

ILLINOIS POLLUTION CONTROL BOARD
August 6, 1987

IN THE MATTER OF:)
)
ORGANIC MATERIAL EMISSION)
STANDARDS AND LIMITATIONS:) R86-18
ORGANIC EMISSION GENERIC)
RULE)
)

PROPOSED RULE. FIRST NOTICE.

OPINION AND ORDER OF THE BOARD (by J. Marlin):

This matter comes before the Board on a proposal of the Illinois Environmental Protection Agency (Agency) to control volatile organic material (VOM) through a generic rule. The Agency's first proposal was filed on May 12, 1986. After consultation with the Agency, the Agency suggested hearing dates in October. The first hearings were held on October 24, 1986 in Chicago and October 29, 1986 in Collinsville. At hearing on October 24, the Agency submitted a Revised Proposal. Another hearing was held in Springfield, on December 11, 1986 at which the Agency stated that it would further revise its proposal. A Second Revised proposal was proffered by the Agency at hearing in Springfield on February 10, 1987. Another hearing was held on February 11. Two additional hearings were held in this matter on April 23 and 24 in Springfield. At hearing on April 23, the Agency introduced another proposal for the Board's consideration, referred to as the Alternative Generic Proposal. (Alternative Proposal). The Agency has recommended that the Board adopt the Alternative Proposal rather than the original proposal or its two revisions. (R. 851). Additionally, the Illinois Environmental Regulatory Group (IERG) filed its own proposal at hearing on February 11, 1987. (R. 613). IERG later withdrew that proposal and submitted a modified version of the Agency's Alternative Proposal at hearing on April 23. (R. 986).

At hearing on April 24, 1987, IERG requested an additional hearing to resolve a controversy between the Agency and Dow Chemical (Dow) concerning the proposed rule's applicability to Dow. A hearing was set for June 18. Subsequently, IERG, Dow, and the Agency resolved their dispute, and as a result the three filed a Joint Motion to Amend the Agency's Alternative Generic Proposal and IERG's Version of the Alternative Proposal on June 16, 1987. The amendment essentially removes Dow from the proposed rule's applicability. As a consequence, the June 18 hearing was cancelled.

The Alternative Proposal differs significantly from the earlier Agency proposals in its structure but not in its control requirements. The earlier proposals provided a blanket coverage for the rule's applicability with specifically listed

exemptions. The newer Alternative Proposal specifies four areas of the rule's applicability. Presumably, a source that does not fall under one of these categories would not be subject to the rule.

In general, the Alternative Proposal would impose controls on specified types of manufacturing process emission sources at a plant if those emissions sources as a group would emit 100 tons or more of VOM per year, if no air pollution control equipment were used, and these emission sources are not already subject to a control technique guideline (CTG) based rules.

The Alternative Proposal requires that RACT be utilized by the sources subject to the rule. The four areas of applicability, proposed as Subparts AA, PP, QQ, RR, and the RACT requirements for each are as follows:

| <u>Area of Applicability</u> | <u>RACT Requirements</u> |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 1) Paint and Ink Manufacturing (Proposed Subpart AA) | Various operation, maintenance and monitoring requirements; no quantified emission reduction. |
| 2) Miscellaneous Fabricated Product Manufacturing Processes (Proposed Subpart PP) | 81% reduction in uncontrolled VOM emissions; for coating lines, VOM emissions not to exceed 0.42 kg/l (3.5 lb/gal) of coating applied. |
| 3) Miscellaneous Formulation Manufacturing Processes (Proposed Subpart QQ) | 81% reduction in uncontrolled VOM emissions. |
| 4) Miscellaneous Organic Chemical Manufacturing Processes. (Proposed Subparts RR). | 81% reduction in uncontrolled VOM emissions. |

As an alternative to the control requirements of proposed Subparts PP, QQ, and RR, sources may comply with the rule by being subject to an adjusted RACT limitation as determined by the Board. The adjusted RACT limitation procedure is set forth in Subpart I of the Alternative Proposal. Generally, under this procedure, owners and operators would have to make a showing before the Board that the relevant control requirements as specified in Subparts AA, PP, QQ, RR are not RACT for that particular source and that a different control requirement is RACT for that particular source.

Certain deadlines imposed by the Clean Air Act require that the Board quickly reach a final disposition of this matter. If the Board were to adopt as final the Agency's Alternative Proposal, the owners and operators of emission sources subject to

the rule would have to be in compliance with the rules by December 31, 1987, according to the rule's provisions. The Board views this as a very tight time frame within which the affected owners and operators might have to act, particularly given that a number of time-consuming procedural steps are yet to be undertaken before final disposition. Most participants to this proceeding have no major objections to the Alternative Proposal.

