

Board Adopts Final Opinion and Order Updating Volatile Organic Material Definition

The Pollution Control Board, on January 7, 2010, adopted the rulemaking docketed as In the Matter of: Definition of VOM Update, USEPA Regulations (January 1, 2009 through June 30, 2009) (R10-7), which adds two compounds to the list of those exempted from the definition of Volatile Organic Material (VOM). The update is needed to ensure that Illinois' regulations reflect the United States Environmental Protection Agency's (USEPA) most recent exemption of chemical compounds from regulation as ozone precursors.

Specifically, the rulemaking adds propylene carbonate (PC) (IUPAC name 4-methyl-1,3-dioxolan-2-one; CAS no. 108-32-7), and dimethyl carbonate (DMC) (IUPAC name; CAS no. 616-38-6) to correspond with previous action undertaken by USEPA. USEPA added these compounds to the list of chemicals exempted from the definition of VOM (codified at 40 C.F.R. 51.100(s)) on January 21, 2009.

Section 9.1(e) of the Environmental Protection Act mandated this rulemaking and required the Board to exclude from the definition of VOM those compounds that USEPA had determined to be exempt from regulation under the state implementation plans for ozone "due to negligible photochemical reactivity." Additionally, the Board was required to conduct this rulemaking pursuant to the provisions of Section 7.2(b) of the Act for adoption rules that are "identical in substance" to federal requirements.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office

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