) The owner or operator of a gasoline dispensing operation shall decommission vapor collection and control systems in accordance

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with all of the procedures specified in Section 14.6, except Section 14.6.14, of the Petroleum Equipment Institute's "Recommended Practices for Installation and Testing of Vapor-Recovery Systems at Vehicle-Fueling Sites," PEI/RP 300-09 (PEI), incorporated by reference at Section 218.112 of this Part. In addition to Section 14.6 of the PEI, the following requirements apply to decommissioning:

- i) All decommissioning procedures, except testing, shall be performed only by a contractor who is both registered with the Illinois Department of Agriculture, Bureau of Weights & Measures, in the 3-A Gasoline Pump Meters Code pursuant to 225 ILCS 470/8.1 and licensed by the Office of the State Fire Marshal (OSFM) in the installation/retrofitting licensure module pursuant to 225 ILCS 729 and implementing regulations at 41 Ill. Adm. Code 172. Any such contractor shall also have the appropriate dispenser-manufacturer certification and training, if any. In the event that product piping must be broken or an OSFM permit otherwise required for any component of the work, the contractor shall ensure that the OSFM-permitted work is performed by the appropriate OSFM-licensed contractor and personnel;
  - ii) Decommissioning procedures related to testing shall be performed only by a contractor who is licensed by OSFM in the tank tightness testing licensure module pursuant to 225 ILCS 729 and implementing regulations at 41 Ill. Adm. Code 172; and
  - iii) The pressure decay test, as required by the PEI, shall be passed in accordance with Appendix A of the PEI. The tie-tank test, as required by the PEI, shall be conducted and passed in accordance with CARB TP201.3C to ensure that all tanks are properly vented; and
- C) The owner or operator of a gasoline dispensing operation and the contractor(s) that performed the decommissioning shall complete and sign a decommissioning checklist and certification, provided by the Agency, documenting the decommissioning procedures



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performed. Within 30 days after completion of the decommissioning procedures specified by subsection (i)(2)(B) above, the owner or operator shall provide the completed checklist and certification, and test results to the Agency.

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

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

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PART 219

ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS FOR  
THE METRO EAST AREA

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219.APPENDIX A List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing  
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219.APPENDIX C Reference Methods and Procedures  
219.APPENDIX D Coefficients for the Total Resource Effectiveness Index (TRE) Equation  
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219.APPENDIX G TRE Index Measurements for SOCMR Reactors and Distillation Units  
219.APPENDIX H Baseline VOM Content Limitations for Subpart F, Section 219.212 Cross-Line Averaging

AUTHORITY: Implementing Section 10 and authorized by Sections 27, 28 and 28.5 of the Environmental Protection Act [415 ILCS 5/10, 27, 28 and 28.5].

SOURCE: Adopted in R91-8 at 15 Ill. Reg. 12491, effective August 16, 1991; amended in R91-24 at 16 Ill. Reg. 13597, effective August 24, 1992; amended in R91-30 at 16 Ill. Reg. 13883, effective August 24, 1992; emergency amendment in R93-12 at 17 Ill. Reg. 8295, effective May 24, 1993, for a maximum of 150 days; amended in R93-9 at 17 Ill. Reg. 16918, effective September 27, 1993 and October 21, 1993; amended in R93-28 at 18 Ill. Reg. 4242, effective March 3, 1994; amended in R94-12 at 18 Ill. Reg. 14987, effective September 21, 1994; amended in R94-15 at 18 Ill. Reg. 16415, effective October 25, 1994; amended in R94-16 at 18 Ill. Reg. 16980, effective November 15, 1994; emergency amendment in R95-10 at 19 Ill. Reg. 3059, effective February 28, 1995, for a maximum of 150 days; amended in R94-21, R94-31 and R94-32 at 19 Ill. Reg. 6958, effective May 9, 1995; amended in R94-33 at 19 Ill. Reg. 7385, effective May 22, 1995; amended in R96-2 at 20 Ill. Reg. 3848, effective February 15, 1996; amended in R96-13 at 20 Ill. Reg. 14462, effective October 28, 1996; amended in R97-24 at 21 Ill. Reg. 7721, effective June 9, 1997; amended in R97-31 at 22 Ill. Reg. 3517, effective February 2, 1998; amended in R04-12/20 at 30 Ill. Reg. 9799, effective May 15, 2006; amended in R06-21 at 31 Ill. Reg. 7110, effective April 30, 2007; amended in R10-10 at 34 Ill. Reg. 5392, effective March 23, 2010; amended in R10-8 at 34 Ill. Reg. 9253, effective June 25, 2010; amended in R10-20 at 34 Ill. Reg. 14326, effective September 14, 2010; amended in R10-8(A) at 35 Ill. Reg. 496, effective December 21, 2010; amended in R11-23 at 35 Ill. Reg. 13676, effective July 27, 2011; amended in R11-23(A), at 35 Ill. Reg. 18830, effective October 25, 2011; amended in R12-24 at 37 Ill. Reg. 1722, effective January 28, 2013; amended in \_\_\_\_\_ at \_\_\_ Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

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SUBPART A: GENERAL PROVISIONS

Section 219.105 Test Methods and Procedures

- a) Coatings, Inks and Fountain Solutions  
The following test methods and procedures shall be used to determine compliance of as applied coatings, inks, and fountain solutions with the limitations set forth in this Part.
- 1) Sampling: Samples collected for analyses shall be one-liter taken into a one-liter container at a location and time such that the sample will be representative of the coating as applied (i.e., the sample shall include any dilution solvent or other VOM added during the manufacturing process). The container must be tightly sealed immediately after the sample is taken. Any solvent or other VOM added after the sample is taken must be measured and accounted for in the calculations in subsection (a)(3) of this Section. For multiple package coatings, separate samples of each component shall be obtained. A mixed sample shall not be obtained as it will cure in the container. Sampling procedures shall follow the guidelines presented in:
- A) ASTM D 3925-81 (1985) standard practice for sampling liquid paints and related pigment coating. This practice is incorporated by reference in Section 219.112 of this Part.
- B) ASTM E 300-86 standard practice for sampling industrial chemicals. This practice is incorporated by reference in Section 219.112 of this Part.
- 2) Analyses: The applicable analytical methods specified below shall be used to determine the composition of coatings, inks, or fountain solutions as applied.
- A) Method 24 of 40 CFR 60, appendix A, incorporated by reference in Section 219.112 of this Part, shall be used to determine the VOM content and density of coatings. If it is demonstrated to the satisfaction of the Agency and the USEPA that plant coating formulation data are equivalent to Method 24 results, formulation data may be used. In the event of any inconsistency between a Method 24 test and a facility's formulation data, the Method 24 test

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will govern.

- B) Method 24A of 40 CFR 60, appendix Appendix A, incorporated by reference in Section 219.112, shall be used to determine the VOM content and density of rotogravure printing inks and related coatings. If it is demonstrated to the satisfaction of the Agency and USEPA that the plant coating formulation data are equivalent to Method 24A results, formulation data may be used. In the event of any inconsistency between a Method 24A test and formulation data, the Method 24A test will govern.
- C) The following ASTM methods are the analytical procedures for determining VOM:
  - i) ASTM D 1475-85: Standard test method for density of paint, varnish, lacquer and related products. This test method is incorporated by reference in Section 219.112 of this Part.
  - ii) ASTM D 2369-87: Standard test method for volatile content of a coating. This test method is incorporated by reference in Section 219.112 of this Part.
  - iii) ASTM D 3792-86: Standard test method for water content of water-reducible paints by direct injection into a gas chromatograph. This test method is incorporated by reference in Section 219.112 of this Part.
  - iv) ASTM D 4017-81 (1987): Standard test method for water content in paints and paint materials by the Karl Fischer method. This test method is incorporated by reference in Section 219.112 of this Part.
  - v) ASTM D 4457-85: Standard test method for determination of dichloromethane and 1,1,1, trichloroethane in paints and coatings by direct injection into a gas chromatograph. (The procedure delineated above can be used to develop protocols for any compounds specifically exempted from the definition of VOM.) This test method is incorporated by reference in Section 219.112 of this Part.

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- vi) ASTM D 2697-86: Standard test method for volume non-volatile matter in clear or pigmented coatings. This test method is incorporated by reference in Section 219.112 of this Part.
  - vii) ASTM D 3980-87: Standard practice for interlaboratory testing of paint and related materials. This practice is incorporated by reference in Section 219.112 of this Part.
  - viii) ASTM E 180-85: Standard practice for determining the precision of ASTM methods for analysis of and testing of industrial chemicals. This practice is incorporated by reference in Section 219.112 of this Part.
  - ix) ASTM D 2372-85: Standard method of separation of vehicle from solvent-reducible paints. This method is incorporated by reference in Section 219.112 of this Part.
- D) Use of an adaptation to any of the analytical methods specified in subsections (a)(2)(A), (B), and (C) of this Section may not be used unless approved by the Agency and USEPA. An owner or operator must submit sufficient documentation for the Agency and USEPA to find that the analytical methods specified in subsections (a)(2)(A), (B), and (C) of this Section will yield inaccurate results and that the proposed adaptation is appropriate.
- 3) Calculations: Calculations for determining the VOM content, water content and the content of any compounds which are specifically exempted from the definition of VOM of coatings, inks and fountain solutions as applied shall follow the guidance provided in the following documents:
- A) "A Guide for Surface Coating Calculation", EPA-340/1-86-016, incorporated by reference in Section 219.112 of this Part.
  - B) "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coatings" (revised June 1986), EPA-450/3-84-019, incorporated by reference in Section 219.112 of this Part.

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- C) "A Guide for Graphic Arts Calculations", August 1988, EPA-340/1-88-003, incorporated by reference in Section 219.112 of this Part.
- b) Automobile or Light-Duty Truck Test Protocol
- 1) The protocol for testing, including determining the transfer efficiency of coating applicators, at primer surfacer operations and topcoat operations at an automobile or light-duty truck assembly source shall follow the procedures in the following:
    - A) Prior to May 1, 2012: "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations" ("topcoat protocol"), December 1988, EPA-450/3-88-018, incorporated by reference in Section 219.112 of this Part.
    - B) On and after May 1, 2012: "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations" (topcoat protocol), September 2008, EPA-453/R-08-002, incorporated by reference in Section 219.112 of this Part.
  - 2) Prior to testing pursuant to the applicable topcoat protocol, the owner or operator of a coating operation subject to the topcoat or primer surfacer limit in Section 219.204(a)(1)(B), (a)(1)(C), (a)(2)(B), (a)(2)(C), or (a)(2)(E) shall submit a detailed testing proposal specifying the method by which testing will be conducted and how compliance will be demonstrated consistent with the applicable topcoat protocol. The proposal shall include, at a minimum, a comprehensive plan (including a rationale) for determining the transfer efficiency at each booth through the use of in-plant or pilot testing, the selection of coatings to be tested (for the purpose of determining transfer efficiency) including the rationale for coating groupings, the method for determining the analytic VOM content of as applied coatings and the formulation solvent content of as applied coatings, and a description of the records of coating VOM content as applied and coating's usage that will be kept to demonstrate compliance. Upon approval of the proposal by the Agency and USEPA, the compliance demonstration for a coating line may proceed.

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- c) Capture System Efficiency Test Protocols
  - 1) Applicability

The requirements of subsection (c)(2) of this Section shall apply to all VOM emitting process emission units employing capture equipment (e.g., hoods, ducts), except those cases noted in this subsection (c)(1).

    - A) If an emission unit is equipped with (or uses) a permanent total enclosure (PTE) that meets Agency and USEPA specifications, and which directs all VOM to a control device, then the emission unit is exempted from the requirements described in subsection (c)(2) of this Section. The Agency and USEPA specifications to determine whether a structure is considered a PTE are given in Method 204 of appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part. In this instance, the capture efficiency is assumed to be 100 percent and the emission unit is still required to measure control efficiency using appropriate test methods as specified in subsection (d) of this Section.
    - B) If an emission unit is equipped with (or uses) a control device designed to collect and recover VOM (e.g., carbon adsorber), an explicit measurement of capture efficiency is not necessary provided that the conditions given below are met. The overall control of the system can be determined by directly comparing the input liquid VOM to the recovered liquid VOM. The general procedure for use in this situation is given in 40 CFR 60.433, incorporated by reference in Section 219.112 of this Part, with the following additional restrictions:
      - i) The source owner or operator shall obtain data each operating day for the solvent usage and solvent recovery to permit the determination of the solvent recovery efficiency of the system each operating day using a 7-day rolling period. The recovery efficiency for each operating day is computed as the ratio of the total recovered solvent for that day and the most recent prior 6 operating days to the total solvent usage for the same 7-day period used for the recovered solvent, rather than a 30-day weighted average as given in 40 CFR 60.433 incorporated by reference in



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Section 219.112 of this Part. This ratio shall be expressed as a percentage. The ratio shall be computed within 72 hours following each 7-day period. A source that believes that the 7-day rolling period is not appropriate may use an alternative multi-day rolling period not to exceed 30 days, with the approval of the Agency and USEPA. In addition, the criteria in subsection (c)(1)(B)(ii) or subsection (c)(1)(B)(iii) below must be met.