Accordingly, the Board adopts the Agency's Alternative Proposal for First Notice. In taking this action, the Board believes that whatever the outcome, final disposition of this matter will proceed in as timely a fashion as possible. The Board cautions that this action in no way constitutes a determination by the Board on the ultimate merits of the proposed rules.

The Board has held seven merit hearings in this matter generating a transcript with over 1200 pages, and it believes that further merit hearings are unnecessary. Consequently, the Board considers the merit record in this proceeding closed except for the submission of final comments by interested persons. Final comments on the merit record are due by the end of the First Notice comment period. In addition, since the Board is proposing this rule for First Notice, any person may present their views and comments concerning the proposed rule or request a public hearing pursuant to the procedures of Section 5.01 of the Illinois Administrative Procedure Act. Ill. Rev. Stat. 1986 Supp., ch. 127, par 1005.01.

Since the Board is not presently making a substantive determination with respect to this proposed rule, it will not at this time address the issue as to whether Viskase Corporation (Viskase) should be subject to the proposed rule. However, the Board requests that Viskase, in its comments, state its position as to whether the proposed rule's adjusted RACT procedure would provide a satisfactory means of addressing Viskase's concerns.

In an effort to discern the Agency's position more clearly, the Board hereby orders that the Agency address the following specific points in its final comments.

- 1) In its Alternative Generic Proposal, the Agency has proposed Subparts AA, PP, QQ, RR. Certain language defining each Subpart's applicability is common to the four proposed subparts. Specifically, the scope of applicability for each subpart "includes process emission sources not subject to Subparts B, E, F, N, P, Q, R, S, U, X, Y, or Z of this Part...." This implies that the proposed generic rule may apply to emission sources that are subject to Subparts not listed above, such as Subparts C, K, T, V, and W. Is this a proper interpretation? If the generic rule does apply to emission sources which are subject to the control requirements of other subparts, do the control requirements of the generic rule take precedence over the control

requirements of the other subparts? Or is the converse true? An analogous problem would develop if VOM is defined differently in the generic rule with respect to its definition in another applicable subpart. If two different definitions of VOM could be applicable to the same emission source, which definition would control?

- 2) Three of the proposed generic subparts PP, QQ, and RR, contain the same language with respect to two subsections. Proposed subsection(b) of Sections 215.920, 215.940 and 215.960 reads as follows:

b) The requirements of this Subpart shall apply, except as provided in Subsection (e) below, to [a specified] manufacturing processes at a plant, which plant includes process emission sources not subject to Subparts B, E, F, N, P, Q, R, S, U, X, Y, or Z of this Part, and which process emission sources as a group would emit 100 tons or more per year of volatile organic material if no air pollution control equipment were used.

Subsection (e) of Sections 215.920, 215.940 and 215.960 states:

e) Notwithstanding Subsection (b) above, the provisions of this Subpart do not apply to emission sources which are regulated under Subparts B, E, F, N, P, Q, R, S, U, X, Y, or Z of this Part, including emission sources which would be subject to limits under these Subparts if the sources had sufficient size, throughout or emissions, and emission sources which meet specific exemptions contained in these Subparts.

A plain reading of these two subsections does not clearly indicate the necessity of Subsection (e) in light of the statement of applicability in Subsection (b). In other words, what is the effective difference in scope applicability between the two subsections? If there is a difference, can the Agency suggest alternative language which would further elucidate that difference?

- 3) The Alternative Proposal describes specific areas of applicability. Previous Agency proposals were structured such that there was a general umbrella of applicability with specific exemptions to that coverage. As a result, sources which were once "exempt" under the earlier proposals are now merely not included in the areas applicability under the Alternative Proposal. In the process of developing these proposals, the Agency has evaluated categories of sources and decided that the rule's applicability to these categories is not warranted.

On a category-by-category basis, the Board requests that the Agency state, in summary fashion, the general factors or

reasons, economically and technically based, behind the Agency's conclusion that the proposed generic rule should not apply. In addition, citations to the record, whenever possible, would further aid the Board in reviewing this issue. This request supersedes the similar requests made by Dr. Rao and the Hearing Officer at hearing on April 23. (R. 915, 1028).

Motions

There are several outstanding motions in this matter which need to be addressed by the Board. At hearing on April 24, 1987, IERG orally moved for more hearings in this matter or, in the alternative, to establish a separate docket so that two issues could be explored further. The issues are whether the counties of McHenry, Kane, DuPage and Will should be included in the proposed generic rule's area of applicability and whether it is proper to base a rule for the control of hydrocarbon emissions on the EKMA model. (R. 1115-1116). IERG agreed to submit the motion in writing to the Board so the Agency could likewise respond in writing. (R. 1120).

On May 27, 1987, the Agency filed a Motion to Close the Merit Record. In its motion, the Agency states that since IERG had, at that point, not yet filed its written motion as promised at the April 24 hearing, IERG's motion should be denied. The Agency requests that a date closing the record be set because further delay would "jeopardize the needed timely progression of this regulation".

On May 29, 1987, IERG filed an Objection to the Agency's Motion to Close the Merit Record as well as a Motion to Establish a Separate Docket, which was the written follow-up to IERG's oral motion at the April 24th hearing. In its Objection, IERG states that it needed to wait until transcripts of the April hearings became available before it could submit a written motion as promised at hearing on April 24. In its written Motion to Establish a Separate Docket, IERG refers the Board to IERG's argument that it presented at the April 24 hearing when it orally requested additional hearings or a separate docket. In its written motion, IERG is only requesting a separate docket in order to "address the issue of the applicability of this proposed rule to McHenry, Will, Kane, and DuPage Counties and use of the EKMA model". IERG further states that it does not intend to "delay the timely progression of the proposed generic rule; the establishment of a separate docket would allow the technical merit issue to move forward".

All-Steel, Inc. (All-Steel) filed its Response to the Agency's Motion to Close the Merit Record on June 2. Essentially, All-Steel requests that the Board not close the merit record until All-Steel filed its response to questions posed to All-Steel by the Agency at the April 24 hearing. The Board notes that All-Steel filed its response on June 19, 1987.

As a result of a June 11 conversation with counsel for the Agency, the Hearing Officer discovered that the May 29 filings of IERG and the June 2 filing of All-Steel were never served upon the Agency. The service list attached to the filings did not include the Agency. The Hearing Officer issued an order requiring that in the future, the Agency be served with all filings. The Hearing Officer supplied the Agency with Board copies of the filings at issue. At the time the Hearing Officer issued his Order, he spoke with one counsel for IERG who stated that the failure to serve the filings on the Agency was unintentional. Also, subsequent to the Order, the Hearing Officer received a letter from All-Steel stating that its failure to serve the Agency was inadvertant.

The Agency filed four motions on April 23, 1987. The first is a motion which requests leave to file the remaining three motions instanter. That motion is granted. Next, the Agency moves to strike All-Steel's Response to the Agency's Motion to Close the Merit Record due to All-Steel's failure to serve its filing on the Agency. Similarly, the Agency also moved to strike IERG's May 29 filings for failure to serve the Agency. Finally, the Agency filed its Response to IERG's Motion to Establish a Separate Docket, the substance of which will be discussed later.

All-Steel filed a Response to the Agency's Motion to Strike on June 25, 1987. IERG also filed a Response on July 9, 1987. Generally, both All-Steel and IERG assert that the failure to serve the Agency was unintentional and that their respective filings should not be stricken.

Since the Board by its action today is setting a date for the close of the merit record, the Agency's Motion to Close the Record is moot. Similarly, IERG's Response and All-Steel's Response to the Agency's Motion to Close the Merit Record, the Agency's motions to strike those responses for failing to serve the Agency, and IERG's and All-Steel's Responses to the Agency's motions to strike the responses are moot. Agency's Motion to Strike IERG's Motion for a Separate Docket due to IERG's failure to serve the Agency is denied. The Board shares the Hearing Officer's view, as stated in his June 11 Order, that it is reasonable to expect that the proponent of a rulemaking be served with motions. However, in this instance it appears that IERG's failure to serve the Agency was inadvertant. The Agency eventually received the IERG's motion and was given an opportunity to file a response. As a result, the Board does not find it necessary to strike IERG's motion. Instead, the Board will decide IERG's Motion to Establish a Separate Docket and the Agency's response on their merits.

IERG's Motion to Establish a Separate Docket is based upon the position that the record contains sufficient information to warrant further investigation of the issues of whether the proposed generic rule should apply to McHenry, Will, Kane, and

DuPage counties and whether it is proper to use the EKMA model as a basis for the proposed rule. IERG refers the Board to the arguments that it presented at the April 24 hearing in support of its motion.

With regard to the county issue, IERG stated at hearing,

With respect to McHenry and Will, it is clear those are not presently designated as attainment* counties. With respect to Kane and DuPage counties, we believe that USEPA is under an obligation to move forward with rulemaking under the Seventh Circuit decision and it would be improper to be adopted [sic] regulations imposing RACT since USEPA has, in effect, forwarded the mandate of the Seventh Circuit.