- ii) The solvent recovery system (i.e., capture and control system) must be dedicated to a single coating line, printing line, or other discrete activity that by itself is subject to an applicable VOM emission standard, or
- iii) If the solvent recovery system controls more than one coating line, printing line or other discrete activity that by itself is subject to an applicable VOM emission standard, the overall control (i.e., the total recovered VOM divided by the sum of liquid VOM input from all lines and other activities venting to the control system) must meet or exceed the most stringent standard applicable to any line or other discrete activity venting to the control system.

#### 2) Capture Efficiency Protocols

The capture efficiency of an emission unit shall be measured using one of the protocols given below. Appropriate test methods to be utilized in each of the capture efficiency protocols are described in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part. Any error margin associated with a test method or protocol may not be incorporated into the results of a capture efficiency test. If these techniques are not suitable for a particular process, then an alternative capture efficiency protocol may be used, pursuant to the provisions of Section 219.108(b) of this Part.

- A) Gas/gas method using temporary total enclosure (TTE). The Agency and USEPA specifications to determine whether a temporary enclosure is considered a TTE are given in Method 204 of appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part. The capture efficiency equation to be used for this protocol is:

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$$CE = \frac{G_w}{G_w + F_w}$$

where:

CE = capture efficiency, decimal fraction;

$G_w$  = mass of VOM captured and delivered to control device using a TTE;

$F_w$  = mass of uncaptured VOM that escapes from a TTE.

Method 204B or 204C contained in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain  $G_w$ . Method 204D in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain  $F_w$ .

- B) Liquid/gas method using TTE. The Agency and USEPA specifications to determine whether a temporary enclosure is considered a TTE are given in Method 204 of appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part. The capture efficiency equation to be used for this protocol is:

$$CE = \frac{L - F_w}{L}$$

where:

CE = capture efficiency, decimal fraction;

L = mass of liquid VOM input to process emission unit;

$F_w$  = mass of uncaptured VOM that escapes from a TTE.

Method 204A or 204F contained in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain L. Method 204 in appendix M of 40 CFR 51, incorporated

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by reference in Section 219.112 of this Part is used to obtain  $F_w$ .

- C) Gas/gas method using the building or room (building or room enclosure), in which the affected coating line, printing line or other emission unit is located, as the enclosure, as determined by Method 204 of appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part and in which " $F_B$ " and " $G$ " are measured while operating only the affected line or emission unit. All fans and blowers in the building or room must be operated as they would under normal production. The capture efficiency equation to be used for this protocol is:

$$CE = \frac{G}{G + F_B}$$

where:

CE = capture efficiency, decimal fraction;

G = mass of VOM captured and delivered to control device;

$F_B$  = mass of uncaptured VOM that escapes from building enclosure.

Method 204B or 204C contained in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain  $G$ . Method 204E in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain  $F_B$ .

- D) Liquid/gas method using the building or room (building or room enclosure), in which the affected coating line, printing line or other emission unit is located, as the enclosure as determined by Method 204 of appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part and in which " $F_B$ " and " $L$ " are measured while operating only the affected line emission unit. All fans and blowers in the building or room must be operated as they would under normal production. The capture efficiency equation to be used for this protocol is:

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$$CE = \frac{L - F_B}{L}$$

where:

CE = capture efficiency, decimal fraction;

L = mass of liquid VOM input to process emission unit;

F<sub>B</sub> = mass of uncaptured VOM that escapes from building enclosure.

Method 204A or 204F contained in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain L. Method 204E in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part is used to obtain F<sub>B</sub>.

- E) Mass balance using Data Quality Objective (DQO) or Lower Confidence Limit (LCL) protocol. For a liquid/gas input where an owner or operator is using the DQO/LCL protocol and not using an enclosure as described in Method 204 of appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part, the VOM content of the liquid input (L) must be determined using Method 204A or 204F in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part. The VOM content of the captured gas stream (G) to the control device must be determined using Method 204B or 204C in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part. The results of capture efficiency calculations (G/L) must satisfy the DQO or LCL statistical analysis methodology as described in Section 3 of USEPA's "Guidelines for Determining Capture Efficiency," incorporated by reference at Section 219.112 of this Part. Where capture efficiency testing is done to determine emission reductions for the purpose of establishing emission credits for offsets, shutdowns, and trading, the LCL protocol cannot be used for these applications. In enforcement cases, the LCL protocol cannot confirm non-compliance; capture efficiency must be determined using a protocol under subsection (c)(2)(A), (B), (C) or (D) of this Section, the DQO protocol of this subsection

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(c)(2)(E), or an alternative protocol pursuant to Section 219.108(b) of this Part.

BOARD NOTE: Where LCL was used in testing emission units that are the subject of later requests for establishing emission credits for offsets, shutdowns, and trading, prior LCL results may not be relied upon to determine the appropriate amount of credits. Instead, to establish the appropriate amount of credits, additional testing may be required that would satisfy the protocol of Section 219.105(c)(2)(A), (B), (C) or (D), the DQO protocol of Section 219.105(c)(2)(E), or an alternative protocol pursuant to Section 219.108(b) of this Part.

- 3) Simultaneous testing of multiple lines or emission units with a common control device. If an owner or operator has multiple lines sharing a common control device, the capture efficiency of the lines may be tested simultaneously, subject to the following provisions:
  - A) Multiple line testing must meet the criteria of Section 4 of USEPA's "Guidelines for Determining Capture Efficiency," incorporated by reference at Section 219.112 of this Part;
  - B) The most stringent capture efficiency required for any individual line or unit must be met by the aggregate of lines or units; and
  - C) Testing of all the lines of emission units must be performed with the same capture efficiency test protocol.
  
- 4) Recordkeeping and Reporting
  - A) All owners or operators affected by this subsection must maintain a copy of the capture efficiency protocol submitted to the Agency and the USEPA on file. All results of the appropriate test methods and capture efficiency protocols must be reported to the Agency within 60 days after the test date. A copy of the results must be kept on file with the source for a period of 3 years.
  - B) If any changes are made to capture or control equipment, then the source is required to notify the Agency and the USEPA of these changes and a new test may be required by the Agency or the

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- C) The source must notify the Agency 30 days prior to performing any capture efficiency or control test. At that time, the source must notify the Agency which capture efficiency protocol and control device test methods will be used. Notification of the actual date and expected time of testing must be submitted a minimum of 5 working days prior to the actual date of the test. The Agency may at its discretion accept notification with shorter advance notice provided that such arrangements do not interfere with the Agency's ability to review the protocol and/or observe testing.
- D) Sources utilizing a PTE must demonstrate that this enclosure meets the requirement given in Method 204 in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part, for a PTE during any testing of their control device.
- E) Sources utilizing a TTE must demonstrate that their TTE meets the requirements given in Method 204 in appendix M or 40 CFR 51, incorporated by reference in Section 219.112 of this Part, for a TTE during any testing of their control device. The source must also provide documentation that the quality assurance criteria for a TTE have been achieved.
- F) Any source utilizing the DQO or LCL protocol must submit the following information to the Agency with each test report:
  - i) A copy of all test methods, Quality Assurance/Quality Control procedures, and calibration procedures to be used from those described in appendix M of 40 CFR 51, incorporated by reference in Section 219.112 of this Part;
  - ii) A table with information on each sample taken, including the sample identification and the VOM content of the sample;
  - iii) The quantity of material used for each test run;
  - iv) The quantity of captured VOM for each test run;

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- v) The capture efficiency calculations and results for each test run;
  - vi) The DQO and/or LCL calculations and results; and
  - vii) The Quality Assurance/Quality Control results, including how often the instruments were calibrated, the calibration results, and the calibration gases used.
- d) Control Device Efficiency Testing and Monitoring
- 1) The control device efficiency shall be determined by simultaneously measuring the inlet and outlet gas phase VOM concentrations and gas volumetric flow rates in accordance with the gas phase test methods specified in subsection (f) of this Section.
  - 2) An owner or operator:
    - A) That uses an afterburner or carbon adsorber to comply with any Section of Part 219 shall use Agency and USEPA approved continuous monitoring equipment which is installed, calibrated, maintained, and operated according to vendor specifications at all times the control device is in use except as provided in subsection (d)(3) of this Section. The continuous monitoring equipment must monitor the following parameters:
      - i) For each afterburner which does not have a catalyst bed, the combustion chamber temperature of each afterburner.
      - ii) For each afterburner which has a catalyst bed, commonly known as a catalytic afterburner, the temperature rise across each catalytic afterburner bed or VOM concentration of exhaust.
      - iii) For each carbon adsorber, the VOM concentration of each carbon adsorption bed exhaust or the exhaust of the bed next in sequence to be desorbed.
    - B) Must install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the

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temperature monitoring device, such as a strip chart, recorder or computer, having an accuracy of  $\pm 1$  percent of the temperature measured, expressed in degrees Celsius or  $\pm 0.5^\circ$  C, whichever is greater.

- C) Of an automobile or light-duty truck primer surfacer operation or topcoat operation subject to subsection (d)(2)(A), shall keep a separate record of the following data for the control devices, unless alternative provisions are set forth in a permit pursuant to Title V of the Clean Air Act:
- i) For thermal afterburners for which combustion chamber temperature is monitored, all 3-hour periods of operation in which the average combustion temperature was more than  $28^\circ$  C ( $50^\circ$  F) below the average combustion temperature measured during the most recent performance test that demonstrated that the operation was in compliance.
  - ii) For catalytic afterburners for which temperature rise is monitored, all 3-hour periods of operation in which the average gas temperature before the catalyst bed is more than  $28^\circ$  C ( $50^\circ$  F) below the average gas temperature immediately before the catalyst bed measured during the most recent performance test that demonstrated that the operation was in compliance.
  - iii) For catalytic afterburners and carbon adsorbers for which VOM concentration is monitored, all 3-hour periods of operation during which the average VOM concentration or the reading of organics in the exhaust gases is more than 20 percent greater than the average exhaust gas concentration or reading measured by the organic monitoring device during the most recent determination of the recovery efficiency of a carbon adsorber or performance test for a catalytic afterburner, which determination or test that demonstrated that the operation was in compliance.
- 3) An owner or operator that uses a carbon adsorber to comply with Section 219.401 of this Part may operate the adsorber during periods of monitoring equipment malfunction, provided that:



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- A) The owner or operator notifies in writing the Agency and USEPA, within 10 days after the conclusion of any 72 hour period during which the adsorber is operated and the associated monitoring equipment is not operational, of such monitoring equipment failure and provides the duration of the malfunction, a description of the repairs made to the equipment, and the total to date of all hours in the calendar year during which the adsorber was operated and the associated monitoring equipment was not operational;
  - B) During such period of malfunction the adsorber is operated using timed sequences as the basis for periodic regeneration of the adsorber;
  - C) The period of such adsorber operation does not exceed 360 hours in any calendar year without the approval of the Agency and USEPA; and
  - D) The total of all hours in the calendar year during which the adsorber was operated and the associated monitoring equipment was not operational shall be reported, in writing, to the Agency and USEPA by January 31 of the following calendar year.
- e) Overall Efficiency
- 1) The overall efficiency of the emission control system shall be determined as the product of the capture system efficiency and the control device efficiency or by the liquid/liquid test protocol as specified in 40 CFR 60.433, incorporated by reference in Section 219.112 of this Part, (and revised by subsection (c)(1)(B) of this Section) for each solvent recovery system. In those cases in which the overall efficiency is being determined for an entire line, the capture efficiency used to calculate the product of the capture and control efficiency is the total capture efficiency over the entire line.
  - 2) For coating lines which are both chosen by the owner or operator to comply with Section 219.207(a), (d), (e), (f), (g), (l), or (m) of this Part by the alternative in Section 219.207(b)(2) of this Part and meet the criteria allowing them to comply with Section 219.207 instead of Section 219.204 of this Part, the overall efficiency of the capture system and control

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device, as determined by the test methods and procedures specified in subsections (c), (d) and (e)(1) of this Section, shall be no less than the equivalent overall efficiency which shall be calculated by the following equation:

$$E = \frac{VOM_a - VOM_l}{VOM_a} \times 100$$

where:

E = Equivalent overall efficiency of the capture system and control device as a percentage;

VOM<sub>a</sub> = Actual VOM content of a coating, or the daily-weighted average VOM content of two or more coatings (if more than one coating is used), as applied to the subject coating line as determined by the applicable test methods and procedures specified in subsection (a)(4)(i) of this Part in units of kg VOM/l (lb VOM/gal) of coating solids as applied;

VOM<sub>l</sub> = The VOM emission limit specified in Sections 219.204 or 219.205 of this Part in units of kg VOM/l (lb VOM/gal) of coating solids as applied.