(R. 1115-1116)

The Agency responds by stating that the county issue has already been sufficiently addressed in this proceeding at the October 29, 1986 hearing and IERG has had the opportunity to respond to that evidence in this proceeding. Consequently, the Agency concludes that further hearings on that issue are unnecessary. In addition, the Agency refers to Exhibit 34 which is a letter, dated April 14, 1987, from Mr. Steve Rothblatt, Chief of the Air and Radiation Branch, of the United States Environmental Protection Agency (U.S. EPA) to Mr. Michael Hayes, Manager of the Division of Air Pollution Control for the Agency. In that letter, Mr. Rothblatt writes,

DuPage and Kane counties clearly cannot be excluded from the Chicago area EKMA demonstration, since they are designated nonattainment and are integral parts of the Chicago area. While Will and McHenry Counties are no longer classified as nonattainment, omitting these counties from RACT requirements would require substantial justification and it is doubtful that such a justification would be successful. In order to exclude these counties from the EKMA demonstration, it is likely that (1) additional controls would be necessary in the nonattaining counties and (2) USEPA would have to be convinced that emissions in these counties do not contribute to the emissions that lead to the violations of the ozone standard found in and downwind of the Chicago area. In addition, it would be necessary for

* The Board notes that counsel for IERG likely meant to say "nonattainment".

the State to prepare, adopt, and submit a new SIP revision which includes a new EKMA analysis of necessary emission reductions and which achieves the necessary emission reductions in the four county (Cook, DuPage, Kane, and Lake Counties) area....

Please be aware that unless and until such a SIP revision were approved, the Chicago demonstration area continues to include Will and McHenry Counties as well as Cook, DuPage, Kane and Lake Counties, and failure to adopt RACT in all six counties could result in imposition of a variety of sanctions.

(R86-18, Exh. #33, p. 2)

With respect to the county issue, the Board is persuaded by the Agency's position.

Secondly, IERG asserts that testimony of Mr. Erwin Kauper, presented at the April 24 hearing raises questions regarding "the use of the EKMA Model as it relates to the necessity for control -- for additional control of hydrocarbon emissions, irrespective of the area where those emissions are located." (R. 1116). In response, the Agency states that the

use of the EKMA model is consistent not only with the opinions of the Board for the last eight years, but also the efforts of the Agency and numerous industrial representatives....If the EKMA model was deemed inappropriate, not only would Illinois require a new attainment demonstration and a new SIP but also revised promulgated RACT regulations and proposed RACT regulations.

(Agency Response, p. 3)

The Board agrees with the Agency that it would be inappropriate to question the use of the EKMA model at this point in the RACT regulatory process.

Although IERG's stated intent is "not to delay the timely progression of the proposed generic rule," the Board is at a loss to determine how the opening of a separate docket, to consider issues that are integral to the proposed generic rule, would not further impact or delay this proceeding. As stated earlier, the Board recognizes the importance in proceeding as expeditiously as possible in this matter. Even if the Board assumes that IERG's position is correct, such issues would be fundamental not only to the proposed generic rule but also to all the RACT proceedings. At this point, the Board sees no reason to investigate, through a separate docket, the foundation for all the RACT rules. Such an

endeavor would only delay the needed progression of the RACT rulemaking process. Therefore, the Board hereby denies IERG's Motion to Establish a Separate Docket. The Board notes that IERG, like any other person, is free to present to the Board a regulatory proposal pursuant to Section 28 of the Act.

VOM Definition

On March 19, the Hearing Officer in this Proceeding and the Hearing Officer in R86-37, Definition of Volatile Organic Material, Section 215.104, issued a Joint Order giving guidance concerning the Agency's proposed new definition of VOM in R86-37 and the resulting impact upon the regulated community if this new definition were applied through the proposed generic rule. The Joint Order stated that it was "most appropriate to address the potential increased impact under the Generic VOM Rule caused by the expanded definition of VOM in the R86-18 docket." The Joint Order further stated:

In order to ensure that the regulated community has adequate notice of the proposed redefinition of VOM in the Generic VOM proceeding, the hearing officers request the Agency amend its R86-18 proposal to show the proposed redefinition of VOM contemplated in R86-37.

As a result, when the Agency submitted its Alternative Proposal, a definition for VOM, that was consistent with the Agency's proposal in R86-37, was included. On July 16, 1987, the Board adopted the following definition of VOM in the Proposed Rule, First Notice for R86-37. This definition, which would apply to Subpart I, AA, PP, QQ, and RR, states that volatile organic material is:

any organic material which participates in atmospheric photochemical reactions or is measured by the applicable reference methods specified under Part 230, Appendix A unless specifically exempted from this definition.