- f) Volatile Organic Material Gas Phase Source Test Methods  
The methods in 40 CFR 60, appendix A, incorporated by reference in Section 219.112 of this Part delineated below shall be used to determine control device efficiencies.
- 1) 40 CFR 60, appendix A, Method 18, 25 or 25A, incorporated by reference in Section 219.112 of this Part as appropriate to the conditions at the site, shall be used to determine VOM concentration. Method selection shall be based on consideration of the diversity of organic species present and their total concentration and on consideration of the potential presence of interfering gases. Except as indicated in subsections (f)(1)(A) and (B) below, the test shall consist of three separate runs, each lasting a minimum of 60 min, unless the Agency and the USEPA determine that process variables dictate shorter sampling times.

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- A) When the method is to be used to determine the efficiency of a carbon adsorption system with a common exhaust stack for all the individual adsorber vessels, the test shall consist of three separate runs, each coinciding with one or more complete sequences through the adsorption cycles of all the individual adsorber vessels.
  - B) When the method is to be used to determine the efficiency of a carbon adsorption system with individual exhaust stacks for each adsorber vessel, each adsorber vessel shall be tested individually. The test for each adsorber vessel shall consist of three separate runs. Each run shall coincide with one or more complete adsorption cycles.
- 2) 40 CFR 60, appendix A, Method 1 or 1A, incorporated by reference in Section 219.112 of this Part, shall be used for sample and velocity traverses.
  - 3) 40 CFR 60, appendix A, Method 2, 2A, 2C or 2D, incorporated by reference in Section 219.112 of this Part, shall be used for velocity and volumetric flow rates.
  - 4) 40 CFR 60, appendix A, Method 3, incorporated by reference in Section 219.112 of this Part, shall be used for gas analysis.
  - 5) 40 CFR 60, appendix A, Method 4, incorporated by reference in Section 219.112 of this Part, shall be used for stack gas moisture.
  - 6) 40 CFR 60, appendix A, Methods 2, 2A, 2C, 2D, 3 and 4, incorporated by reference in Section 219.112 of this Part, shall be performed, as applicable, at least twice during each test run.
  - 7) Use of an adaptation to any of the test methods specified in subsections (f)(1), (2), (3), (4), (5) and (6) of this Section may not be used unless approved by the Agency and the USEPA on a case by case basis. An owner or operator must submit sufficient documentation for the Agency and the USEPA to find that the test methods specified in subsections (f)(1), (2), (3), (4), (5) and (6) of this Section will yield inaccurate results and that the proposed adaptation is appropriate.

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- g) Leak Detection Methods for Volatile Organic Material  
Owners or operators required by this Part to carry out a leak detection monitoring program shall comply with the following requirements:
- 1) Leak Detection Monitoring
    - A) Monitoring shall comply with 40 CFR 60, appendix A, Method 21, incorporated by reference in Section 219.112 of this Part.
    - B) The detection instrument shall meet the performance criteria of Method 21.
    - C) The instrument shall be calibrated before use on each day of its use by the methods specified in Method 21.
    - D) Calibration gases shall be:
      - i) Zero air (less than 10 ppm of hydrocarbon in air); and
      - ii) A mixture of methane or n-hexane and air at a concentration of approximately, but no less than, 10,000 ppm methane or n-hexane.
    - E) The instrument probe shall be traversed around all potential leak interfaces as close to the interface as possible as described in Method 21.
  - 2) When equipment is tested for compliance with no detectable emissions as required, the test shall comply with the following requirements:
    - A) The requirements of subsections (g)(1)(A) through (g)(1)(E) of this Section shall apply.
    - B) The background level shall be determined as set forth in Method 21.
  - 3) Leak detection tests shall be performed consistent with:
    - A) "APTI Course SI 417 controlling Volatile Organic Compound Emissions from Leaking Process Equipment", EPA-450/2-82-015,

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incorporated by reference in Section 219.112 of this Part.

- B) "Portable Instrument User's Manual for Monitoring VOM Sources", EPA-340/1-86-015, incorporated by reference in Section 219.112 of this Part.
  - C) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOM and VHAP", EPA-450/3-88-010, incorporated by reference in Section 219.112 of this Part.
  - D) "Petroleum Refinery Enforcement Manual", EPA-340/1-80-008, incorporated by reference in Section 219.112 of this Part.
- h) Bulk Gasoline Delivery System Test Protocol
- 1) The method for determining the emissions of gasoline from a vapor recovery system are delineated in 40 CFR 60, Subpart XX, section 60.503, incorporated by reference in Section 219.112 of this Part.
  - 2) Other tests shall be performed consistent with:
    - A) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", EPA-340/1-80-012, incorporated by reference in Section 219.112 of this Part.
    - B) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", EPA-450/2-77-026, incorporated by reference in Section 219.112 of this Part.
- i) Notwithstanding other requirements of this Part, upon request of the Agency where it is necessary to demonstrate compliance, an owner or operator of an emission unit which is subject to this Part shall, at his own expense, conduct tests in accordance with the applicable test methods and procedures specific in this Part. Nothing in this Section shall limit the authority of the USEPA pursuant to the Clean Air Act, as amended, to require testing.
- ~~j) Stage II Gasoline Vapor Recovery Test Methods~~  
~~The methods for determining the acceptable performance of Stage II Gasoline Vapor Recovery System are delineated in "Technical Guidance Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline~~

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Dispensing Facilities," found at EPA 450/3-91-022b and incorporated by reference in Section 219.112 of this Part. Specifically, the test methods are as follows:

- 1) ~~Dynamic Backpressure Test is a test procedure used to determine the pressure drop (flow resistance) through balance vapor collection and control systems (including nozzles, vapor hoses, swivels, dispenser piping and underground piping) at prescribed flow rates.~~
- 2) ~~Pressure Decay/Leak Test is a test procedure used to quantify the vapor tightness of a vapor collection and control system installed at gasoline dispensing facilities.~~
- 3) ~~Liquid Blockage Test is a test procedure used to detect low points in any vapor collection and control system where condensate may accumulate.~~

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

Section 219.112      Incorporations by Reference

The following materials are incorporated by reference and do not contain any subsequent additions or amendments:

- a) American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken PA 19428-9555
  - 1) ASTM D 2879-86
  - 2) ASTM D 323-08
  - 3) ASTM D 86-82
  - 4) ASTM D 369-69 (1971)
  - 5) ASTM D 396-69
  - 6) ASTM D 2880-71
  - 7) ASTM D 975-68

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- 8) ASTM D 3925-81 (1985)
  - 9) ASTM E 300-86
  - 10) ASTM D 1475-85
  - 11) ASTM D 2369-87
  - 12) ASTM D 3792-86
  - 13) ASTM D 4017-81 (1987)
  - 14) ASTM D 4457-85
  - 15) ASTM D 2697-86
  - 16) ASTM D 3980-87
  - 17) ASTM E 180-85
  - 18) ASTM D 2372-85
  - 19) ASTM D 97-66
  - 20) ASTM E 168-87 (1977)
  - 21) ASTM E 169-87
  - 22) ASTM E 260-91
  - 23) ASTM D 2504-83
  - 24) ASTM D 2382-83
- 
- b) Standard Industrial Classification Manual, published by Executive Office of the President, Office of Management and Budget, Washington, D.C., 1987.
  - c) American Petroleum Institute Bulletin 2517, "Evaporation Loss From Floating Roof Tanks", Second ed., February 1980.

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- d) 40 CFR 60 (July 1, 1991).
- e) 40 CFR 61 (July 1, 1991).
- f) 40 CFR 50 (July 1, 1991).
- g) 40 CFR 51 (July 1, 1991) and 40 CFR 51, appendix M, Methods 204-204F (July 1, 1999).
- h) 40 CFR 52 (July 1, 1991).
- i) "A Guide for Surface Coating Calculation", July 1986, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-016.
- j) "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink and Other Coating" (revised June 1986), United States Environmental Protection Agency, Washington D.C., EPA-450/3-84-019.
- k) "A Guide for Graphic Arts Calculations", August 1988, United States Environmental Protection Agency, Washington D.C., EPA-340/1-88-003.
- l) "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Topcoat Operations", December 1988, United States Environmental Protection Agency, Washington D.C., EPA-450/3-88-018.
- m) "Control of Volatile Organic Emissions from Manufacturing of Synthesized Pharmaceutical Products", December 1978, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-029.
- n) "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", December 1978, Appendix B, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-78-051.
- o) "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners", September 1982, United States Environmental Protection Agency, Washington, D.C., EPA-450/3-82-009.
- p) "APTI Course SI417 Controlling Volatile Organic Compound Emissions from



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- Leaking Process Equipment", 1982, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-82-015.
- q) "Portable Instrument User's Manual for Monitoring VOM Sources", June 1986, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-86-015.
- r) "Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOM and VHAP", October 1988, United States Environmental Protection Agency, Washington, D.C., EPA-450/3-88-010.
- s) "Petroleum Refinery Enforcement Manual", March 1980, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-008.
- t) "Inspection Manual for Control of Volatile Organic Emissions from Gasoline Marketing Operations: Appendix D", 1980, United States Environmental Protection Agency, Washington, D.C., EPA-340/1-80-012.
- u) "Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals: Appendix A", December 1977, United States Environmental Protection Agency, Washington, D.C., EPA-450/2-77-026.
- ~~v) "Technical Guidance Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities", November 1991, United States Environmental Protection Agency, Washington, D.C., EPA 450/3-91-022b.~~
- v)w) California Air Resources Board, Compliance Division. Compliance Assistance Program: Gasoline Marketing and Distribution: Gasoline Facilities Phase I & II (October 1988, rev. November 1993) (CARB Manual).
- w)x) "Guidelines for Determining Capture Efficiency", January 1995, Office of Air Quality Planning and Standards, United States Environmental Protection Agency, Research Triangle Park NC.
- x)y) Memorandum "Revised Capture Efficiency Guidance for Control of Volatile Organic Compound Emissions", February 1995, John S. Seitz, Director, Office of Air Quality Planning and Standards, United States Environmental Protection Agency.
- y)z) "Protocol for Determining the Daily Volatile Organic Compound Emission Rate

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of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations", September 2008, United States Environmental Protection Agency, Washington, D.C., EPA-453/R-08-002.

~~z)aa)~~ 40 CFR 63 subpart PPPP, appendix A (2008).

~~aa)bb)~~ 46 CFR subchapter Q (2007).

~~bb)ee)~~ 46 CFR subchapter T (2008).

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

SUBPART Y: GASOLINE DISTRIBUTION

Section 219.583 Gasoline Dispensing Operations - Storage Tank Filling Operations

- a) Subject to subsection (b) below, no person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing facility unless:
- 1) The tank is equipped with a submerged loading pipe; and
  - 2) The vapors displaced from the storage tank during filling are processed by a vapor control system that includes one or more of the following:
    - A) A vapor collection system that meets the requirements of subsection (d)(4) below; or
    - B) A refrigeration-condensation system or any other system approved by the Agency and approved by the USEPA as a SIP revision, that recovers at least 90 percent by weight of all vaporized organic material from the equipment being controlled; and
    - C) The delivery vessel displays the appropriate sticker pursuant to the requirements of Section 219.584(b) or (d) of this Part; and
  - 3) By March 15, 1995, all tank vent pipes are equipped with pressure/vacuum relief valves with the following design specifications:

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- A) The pressure/vacuum relief valve shall be set to resist a pressure of at least 3.5 inches water column and to resist a vacuum of no less than 6.0 inches water column; or
  - B) The pressure/vacuum relief valve shall meet the requirements of 35 Ill. Adm. Code 218.586(c); and
- 4) The owner or operator of a gasoline dispensing operation demonstrates compliance with subsection (a)(3) of this Section, by March 15, 1995 or 30 days after installation of each pressure/vacuum relief valve, whichever is later, and at least annually thereafter, by measuring and recording the pressure indicated by a pressure/vacuum gauge at each tank vent pipe. The test shall be performed on each tank vent pipe within two hours after product delivery into the respective storage tank. For manifold tank vent systems, observations at any point within the system shall be adequate. The owner or operator shall maintain any records required by this subsection for a period of three years.
- b) The requirements of subsections (a)(2) and (a)(3) above shall not apply to transfers of gasoline to a stationary storage tank at a gasoline dispensing facility if:
- 1) The tank is equipped with a floating roof, or other system of equal or better emission control as approved by the Agency and approved by the USEPA as a SIP revision;
  - 2) The tank has a capacity of less than 2000 gallons and was in place and operating before January 1, 1979; or
  - 3) The tank has a capacity of less than 575 gallons.
- c) Subject to subsection (b) above, each owner of a gasoline dispensing facility shall:
- 1) Install all control systems and make all process modifications required by subsection (a) above;
  - 2) Provide instructions to the operator of the gasoline dispensing facility describing necessary maintenance operations and procedures for prompt

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notification of the owner in case of any malfunction of a vapor control system; and

- 3) Repair, replace or modify any worn out or malfunctioning component or element of design.
- d) Subject to subsection (b) above, each operator of a gasoline dispensing operation shall:
- 1) Maintain and operate each vapor control system in accordance with the owner's instructions;
  - 2) Promptly notify the owner of any scheduled maintenance or malfunction requiring replacement or repair of a major component of a vapor control system;
  - 3) Maintain gauges, meters or other specified testing devices in proper working order;
  - 4) Operate the vapor collection system and delivery vessel unloading points in a manner that prevents:
    - A) A reading equal to or greater than 100 percent of the lower explosive limit (LEL measured as propane) when tested in accordance with the procedure described in EPA 450/2-78-051 Appendix B incorporated by reference at Section 219.112 of this Part, and
    - B) Avoidable leaks of liquid during the filling of storage tanks; and
  - 5) Within 15 business days after discovery of the leak by the owner, operator, or the Agency, repair and retest a vapor collection system which exceeds the limits of subsection (d)(4)(A) above.
- e) ~~(Reserved) Any retail gasoline dispensing operation subject to subsection (a) above shall be exempt from the permit requirements specified under 35 Ill. Adm. Code 201.142, 201.143, and 201.144 provided that:~~
- ~~1) The owner or operator of the gasoline dispensing operation submits to the Agency a registration which provides, at a minimum, the operation name~~

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~~and address, signature of the owner or operator, the location (including contact person's name, address and telephone number) of records and reports required by this Section, the number of underground tanks, the number of tank pipe vents, and the date of completion of installation of the vapor control system and pressure/vacuum relief valve.~~

- ~~2) The registration is submitted to the Agency by March 15, 1995 or 30 days after installation of a vapor control system or pressure/vacuum relief valve, whichever is later.~~
- ~~3) The registration certificate is displayed at the gasoline dispensing operation.~~
- ~~4) Upon modification of an existing vapor control system or pressure/vacuum relief valve, the owner or operator of the gasoline dispensing operation submits to the Agency a registration that details the changes to the information provided in the previous registration and which includes the signature of the owner or operator. The registration must be submitted to the Agency within 30 days after completion of such modification.~~

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

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STATE OF ILLINOIS  
Pollution Control Board

# **TECHNICAL SUPPORT DOCUMENT**

## **Amendments to the Vehicle Refueling Vapor Recovery Program Rules**

**February 15, 2013**

**Illinois Environmental Protection Agency  
1021 North Grand Ave East  
Springfield, IL 62702**

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**Attachment A:** List of Gasoline Dispensing Facilities in the Chicago Nonattainment Area (Illinois EPA)

**Attachment B:** One compact disc containing the MOVES input and output files in mySQL format (Illinois EPA)

**Attachment C:** “Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures,” issued by U.S. Environmental Protection Agency, August, 7, 2012

**Attachment D:** Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle-Fueling Sites, PEI/RP300-09, Petroleum Equipment Institute

**Attachment E:** Contractors that are currently licensed and registered by the Illinois Department of Agriculture and the Office of the State Fire Marshal to do Stage II decommissioning work on dispensers and piping (page 1); Contractors certified by the Office of the State Fire Marshal to conduct tank testing (page 2)

**Attachment F:** List of Potentially Affected Sources for Part 201 (Illinois EPA)

**Attachment G:** Retail Gasoline Dispensing Facilities in the Metro-East St. Louis Nonattainment Area (Illinois Dept. of Agriculture)

**Attachment H:** "Decommissioning Stage II Vapor Recovery Financial Benefits and Costs," Final Regulatory Support Document, U.S. Environmental Protection Agency, May 8, 2012



## I. Introduction

This document provides the background information and Illinois Environmental Protection Agency (Illinois EPA or Agency) staff analyses regarding proposed amendments to the vehicle refueling vapor recovery program (hereinafter referred to as “Stage II”) and ancillary amendments to 35 IL Adm. Code Parts 201, 218, and 219. These amendments phase-out the Section 218.586 Stage II requirement for affected gasoline dispensing facilities (GDF) in the Chicago ozone nonattainment area (NAA). In addition, the amendments establish decommissioning procedures and timelines for facilities to properly decommission existing Stage II equipment. The Agency is proposing to phase-out the Stage II equipment requirement beginning January 1, 2014. On this date, new GDFs initially commencing operations need not install and operate Stage II equipment, and existing GDFs with Stage II equipment may begin decommissioning their existing vapor recovery equipment. These proposed rules also require decommissioning of Stage II equipment no later than December 31, 2016.

The authority for this action is contained in the U.S. Environmental Protection Agency’s (U.S. EPA) final rule on the determination of “widespread use” of onboard refueling vapor recovery (ORVR) for the Stage II Gasoline Vapor Recovery Program in its document entitled “Air Quality: Widespread Use for Onboard Refueling Vapor Recovery and Stage II Waiver” (77 Fed. Reg. 28772 (May 16, 2012)). U.S. EPA’s final rule discusses the rationale and justification as to how it is determining “widespread use,” a provision in Section 202(a)(6) of the Clean Air Act (CAA) that provides discretionary

authority to the U.S. EPA Administrator to, by rule, revise or waive the section 182(b)(3) Stage II requirement for Serious, Severe, and Extreme ozone NAAs after the Administrator determines that ORVR systems are in “widespread use” throughout the motor vehicle fleet. With this final rule, U.S. EPA determined that “widespread use” had been in effect as of May 16, 2012, and waived the CAA’s Stage II requirement. In its final rule, U.S. EPA authorized states to submit State Implementation Plan (SIP) revisions to remove this program requirement, if they so choose.

## **II. Background**

The CAA required the implementation of Stage II systems at subject GDFs in moderate and worse ozone NAAs in the early 1990’s. The Illinois Pollution Control Board adopted the Stage II rules for the Chicago “severe” ozone nonattainment area in August 1992. The Chicago NAA includes the Counties of Cook, DuPage, Kane, Lake, McHenry and Will and Aux Sable and Goose Lake Townships in Grundy County and Oswego Township in Kendall County.

### Stage II Vapor Recovery Systems

The purpose of the Stage II program is to capture gasoline vapors displaced during vehicle refueling. When gasoline is dispensed into the partially empty gas tank, vapors are forced out of the tank and, if not captured, into the atmosphere. The vapors contain volatile organic compounds which contribute to the formation of ground-level ozone

pollution when reacted with other pollutants in the presence of sunlight. The use of Stage II equipment has been credited with capturing harmful, ozone precursor emissions that would otherwise be released during vehicle refueling, thereby improving air quality and human health in the Chicago NAA. Illinois' Stage II rule requires affected GDFs to install California Air Resources Board-certified equipment that is at least 95 percent efficient in capturing gasoline vapors displaced during vehicle refueling.

There are two basic types of Stage II systems: vacuum-assist and balance. The vacuum-assist system uses a vacuum pump on the vapor return line of the gas dispenser to help draw vapors from the vehicle fill pipe through the nozzle and back into the underground gasoline storage tank. The balance system uses a rubber boot around the nozzle to create a seal around the vehicle's fill pipe. During refueling, a natural positive pressure differential is created between the vehicle's fuel tank and the underground storage tank. This pressure differential draws the gasoline vapors from the vehicle's tank through the rubber boot affixed to the fueling nozzle and into the underground tank without the aid of a mechanical pump as used in the vacuum-assist systems. However, the balance systems are not popular with retail GDFs because customers dislike the bulky, rubber boots.

### ORVR Systems

In addition to Stage II controls required at GDFs, CAA Section 202(a)(6) established ORVR requirements in which auto manufacturers were required to start implementing

systems on board new vehicles to capture gasoline vapors displaced during refueling. The ORVR systems consist of an activated carbon canister into which refueling vapors are routed from the vehicle's fuel tank into the canister. When the engine is started, these vapors are purged from the canister and into the engine where they are burned as fuel. Auto manufacturers were required to phase-in ORVR systems for new vehicles, starting in model year 1998 for light-duty cars and culminating in 2006 for heavier light-duty gasoline trucks. Since 2006, all new vehicles less than 14,000 pounds Gross Vehicle Weight Rating (GVWR) sold in the U.S. have ORVR systems. Based on recent research, U.S. EPA has found that ORVR systems are 98 percent efficient in capturing gasoline vapors during refueling.

#### Vacuum-Assist and ORVR System Incompatibility

When an ORVR vehicle is fueled at a service station equipped with the most commonly used version of the vacuum-assist Stage II vapor recovery system, a lack of compatibility between the two controls may actually cause the emission reduction of the two systems together to be less than the emission reduction achieved by either system alone. Therefore, instead of capturing the displaced vapors, the vacuum at the dispenser nozzle draws fresh air into the underground storage tank. The fresh air causes gasoline in the underground tank to evaporate inside the underground tank and thus creates an increase in pressure in the underground storage tank. As a result of the increased pressure, gasoline vapors are forced out of the underground storage tank vent pipe into the ambient air. This incompatibility can result in a 1 to 10 percent

decrease in control efficiency over what would be achieved by either Stage II or ORVR alone. There currently exists “non-conflicting” types of vacuum-assist systems, but the vast majority of the vacuum-assist systems in the Chicago NAA conflict with ORVR.

### Stage II Program in the Chicago Area

The Illinois Stage II regulations require any GDF in the Chicago NAA that dispenses an average of 10,000 gallons or more per month to install and operate Stage II vapor recovery equipment. According to Illinois EPA's December 2012 records, there are 2,420 affected retail and private (fleet) GDFs that are equipped with Stage II controls. Of these, 2,320 or 95.9% of the GDFs use vacuum-assist Stage II equipment. The 100 other facilities (4.1%) use the balance-type Stage II controls. All retail gas stations in the Chicago area utilize the more consumer-friendly vacuum-assist systems, with the balance systems only found at private fleet facilities.

Of the 2,320 GDFs with vacuum-assist equipment, 2,005 (86%) have the models that are incompatible with ORVR, resulting in a decreased efficiency of the Stage II systems. Therefore, the Agency is proposing the decommissioning of Stage II systems in the Chicago NAA, since ORVR systems reduce vehicle refueling emissions more effectively than the majority of these currently-installed, incompatible systems. See Attachment A for the list of all GDFs in the Chicago NAA, including those that have Stage II controls or are exempt.

### **III. Determination of ORVR “Widespread Use”**

In CAA Section 202(a)(6), Congress recognized that the implementation of ORVR would ultimately achieve superior emission reduction benefits as compared to Stage II and therefore allowed for the waiver of the CAA Section 182(b)(3) Stage II requirement when ORVR-equipped vehicles were determined by U.S. EPA to be in “widespread use.” In its final rule, U.S. EPA effectively defined “widespread use” to be when 75 percent of the gasoline dispensed is into vehicles that have ORVR systems. This widespread use determination allowed U.S. EPA to waive the Stage II requirement. As a result, states have the option of phasing-out their Stage II programs by submitting a SIP revision which is approved by U.S. EPA.

### **IV. Illinois’ Modeling Results of when ORVR Surpasses Stage II & CAA Section 110(I) Demonstration**

The Illinois EPA used U. S. EPA’s approved MOrtor Vehicle Emissions Simulator (MOVES) model to evaluate refueling emissions and determine when the Stage II implementation requirements in Illinois should be repealed and existing equipment be decommissioned to minimize the loss of effectiveness anticipated when “widespread” ORVR and incompatible Stage II systems operate simultaneously. MOVES modeling demonstrates that, in 2014, ORVR-only provides lower refueling emissions than the currently required use of Stage II vapor recovery systems with ORVR-equipped vehicles in the Chicago NAA. Therefore, beginning in 2014, Stage II vapor recovery equipment is

not necessary and in fact, due to the incompatibility issue, allows the release of more refueling vapors when operated in conjunction with widespread ORVR.