Although the version of the Alternative Proposal that the Agency filed with the Board contains this definition, the version of the Alternative Proposal that the Board is adopting today for First Notice does not contain a definition of VOM. According to the Hearing Officers' Joint Order, the definition of VOM to be included in the Agency's proposal in the R86-18 docket was to be included for the sole purpose of notifying the public of the potential impact that the VOM definition proposal in R86-37 might have upon the proposed generic rule's scope of applicability. The R86-18 docket was to receive evidence concerning that impact not the propriety of the VOM definition itself. The latter issue was to be addressed in the R86-37 docket. It naturally follows that the record in R86-18 was not developed for the purpose of

justifying the new VOM definition, but rather the record in R86-18 was developed in an attempt to justify the applicability and control requirements of the proposed generic rule. The version of the Alternative Proposal adopted for First Notice merely reflects that fact.

In addition, the Board has made some minor changes in the wording of the Alternative Proposal. In particular, the Board draws the Agency's attention to the new wording of Section 215.221(c)(2). The Board believes it has not changed the substance of that provision but merely clarified the wording. The Board requests the Agency's comments on this change.

ORDER

The Board hereby proposes the following amendments for First Notice publication. The Clerk shall cause First Notice publication of the proposed amendments in the Illinois Register:

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

PART 211
 DEFINITIONS AND GENERAL PROVISIONS

SUBPART B: DEFINITIONS

Add the following definitions to Section 211.122:

"Manufacturing Process": A process emission source or series of process emission sources used to convert raw materials, feed stocks, subassemblies or other components into a product, either for sale or for use as a component in a subsequent manufacturing process.

"Miscellaneous Fabricated Product Manufacturing Process":

A manufacturing process involving one or more of the following applications (including any drying and curing) of formulations and capable of emitting volatile organic material:

Adhesives to fabricate or assemble components or products
Asphalt solutions to paper or fiberboard
Asphalt to paper or felt
Coatings or dye to leather
Coatings to plastic
Coatings to rubber or glass
Disinfectant material to manufactured items
Plastic foam scrap or "fluff" from the manufacture

of foam containers and packaging material to form resin pellets
Resin solutions to fiber substrates
Rubber solutions to molds
Viscose solutions for food casings

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Formulation Manufacturing Process":

A manufacturing process which compounds one or more of the following and is capable of emitting volatile organic material:

Adhesives
Asphalt solutions
Caulks, sealants or waterproofing agents
Coatings, other than paint and ink
Concrete curing compounds
Dyes
Friction materials and compounds
Resin solutions
Rubber solutions
Viscose solutions

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Miscellaneous Organic Chemical Manufacturing Process":

A manufacturing process which produces by chemical reaction, one or more of the following organic compounds or mixtures of organic compounds and which is capable of emitting volatile organic material:

Chemicals listed in Part 215, Appendix D
Chlorinated and sulfonated compounds
Cosmetic, detergent, soap or surfactant intermediaries or specialties and products
Disinfectants
Food additives
Oil and petroleum product additives
Plasticizers
Resins or polymers
Rubber additives

Sweeteners
Varnishes

The storage and handling of formulations associated with the process described above.

The use and handling of organic liquids and other substances for clean-up operations associated with the process described above.

"Paint Manufacturing Plant": a plant that mixes, blends, and/or compounds enamels, lacquers, sealers, shellacs, stains, varnishes or pigmented surface coatings.

"Reasonably Available Control Technology" (RACT): the lowest emission limitation that an emission source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

Subpart AA: PAINT AND INK MANUFACTURING

Section 215.620 Applicability

- a) This Subpart shall apply to the following counties: Cook, DuPage, Kane, Lake, Macoupin, Madison, McHenry, Monroe, St. Clair and Will.
- b) This Subpart shall apply to all paint and ink manufacturing plants which:
 - 1) include process emission sources not subject to Subparts B, E, F, N, P, Q, R, S, U, X, Y or Z of this Part, and which process emission sources as a group would emit 100 tons or more per year of volatile organic material if no air pollution control equipment were used, or
 - 2) produce more than 2,000,000 gallons per year of paints or ink formulations, which contain less than 10 percent, by weight, water, and ink formulations not containing as the primary solvents water, McGee oil, or glycol.

Section 215.621 Exemption for Waterbase Material and Heatset Offset Ink

The requirements of Sections 215.624, 215.625 and 215.628(a) shall not apply to equipment while it is being used to produce paint or ink formulations which contain 10 percent or more, by weight, water, or inks containing McGee oil and glycol as the primary solvent.

Section 215.623 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant or an emission source from this Subpart.

Section 215.624 Open-top Mills, Tanks, Vats or Vessels

No person shall operate an open-top mill, tank, vat or vessel, with a volume of more than 12 gallons for the production of paint or ink unless:

- a) The mill, tank, vat or vessel is equipped with a cover which completely covers the mill, tank, vat or vessel opening, except for an opening no larger than necessary to allow for safe clearance for a mixer shaft. Such cover shall extend at least $\frac{1}{2}$ inch beyond the outer rim of the opening or be attached to the rim.
- b) The cover remains closed, except when production, sampling, maintenance, or inspection procedures require access.
- c) The cover is maintained in good condition, such that when in place, it maintains contact with the rim of the opening for at least 90% of the circumference of the rim.