Illinois EPA used MOVES Version 2010b to estimate refueling emissions from 2007 through 2020 as ORVR-equipped vehicles become an increasing portion of the vehicle fleet. The table below describes the key modeling inputs for the Chicago NAA.

Key Input Data for the MOVES Model	
MOVES Input Data	Description
HPMSvTypeYear	Annual VMT data by MOVES source type. VMT data for calendar years 2007 through 2010 was obtained from the Illinois Department of Transportation. Calendar years 2011 through 2020 are estimated using a 1.5% annual growth rate.
monthVMTFraction	
dayVMTFraction	
hourVMTFraction	
zoneMonthHour	Average meteorological data obtained from O'Hare International Airport
fuelSupply and fuelFormulation	Used MOVES default data.
IMCoverage	Used OBD, Idle and gas cap test for years 2002 through 2011. Used OBD only test for years 2012 through 2020.

Attachment B is an electronic version, in mySQL format, of the MOVES input and output files the Illinois EPA used in its analysis.

Figure 1 shows the modeling results for the Chicago NAA with and without Stage II vapor recovery systems installed at GDFs. In the figure, the line with diamond markers

represents total refueling emissions in tons per day (tpd) without Stage II equipment. The line with triangle markers represents total refueling emissions in tpd with Stage II, includes incompatibility excess emissions, and represents the current status of the Illinois program (as discussed in Section III). Incompatible excess emissions result from refueling ORVR-equipped vehicles using incompatible vacuum-assist type Stage II vapor recovery systems.

Figure 1 below shows the “cross-over point”, where the “ORVR-only” line (diamonds) crosses the “ORVR + Stage II” line (triangles) in 2014. After this point, the difference between the two lines represents the reduction in refueling emissions if Stage II is decommissioned. This difference is 0.7 tpd in 2014 if Stage II is decommissioned increasing to 2.54 tpd in 2020 when an estimated 96% of the vehicle fleet will be ORVR-equipped.

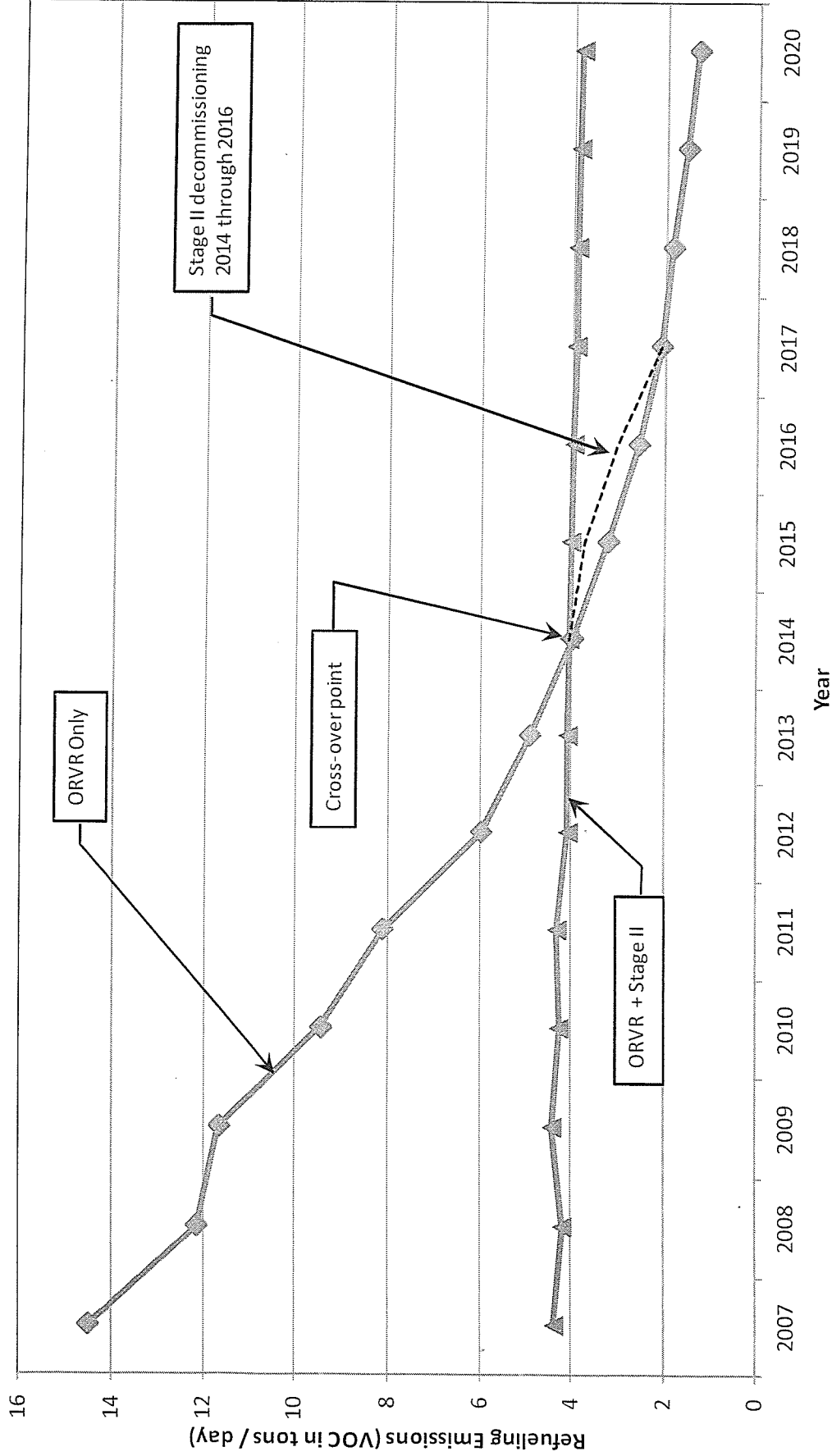
The dotted line in Figure 1 reflects total refueling emissions during the proposed three-year decommissioning period. The Illinois EPA assumes decommissioning will proceed uniformly over the three-year period since it is impossible to know exactly when affected GDFs will decide to decommission Stage II.

A SIP revision must comply with Section 110(l) requirements of the CAA, which prevents “backsliding” or the loss of emission reductions from removing an existing clean air program. A state can phase-out the program before this point in time. However, to meet Section 110(l) requirements, the state would then have to identify



substitute measures to compensate for the loss of emission reductions. Figure 1 demonstrates that, beginning in 2014, vehicle refueling emissions will be less with ORVR-only, compared to the current Stage II with ORVR scenario. By requiring that the Stage II program remain in place until the January 2014 cross-over point, there will be no loss of emissions reduction benefits and, therefore, the rule revision will not interfere with attainment of the applicable NAAQS, Reasonable Further Progress, Rate of Progress, or any other applicable CAA requirement. Thus, the Agency has demonstrated compliance with CAA Section 110(l) anti-backsliding provision. In addition, by requiring decommissioning of Stage II equipment, Figure 1 illustrates that additional emission reduction benefits will be achieved.

**Figure 1: ORVR Alone vs. Stage II + ORVR**



## V. Stage II Program Proposal and Amendments

Based on the above analysis, the Illinois EPA is proposing to end the Stage II vapor recovery equipment installation requirement beginning January 1, 2014 for new GDFs that begin operations for the first time on or after that date. In addition, the Agency is proposing to allow existing (that have operated prior to January 1, 2014) affected GDFs to start decommissioning on January 1, 2014. The Agency is proposing that existing affected GDFs have three years to decommission their Stage II equipment, with the deadline to decommission no later than December 31, 2016.

The amendments in this rulemaking primarily serve to phase-out the Stage II requirements at GDFs in the Chicago NAA, implement decommissioning procedures by which GDFs are to appropriately decommission their current vapor recovery equipment, and establish timeframes for these actions to take place. These amendments, as described in detail below, affect 35 Ill. Adm. Code Parts 218. In addition, the Illinois EPA is proposing clarifying and clean-up amendments in 35 Ill. Adm. Code Parts 201 and 219 that are further discussed below.

### Revisions to 35 Ill. Adm. Code Part 218

Subpart Y of 35 Ill. Adm. Code Part 218 contains the “Gasoline Distribution” regulations for the Chicago NAA including the “Motor Vehicle Fueling Operations” requirements in Section 218.586. The majority of the rule revisions prompted by the proposed phase-

out of the Stage II program occur in this Section. In addition to the substantive revisions to the rules addressing the phase out of the Stage II program and the inclusion of decommissioning procedures, certain provisions are either being deleted as no longer necessary, revised for clarity, or updated to replace outdated references.

The primary changes to Section 218.586 to phase-out the Stage II program occur with revisions to subsections 218.586(d), now proposed to be entitled "Compliance", and with the proposed addition of subsection 218.586(i) "Decommissioning." Existing subsections 218.586(d)(1) through (5), which currently define the time frame by which GDFs of certain monthly gasoline throughput were required to comply with the vapor recovery and control requirements, are being deleted. Instead, the Agency is proposing that existing affected GDFs to continue operating such equipment until decommissioning is commenced. Per Subsection 218.586(d)(2), new GDFs will not be subject to Stage II vapor recovery requirements.

Proposed Section 218.586(i) defines the decommissioning time frames and procedures. As discussed earlier, the point at which vehicle refueling emission reductions achieved by the "widespread" use of ORVR-equipped vehicles exceeds that from the continued operation of the Stage II program is in 2014. At this point, the continued operation of the Stage II program achieves no additional emission reduction benefit. As a result, the Agency is proposing to allow existing affected GDFs to begin decommissioning their Stage II vapor recovery equipment on January 1, 2014 (218.586(i)(1)(A)). All Stage II vapor recovery equipment must be decommissioned by December 31, 2016.

In order to minimize the time that incompatible Stage II systems are in operation, the Agency is proposing in 218.586(i)(1)(B) to require that all existing affected GDFs complete the decommissioning process within three years. The Agency has held outreach meetings and discussions with members of the petroleum marketing industry and with contractors likely to be involved in decommissioning work, and the three-year time frame was believed to be a reasonable amount of time for all existing affected GDFs to complete the decommissioning work. The contractors stated that the average amount of time for a GDF to be decommissioned is one day or less. Agency staff contacted several other states and inquired about the timeframe in which they want all of their Stage II GDFs to be decommissioned. For those states that have identified a time period, the common responses were from two to four years. Wisconsin is allowing four years, and Texas, which has a Stage II program similar in size to Illinois' with 2,800 GDFs, contemplates a three year decommissioning process. Taking into account the support for a three-year time period discussed during outreach with industry representatives, the timeframes being considered or decided by other states, the number of existing affected GDFs, the number of contractors available to perform decommissioning work, and the time involved in decommissioning Stage II equipment, the Agency believes that a three-year decommissioning time period is appropriate for Chicago area GDFs.

Subsection 218.586(i)(2) contains the decommissioning procedures and standards. In its August 7, 2012 document entitled "Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable

Measures” (Attachment C), the U.S. EPA “recommends that currently available industry association codes and standards be followed (where applicable) to ensure that Stage II systems are properly ... dismantled or decommissioned.” The Petroleum Equipment Institute (PEI) has developed guidance entitled “Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Fueling Sites, PEI/RP300-09,” which contains the steps involved in dismantling Stage II hardware for both balance and vacuum-assist type systems (Attachment D). The Illinois EPA is not aware of any other industry codes or standards specifically addressing Stage II decommissioning. Therefore, the Agency is requiring that contractors follow the cited PEI procedures, as recommended by U.S. EPA in the aforementioned guidance, as these were developed by industry experts with a focus on regulatory compliance and safety. The Agency believes that consistent and uniform procedures should be in place to avoid gasoline liquid or vapor leaks during and after decommissioning.

The Illinois EPA is proposing in Subsection 218.586(i)(2)(B) to require that existing affected GDFs follow the decommissioning procedures detailed in Section 14.6 of the PEI document, except Subsection 14.6.14, as the Agency will develop its own checklist. Therefore, the Agency is proposing to incorporate the PEI by reference in Section 218.112.

In the Agency’s outreach meetings, members of the petroleum marketing and petroleum equipment industry, as well as officials from the Office of the State Fire Marshal (OSFM), were supportive of the requirement for the use of the PEI requirements. In

checking with several other states with Stage II programs, the Agency learned that most are also adopting the PEI decommissioning standards and are incorporating them into their Stage II decommissioning requirements, contractor documentation, and procedures.

In order to assure that the PEI decommissioning procedures are properly implemented, and as recommended by the PEI, the Agency is proposing to require in Subsections 218.586(i)(2)(B)(i), (ii), and (iii) that contractors involved in the decommissioning process are registered or licensed by the State. The PEI is vague on the qualifications and licensing of contractors for this purpose, but does state that contractors should have equipment manufacturer and state certifications. There are no State of Illinois licensing or registration requirements specific to the decommissioning of Stage II equipment. However, the OSFM and the Illinois Department of Agriculture (IDOA) have contractor licensing and registration requirements for work performed on gas station dispensers, underground storage tank piping, and tank testing. Therefore, the Agency, IDOA, and OSFM believe that any contractors doing Stage II decommissioning work should be licensed with both IDOA and OSFM. The three agencies further believe that the licensed contractor should also be certified by the specific dispensing equipment manufacturer as properly trained to work on such equipment.

Specifically, the Agency is proposing that all decommissioning procedures, except testing, shall be performed only by a contractor who is (1) registered with the Illinois Department of Agriculture, Bureau of Weights & Measures, in the 3-A Gasoline Pump

Meters Code pursuant to 225 ILCS 470/8.1, (2) licensed by the OSFM in the installation/retrofitting licensure module pursuant to 225 ILCS 729 and implementing regulations at 41 Ill. Adm. Code 172, and (3) have the appropriate dispenser-manufacturer certification and training, if any.

In addition, decommissioning procedures related to testing will be required to be performed only by a contractor who is licensed by OSFM in the tank tightness testing licensure module pursuant to 225 ILCS 729 and implementing regulations at 41 Ill. Adm. Code 172. The pressure decay test, as required by the PEI, shall be passed in accordance with Appendix A of the PEI (Attachment D). The tie-tank test, as required by the PEI, shall be conducted and passed in accordance with CARB TP201.3C to ensure that all tanks are properly vented. In the event that product piping must be broken or an OSFM permit otherwise required for any component of the work, the contractor shall ensure that the OSFM-permitted work is performed by the appropriate OSFM-licensed contractor and personnel. The Agency, along with OSFM and IDOA, believes that there is a sufficient number of contractors that meet the above licensing, registration, and certification requirements to enable all GDFs in the Chicago area to complete the decommissioning work in the proposed three-year time period. Attachment E provides the list of such contractors that currently meet these requirements.

Subsection 218.586(i)(2)(B)(iv) clarifies the types of tank testing, pressure decay and tie-tank, and procedures which must be performed and passed. The Agency also proposes to require in Subsections 218.586(i)(2)(A) that the owner or operator of a GDF



provide a 10-day notice of intent to decommission. This notice would allow the Agency the ability to schedule an inspector to be present when the decommissioning takes place to the extent this is necessary.

The Agency is proposing as part of its oversight activities, in Subsection 218.586(i)(2)(C), to require that the owner or operator of the GDF complete and submit a Stage II decommissioning checklist, to be developed by the Agency, within 30 days verifying that all the decommissioning steps have been properly completed. The owner or operator and the contractor(s) performing the decommissioning must also certify that the decommissioning steps were properly performed. All decommissioning records are proposed, in Subsection 218.586(g)(4), to be maintained for five years after decommissioning and available to the Agency upon request. The Agency believes that the PEI procedures are technically feasible, and that the procedures and timeframes related to the decommissioning work outlined in the proposed rule are supported by industry representatives and other state government agencies in our outreach meetings and communications.

In Section 218.583(e), the Agency is proposing to repeal the registration program for GDFs subject to the Stage I requirement upon adoption of these proposed amendments by the Board. The Stage II registration requirements at Section 218.586(h) remain in effect until a GDF begins the decommissioning process. A list of GDFs in the Chicago area that will be affected by the repeal of the registration requirement for Stage I is in Attachment A. The federal National Emission Standards for Hazardous Air Pollutants

(NESHAP) rules for GDFs include notification requirements for those that dispense 10,000 gallons of gasoline or more per month. This would cover all GDFs, including those subject to Stage II requirements. In addition, OSFM and IDOA both have programs that track GDFs that would be subject to the Agency's Stage I and Stage II programs. Therefore, we are proposing to streamline the rules in favor of the other GDF registration or notification requirements by deleting the Stage I registration requirements. Repeal of the Agency's Stage I registration program and revision to the Stage II registration program would result in the unintended consequences of these sources being required to obtain a permit. Therefore, with respect to state minor source permitting, in Section 201.146(l), the Agency is proposing to exempt the GDFs subject to Stage I and Stage II from the requirement to obtain a permit. Also, for major Title V sources, the Agency is proposing to add/clarify "insignificant activities" for storage tanks (Stage I) and fuel dispensing (Stage II) in order to be consistent with state minor source permitting of these sources. In addition, the Agency proposes minor clarifications to permitting regulations related to gasoline dispensing operations. These permitting amendments are discussed in more detail below.

#### Revisions to 35 Ill. Adm. Code Part 201

##### **State Permitting**

Section 9 of the Illinois Environmental Protection Act and 35 Ill. Adm. Code 201.142, 201.143, and 201.144 require construction and operating permits for sources of air pollution, unless otherwise exempt. For the most part, the exemptions from State

permitting requirements are contained in 35 Ill. Adm. Code 201.146. Since the activity of gasoline dispensing is a source of air pollution, permits would be required, unless a permitting exemption applies. A permit exemption applicable to gasoline dispensing is contained in 35 Ill. Adm. Code 201.146(kk), which provides an exemption from permitting for sources that register with the Illinois EPA, such as gasoline dispensing operations that register for the Stage II program in accordance with 35 Ill. Adm. Code 218.586(h). Similarly, a permit exemption for gasoline dispensing is contained in 35 Ill. Adm. Code 218.586(h), which is conditioned upon registration of the gasoline dispensing operation with the Illinois EPA. Another permit exemption related to gasoline dispensing is contained in 35 Ill. Adm. Code 201.146(l). This exemption applies to storage tanks for retail dispensing other than those storage tanks subject to the requirements contained in 35 Ill. Adm. Code 215.583(a)(2), 218.583(a)(2), and 219.583(a)(2) (Stage I control requirements). In addition, the Stage I regulations for the Chicago and Metro-East NAAs contain a permit exemption for retail gasoline dispensing operations that register with the Illinois EPA at 35 Ill. Adm. Code 218.583(e) and 219.583(e).

The need to address and clarify these permit exemptions is necessary for two reasons. Currently, GDFs that register are exempted from the requirement of having to obtain a permit. By decommissioning, GDFs would no longer be required to be registered with the Stage II program, resulting in the unintended consequence of requiring permitting of such sources. Therefore, the Illinois EPA proposes to clarify that registration will no longer be required in order to obtain an exemption from permitting and believes that one

permit exemption, contained in one place in the Illinois Administrative Code, is less confusing than dual permit exemptions. This continues the existing exemptions. The Illinois EPA does not believe there is any need to now require permitting of the insignificant sources and adding the administrative burdens and costs associated with permitting. Therefore, the Illinois EPA is proposing a single Stage II permit exemption in Section 201.146(l) which will be combined with a permit exemption for Stage I. This Stage II permit exemption will apply to fuel dispensing equipment that is used for dispensing any fuel to mobile sources for use in such mobile sources. Also, the Illinois EPA is proposing to repeal the registration permit exemption in Section 201.146(kk) as it will no longer be needed. The fueling of mobile sources is common and well controlled under existing federal safety and environmental requirements. In addition, other fuels besides gasoline are becoming more common. The Agency, for consistency, is recommending the exemptions cover all fuels used in mobile sources.

Secondly, since the Illinois EPA is proposing to not condition the Stage II permit exemption upon registration, the Agency believes it should not condition the Chicago and Metro-East NAA Stage I permit exemptions (35 Ill. Adm. Code 218.583(e) and 219.583(e), respectively) upon registration and believes that one permit exemption, contained in one place in the Illinois Administrative Code, is less confusing than dual permit exemptions. For Stage I permitting, the Illinois EPA believes that it is unnecessary from an air quality standpoint to require permits for Stage I sources, retail or otherwise, where product is unloaded at a gasoline dispensing operation to a storage tank for use in dispensing such fuel to mobile sources for use in such mobile sources

due to the existing required controls for these activities. This type of Stage I activity is conducted at gasoline dispensing operations, which produce small quantities of emissions as compared to bulk terminals and bulk plants, which are larger sources of emissions and will retain the requirement to be permitted. Therefore, the Illinois EPA is proposing a Stage I gasoline dispensing exemption/clarification applicable to storage tanks that are used for the dispensing of any fuel to mobile sources for use in such mobile sources. This exemption will be combined with the exemption for Stage II gasoline dispensing operations at Section 201.146(l). The Illinois EPA is proposing to remove the permit exemptions conditioned upon registration in Sections 218.583(e) and 219.583(e).

### **Clarifying Amendments**

The Illinois EPA is proposing clarifying amendments to Section 201.146(n). Among other things, Section 201.146(n) provides a permitting exemption for storage tanks of organic liquids with a capacity of less than 10,000 gallons; provided the storage tank is not used to store material listed as a hazardous air pollutant (HAP) pursuant to Section 112(b) of the CAA, and it is not subject to Stage I requirements. The Illinois EPA believes the qualification relating to Stage I requirements was intended to address the fact that gasoline itself is not listed as a HAP, although it is made up of a mixture of HAPs. The Illinois EPA proposes to remove the reference to Stage I rules and address this prohibition against exempting gasoline storage tanks through clarifying that the subject storage tanks may not be used to store any amount of material or mixture of any material listed as a HAP. Thus, the Illinois EPA is not proposing to change the overall

meaning or scope of this exemption and this exemption will not serve to exempt Stage I (gasoline) storage tanks. The Illinois EPA is also proposing clarifying amendments to Section 201.146(nn). Section 201.146(nn) provides a permit exemption for general vehicle maintenance and servicing activities, but not including gasoline fuel handling. Gasoline fuel handling, or gasoline fuel dispensing, will be exempt under proposed Section 201.146(l). Therefore, the Illinois EPA proposes to repeal the gasoline fuel handling requirement in Section 201.146(nn).

### **Summary of Revised Exemptions from State Permit Requirements**

This Section summarizes the proposed revisions to State permit exemptions. The Illinois EPA proposes a Stage I and Stage II permit exemption at Section 201.146(l) specific to storage tanks and fuel dispensing equipment that are both used for the dispensing of fuel to mobile sources, including on-road and off-road vehicles, for use in such mobile sources. The Illinois EPA proposes to clarify in Section 201.146(n)(1) that any amount of material or any mixture of any material (which would include gasoline) that is listed as a HAP is not included in this storage tank permit exemption and proposes to strike the reference to the Stage I rules. The Illinois EPA proposes to repeal the permit exemption conditioned upon registration at Section 201.146(kk) because it is no longer needed. The Illinois EPA proposes a clarification to the permitting exemption at Section 201.146(nn) by removing the exclusion for gasoline fuel handling because gasoline fuel handling or dispensing to mobile sources will be exempt from permitting under proposed Section 201.146(l).

## **Clean Air Act Permitting Program**

Insignificant activity:

*What it is?*

*What do they do?*

The Illinois EPA addresses environmental air emission source permitting through three levels of operating permit programs: Lifetime Operating Permits; Federally Enforceable State Operating Permits (FESOP); and the Clean Air Act Permitting Program (CAAPP). The operating permit program the source is subject to dictates the permitting treatment of the emission units at the source. These operating permit programs each address the entire range of emission sources from large, for example a power plant, to small, for example a bathroom's water heater. For a variety of reasons, a permitting program is designed such that the lower end of the emission unit range has a group of pre-selected emission unit categories considered to be of lesser environmental concern. Non-CAAPP permitting in many cases is allowed to outright exempt an emission source (e.g., 35 IAC 201.146); however, CAAPP permitting requires that all emission units at a source of emissions be accounted for in a permit. This is accomplished via the categorical designation of an emission unit as "insignificant activities" pursuant to 35 IAC 201.210 and 201.211. While these emission units are addressed in the CAAPP permit, they are not generally given the same level of scrutiny throughout the permitting process, allowing resources to be focused on more complex and/or larger emitting sources.

*What is the problem?*

The insignificant activity listing as written generally works quite well; however, like most things it is not perfect. As such, the amendments proposed, which will phase out the Board's Stage II vapor recovery provisions, provide for an opportune moment to address any related deficiencies. Related to gasoline or more generally fuel dispensing, two long-standing deficiencies are obvious. The first is that the insignificant activity listing provides no categorical insignificant activity for the handling of gasoline. The second is somewhat less obvious, but while the act of storage of fuels has long been directly addressed in the insignificant activity listing, the act of dispensing to and from the storage tank has not.