Section 215.625 Grinding Mills

- a) No person shall operate a grinding mill for the production of paint or ink which is not maintained in accordance with the manufacturers specifications.
- b) No person shall operate a grinding mill fabricated or modified after _____ (effective date of proposal) which is not equipped with fully enclosed screens.
- c) The manufacturer's specifications shall be kept on file at the plant by the owner or operator of the grinding mill and be made available upon reasonable request.

Section 215.628 Leaks

The owner or operator of a paint or ink manufacturing plant shall, for the purpose of detecting leaks, conduct an equipment monitoring program consistent with the following:

- a) Each pump shall be checked by visual inspection each calendar week for indications of leaks, that is, liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, the pump shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.

- b) Any pump, valve, pressure relief valve, sampling connection, open-ended valve, and flange or connector containing a fluid which is at least 10 percent by weight volatile organic material which appears to be leaking on the basis of sight, smell, or sound shall be repaired as soon as practicable, but no later than 15 calendar days after the leak is detected.
- c) A readily visible identification shall be attached to leaking equipment. The identification may be removed upon repair, that is, when the equipment is adjusted or otherwise altered to allow operation without leaking.
- d) When a leak is detected, the owner or operator shall record the date of detection and repair and the record shall be retained at the plant in a readily accessible location for at least 2 years from the date of each detection or each repair attempt.

Section 215.630 Clean Up

- a) No person shall clean paint or ink manufacturing equipment with organic solvent unless the equipment being cleaned is completely covered or enclosed except for an opening no larger than necessary to allow safe clearance, considering the method and materials being used.
- b) No person shall store organic wash solvent in other than closed containers, unless closed containers are demonstrated to be a safety hazard, or dispose of organic wash solvent in a manner such that more than 20 percent by weight is allowed to evaporate into the atmosphere.

Section 215.636 Compliance Date

Owners and operators of emission sources subject to this Subpart shall comply with its requirements by December 31, 1987.

SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT
MANUFACTURING PROCESSES

Section 215.920 Applicability

- a) The requirements of this Subpart shall apply to the following counties: Cook, DuPage, Kane, Lake, Macoupin, Madison, McHenry, Monroe, St. Clair and Will.
- b) The requirements of this Subpart shall apply, except as provided in Subsection (e) below, to miscellaneous fabricated product manufacturing processes at a plant, which plant includes process emission sources not

subject to Subparts B, E, F, N, P, Q, R, S, U, X, Y, or Z of this Part, and which process emission sources as a group would emit 100 tons or more per year of volatile organic material if no air pollution control equipment were used.

- c) If a plant ceases to fulfill the criteria of Subsection (b), the requirements of this Subpart shall continue to apply to a miscellaneous fabricated products manufacturing process emission source which was subject to an met the control requirements of Section 215.926.
- d) No limits under this Subpart shall apply to:
 - 1) Emission sources with emissions of volatile organic material to the atmosphere less than or equal to 1.0 ton per year if the total emissions from such sources not complying with Section 215.926 does not exceed 5.0 tons per year, and
 - 2) Emission sources whose emissions of volatile organic material are subject to limits in Part 230 or Part 231; or the Lowest Achievable Emission Rate, pursuant to 35 Ill. Adm. Code Part 203; or Best Available Control Technology, pursuant to 40 CRF 52.21 or Section 9.4 of the Act.
- e) Notwithstanding Subsection (b) above, the provisions of this Subpart do not apply to emission sources which are regulated under Subparts B, E, F, N, P, Q, R, S, U, X, Y, or Z of this Part, including emission sources which would be subject to limits under these Subparts if the sources had sufficient size, throughput or emissions, and emission sources which meet specific exemptions contained in these Subparts.

Section 215.923 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant or an emission source from this Subpart.

Section 215.926 Control Requirements

- a) Every owner or operator of an emission source of volatile organic material shall operate in compliance with RACT, which for emission sources subject to this Subpart shall be:
 - 1) Emission capture and control techniques which achieve an overall reduction in uncontrolled volatile organic material emissions of at least 81%; or

- 2) For coating lines, volatile organic material emissions not to exceed 0.42 kg/l (3.5 lb/gal) of coating materials as applied, excluding water and any compounds which are specifically exempted from the definition of volatile organic material, on a daily basis. Owners and operators complying with this Subsection 215.926(a)(2) are not required to comply with Section 215.301; or
 - 3) An adjusted RACT emissions limitation obtained pursuant to Subpart I.
- b) Owners and operators of emission sources subject to this Subpart shall comply with its requirements by December 31, 1987.

Subpart QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section 215.940 Applicability

- a) The requirements of this Subpart shall apply to the following counties: Cook, DuPage, Kane, Lake, Macoupin, McHenry, Monroe, St. Clair and Will.
- b) The requirements of this Subpart shall apply, except as provided in Subsection (e) below, to miscellaneous formulation manufacturing processes at a plant which plant includes process emission sources not subject to Subparts B, E, F, N, P, Q, R, S, U, X, Y or Z of this Part, and which process emission sources as a group would emit 100 tons or more per year of volatile organic material if no air pollution control equipment were used.
- c) If a plant ceases to fulfill the criteria of Subsection (b), the requirements of this Subpart shall continue to apply to a miscellaneous formulation manufacturing process emission source which was subject to and met the control requirements of Section 215.946.
- d) No limits under this Subpart shall apply to:
 - 1) Emission sources with emissions of volatile organic material to the atmosphere less than or equal to 1.0 ton per year if the total emissions from such sources not complying with Section 215.946 does not exceed 5.0 tons per year, and
 - 2) Emission sources whose emissions of volatile organic material are subject to limits in Part 230 or Part 231; or the Lowest Achievable Emission Rate, pursuant to 35 Ill. Adm. Code Part 203; or Best Available Control Technology, pursuant to 40 CFR 52.21 or Section 9.4 of the Act.

- e) Notwithstanding Subsection (b) above, the provisions of this Subpart do not apply to emission sources which are regulated under Subparts B, E, F, N, P, Q, R, S, U, X, Y or Z of this Part, including emission sources which would be subject to limits under these Subparts if the sources had sufficient size, throughput or emissions, and emission sources which meet specific exemptions contained in these Subparts.

Section 215.943 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant or an emission source from this Subpart.

Section 215.946 Control Requirements

- a) Every owner or operator of an emission source of volatile organic material shall operate in compliance with RACT, which for emission sources subject to this Subpart shall be:
- 1) Emission capture and control techniques which achieve an overall reduction in uncontrolled volatile organic material emissions of at least 81%; or
 - 2) An adjusted RACT emissions limitation obtained pursuant to Subpart I.
- b) Owners and operators of emission sources subject to this Subpart shall comply with its requirements by December 31, 1987.

Subpart RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section 215.960 Applicability

- a) The requirements of this Subpart shall apply to the following counties: Cook, DuPage, Kane, Lake, Macoupin, Madison, McHenry, Monroe, St. Clair and Will.
- b) The requirements of this Subpart shall apply, except as provided in Subsection (e) below, to miscellaneous organic chemical manufacturing processes at a plant which processes include emission sources not subject to Subparts B, E, F, N, P, Q, R, S, U, X, Y or Z of this Part, and which processes as a group would emit 100 tons or more per year of volatile organic material if no air pollution control equipment were used.
- c) If a plant ceases to fulfill the criteria of Subsection

(b), the requirements of this Subpart shall continue to apply to a miscellaneous organic chemical manufacturing process emission source which was subject to and met the control requirements of Section 215.966.

- d) No limits under this Subpart shall apply to:
- 1) Emission sources with emissions of volatile organic material to the atmosphere less than or equal to 1.0 ton per year if the total emissions from such sources not complying with Section 215.966 does not exceed 5.0 tons per year, and
 - 2) Emission sources whose emissions of volatile organic material are subject to limits in Part 230 or Part 231; or the Lowest Achievable Emission Rate, pursuant to 35 Ill. Adm. Code Part 203; or Best Available Control Technology, pursuant to 40 CFR 52.21 or Section 9.4 of the Act.
- e) Notwithstanding Subsection (b) above, the provisions of this Subpart do not apply to emission sources which are regulated under Subparts B, E, F, N, P, Q, R, S, U, X, Y or Z of this Part, including emission sources which would be subject to limits under these Subparts if the sources had sufficient size, throughput or emissions, and emission sources which meet specific exemptions contained in these Subparts.

Section 215.963 Permit Conditions

No person shall violate any condition in a permit when the condition results in exclusion of the plant or an emission source from this Subpart.

Section 215.966 Control Requirements

- a) Every owner or operator of an emission source of volatile organic material shall operate in compliance with RACT, which for emission sources subject to this Subpart shall be:
 - 1) Emission capture and control techniques which achieve an overall reduction in uncontrolled volatile organic material emissions of at least 81%; or
 - 2) An adjusted RACT emissions limitation obtained pursuant to Subpart I.
- b) Owners and operators of emission sources subject to this Subpart shall comply with its requirements by December 31, 1987.