Both deficiencies are inherently a burden to both the source and to the Illinois EPA. In the first case, having no categorical insignificant activity leaves the source only one recourse to declare a small gasoline fuel barrel used on site as an insignificant activity, and that is to make a designation request under 35 IAC 201.211. In the second case, the current insignificant activity listing of 35 IAC 201.210 does not simply fall short of addressing the action of fuel dispensing, it fails in totality. As currently written, the insignificant activity provisions force the Illinois EPA to address most dispensing operations as significant emission units, including those dispensing operations with otherwise insignificant storage tanks.



Applying for insignificant status under 201.211 is a more laborious process requiring notification and submittal from the source and subsequent approval from the Agency. Furthermore, given the use of 201.211, the source loses advantageous off-permit changes as allowed under 39.5(12)(a) and (b). Furthermore, at this time the Agency is experiencing a high volume of renewal permits. The renewal permits, as a priority, effectively prevent the CAAPP permitting unit from making timely approvals of these types of insignificant activity requests, which subsequently forces a source to ironically seek a construction permit that grants limited operating permission for an emission unit that would eventually be found to be insignificant. Similarly, the permit application process and subsequently permitting a significant emission unit is more laborious as far greater detail is required on the source's behalf, while the Agency will be required to draft a more complex permit to include the dispensing operation.

*What are the amendments? Why were the amendments made?*

To address the above mentioned deficiencies, a set of modified and new categorical insignificant activities are proposed to be added into 35 IAC 201.210(a).

To address the lack of gasoline storage, the provision found at 35 IAC 201.210(a)(10) is proposed to be modified to include a (B) which specifically declares gasoline and/or gasoline-ethanol blends storage of less than 2,000 gallons to be considered an insignificant activity. It was necessary to include both gasoline and gasoline-ethanol blends as traditional gasoline bought at the pump itself is generally sold today as a

slight ethanol blend as the ethanol acts to increase the octane rating while providing oxygenation for more efficient combustion, while also accounting for the more recent increase in popularity of primarily ethanol blend fuels such as E85. The proposed storage of less than 2,000 gallon limitation is derived from a limitation within 40 CFR 63 Subpart CCCCCC, and interplays with the below discussed annual throughput limitation of 120,000 gallons per year. This level of storage will provide for roughly 5 turnovers per month (i.e.,  $120,000\text{gal/year} / 2000\text{ gal} = 60\text{ per year} / 12\text{ months} = 5\text{ turnover per month}$ ), which will allow for a reasonable amount of flexibility for usage for many of Illinois' sources. Usage at or above the proposed storage limitation would be considered at a level worthy of greater permitting scrutiny.

To address the lack of gasoline or other fuel dispensing, a new provision at 35 IAC 201.210(a)(19) is proposed to be added which specifically declares fuel dispensing meeting certain criteria to be considered an insignificant activity. The insignificant activity is limited to the dispensing of fuel to a mobile source such as a fleet vehicle, bulldozer, landfill compactor or other such similar on-road or off-road vehicle. This provision specifically does not recognize as an insignificant activity the filling or dispensing of distribution vessels such as a tanker truck tanks, rail tanks, barge storage, or other such similar distribution vessels. The proposed insignificant activity separates the dispensing of gasoline and gasoline-ethanol blends from other common fuels such as distillate oil and its blends. The separation is due to the vapor pressure of the materials, and subsequently the emissions potential. Gasoline and gasoline-ethanol blends have a much higher vapor pressure, and thus have been given an upper limit of

less than 120,000 gallons of annual usage, consistent with the lowest level of limitations in 40 CFR 63 Subpart CCCCCC. Usage at or above this limitation would cross-over into significant emission level territory worthy of greater permitting scrutiny. The other common fuels, consistent with their very low vapor pressures, have previously utilized an uncapped storage threshold as allowed by 35 IAC 201.210(a)(11), therefore, it made sense to apply the same rationale to the end use of the fuels.

Lastly, as a matter of cleanup, these concepts ripple over to the existing categorical insignificant activity of 35 IAC 201.210(b)(4). That insignificant activity was for general vehicle maintenance and servicing activities at the source, other than gasoline fuel handling. Given that the prior mentioned enhancements included concepts relating to gasoline-ethanol blends, non-gasoline fuels, and dispensing, it became necessary to incorporate these specifications into this insignificant activity to make clear of its intent (i.e., vehicle maintenance and service). By way of example, as applied to a fleet vehicle, any vehicle maintenance and service is categorically insignificant under the of 35 IAC 201.210(b) listing, while the requisite fueling of those vehicles as dispensed from a gasoline or diesel storage tank are categorically insignificant under the of 35 IAC 201.210(a) listing.

*What is the feasibility?*

Regarding the feasibility of the proposed new and modified insignificant activities, the Illinois EPA believes that the changes are technically feasible. Given that these

changes are expansions to the existing insignificant activity listing, as opposed to the requirement to add a piece of control technology to a given process, no technical feasibility issue exists. Furthermore, the Agency does not foresee an adverse environmental impact as the activities granted insignificant status result in small emissions, and, as required of all insignificant activities, are still subject to any and all applicable rules. Regarding the economical reasonableness of the proposed new and modified insignificant activities, the Illinois EPA believes that there will annually overall be a slight reduction for major source construction permit fees through avoided permitting as well as a minor reduction for major source operating fees as emission sources which previously were or would have been considered as significant are treated as insignificant activities, which by statute are no longer counted for annual fees. Concurrently, the permitting burden for the Agency would be lowered through the expanded insignificant activity listing allowing permitting resources to be redirected to more complex emission sources. Additionally, for the permittee, it is anticipated that these proposed changes will lower the permitting burden and subsequent compliance costs.

### **Annual Emission Reports**

Section 201.302 was written at a time when few exemptions existed and most sources had to obtain a permit. As the permit process has evolved, the number of exemptions has increased. In addition, different types of sources have been added to the permitting process, e.g., Registration of Smaller Sources (ROSS), that have also affected the sources that are required to obtain a permit. As these additions were made, Section

201.302 was not modified to account for additional sources not requiring a permit. Since the original intent of Section 201.302 was for permitted sources, this clarifying language is being added to this Section. Part 254 contains the applicability language for sources required to submit an Annual Emissions Report.

Attachment F contains a list of sources potentially affected by the proposed amendments to Part 201.

#### Revisions to 35 Ill. Adm. Code Part 219

The Illinois EPA is also proposing revisions to Part 219. This Part is applicable to the Metro-East NAA, which includes Madison, Monroe, and St. Clair counties.

Section 219.105 sets forth test methods and procedures used in conjunction with this Part. Section 219.105(j) is no longer applicable due to the repeal of the Metro-East NAA Stage II rule in February 1994. Therefore, the Agency is proposing to repeal these test methods.

Section 219.112(v) incorporates by reference U.S. EPA Stage II vapor recovery technical guidance. The reference to this guidance is no longer applicable due to the repeal of the Metro-East NAA Stage II rule. Therefore, the Agency is proposing to repeal this guidance.

Section 219.583 describes the requirements for Stage I vapor recovery - storage tank filling operations at GDFs in the Metro-East NAA. In Section 219.583(e), the Agency is proposing to repeal the registration program. A list of GDFs in the Metro-East area that will be affected by the repeal of the registration requirement for Stage I is in Attachment G.

The federal NESHAP rules for GDFs includes notification requirements for those that dispense 10,000 gallons of gasoline or more per month. In addition, OSFM and IDOA both have programs that track GDFs that would be subject to the Agency's Stage I program. Therefore, we are proposing to streamline the rules in favor of the other GDF registration or notification requirements by deleting the Stage I registration language in this section. The repeal of the Agency's Stage I registration program would result in the unintended consequence of these sources being required to obtain a permit. Therefore, in Section 201.146(l), the Agency is proposing to exempt the GDFs subject to Stage I from the requirement to obtain a permit.

## **VI. Estimated Decommissioning Costs and Cost-Benefits**

The U.S. EPA issued a final regulatory support document "Decommissioning Stage II Vapor Recovery Financial Benefits and Costs" on May 8, 2012 (Attachment H) outlining the near-term and long-term costs and cost-benefits of decommissioning Stage II vapor recovery systems at GDFs, presented as national averages. In addition, similar cost estimates were included in their final rule issued May 16, 2012. To augment the U.S.

EPA's cost information, the Illinois EPA requested cost estimates from a few of the major licensed contractors that do gasoline dispenser and fuel infrastructure work in the Chicago area. The contractors provided a range of cost estimates related to the decommissioning of GDFs. Cost ranges resulted due to the differences in the manufacturer of the dispenser, the type and design of the Stage II system, and the number of nozzles per dispenser. For example, dispensers may have the 2-nozzle configuration (one nozzle handle on each side of dispenser where customer selects the fuel grade for that nozzle) while others have the 6-nozzle configuration (three nozzles on each side of dispenser with each nozzle tied into a certain fuel grade). The 2-nozzle configuration is less expensive to decommission, as these have fewer hardware components (nozzles, hoses, breakaways, etc.) than the 6-nozzle dispensers. In addition to the work on the dispensers, including the change over from Stage II hardware to conventional or non-Stage II hardware, decommissioning requires some level of piping work depending on access to the vapor piping. At a minimum, a threaded cap or plug on the vapor piping below the base of the dispenser will be needed.

The cost estimates received for decommissioning work range from \$2,000 to \$7,000 per GDF. The 100 balance-type systems will be the least expensive systems to decommission, with cost estimates at \$2,000 or less. For the vacuum-assist systems, the dispensers having a 2-nozzle configuration will be in the lower half of the cost range. In the Chicago area, about half of the GDFs have 2-nozzle configurations, while the other half use the 6-nozzle configurations. The average decommissioning cost per GDF

in the Chicago area is estimated to be about \$4,400, with the total cost for 2,420 GDFs to decommission their equipment being about \$10.6 million.

U.S. EPA and the contractors contacted by the Agency also estimated annual cost savings, after incurring the initial decommissioning costs, to be from \$3,000 to \$6,000. The GDFs with 6-nozzle dispenser configurations that used to be equipped with Stage II will realize the higher cost savings within this range. This recurring annual savings factors in the elimination of Stage II maintenance and hardware replacement, electricity costs, and the direct and indirect costs for staff training and time spent on the monitoring and recordkeeping requirements for Stage II systems. Cost savings begin immediately after the decommissioning process is completed and, in the initial year, the savings could be \$1,000 or more after subtracting the costs to decommission. U.S. EPA also stated in its August 7, 2012 guidance document (Attachment C) that new GDFs could save \$20,000 to \$60,000 by not having to purchase and install Stage II equipment and related hardware.

Overall, this proposal is economically reasonable, considering the recurring annual cost savings after decommissioning is completed.

## **VII. Stakeholder Outreach Meetings**

The Illinois EPA held several outreach meetings and discussions with industry, government agencies, and advocacy groups to describe the plan for dealing with the



Stage II program and to accept comments and input on the specifics of the proposed regulatory language. Participants included representatives of individual petroleum refining and marketing companies, petroleum service companies, the Illinois Petroleum Council, the Illinois Petroleum Marketers Association, the American Lung Association, the Respiratory Health Association of Metropolitan Chicago, the Illinois Corn Growers Association, the U.S. EPA, the Illinois Environmental Regulatory Group, the IDOA, and the OSFM. The Illinois EPA specifically sought input on the PEI decommissioning procedures, the availability of contractors trained in the procedures, and the time frame for decommissioning. Based on these conversations, the Agency revised its initial decommissioning time frame proposal to allow GDFs three years to decommission their Stage II equipment. The Agency also was informed of certification/registration requirements of the IDOA and OSFM for contractors involved in work on gasoline dispensers, piping and underground storage tank testing. This prompted the Agency to propose the requirement that the decommissioning work be performed by OSFM- and IDOA-registered contractors. This will provide better assurance that the decommissioning work is completed safely and properly.

In general, the outreach group supported the Agency's proposed modifications to the vehicle refueling regulation to phase-out the Stage II requirements.

## **VIII. Summary**

Based on the U.S. EPA's determination of the widespread use of ORVR equipment and the Agency's MOVES-based analysis of vehicle refueling emissions in the Chicago NAA, the Agency is proposing to repeal the requirement for GDFs to install Stage II

vapor recovery equipment effective January 1, 2014. Additionally, effective on that date, the Agency is also proposing to allow existing GDFs to decommission Stage II equipment in accordance with the PEI procedures, and to require decommissioning to be completed by December 31, 2016. Minor changes and clarifications to the state and CAAPP permitting requirements for fuel storage tanks and fuel dispensing are also being proposed to address the impacts of the changes to the vehicle refueling requirements.