SUBPART I: ADJUSTED RACT EMISSIONS LIMITATIONS

Section 215.220 Applicability

Owners and operators of emission sources subject to Subparts PP, QQ, or RR may petition the Illinois Pollution Control Board for an Adjusted RACT Emissions Limitation for such emission sources. Owners and operators of emissions sources which are in existence on (the effective date of these Subparts) shall submit to the Illinois Pollution Control Board a Notice of Intent to Petition for an Adjusted RACT Emissions Limitation by (the effective date plus 60 days). Petitions for an Adjusted RACT Emissions Limitation shall be filed by (the effective date plus 120 days) or at the time a construction permit is applied for from the Agency for the emission source, or at the time an emission source meets the applicability criteria set forth in such Subparts.

Section 215.221 Petition

A petition for an Adjusted RACT Emission Limitation shall contain:

- a) A specific proposal of, and support for, an Adjusted RACT Emissions Limitation which would apply to the emission source that is the subject of the petition as well as a showing that the application of the applicable limit(s) of Section 215.926(a)(1) and (2), 215.946(a)(1) or 215.966(a)(1) would be technically infeasible and/or economically unreasonable for that emission source.
- b) Information on the technical feasibility of reducing emissions of volatile organic material from the emission source including, but not limited to:
 - 1) A complete description of the operations of the emission source.
 - 2) A discussion of all available compliance strategies for achieving the emissions reduction prescribed by the applicable section and the technical feasibility of each compliance strategy.
 - 3) Comparisons of the nature and quantity of uncontrolled emissions to:
 - A) Emissions reductions which would be achieved pursuant to the applicable Section for each compliance strategy listed in Section 215.221(b)(2); and
 - B) Emissions reduction which would be achieved pursuant to the proposed Adjusted RACT

Emissions Limitation.

- 4) The basis for determining that the proposed method of emissions reduction is RACT for the that emission source and all information supporting that determination.
- c) Information on the economic reasonableness of reducing emissions of volatile organic material from the emission source including, but not limited to:
- 1) A comparison of the relative costs of achieving the emissions reduction pursuant to Section 215.926(a)(1) and (2), 215.946(a)(1) or 215.966(a)(1) and pursuant to the proposed Adjusted RACT Emissions Limitation including for each compliance strategy:
 - A) Capital costs;
 - B) Operating costs;
 - C) Any economic benefits, such as material recovery; and
 - D) Other costs.
 - 2) An evaluation of the cost effectiveness in terms of annualized net cost per ton of volatile organic material reduction for each compliance strategy. Volatile organic material reduction is the amount of uncontrolled volatile organic material emissions less the amount of volatile organic material emissions after controls.
 - 3) An evaluation of the effects of the cost of achieving emissions reduction in relation to:
 - A) The annualized capital and operating budgets of the emission source over the most recent five-year period; and
 - B) The cost of the product or services provided by the emission source.
 - 4) The basis for determining that the proposed method of emissions reduction is RACT for the emission source and all information supporting that determination.

Section 215.223 Public Hearing

In a public hearing before the Board held pursuant to the requirements of Section 28.1 of the Act, the petitioner for an

Adjusted RACT Emissions Limitation shall prove:

- a) That the emissions limitation prescribed pursuant to Section 215.926(a)(1) and (2), 215.946(a)(1) or 215.966(a)(1) does not constitute RACT for the specific emission source; and
- b) That compliance with the proposed Adjusted RACT Emissions Limitation:
 - 1) Is RACT for that emission source based on the information provided in the petition and at the hearing addressing subjects described in Sections 215.221 and
 - 2) Will not cause or contribute to an increase in emissions so as to prevent or interfere with the attainment of the National Ambient Air Quality Standards for ozone and carbon monoxide or with any portion of the Illinois State Implementation Plan.

Section 215.224 Board Action

If an owner or operator of an emission source complies with the requirements of Sections 215.221 and 215.223 the Board may establish an Adjusted RACT Emissions Limitation. Such Adjusted RACT Emissions Limitation:

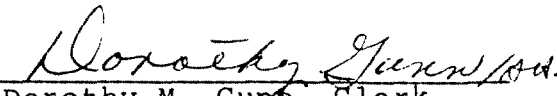
- a) Shall substitute for that limitation otherwise prescribed by Section 215.926(a)(1) and (2), 215.946(a)(1) or 215.966(a)(1) and
- b) Shall require compliance no later than December 31, 1987, or prior to the operation of a new emission source.

Section 215.227 Agency Petition

The Agency may petition the Board for an Adjusted RACT Emission Limitation for an emission source subject to this Subpart at any time prior to December 31, 1987. The provisions of Sections 215.221, 215.223, and 215.224 shall apply to such petitions.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 6th day of August, 1987, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board