AGENCY ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS OF  
PROPOSED RULEMAKING

**RECEIVED**  
CLERK'S OFFICE

MAR 18 2013

STATE OF ILLINOIS  
Pollution Control Board

Agency: Illinois Pollution Control Board

Part/Title: Permits and General Provisions (35 Ill. Adm. Code 201)

Illinois Register Citation:

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant narrative explanation.

1. Anticipated effect on State expenditures and revenues.

- (a) Current cost to the agency for this program/activity. Approximately \$18,098.00
- (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect. FY N/A
- (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity.  
  
Environmental Protection Permit and Inspection Fund 944-53210-1920-0000; Clean Air Act Permit Program Fund 091-53210-1900-0000
- (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. N/A \$ N/A  
Agency: N/A
- (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? Specify effects and amounts. Approximately \$5,000.00 reduction in potential permit fees.

2. Economic effect on persons affected by the rulemaking.

- (a) Indicate the economic effect and specify the persons affected:  
X Positive \_\_\_ Negative \_\_\_ No effect

Persons affected: A source that has a fuel storage tank and/or dispensing equipment that was not previously exempted from permitting.

Dollar amount per person: Approximately \$500.00

Total Statewide cost: Approximately \$5,000.00

- b) If an economic effect is predicted, please briefly describe how the effect will occur. Affected sources may save money by avoiding permit fees.

- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? No. Will there be any change in requirements such as filing, documentation, reporting or completion of forms? Compare to current requirements. Yes, there is a potential for sources not having to apply for permits.

AGENCY ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS OF  
PROPOSED RULEMAKING

**RECEIVED**  
CLERK'S OFFICE

MAR 18 2013

STATE OF ILLINOIS  
Pollution Control Board

Agency: Illinois Pollution Control Board

Part/Title: Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code 218)

Illinois Register Citation:

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant narrative explanation.

1. Anticipated effect on State expenditures and revenues.
  - (a) Current cost to the agency for this program/activity. Approx. \$492,000
  - (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect. Unknown
  - (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity. Vehicle Inspection Fund 963-53210-1120-00-00 and Environmental Protection Fund 065-53210
  - (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. N/A \$ N/A  
Agency: N/A
  - (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? Specify effects and amounts. No
2. Economic effect on persons affected by the rulemaking.
  - (a) Indicate the economic effect and specify the persons affected:  
X Positive    Negative    No effect

Persons affected: Retail and private gasoline dispensing facilities in the Chicago nonattainment area.

Dollar amount per person: Each existing affected gasoline dispensing facility with Stage II vapor recovery equipment in the Chicago area will need to decommission the existing equipment. The cost to decommission at the average facility is estimated to be \$4,400, with the average range between \$2,000 and \$7,000. However, recurring annual cost savings for not having the equipment in operation after the initial year is estimated to be \$3,000 to \$6,000. Furthermore, new facilities that start operations on or after the proposed date in the rule will not need to install Stage II

equipment. This cost savings is estimated to be \$20,000 to \$60,000 per station. The overall economic effect on Chicago area gasoline dispensing facilities is positive.

Total Statewide cost: Decommissioning work for existing affected gasoline dispensing facilities in the Chicago area is estimated to be \$10.6 million.

- b) If an economic effect is predicted, please briefly describe how the effect will occur. For existing affected gasoline dispensing facilities, overall cost savings will occur due to the elimination of Stage II maintenance and hardware replacement, electricity costs, and the direct and indirect costs for staff training and time spent on the monitoring and recordkeeping requirements for Stage II systems. For new gasoline dispensing facilities that start operations in 2014, cost savings will occur by not having to install gasoline vapor recovery equipment.
- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? No Will there be any change in requirements such as filing, documentation, reporting or completion of forms? During the decommissioning process, existing affected gasoline dispensing facilities will need to complete a "Notice of Intent to Decommission" form and submit it to the Agency at least 10 days prior to doing the decommissioning work. After the work is completed, the facility needs to complete and submit a "decommissioning checklist" form developed by the Agency. After this, there will be no more Stage II system monitoring or maintenance recordkeeping or employee training required. The Agency expects the costs for recordkeeping and reporting to be negligible.

AGENCY ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS OF  
PROPOSED RULEMAKING

**RECEIVED  
CLERK'S OFFICE**

MAR 18 2013

Agency: Illinois Pollution Control Board

Part/Title: Organic Material Emission Standards and Limitations for the Metro-East Area (35 Ill. Adm. Code 219)

STATE OF ILLINOIS  
Pollution Control Board

Illinois Register Citation:

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant narrative explanation.

1. Anticipated effect on State expenditures and revenues.
  - (a) Current cost to the agency for this program/activity. N/A
  - (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect. N/A
  - (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity. N/A
  - (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. N/A \$ N/A  
Agency: N/A
  - (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? Specify effects and amounts. No
  
2. Economic effect on persons affected by the rulemaking.
  - (a) Indicate the economic effect and specify the persons affected:  
   Positive    Negative   X   No effect  
  
Persons affected: Gasoline dispensing operations in the Metro-East St. Louis nonattainment area  
  
Dollar amount per person: N/A  
  
Total Statewide cost: N/A
  - (b) If an economic effect is predicted, please briefly describe how the effect will occur. N/A
  - (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? No Will there be any change in requirements such as filing, documentation, reporting or completion of forms? There will be

no more Stage I registration program. However, certain Stage I sources will still be required to comply with any applicable federal notification requirements.



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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

RECEIVED  
CLERK'S OFFICE

MAR 18 2013

STATE OF ILLINOIS  
Pollution Control Board

- 1) Heading of the Part: Permits and General Provisions
- 2) Code Citation: 35 Ill. Adm. Code Part 201
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
201.146	Amendment
201.210	Amendment
201.302	Amendment
- 4) Statutory Authority: Implementing Sections 9, 10, 39, and 39.5 of the Environmental Protection Act [415 ILCS 5/9, 10, 39, and 39.5] and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 and 28].
- 5) A Complete Description of the Subjects and Issues Involved: In this rulemaking, the Illinois EPA proposes to phase out the Stage II (gasoline dispensing to motor vehicles at gasoline dispensing operations) (35 Ill. Adm. Code 218.586) program, including the Stage II registration provision (35 Ill. Adm. Code 218.586(h)). In addition, the Illinois EPA proposes to repeal the Stage I (storage tank filling at gasoline dispensing operations) (35 Ill. Adm. Code 218.583(e) and 219.583(e)) registration provisions due to overlapping federal notification requirements and State tracking systems for gasoline dispensing operations. The available permitting exemptions (currently conditioned upon registration) provided by the aforementioned Stage I and II registration provisions are proposed to be relocated to 35 Ill. Adm. Code Section 201.146(l). The new, combined Stage I and II proposed permitting exemption at Section 201.146(l) does not require registration and expands the exemption to include non-retail Stage I operations not previously exempted. Additionally, the amendments propose clarifications to Section 201.146(n) and (nn), and repeal Section 201.146(kk) as it is no longer necessary. Also, the amendments propose an insignificant activity for gasoline storage tanks with a capacity of less than 2000 gallons at Section 201.210(a)(10)(B). Additionally, the amendments propose an insignificant activity for fuel dispensing at Section 201.210(a)(19). The amendments propose a clarification to Section 201.210(b)(4). Further, the amendments propose a clarification and clean-up to the requirement for annual emissions reports at Section 201.302.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: Copies of the documents the Illinois EPA relied upon are available for review with the Pollution Control Board and are listed below:

Clean Air Act (42 U.S.C. 7401 *et. seq.*)

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

40 CFR 63, Subpart CCCCCC (2012)

- 7) Will this proposed rule replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rule contain incorporations by reference? No
- 10) Are there any other proposed rule(s) pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Pollution Control Board will accept written public comments on this proposal for a period of forty-five (45) days after the date of publication in the Illinois Register. Comments should reference Docket R12-\_\_\_\_ and be addressed to:  
  
Clerk's Office  
Illinois Pollution Control Board  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipality, or not for profit corporation engaged in storage tank filling and fuel dispensing at gasoline dispensing operations.
  - B) Reporting, bookkeeping or other procedures required for compliance: Permitting exemptions will be maintained. Also, permitting exemptions and insignificant activities will be added for certain affected sources, which will remove the permitting requirement and/or remove or lessen permit application, reporting, and/or recordkeeping requirements.
  - C) Types of Professional skills necessary for compliance: None beyond existing rules.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 14) Regulatory Agenda on which this rulemaking was summarized: January 2013

The full text of the Proposed Rule(s) begins on the next page:



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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

dispensing operations. The available permit exemptions (currently conditioned upon registration) provided by this Stage I registration provision as well as the Stage II registration provision (35 Ill. Adm. Code 218.586(h)) will be relocated to 35 Ill. Adm. Code Part 201 and will not require registration. The proposal makes other minor clarifications and clean-ups.

- 5) Published studies or reports, and sources of underlying data, used to compose this rulemaking: Copies of the documents the Illinois EPA relied upon are available for review with the Pollution Control Board and are listed below:

Clean Air Act (42 U.S.C. 7401 *et. seq.*)

40 CFR 63, Subpart CCCCCC (2012)

77 Fed. Reg. 28772 (May 16, 2012)

“Guidance on Removing Stage II Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures” (Aug. 7, 2012) (EPA-457/B12-001)

Incorporation by Reference:

Petroleum Equipment Institute, "Recommended Practices for Installation and Testing of Vapor-Recovery Systems at Vehicle-Fueling Sites", PEI/RP300-09, (2009)

- 7) Will this proposed rule replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rule contain incorporations by reference? Yes
- 10) Are there any other proposed rule(s) pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Pollution Control Board will accept written public comments on this

ILLINOIS REGISTER

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

proposal for a period of forty-five (45) days after the date of publication in the Illinois Register. Comments should reference Docket R12-\_\_\_ and be addressed to:

Clerk's Office  
Illinois Pollution Control Board  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipality, or not for profit corporation engaged in storage tank filling and fuel dispensing at gasoline dispensing operations located in the Chicago nonattainment area.
  - B) Reporting, bookkeeping or other procedures required for compliance: Affected sources will be required to decommission existing Stage II vapor recovery equipment and maintain/submit records relating to decommissioning, as required by the rule.
  - C) Types of Professional skills necessary for compliance: Decommissioning must only be performed by contractors that are licensed/registered through the Office of the State Fire Marshal and the Illinois Department of Agriculture. Contractors must possess the appropriate dispenser-manufacturer certification and training, if any.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2013.

The full text of the Proposed Rule(s) begins on the next page:

MAR 18 2013

## ILLINOIS REGISTER

## POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Organic Material Emission Standards and Limitations for the Metro East Area
- 2) Code Citation: 35 Ill. Adm. Code Part 219
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
219.105	Amendment
219.112	Amendment
219.583	Amendment
- 4) Statutory Authority: Implementing Section 10 of the Environmental Protection Act [415 ILCS 5/10] and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 and 28].
- 5) A Complete Description of the Subjects and Issues Involved: This proposal repeals, as a matter of clean-up, Stage II vapor recovery test methods and a Stage II vapor recovery guidance document because the Stage II vapor recovery rule/program in the Metro-East nonattainment area was repealed in 1994. In addition, this proposal repeals the Stage I vapor recovery registration provision (35 Ill. Adm. Code 219.583(e)) due to overlapping federal notification requirements and other State tracking systems for gasoline dispensing operations. The available permit exemption (currently conditioned upon registration) provided by this Stage I registration provision will be relocated to 35 Ill. Adm. Code Part 201 and will not require registration.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: Copies of the documents the Illinois EPA relied upon are available for review with the Pollution Control Board and are listed below:  
  
Clean Air Act (42 U.S.C. 7401 *et. seq.*)  
  
40 CFR 63, Subpart CCCCCC (2012)
- 7) Will this proposed rule replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rule contain incorporations by reference? Yes
- 10) Are there any other proposed rule(s) pending on this Part? No

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Pollution Control Board will accept written public comments on this proposal for a period of forty-five (45) days after the date of publication in the Illinois Register. Comments should reference Docket R12-\_\_\_ and be addressed to:  
  
Clerk's Office  
Illinois Pollution Control Board  
100 W. Randolph St., Suite 11-500  
Chicago, IL 60601
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipality, or not for profit corporation engaged in storage tank filling at gasoline dispensing operations located in the Metro-East nonattainment area.
  - B) Reporting, bookkeeping or other procedures required for compliance: This proposal repeals the Stage I registration provision.
  - C) Types of Professional skills necessary for compliance: None.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2013.

The full text of the Proposed Rule(s) begins on the next page: