# *Statement of Basis*

for the DRAFT CAAPP Permit for:

**Source Name:**

**Marble Works**

Statement of Basis No.: 04030013-1407

I.D. No.: 089080AAW

Permit No.: 04030013

Date Prepared: July 30, 2014

*Permitting Authority:*
Illinois Environmental Protection Agency
Bureau of Air, Permit Section
217/785-1705

This Statement of Basis is being provided to USEPA and any interested parties as required by Section 39.5(8)(b) of the Illinois Environmental Protection Act.

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# PREFACE

## Reason For This Document

This document is a requirement of the permitting authority in accordance with 502(a) of the Clean Air Act, 40 CFR 70.7(a)(5), and Section 39.5(8)(b) of the Illinois Environmental Protection Act. Section 39.5(8)(b) of the Illinois Environmental Protection Act states the following:

> "The Agency shall prepare a …… statement that sets forth the legal and factual basis for the Draft CAAPP permit conditions, including references to the applicable statutory or regulatory provisions."

## Purpose Of This Document

The purpose of this Statement of Basis is to provide discussion regarding the development of this Draft CAAPP Permit. This document would also provide the permitting authority, the public, the source, and the USEPA with the applicability and technical matters that form the basis of the Draft CAAPP Permit.

## Summary Of Historical Actions Leading Up To Today's Permitting Action

The source had not had any previously issued CAAPP Permit.

## Limitations

This Statement of Basis is not enforceable and only sets forth the legal and factual basis for the Draft CAAPP Permit Conditions (Chapters I and II). Chapter III contains supplemental material that would assist in educating interested parties about this source and the Draft CAAPP Permit. The Statement of Basis does not shield the source from enforcement actions or its responsibility to comply with existing or future applicable regulations. Nor does the Statement of Basis constitute a defense to a violation of the Federal Clean Air Act or the Illinois Environmental Protection Act including implementing regulations.

This document does not purport to establish policy or guidance.

## INTRODUCTION

The Clean Air Act Permit Program (CAAPP) is the operating permit program established in Illinois for major stationary sources as required by Title V of the federal Clean Air Act and Section 39.5 of the Illinois Environmental Protection Act. The Title V Permit Program (CAAPP) is the primary mechanism to apply the various air pollution control requirements established by the Clean Air Act to major sources, defined in accordance with Title V of the Clean Air Act. The Draft CAAPP Permit contains conditions identifying the state and federal applicable requirements that apply to the source. The Draft CAAPP Permit also establishes the necessary monitoring and compliance demonstrations. The source must implement this monitoring to demonstrate that the source is operating in accordance with the applicable requirements of the permit. The Draft CAAPP Permit identifies all applicable requirements for the various emission units as well as establishes detailed provisions for testing, monitoring, recordkeeping, and reporting to demonstrate compliance with the Clean Air Act. Further explanations of the specific provisions of the Draft CAAPP Permit are contained in the following Chapters of this Statement of Basis.

- The area surrounding Marble Works has the potential for environmental justice ("EJ") concerns. Therefore the Illinois EPA has taken a careful review of the monitoring in the DRAFT CAAPP permit and has provided for public input. Given the nature of the source to be a polyester resin material product manufacturing and the limits on source-wide emissions of VOM and HAP emissions, See Sections 3.3 and 3.4 of the Draft CAAPP permit, the Draft CAAPP permit requires recordkeeping and the calculation of source-wide emissions to verify compliance with source-wide usage and emissions limits . A discussion of this monitoring can be found in Section 3.1 of this Statement of Basis.

In addition, the Illinois EPA has committed substantial resources and effort in the development of an acceptable Statement of Basis (this document) that would meet the expectations of USEPA, Region 5. As a result, this document contains discussions that address applicability determinations, periodic monitoring, streamlining, prompt reporting, and SSM authorizations (as necessary). These discussions involve, where necessary, a brief description and justification for the resulting conditions and terms in this Draft CAAPP Permit. This document begins by discussing the legal basis for the contents of the Draft CAAPP Permit, moves into the factual description of the permit, and ends with supplemental information that has been provided to further assist with the understanding of the background and genesis of the permit content.

It is Illinois EPA's preliminary determination that this source's Permit Application meets the standards for issuance of a "Final" CAAPP Permit as stipulated in Section 39.5(10)(a) of the Illinois Environmental Protection Act (see Chapter I - Section 1.2 of this document). The Illinois EPA is therefore initiating the necessary procedural requirements to issue a Final CAAPP Permit. The Illinois EPA has posted the Draft CAAPP permit and this Statement of Basis on USEPA website:

http://www.epa.gov/reg5oair/permits/ilonline.html

## CHAPTER I – LEGAL BASIS FOR THE PERMIT AND PERMIT CONDITIONS

### 1.1 Legal Basis for Program

The Illinois EPA's state operating permit program for major sources established to meet the requirements of 40 CFR Part 70 are found at Section 39.5 of the Illinois Environmental Protection Act [415 ILCS 5/39.5]. The program is called the Clean Air Act Permitting Program (CAAPP). The underlying statutory authority is found in the Illinois Environmental Protection Act at 415 ILCS 5/39.5. The CAAPP was given final full approval by USEPA on December 4, 2001 (see 66 FR 62946).

### 1.2 Legal Basis for Issuance of CAAPP Permit

In accordance with Section 39.5(10)(a) of the Illinois Environmental Protection Act, the Illinois EPA may only issue a CAAPP Permit if all of the following standards for issuance have been met:

- The applicant has submitted a complete and certified application for a permit, permit modification, or permit renewal consistent with Sections 39.5(5) and (14) of the Illinois Environmental Protection Act, as applicable, and applicable regulations (Section a. below);

- The applicant has submitted with its complete application an approvable compliance plan, including a schedule for achieving compliance, consistent with Section 39.5(5) of the Illinois Environmental Protection Act and applicable regulations (Section b. below);

- The applicant has timely paid the fees required pursuant to Section 39.5(18) of the Illinois Environmental Protection Act and applicable regulations (Section c. below); and

- The applicant has provided any additional information as requested by the Illinois EPA (Section d. below).

#### a. Application Status

The source submitted an application for a New CAAPP Permit on March 3, 2004. The source is currently operating under a previously issued construction permit (Application # 00120001). This Draft CAAPP Permit addresses application content and necessary revisions to meet the requirements for issuance of the permit.

#### b. Present Compliance Status

At the time of this Draft CAAPP Permit, there were no pending State or Federal enforcement actions against the source; therefore, a Compliance Schedule is not required for this source. The source submitted an approvable Compliance Plan as part of its Certified Permit Application. The source has certified compliance with all applicable rules and regulations. In addition, the draft permit requires the source to certify its compliance status on an annual basis.

#### c. Payment of Fees

The source is current on payment of all fees associated with operation of the emission units.

### d. Additional Information

The source provided all the necessary additional application material as requested by the Illinois EPA.

## 1.3 Legal Basis for Conditions in the CAAPP Permit

This industrial source is subject to a variety of Federal and SIP regulations, which are the legal basis for the conditions in this permit (see Sections a. and b. below). Also, the CAAPP provides the legal basis for additional requirements such as periodic monitoring, reporting, and recordkeeping. The following list summarizes those regulations that form the legal basis for the conditions in this Draft CAAPP Permit and are provided in the permit itself as the origin and authority.

### a. Applicable Federal Regulations

This source operates emission units that are subject to the following Federal regulation.

40 CFR Part 63 - Subpart A, NESHAP General Provisions
40 CFR 63 Subpart WWWW — National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production

### b. Applicable SIP Regulations

This source operates emission units that are subject to the following SIP regulations:

35 IAC Part 201 - Permits And General Provisions
35 IAC Part 205 - Emissions Reduction Market System
35 IAC Part 212 - Visible And Particulate Matter Emissions
35 IAC Part 218 - Organic Material Emis Stnds And Lmtns For The Chicago Area
35 IAC Part 254 - Annual Emissions Report

### c. Other Applicable Requirements

There are no other applicable requirements for this source.

## CHAPTER II – FACTUAL BASIS FOR THE PERMIT AND PERMIT CONDITIONS

### 2.1 Source History

Previously the source was located at 502 Sundown Road, South Elgin, IL (I.D. No.: 089080AAQ) and had applied for a separate CAAPP Permit No. 99020029. In 2001, the Permittee obtained Construction Permit 00120001, issued March 14, 2001, to cover the transfer and relocation of operations and equipment to the current location at 1601 La Fox, South Elgin, IL..

Subsequent to the relocation, the Illinois EPA determined that the facility was noncompliant with various federal and state regulations and certain construction permit emission limits and, See Historical Non-Compliance – Section 3.5.

The above referenced CAAPP permit application and the revised Construction Permit 00120001 issued November 30, 2011, addresses these violations. This includes demonstrating compliance with Section 39.5 of the Act; 40 CFR 63 Subparts A and WWWW — National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production and 35 IAC Parts 203 (Section 3.4 – synthetic minor limit); 205 (ERMs addressed in Conditions 3.1(d) and 3.3(a)(i)(A)(I)); and 218.

Based upon the above, the source is considered to be an existing reinforced plastic composites production facility pursuant to 40 CFR 63 Subpart WWWW since the equipment and associated reinforced plastic composite operations were existing at the old location.

### 2.2 Description of Source

SIC Code: 3088, Plastic Plumbing Fixtures
County: Kane County

The source produces various polymer resin cast products, such as sinks and countertops, using the Gruber marble casting method primarily with a small amount of cast product being produced using the solid casting process. The facility is engaged in the following operations: Open molding, polymer casting, mixing, cleaning of equipment used in reinforced plastic composites manufacture, HAP-containing materials storage, and repair operations on parts manufactured at the source. (See Sections 4.1.1 and 6.1)

The source contains the following processes:

| Section | Emission Units | Description |
|---|---|---|
| 4.1 | Open Molding | Gelcoat Booth:<br>Non-atomized gelcoat applicators and curing area |
| 4.2 | Polymer Mixing/Casting Resin Mixing | Gruber mixing/casting machine |
| | | Solid Surface Casting:<br>Two solid surface polymer resin casting mixing kettles<br><br>Solid surface polymer resin casting process area |
| 4.3 | Miscellaneous Operations | VOM emitted during the application and/or curing of mold release agents, sealers, and during wipe and maintenance cleaning. |

***Open Molding***:

A clean mold is moved to the gelcoat spray booth, where a thin layer of gelcoat is applied with a non-atomizing applicator gun. The gelcoat booth's VOM/HAP emissions are vented through the gelcoat booth stack. The gel coated mold is then moved thru a heated curing tunnel where it is allowed to cure. Note: That the natural gas fired unit (0.2 MMBTU/hr) for the cooling tunnel is considered to be insignificant and is included with the other insignificant comfort heating unit in Section 6.2 of the CAAPP permit. VOM and HAP emissions from the curing process are accounted for under Section 4.1.2 as part of the open molding unit.

***Gruber Marble Casting***:

Subsequently, the cured gel coated mold is moved to the Gruber mixing and casting machine, were the mold is filled with a catalyzed casting resin mixture (aka, casting matrix) through a dispensing hose.

The casting mixture is compounded within the Gruber machine as follows: Resin is pumped from a resin storage tank into the mixer component of the machine; filler solids and pigment are mechanically conveyed into the mixer; the mixture is then blended; and finally a small amount of catalyst added to the mixed resin from a static mixing section prior to the casting matrix being dispensed. After filling, the freshly filled mold is removed from the casting machine and allowed to cure. VOM\HAP emissions from the Gruder machine and filled mold are emitted within the building and subsequently vented through the building ventilators.

***Solid Surface Casting***:

Solid surface casting is similar to the Gruber marble casting process, except that gelcoat is not applied to the mold and the casting matrix is compounded and poured from large covered mixing kettles into molds in a separate production area.

***Miscellaneous Operations:***

VOM is emitted during the application and/or curing of mold release agents, sealers, and during wipe cleaning.

## 2.3 Single Source Status

This source does not have any collocated facilities that would be considered a single source with this facility based on information found in the certified application.

## 2.4 Ambient Air Quality Status for the Area

The source is located in an area that is currently designated nonattainment for the National Ambient Air Quality Standards for ozone (moderate nonattainment) and/or $PM_{2.5}$. and attainment or unclassifiable for all other criteria pollutants (carbon monoxide, lead, nitrogen dioxide, $PM_{10}$, and sulfur dioxide). (See 40 CFR Part 81 – Designation of Areas for Air Quality Planning Purposes)

## 2.5 Source Status

The source requires a CAAPP permit because this source is considered major (based on its PTE) for the following regulated pollutants: hazardous air pollutant (HAP).

This source maintains synthetic minor limits (see Condition) 3.4 and Permit Record: Revised – Construction Permit 00120001 Issued November 30, 2011) for the following regulated pollutants: volatile organic material (VOM) ).

This source is considered a natural minor for the following regulated pollutants: $PM_{10}$, $PM_{2.5}$, nitrogen oxides ($NO_x$), carbon monoxide (CO), and/or sulfur dioxide ($SO_2$).

Based on available data, this source is not a major source of emissions for GHG, because the estimated potential emissions of GHG is less than 100 ton per year (mass) and 100,000 tons per year (CO2e). Marble Works submitted data in its application for which the Illinois EPA estimated the PTE of GHG emissions to be 5,012.61 tons per year. The emissions consist of 5,012.51 tons of $CO_2$, 0.09 tons of $N_2O$, and 0.01 tons of methane.

This source is not currently subject to any "applicable requirements," as defined by Section 39.5(1) of the Act, for emissions of greenhouse gases (GHG) as defined by 40 CFR 86.1818-12(a), as referenced by 40 CFR 52.21(b)(49)(i). There are no GHG-related requirements under the Illinois Environmental Protection Act, Illinois' State Implementation Plan, or the Clean Air Act that apply to this facility, including terms or conditions in a Construction Permit addressing emissions of GHG or BACT for emissions of GHG from a major project at this facility under the PSD rules. In particular, the USEPA's Mandatory Reporting Rule for GHG emissions, 40 CFR Part 98, does not constitute an "applicable requirement" because it was adopted under the authority of Sections 114(a)(1) and 208 of the Clean Air Act. This permit also does not relieve the Permittee from the legal obligation to comply with the relevant provisions of the Mandatory Reporting Rule for this facility.

## 2.6 Annual Emissions

The following table lists annual emissions (tons) of criteria pollutants for this source, as reported in the Annual Emission Reports (AER) sent to the Illinois EPA:

| *Pollutant* | *2008* | *2009* | *2010* | *2011* | *2012* |
|---|---|---|---|---|---|
| CO | -- | -- | -- | -- | -- |
| NOx | -- | -- | -- | -- | -- |
| PM | 0.20 | 0.20 | 0.20 | 0.20 | 0.20 |
| $SO_2$ | -- | -- | -- | -- | -- |
| VOM | 2.99 | 2.64 | 2.35 | 2.59 | 2.25 |
| $CO_{2E}$ | -- | -- | -- | -- | -- |
| HAP (total)[1] | 2.77 | 2.03 | 2.14 | 2.49 | 1.85 |

[1] = Methyl methacrylate, styrene and methyl ethyl ketone

## 2.7 Fee Schedule

The following table lists the approved annual fee schedule (tons) submitted in the Source's permit application:

| *Pollutant* | | *Tons/Year* |
|---|---|---|
| Volatile Organic Material | (VOM) | 24.00 |
| Sulfur Dioxide | ($SO_2$) | -- |
| Particulate Matter | (PM) | 0.94 |
| Nitrogen Oxides | ($NO_x$) | 0.50 |
| HAP, not included in VOM or PM | (HAP) | -- |
| Total | | 25.44 |

## 2.8 SIP Permit Facts (T1 Limits)

CAAPP Permits must address all "applicable requirements," which includes the terms and conditions of preconstruction permits issued under regulations approved by USEPA in accordance with Title I of the CAA (*See* definition of applicable requirements in Section 39.5(1) of the Illinois Environmental Protection Act). Preconstruction permits, commonly referred to in Illinois as Construction Permits, derive from the New Source Review ("NSR") permit programs required by Title I of the CAA. These programs include the two major NSR permit programs: (1) the Prevention of Significant Deterioration ("PSD") program[1] and (2) the nonattainment NSR program.[2] These programs also encompass state construction permit programs for projects that are not major.

In the CAAPP or Illinois's Title V permit program, the Illinois EPA's practice is to identify requirements that are carried over from an earlier Title I permit into a New or Renewed CAAPP Permit as "TI" conditions (i.e., Title I conditions). Title I Conditions that are revised as part of their incorporation into a CAAPP Permit are further designated as "TIR." Title I Conditions that are newly established through a CAAPP Permit are designated as "TIN." It is important that Title I Conditions be identified in a CAAPP Permit because these conditions will not expire when the CAAPP Permit expires. Because the underlying authority for Title I Conditions comes from Title I of the CAA and their initial establishment in Title I Permits, the effectiveness of T1 Conditions derives from Title I of the CAA rather than being linked to Title V of the A. For "changes" to be made to Title I Conditions, they must either cease to be applicable based on obvious circumstances, e.g., the subject emission unit is permanently shut down, or appropriate Title I procedures must be followed to change the conditions.

- Newly Issued Construction Permits:

| *Permit No.* | *Date Issued* | *Subject* |
|---|---|---|
| 00120001 | November 30, 2011 | Molded Fiberglass Products Casting Plant |

- The Illinois EPA has not established any T1R or T1N Limits in this Draft CAAPP permit.
- There are no extraneous or obsolete T1 conditions for the source.
- The limitations from the Construction Permit are incorporated in Sections 3.3, 3.4 and 5 of the CAAPP permit.

## CHAPTER III – SUPPLEMENTAL DISCUSSIONS REGARDING THE PERMIT

The information provided in this Chapter of the Statement of Basis is being provided to assist interested parties in understanding what additional information may have been relied on to support this draft CAAPP permit.

### 3.1 Environmental Justice Discussions

While the Illinois EPA is sensitive to the location of this facility in a potential EJ community, Title V does not provide for substantive emission control requirements beyond those arising under currently applicable regulations. Thus, when issuing a CAAPP Permit for this facility, the Illinois EPA does not have the authority to impose additional emission control requirements to reduce emissions beyond the levels provided for by applicable state and federal regulations. At the same time, CAAPP Permits do not allow for additional emissions.

Having a facility subject to a CAAPP Permit provides benefits for air quality, the public and the environment generally. CAAPP Permits require more reporting on a facility's compliance status than is required by underlying state operating permits. For example, the requirements for semi-annual reports for all monitoring and annual compliance certifications only become applicable upon the effectiveness of a CAAPP Permit. In addition, CAAPP Permits generally provide clarity and awareness of applicable regulations and the mechanisms by which sources must comply with these regulations. CAAPP Permits add to the compliance checks put on facilities. Where a facility has outstanding compliance deficiencies, CAAPP Permits may establish compliance schedules and other additional conditions for monitoring and reporting.

With this Statement of Basis, the Illinois EPA has made very clear the applicable emission limitations, standards, and other enforceable terms and conditions, as well as attendant monitoring, reporting, recordkeeping, and certifications to assure compliance. The Illinois EPA has provided an explanation of same, as well as a justification for why the conditions that assure compliance are appropriate. The level of detail in the Statement of Basis is atypically involved and is in recognition of the public interest in the permitting of this complex facility in a potential EJ community. The Statement of Basis has been provided to the USEPA for its review. The extremely detailed explanation of the requirements, particularly Periodic Monitoring, applicable to this source is intended to further meaningful public participation.

### 3.2 Emission Testing Results

The source, at the time of this draft permit, has not been required to perform any emissions testing.

### 3.3 Compliance Reports (Annual Certifications, Semiannual Monitoring, NESHAP, etc.)

A review of the source's compliance reports demonstrates the sources ability to comply with all applicable requirements.

### 3.4 Field Inspection Results

A review of the source's latest field inspection report demonstrates the source's ability to comply with all applicable requirements.

## 3.5 Historical Non-Compliance

- PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, Complainant: WIENMAR, INC., an Illinois corporation, dlb/a MARBLE WORKS, Case 2005-095

  On December 31, 2002, IEPA sent a VN (A-2003-00438) to the source regarding noncompliance with both state and federal regulations. The allegations were addressed by the company pursuant to their rights under Part 31 of the Act, meeting with source and IEPA February 3, 2004 and CCA February 4, 2004). IEPA rejected the sources remedy and referred the matter to the Illinois Attorney General (AG), July 7, 20004. On November 16, 2004 the AG filed a complaint with the Illinois Pollution Control Board (PCB) – PCB 2005-095). Ultimately, the company and the State of Illinois settled the matter through an agreement which is memorialized in the Stipulation and Proposal for Settlement, and Motion to Request Relief From Hearing Requirement, filed September 19, 2005 with the PCB, and the subsequent PCB order entered on October 20, 2005.

  The following violations were stipulated in the above agreement:

  - Operating Major Stationary Source Without a CAAPP Permit, in violation of Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b)(2002), and 35 Ill. Adm. Code 270.30 1(b).

  - Failure to Comply With New Source Review Requirements, in violation of Section 9(a) of the Act, 415 ILCS 5/9(a)(2002), and 35 Ill. Adm. Code 203.201.

  - Failure to Seek MACT Determination, in violation of Section 9. 1(d)(1) of the Act, 415 ILCS 5/9. 1(d)(1)(2002), and 42 USC 7412(g)(2)(B).

  - Failure to Comply With Emission Reduction Market System Requirements, in violation of Section 9.8(b) of the Act, 415 ILCS 5/9.8(b).

  - Violation of Construction/Operating Permit Conditions and Regulatory Requirements, in violation of Section 9(b) of the Act, 415 ILCS 5/9(b)(2002), Conditions 3, 7, 10, 20(b), 13, 16(a) and 22 of Joint Construction and Lifetime Operating Permit Number 00120001, and 35 Ill. Adm. Code 218.301, 218.672(a)(1) and 218.672(a)(4)(A).

  - Failure to Timely Submit Annual Emissions Reports, in violation of Section 9(a) of the Act, 415 ILCS 5/9(a)(2002), and 35 Ill. Adm. Code 201.302(a), 254.132(a) and 254.137(a).

  Pursuant to the agreement, the source's remedies, included the following:

  1. On March 3, 2003, Respondent applied to the Illinois EPA for a Clean Air Act Permit Program (CAAPP) permit and submitted an Emission Reduction Market System (ERMS) baseline application.

  2. During the period January 1, 2004 through November 16, 2004, Respondent switched to utilizing a non-atomized gel coat and demonstrated that its emissions are now less than 8 pounds per hour.

3. During the period January 1, 2004 through November 16, 2004, Respondent began keeping records documenting its monthly and annual emissions and usages by the 15t1h day of each month, as required by its Lifetime Operating Permit Number 00l20001.

4. On February 18, 2004, Respondent submitted to the Illinois EPA an Annual Emissions Report that accurately reflected the facility's 2002 emissions.

5. On February 18, 2004, Respondent submitted to the Illinois EPA a calendar year 2001 Annual Emissions Report for the facility, which was then located on Sundown Road, South Elgin.

6. On March 9, 2005, the Illinois EPA, Division of Air Pollution Control, issued to Respondent a CAAPP Application Completeness Determination and Source Fee Determination for the facility stating that the March 3, 2003 CAAPP Application was complete.

In addition, the above referenced CAAPP permit and the provisions incorporated from the revised Construction Permit 00120001, Issued November 30, 2011, memorializes the remedies undertaken by the source to demonstrate compliance with the stipulated violations and Section 39.5 of the Act; 40 CFR 63 Subparts A and WWWW — National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production and 35 IAC Parts 203, 205 and 218.

## 3.6 Source Wide Justifications and Rationale

| Applicable Requirements Summary | | |
|---|---|---|
| Applicable Requirement | Type | Location |
| PM Requirement – Fugitive Particulate Matter (35 IAC 212.301 and 35 IAC 212.314) | Applicable Standard | See the Permit, Condition 3.1(a) |
| VOM – ERMS Avoidance | Applicable Limit | See the Permit, Condition 3.1(c) |
| VOM – ERMS Avoidance (T1) (Construction 00120001) | Applicable Limit | See the Permit, Condition 3.3(a)(i)(A)(I) |
| VOM – 35 IAC 218.187(a) Avoidance (T1) (Construction 00120001) | Applicable Limit | See the Permit, Condition 3.3(a)(i)(A)(II)(2) |
| HAP – non-HAP low-vapor pressure solvents – (T1) (Construction 00120001) | Applicable Limit | See the Permit, Condition 3.3(a)(i)(A)(II) |
| Nuisance Odors (T1) (Construction 00120001) | Work Practice | See the Permit, Condition 3.3(a)(i)(A)(III) |
| VOM Synthetic Minor Limit (T1) (Construction 00120001) | Applicable Limit | See the Permit, Condition 3.4(a)(i)(A) |
| VOM Synthetic Minor Limit: Operational and Production (T1) (Construction 00120001) | Applicable Limit | See the Permit, Condition 3.4(a)(i)(B) |

**Visible Emissions (i.e., Opacity)**

✓ Monitoring as follows (Condition 3.1(a)(ii))
- o If required, daily observations for a week of PM emissions upon Illinois EPA request

✓ Recordkeeping as follows (Condition 3.1(a)(ii)):
  o Records of observation

✓ Reporting as follows (Condition 3.5(a)(i)(I):
  o Prompt Reporting (reports of deviation) within 30 days.

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient because:

- In regard to opacity the source has not exhibited a history of non-compliance as per Section 3.5.
- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).
  o Little or no opacity is expected from the sources' operations.

**VOM Requirement: Emissions Reduction Market System (ERMS) – Avoidance (35 IAC 205 and Construction Permit 00120001)**

✓ Monitoring as follows (Condition 3.1(b)(iii) and 3.3(ii)(A)(I)) & Section 7.3)
  o General ERMS monitoring shown in Section 7.3 of the permit

✓ Recordkeeping as follows (Condition 3.1(b)(iii))
  o General ERMS recordkeeping shown in Section 7.3 of the permit

✓ Reporting as follows (Condition 3.5(a):
  o Prompt Reporting (reports of deviation) within 30 days.

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient because:

- Concerning the ERMS VOM emissions, the source has not exhibited a history of non-compliance as per Section 3.5.
- The source has a substantial margin of compliance based upon VOM emission reported in their annual emissions report (See Section 2.6; VOM < 3.0 tons/yr).
- Monitoring is consistent with other sources in this source category as per the general non-applicable ERMS monitoring shown in Section 7.3 of the permit.

**VOM – 35 IAC 218.187(a) Avoidance (T1) (Construction 00120001):**

✓ Recordkeeping as follows (Condition 3.3(a)(ii)(B)(I)(1))
  o Recordkeeping as per 35 IAC 218.187(e)(1)(B);
  o Log of solvents used

✓ Reporting as follows (Condition 3.5(a):
  o Prompt Reporting (reports of deviation) within 30 days.

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient because:

- The source has a substantial margin of compliance based upon VOM emission reported in their annual emissions report (See Section 2.6; VOM < 3.0 tons/yr).
- Pursuant to 35 IAC 218.187(e)(1)(B), monitoring is consistent with other sources in this source category based upon the recordkeeping required for

non-applicable sources and it is already contains monitoring that is adequate to demonstrate compliance/non-applicability.

**HAP – non-HAP low-vapor pressure solvents (T1) (Construction 00120001)**

✓ Monitoring as follows (Condition 3.3(a)(ii)(A)(II)(2))
- o Information provided by the solvent manufacturer or supplier, such as manufacturer's formulation data and/or material safety data sheets (MSDS)

✓ Recordkeeping as follows (Condition 3.3(a)(ii)(B)(I)(2)):
- o Solvent log with either information provided by the solvent manufacturer or supplier, such as manufacturer's formulation data and/or material safety data sheets (MSDS)

✓ Reporting as follows (Condition 3.5(a):
- o Prompt Reporting (reports of deviation) within 30 days.

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient because:

- Monitoring is consistent with other sources in this source category based upon records being similar to those required under 40 CFR Part 63 Subpart WWWW.

**VOM Synthetic Minor Limit with Operational and Production Limits (T1) (Construction 00120001)**

✓ Monitoring as follows (Condition 3.4(a)(ii)(A and (B))
- o Source-wide VOM emissions calculations;
- o Usage records required in Condition 3.4(a)(ii)(C)

✓ Recordkeeping as follows (Condition 3.4(a)(ii)(C)):
- o For each VOM containing material or class or type of material: name(s) or identification number(s) and VOM content, with supporting documentation
- o Usage of VOM containing materials by type or class of material (pounds/month and pounds/year);
- o Total amount of resin material used (tons/month and tons/year);
- o Emissions of VOM by type or class of material (pounds/month and pounds/year), with supporting calculations; and
- o Total VOM emissions (tons/year), on a month basis, compiled at least quarterly

✓ Reporting as follows (Condition 3.5(a):
- o Prompt Reporting (reports of deviation) within 30 days.

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient because:

- The source has a substantial margin of compliance based upon VOM emission reported in their annual emissions report (See Section 2.6; VOM < 3.0 tons/yr).
- In regard to VOM emissions the source has not exhibited a history of non-compliance as per Section 3.5.
- Monitoring is consistent with other sources in this source category based upon the recordkeeping required pursuant to 35 IAC 218.672 and 40 CFR 63.5915.

**Non-Applicability Discussion**

Complex source-wide non-applicability determinations were not made for this source.

**Prompt Reporting Discussion**

Prompt reporting of deviations for source wide emission units has been established as 30 days. See rationale in Chapter III Section 8.

## 3.7 Emission Unit Justifications and Rationale

| 1. Open Molding Operation (Gelcoat Booth) | | |
|---|---|---|
| **Applicable Requirements Summary** | | |
| Applicable Requirement | Type | Location |
| Opacity Requirement (35 IAC 212.123(a)) | Applicable Standard | See the Permit, Condition 4.1.2(a)(i)(A) |
| PM Requirement (35 IAC 212.321(a)) | Applicable Standard | See the Permit, Condition 4.1.2(b)(i)(A) |
| VOM Requirement (35 IAC 218.301) | Applicable Standard | See the Permit, Condition 4.1.2(c)(i)(A) |
| VOM Requirement (35 IAC 218.660 and 218.666) | Applicable Standard | See the Permit, Condition 4.1.2(c)(i)(B) |
| HAP Requirement (40 CFR 63 Subpart WWWW) | Applicable Standard | See the Permit, Condition 4.1.2(d)(i)(A) |
| Work Practice Requirements Table 4 to 40 CFR 63 Subpart WWWW. | Applicable Standard | See the Permit, Condition 4.1.2(e)(i)(A)(I) and (B) |
| Work Practice Requirements 35 IAC 218.666 | Applicable Standard | See the Permit, Condition 4.1.2(e)(i)(A)(II) – (IV) |

**Visible Emissions (i.e., Opacity)**

✓ Monitoring as follows (Condition 4.1.2(a)(ii)(A))
- o Annual Method 22 observations
- o If required. Method 9 measurements

✓ Recordkeeping as follows (Condition 4.1.2(a)(ii)(B)):
- o Method 22 observations
- o Any corrective action
- o If required, records of each Method 9 measurement

✓ Reporting as follows (Condition 4.1.5(a)):
- o Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- In regard to opacity the source has not exhibited a history of non-compliance as per Section 3.5.
  - o Little or no opacity is expected from the sources' operations.
- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).

**Particulate Matter Emission**

✓ Monitoring as follows (Condition 4.1.2(b)(ii)(A))
- o Monthly inspections

✓ Recordkeeping as follows (Condition 4.1.2(b)(ii)(B)):

- Records of inspections
- Records for prompt repair of defects
- Monthly and annual records of resin and gelcoat usage as required in Condition 4.1.2(c)(ii)(C).

✓ Reporting as follows (Condition 4.1.5(a)):
- Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).
- The source has not exhibited a history of non-compliance as per Section 3.5 concerning the PM emissions.

**VOM Emissions**

✓ Monitoring as follows (Condition 4.1.2(c)(ii)(A))
- 35 IAC 218.301 (Condition 4.1.2(c)(ii)(A)(I)):
  - Monthly compliance monitoring pursuant to calculation of gelcoat booth's average hourly VOM emission rate based on the recordkeeping requirements in Condition 4.1.2(c)(ii)(C);
- 35 IAC 218 Subpart CC: (Condition 4.1.2(c)(ii)(A)(II))
  - Monthly compliance monitoring pursuant to compliance with the limitations in Condition 4.1.2(c)(i)(B), i.e., compliance with the requirements in 35 IAC 218 Subpart CC; the monitoring requirements in Conditions 4.1.2(c)(ii)(A)(II)(2); the testing requirements in Condition 4.1.2(c)(ii)(B); and the recordkeeping requirements in Condition 4.1.2(c)(ii)(C);
  - Weekly inspections to verify compliance with the work practice requirements shown in Conditions 4.1.2(c)(i)(B)(II)(3) and (4) and 35 IAC 218.666(b) and (c);

✓ Recordkeeping as follows (Condition 4.1.2(c)(ii)(C)):
- 35 IAC 218.301 (Condition 4.1.2(c)(ii)(A)(I)):
  - Compliance Records;
  - Daily records of the hours of operation;
  - Compliance Calculations.

- 35 IAC 218 Subpart CC: (Condition 4.1.2(c)(ii)(A)(II))
  - Applicable records pursuant to 35 IAC 218.672

✓ Reporting as follows (Condition 4.1.5):
- Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:
- The source has a substantial margin of compliance based upon VOM emission reported in their annual emissions report (See Section 2.6; VOM < 3.0 tons/yr).
- Monitoring is consistent with other sources in this source category.
  - 35 IAC 218.301: Compliance with the applicable operational and work practice requirements and emission limitations shown Conditions 4.1.2(c)(i)(B) and (C), i.e., compliance with the applicable requirements in 35 IAC 218 Subpart CC and the Title I limits in Construction Permit

#00120001, serves to limit VOM emissions from the applicable emission units.
- 35 IAC 218 Subpart CC: Compliance with the applicable monitoring, testing and record keeping requirements is consistent with other sources in this source category. Specifically, the requirements shown in the NESHAP for this source category (e.g., 40 CFR 63 Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production);

**Hazardous Air Pollutant (HAP) Emissions**

✓ Monitoring as follows (Condition 4.1.2(d)(ii)(A))
- 40 CFR 63 Subpart WWWW: (Condition 4.1.2(d)(ii)(A)(I))
  - Compliance monitoring pursuant to 40 CFR 63.5810, 63.5895, and 63.5900;
  - Periodically monitoring compliance with the work practice requirements shown in Condition 4.1.2(d)(i)(A)(IX)(1) and Table 4 to 40 CFR 63 Subpart WWWW and the compliance verification requirements in Conditions 4.1.2(d)(ii)(A)(I)(3) and 40 CFR 63.5900(a)(4) by periodically monitoring compliance:
    - Verification that solvents used at the source do not contain HAP by monitoring the HAP content of cleaning solvents used at the source and keeping records of each cleaning solvent used each day;
    - Weekly inspection to verify compliance with the work practice requirements for the HAP-containing materials storage operation and Mixing Operations:
    - Recordkeeping and Reporting

✓ Recordkeeping as follows (Condition 4.1.2(d)(ii)(C)):
- 40 CFR 63 Subpart WWWW: (Condition 4.1.2(d)(ii)(C)(I) and (II)))
  - Applicable records pursuant to 40 CFR 63.5915

✓ Reporting as follows (Condition 4.1.5):
- Prompt reporting within 30 days
- Notifications pursuant to 40 CFR 63.5905
- Semiannual compliance reports pursuant to 40 CFR 63.5910(a) through (i) and Table 14 of 40 CFR 63 Subpart WWWW

Rationale and Justification for Periodic Monitoring

Periodic Monitoring is sufficient for these emission units because:

- Monitoring is sufficient because the 40 CFR 63 Subpart WWWW already contains monitoring that is adequate to demonstrate compliance.
- The source has not exhibited a history of non-compliance as their annual compliance reports.

**Work Practice Requirements**

✓ Monitoring as follows (Condition 4.1.2(e)(ii)(A) and (B))
- 40 CFR 63.5900(a)(4): Compliance with the work practice standards in Condition 4.1.2(e)(i)(B)(I) and Table 4 to 40 CFR 63 Subpart WWWW is demonstrated by performing the work practice required for the sources applicable operations.
- Monthly compliance verification inspection of the work practice standards listed in Condition 4.1.2(e)(i)(A) and (B)
- Gathering data or testing the VOM and HAP content of fresh cleaning materials VOM and HAP content of fresh cleaning materials

✓ Recordkeeping as follows (Condition 4.1.2(e)(ii)(C)):

- 35 IAC 218.672(b)(2) and (c)(2)
  - Date, time and duration of scheduled inspections;
  - Daily records daily basis on the use of cleaning materials which contain more than 200 grams of VOM per liter (1.7 pound per gallon); and
  - A maintenance log for covers on vats, vessels, and tanks.
- 40 CFR 63 Subpart WWWW: (Condition 4.1.2(e)(ii)(C)(II)))
  - Certified statement that the source is in compliance with the work practice;
  - Date, time and duration of scheduled inspections; and
  - A maintenance log for covers on vats, vessels, and tanks.

✓ Reporting as follows (Condition 4.1.5):
- Prompt reporting within 30 days
- Notifications pursuant to 40 CFR 63.5905
- Semiannual compliance reports pursuant to 40 CFR 63.5910(a) through (i) and Table 14 of 40 CFR 63 Subpart WWWW

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- Monitoring is sufficient because the 40 CFR 63 Subpart WWWW and 35 IAC 218.672 already contains monitoring that is adequate to demonstrate compliance.
- The source has not exhibited a history of non-compliance as their annual compliance reports.

**Non-Applicability Discussion**

Complex non-applicability determinations were not made for this emission unit. All non-applicability discussions can be found in the Draft CAAPP Permit.

| **2. Mixing and Casting Operations** | | |
|---|---|---|
| **Applicable Requirements Summary** | | |
| Applicable Requirement | Type | Location |
| Opacity Requirement (35 IAC 212.123(a)) | Applicable Standard | See the Permit, Condition 4.2.2(a)(i)(A) |
| PM Requirement (35 IAC 212.321(a)) | Applicable Standard | See the Permit, Condition 4.2.2(b)(i)(A) |
| VOM Requirement (35 IAC 218.301) | Applicable Standard | See the Permit, Condition 4.2.2(c)(i)(A) |
| Work Practice Requirements 35 IAC 218.666 | Applicable Standard | See the Permit, Condition 4.2.2(e)(i)(A)(I) – (III) |
| Work Practice Requirements Table 4 to 40 CFR 63 Subpart WWWW. | Applicable Standard | See the Permit, Condition 4.2.2(e)(i)(B) |

**Visible Emissions (i.e., Opacity)**

✓ Monitoring as follows (Condition 4.2.2(a)(ii)(A))
- Annual Method 22 observations
- If required. Method 9 measurements

✓ Recordkeeping as follows (Condition 4.2.2(a)(ii)(B)):
- Records of each Method 22 observation
- Records of any corrective action
- If required, records of each Method 9 measurement

✓ Reporting as follows (Condition 4.1.5(a)):
  - o Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- In regard to opacity the source has not exhibited a history of non-compliance as per Section 3.5.
  - o Little or no opacity is expected from the sources' operations.
- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).

**Particulate Matter Emission**

✓ Monitoring as follows (Condition 4.2.2(b)(ii)(A))
  - o Monthly inspections

✓ Recordkeeping as follows (Condition 4.2.2(b)(ii)(B)):
  - o Records of inspections
  - o Records for prompt repair of defects
  - o Monthly and annual records of resin and gelcoat usage as required in Condition 4.2.2(c)(ii)(C).

✓ Reporting as follows (Condition 4.1.5(a)):
  - o Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).
- Concerning the PM emissions, the source has not exhibited a history of non-compliance as per Section 3.5.e

**VOM Emissions**

✓ Recordkeeping as follows (Condition 4.2.2(c)(ii)(A)):
  - o 35 IAC 218.301 (Condition 4.2.2(c)(ii)(A)(I)):
    - ➢ Daily and monthly records of the hours of operation of the affected emission unit;
    - ➢ Quantity (lb/mo and lb/yr) and the VOM content (%) of VOM material used in the affected emission unit;
    - ➢ Compliance Calculations.

✓ Reporting as follows (Condition 4.1.5):
  - o Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- The source has a substantial margin of compliance based upon VOM emission reported in their annual emissions report (See Section 2.6; VOM < 3.0 tons/yr).
- Monitoring is consistent with other sources in this source category.
  - o 35 IAC 218.301: Compliance with the applicable operational and work practice requirements and emission limitations shown Conditions 4.2.2(c)(i)(B) and (C), i.e., compliance with the applicable requirements

in 35 IAC 218 Subpart CC and the Title I limits in Construction Permit #00120001, serves to limit VOM emissions from the applicable emission units.
  - 35 IAC 218 Subpart CC: Compliance with the applicable monitoring, testing and record keeping requirements is consistent with other sources in this source category. Specifically, the requirements shown in the NESHAP for this source category (e.g., 40 CFR 63 Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production);

**Hazardous Air Pollutant (HAP) Emissions**

- ✓ Monitoring as follows (Condition 4.2.2(d)(ii)(A))
  - 40 CFR 63 Subpart WWWW: (Condition 4.2.2(d)(ii)(A)(I))
    - Compliance monitoring pursuant to 40 CFR 63.5810, 63.5895, and 63.5900;
    - Periodically monitoring compliance with the work practice requirements shown in Condition 4.2.2(d)(i)(A)(IX)(1) and Table 4 to 40 CFR 63 Subpart WWWW and the compliance verification requirements in Conditions 4.2.2(d)(ii)(A)(I)(3) and 40 CFR 63.5900(a)(4) by periodically monitoring compliance:
      - Verification that solvents used at the source do not contain HAP by monitoring the HAP content of cleaning solvents used at the source and keeping records of each cleaning solvent used each day;
      - Weekly inspection to verify compliance with the work practice requirements for the HAP-containing materials storage operation and Mixing Operations:
      - Recordkeeping and Reporting

- ✓ Recordkeeping as follows (Condition 4.2.2(d)(ii)(C)):
  - 40 CFR 63 Subpart WWWW: (Condition 4.2.2(d)(ii)(C)(I) and (II)))
    - Applicable records pursuant to 40 CFR 63.5915

- ✓ Reporting as follows (Condition 4.1.5):
  - Prompt reporting within 30 days
  - Notifications pursuant to 40 CFR 63.5905
  - Semiannual compliance reports pursuant to 40 CFR 63.5910(a) through (i) and Table 14 of 40 CFR 63 Subpart WWWW

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- Monitoring is sufficient because the 40 CFR 63 Subpart WWWW already contains monitoring that is adequate to demonstrate compliance.
- The source has not exhibited a history of non-compliance as per Section 3.5.

**Work Practice Requirements**

- ✓ Monitoring as follows (Condition 4.2.2(e)(ii)(A) and (B))
  - 40 CFR 63.5900(a)(4): Compliance with the work practice standards in Condition 4.2.2(e)(i)(B)(I) and Table 4 to 40 CFR 63 Subpart WWWW is demonstrated by performing the work practice required for the sources applicable operations.
  - Monthly compliance verification inspection of the work practice standards listed in Condition 4.2.2(e)(i)(A) and (B)
  - Gathering data or testing the VOM and HAP content of fresh cleaning materials VOM and HAP content of fresh cleaning materials
- ✓ Recordkeeping as follows (Condition 4.2.2(e)(ii)(C)):

- 35 IAC 218.672(b)(2) and (c)(2)
  - Date, time and duration of scheduled inspections;
  - Daily records daily basis on the use of cleaning materials which contain more than 200 grams of VOM per liter (1.7 pound per gallon); and
  - A maintenance log for covers on vats, vessels, and tanks.
- 40 CFR 63 Subpart WWWW: (Condition 4.2.2(e)(ii)(C)(II)))
  - Certified statement that the source is in compliance with the work practice;
  - Date, time and duration of scheduled inspections; and
  - A maintenance log for covers on vats, vessels, and tanks.

✓ Reporting as follows (Condition 4.1.5):
- Prompt reporting within 30 days
- Notifications pursuant to 40 CFR 63.5905
- Semiannual compliance reports pursuant to 40 CFR 63.5910(a) through (i) and Table 14 of 40 CFR 63 Subpart WWWW

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- Monitoring is sufficient because the 40 CFR 63 Subpart WWWW and 35 IAC 218.672 already contains monitoring that is adequate to demonstrate compliance.
- The source has not exhibited a history of non-compliance as per Section 3.5.

**Non-Applicability Discussion**

Complex non-applicability determinations were not made for this emission unit. All non-applicability discussions can be found in the Draft

| **3. Miscellaneous Operations: –** | | |
|---|---|---|
| **Applicable Requirements Summary** | | |
| Applicable Requirement | Type | Location |
| Opacity Requirement (35 IAC 212.123(a)) | Applicable Standard | See the Permit, Condition 4.3.2(a)(i)(A) |
| PM Requirement (35 IAC 212.321(a)) | Applicable Standard | See the Permit, Condition 4.3.2(b)(i)(A) |
| VOM Requirement (35 IAC 218.301) | Applicable Standard | See the Permit, Condition 4.3.2(c)(i)(A) |
| Work Practice Requirements | Applicable Standard | See the Permit, Condition 4.3.2(d)(i)(A) |

**Visible Emissions (i.e., Opacity)**

✓ Monitoring as follows (Condition 4.3.2(a)(ii)(A))
- Annual Method 22 observations
- If required. Method 9 measurements

✓ Recordkeeping as follows (Condition 4.3.2(a)(ii)(B)):
- Records of each Method 22 observation
- Records of any corrective action
- If required, records of each Method 9 measurement

✓ Reporting as follows (Condition 4.1.5(a)):
- Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- In regard to opacity the source has not exhibited a history of non-compliance as per Section 3.5.
  - Little or no opacity is expected from the sources' operations.
- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).

**Particulate Matter Emission**

✓ Monitoring as follows (Condition 4.3.2(b)(ii)(A))
  - Monthly inspections

✓ Recordkeeping as follows (Condition 4.3.2(b)(ii)(B)):
  - Records of inspections
  - Records for prompt repair of defects
  - Monthly and annual records of resin and gelcoat usage as required in Condition 4.3.2(c)(ii)(C).

✓ Reporting as follows (Condition 4.1.5(a)):
  - Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- PM emissions are considered very small based upon PM emissions reported in their annual emissions report (See Section 2.6; PM = 0.2 tons/yr).
- Concerning the PM emissions, the source has not exhibited a history of non-compliance as per Section 3.5.e

**VOM Emissions**

✓ Recordkeeping as follows (Condition 4.3.2(c)(ii)(A)):
  - Daily records of the hours of operation;
  - Material usages (lb/mo and lb/yr) and the VOM content (%) of VOM material
  - Compliance Calculations.

✓ Reporting as follows (Condition 4.1.5):
  - Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- The source has a substantial margin of compliance based upon VOM emission reported in their annual emissions report (See Section 2.6; VOM < 3.0 tons/yr).

**Non-Applicability Discussion**

Complex non-applicability determinations were not made for this emission unit. All non-applicability discussions can be found in the Draft

| **4. Additional Title I Requirements (Construction Permit #00120001 [T1])** | | |
|---|---|---|
| | | |
| **Applicable Requirements Summary** | | |
| Applicable Requirement | Type | Location |
| VOM - Negligible Emissions | Applicable | See the Permit, Condition |

| | | |
|---|---|---|
| (T1) (Construction 00120001) | Limit | 5.1(a)(ii)(A)(I) |
| PM – Negligible Emissions (T1) (Construction 00120001) | Applicable Limit | See the Permit, Condition 5.1(a)(ii)(A)(II) |

- ✓ Monitoring as follows (Condition 5.1(a)(ii)(A))
  - o Annual Limits: Monthly running total of emissions
  - o Hourly Limits: Monthly compliance verification or determination of the hourly PTE
  - o Monthly Inspections

- ✓ Recordkeeping as follows (Condition 5.1(a)(ii)(B):
  - o Material and solids usages (tons/mo and tons/year)
  - o Hours of operation (hours/mo)
  - o VOM from bulk resin storage, cleaning operations and miscellaneous operations (tons/year)
  - o PM emissions from gel coat, casting and other operations (lb/hr and tons/year)
  - o Periodic inspection and repair log

- ✓ Reporting as follows (Condition 5.1(b)):
  - o Prompt reporting within 30 days

Rationale and Justification for Periodic Monitoring
Periodic Monitoring is sufficient for these emission units because:

- Emissions from the listed activities are considered very small.

## 3.8 Insignificant Activities Discussion

| Applicable Requirements Summary | | |
|---|---|---|
| Applicable Requirement | Type | Location |
| NESHAP Requirement (40 CFR 63 Subpart WWWW) | Applicable Work Practice | See the Permit, Condition 6.1(a)(i) |
| SIP Requirement (35 IAC 218.666) | Applicable Work Practice | See the Permit, Condition 6.1(a)(ii) |

**National Emission Standards for Hazardous Air Pollutants (NESHAP)**

- Monitoring is sufficient because the 40 CFR 63 Subpart WWWW already contains monitoring that is adequate to demonstrate compliance.
- The source has not exhibited a history of non-compliance as per Section 3.5.

**State Requirements (SIP)**

- Monitoring is sufficient because the **35 IAC 218 Subpart CC** already contains monitoring that is adequate to demonstrate compliance.
- The source has not exhibited a history of non-compliance as per Section 3.5.

## 3.9 Prompt Reporting Discussion

Among other terms and conditions, CAAPP Permits contain reporting obligations to assure compliance with applicable requirements. These reporting obligations are generally four-fold. More specifically, each CAAPP Permit sets forth any reporting requirements specified by state or federal law or regulation,

requires prompt reports of deviations from applicable requirements, requires reports of deviations from required monitoring and requires a report certifying the status of compliance with terms and conditions of the CAAPP Permit over the calendar year.

The number and frequency of reporting obligations in any CAAPP Permit is source-specific. That is, the reporting obligations are directly related to factors, including the number and type of emission units and applicable requirements, the complexity of the source and the compliance status. This four-fold approach to reporting is common to virtually all CAAPP Permits as described below. Moreover, this is the approach established in the Draft CAAPP Permit for this source.

**Regulatory Reports**

Many state and federal environmental regulations establish reporting obligations. These obligations vary from rule-to-rule and thus from CAAPP source to CAAPP source and from CAAPP Permit to CAAPP Permit. The variation is found in the report triggering events, reporting period, reporting frequency and reporting content. Regardless, the CAAPP makes clear that all reports established under applicable regulations shall be carried forward into the CAAPP Permit as stated in Section 39.5(7)(b) of the Illinois Environmental Protection Act. Generally, where sufficiently detailed to meet the exacting standards of the CAAPP, the regulatory reporting requirements are simply restated in the CAAPP Permit. Depending on the regulatory obligations, these regulatory reports may also constitute a deviation report as described below.

The Draft CAAPP Permit for this source would embody all regulatory reporting as promulgated under federal and state regulations under the Clean Air Act and the Illinois Environmental Protection Act. Depending on the frequency of the report, the regulatory report may also satisfy the prompt reporting obligations discussed below. These reports must be certified by a responsible official.

These reports are generally found in the reporting sections for each emission unit group. The various regulatory reporting requirements are summarized in the table at the end of this Reporting Section.

**Deviation Reports (Prompt Reporting)**

Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act mandates that each CAAPP Permit require prompt reporting of deviations from the permit requirements.

Neither the CAAPP nor the federal rules upon which the CAAPP is based and was approved by USEPA define the term “prompt”. Rather, 40 CFR Part 70.6(a)(3)(iii)(B) intended that the term have flexibility in application. The USEPA has acknowledged for purposes of administrative efficiency and clarity that the permitting authority (in this case, Illinois EPA) has the discretion to define “prompt” in relation to the degree and type of deviation likely to occur at a particular source. The Illinois EPA follows this approach and defines prompt reporting on a permit-by-permit basis. In instances where the underlying applicable requirement contains “prompt” reporting, the Illinois EPA typically incorporates the pre-established timeframe in the CAAPP permit (e.g. a NESHAP or NSPS deviation report). Where the underlying applicable requirement fails to explicitly set forth the timeframe for reporting deviations, the Illinois EPA generally uses a timeframe of 30 days to define prompt reporting of deviations.

This approach to prompt reporting of deviations as discussed herein is consistent with the requirements of Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act as well as 40 CFR Part 70 and the CAA. The reporting arrangement is designed so that the source will appropriately notify the Illinois EPA of those events that might warrant attention. The timing for these event-specific notifications is necessary and appropriate as it gives the source enough time to conduct a thorough investigation into the causes of an event, collecting any necessary data, and developing preventive measures, to reduce the likelihood of similar events, all of which must be addressed in the notification for the deviation, while at the same time affording regulatory authority and the public timely and relevant information. The approach also affords the Illinois EPA and USEPA an opportunity to direct investigation and follow-up activities, and to make compliance and enforcement decisions in a timely fashion.

The Draft CAAPP Permit for this source would require prompt reporting as required by the Illinois Environmental Protection Act in the fashion described in this subsection. In addition, pursuant to Section 39.5(7)(f)(i) of the Illinois Environmental Protection Act, this Draft CAAPP Permit would also require the source to provide a summary of all deviations with the Semi-Annual Monitoring Report. These reports must be certified by a responsible official, and are generally found in the reporting sections for each emission unit group.

**Semi-Annual Monitoring Reports**

Section 39.5(7)(f)(i) of the Illinois Environmental Protection Act mandates that each CAAPP Permit require a report relative to monitoring obligations as set forth in the permit. Depending upon the monitoring obligation at issue, the semi-annual monitoring report may also constitute a deviation report as previously discussed. This monitoring at issue includes instrumental and non-instrumental emissions monitoring, emissions analyses, and emissions testing established by state or federal laws or regulations or as established in the CAAPP Permit. This monitoring also includes recordkeeping. Each deviation from each monitoring requirement must be identified in the relevant semi-annual report. These reports provide a timely opportunity to assess for compliance patterns of concern. The semi-annual reports shall be submitted regardless of any deviation events. Reporting periods for semi-annual monitoring reports are January 1 through June 30 and July 1 through December 31 of each calendar year. Each semi-annual report is due within 30 days after the close of reporting period. The reports shall be certified by a responsible official. The Draft CAAPP Permit for this source would require such reports at Condition 3.5(b).

**Annual Compliance Certifications**

Section 39.5(7)(p)(v) of the Illinois Environmental Protection Act mandates that each CAAPP Permit require a source to submit a certification of its compliance status with each term and condition of its CAAPP Permit. The reports afford a broad assessment of a CAAPP sources compliance status. The CAAPP requires that this report be submitted, regardless of compliance status, on an annual basis. Each CAAPP Permit requires this annual certification be submitted by May 1 of the year immediately following the calendar year reporting period. The report shall be certified by a responsible official. The Daft CAAPP Permit for this source would require such a report at Condition 2.6(a).

Prompt reporting of deviations is critical in order to have timely notice of deviations and the opportunity to respond, if necessary. The effectiveness of the permit depends upon, among other important elements, timely and accurate reporting. The Illinois EPA, USEPA, and the public rely on timely and accurate reports submitted by the source to measure compliance and to direct investigation and follow-up activities. Prompt reporting is evidence of the source's good faith in disclosing deviations and describing the steps taken to return to compliance and prevent similar incidents.

Any occurrence that results in an excursion from any emission limitation, operating condition, or work practice standard as specified in this Draft CAAPP Permit is a deviation subject to prompt reporting. Additionally, any failure to comply with any permit term or condition is a deviation of that permit term or condition and must be reported to the Illinois EPA as a permit deviation. The deviation may or may not be a violation of an emission limitation or standard. A permit deviation can exist even though other indicators of compliance suggest that no emissions violation or exceedance has occurred. Reporting permit deviations does not necessarily result in enforcement action. The Illinois EPA has the discretion to take enforcement action for permit deviations that may or may not constitute a deviation from an emission limitation or standard or the like, as necessary and appropriate.

As a result, the Illinois EPA's approach to prompt reporting of deviations as discussed herein is consistent with the requirements of Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act as well as 40 CFR Part 70 and the CAA. This reporting arrangement is designed so that the source will appropriately notify the Illinois EPA of those events that might warrant individual attention.

## 3.10 Emissions Reduction Market System (ERMS)

The Emissions Reduction Market System (ERMS) is a "cap and trade" market system for major stationary sources located in the Chicago ozone nonattainment area. It is designed to reduce VOM emissions from stationary sources to contribute to reasonable further progress toward attainment, as required by Section 182(c) of the CAA.

The ERMS addresses VOM emissions during a seasonal allotment period from May 1 through September 30. Participating sources must hold "allotment trading units" (ATUs) for their actual seasonal VOM emissions. Each year participating sources are issued ATUs based on allotments set in the sources' CAAPP permits. These allotments are established from historical VOM emissions or "baseline emissions" lowered to provide the emissions reductions from stationary sources required for reasonable further progress.

By December 31 of each year, the end of the reconciliation period following the seasonal allotment period, each source shall have sufficient ATUs in its transaction account to cover its actual VOM emissions during the preceding season. A transaction account's balance as of December 31 will include any valid ATU transfer agreements entered into as of December 31 of the given year, provided such agreements are promptly submitted to the Illinois EPA for entry into the transaction account database. The Illinois EPA will then retire ATUs in sources' transaction accounts in amounts equivalent to their seasonal emissions. When a source does not appear to have sufficient ATUs in its transaction account, the Illinois EPA will issue a notice to the source to begin the process for Emissions Excursion Compensation.

In addition to receiving ATUs pursuant to their allotments, participating sources may also obtain ATUs from the market, including ATUs bought from other participating sources and general participants in the ERMS that hold ATUs (35 IAC 205.630) and ATUs issued by the Illinois EPA as a consequence of VOM emissions reductions from an Emissions Reduction Generator or an Intersector Transaction (35 IAC 205.500 and 35 IAC 205.510). During the reconciliation period, sources may also buy ATUs from a secondary reserve of ATUs managed by the Illinois EPA, the "Alternative Compliance Market Account" (ACMA) (35 IAC 205.710). Sources may also transfer or sell the ATUs that they hold to other sources or participants (35 IAC 205.630).

## 3.11 Periodic Monitoring General Discussions

Pursuant to Section 504(c) of the Clean Air Act, a Title V permit must set forth monitoring requirements, commonly referred to as "Periodic Monitoring," to assure compliance with the terms and conditions of the permit. A general discussion of Periodic Monitoring is provided below. The Periodic Monitoring that is proposed for specific operations and emission units and at this source is discussed in Chapter III of this Statement of Basis. Chapter III provides a narrative discussion of and justification for the elements of Periodic Monitoring that would apply to the different emission units and types of emission units at the facility.

As a general matter, the required content of a CAAPP Permit with respect to such Periodic Monitoring is addressed in Section 39.5(7) of the Illinois Environmental Protection Act.[3] Section 39.5(7)(b) of the Illinois Environmental Protection Act[4] provides that in a CAAPP Permit:

> The Agency shall include among such conditions applicable monitoring, reporting, record keeping and compliance certification requirements, as authorized by paragraphs d, e, and f of this subsection, that the Agency deems necessary to assure compliance with the Clean Air Act, the regulations promulgated thereunder, this Act, and applicable Board regulations. When monitoring, reporting, record keeping and compliance certification requirements are specified within the Clean Air Act, regulations promulgated thereunder, this Act, or applicable regulations, such requirements shall be included within the CAAPP Permit.

Section 39.5(7)(d)(ii) of the Illinois Environmental Protection Act further provides that a CAAPP Permit shall:

> Where the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), require Periodic Monitoring sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit …

Accordingly, the scope of the Periodic Monitoring that must be included in a CAAPP Permit is not restricted to monitoring requirements that were adopted through rulemaking or imposed through permitting. When applicable regulatory emission standards and control requirements or limits and control requirement in relevant Title 1 permits are not accompanied by compliance procedures, it is necessary for Monitoring for these standards, requirements or limits to be established in a CAAPP Permit.[5, 6] Monitoring requirements must also be established when standards and control requirement are accompanied by compliance procedures but those procedures are not adequate to assure compliance with the applicable standards or requirements.[7, 8] For this purpose,

the requirements for Periodic Monitoring in a CAAPP Permit may include requirements for emission testing, emissions monitoring, operational monitoring, non-instrumental monitoring, and recordkeeping for each emission unit or group of similar units at a facility, as required by rule or permit, as appropriate or as needed to assure compliance with the applicable substantive requirements. Various combinations of monitoring measures will be appropriate for different emission units depending on their circumstances, including the substantive emission standards, limitations and control requirements to which they are subject.

What constitutes sufficient Periodic Monitoring for particular emission units, including the timing or frequency associated with such Monitoring requirements, must be determined by the permitting authority based on its knowledge, experience and judgment.[9] For example, as Periodic Monitoring must collect representative data, the timing of Monitoring requirements need not match the averaging time or compliance period of the associated substantive requirements, as set by the relevant regulations and permit provisions. The timing of the various requirements making up the Periodic Monitoring for an emission unit is something that must be considered when those Monitoring requirements are being established. For this purpose, Periodic Monitoring often consists of requirements that apply on a regular basis, such as routine recordkeeping for the operation of control devices or the implementation of the control practices for an emission unit. For certain units, this regular monitoring may entail "continuous" monitoring of emissions, opacity or key operating parameters of a process or its associated control equipment, with direct measurement and automatic recording of the selected parameter(s). As it is infeasible or impractical to require emissions monitoring for most emission units, instrumental monitoring is more commonly conducted for the operating parameters of an emission unit or its associated control equipment. Monitoring for operating parameter(s) serves to confirm proper operation of equipment, consistent with operation to comply with applicable emission standards and limits. In certain cases, an applicable rule may directly specify that a particular level of an operating parameter be maintained, consistent with the manner in which a unit was being operated during emission testing. Periodic Monitoring may also consist of requirements that apply on a periodic basis, such as inspections to verify the proper functioning of an emission unit and its associated controls.

The Periodic Monitoring for an emission unit may also include measures, such as emission testing, that would only be required once or only upon specific request by the Illinois EPA. These requirements would always be accompanied by Monitoring requirements would apply on a regular basis. When emission testing or other measure is only required upon request by the Illinois EPA, it is included as part of the Periodic Monitoring for an emission unit to facilitate a response by the Illinois EPA to circumstances that were not contemplated when Monitoring was being established, such as the handling of a new material or a new mode of operation. Such Monitoring would also serve to provide further verification of compliance, along with other potentially useful information. As emission testing provides a quantitative determination of compliance, it would also provide a determination of the margin of compliance with the applicable limit(s) and serve to confirm that the Monitoring required for an emission unit on a regular basis is reliable and appropriate. Such testing might also identify specific values of operating parameters of a unit or its associated control equipment that accompany compliance and can be relied upon as part of regular Monitoring.

There are a number of considerations or factors that are or may be relevant when evaluating the need to establish new monitoring requirements as part of the Periodic Monitoring for an emission unit. These factors include: (1) The nature of the emission unit or process and its emissions; (2) The variability in the operation and the emissions of the unit or process over time; (3) The use of add-on air pollution control equipment or other practices to control emissions and comply with the applicable substantive requirement(s); (4) The nature of that control equipment or those control practices and the potential for variability in their effectiveness; (5) The nature of the applicable substantive requirement(s) for which Periodic Monitoring is needed; (6) The nature of the compliance procedures that specifically accompany the applicable requirements; (7) The type of data that would already be available for the unit; (8) The effort needed to comply with the applicable requirements and the expected margin of compliance; (9) The likelihood of a violation of applicable requirements; (10) The nature of the Periodic Monitoring that may be readily implemented for the emission unit; (11) The extent to which such Periodic Monitoring would directly address the applicable requirements; (12) The nature of Periodic Monitoring commonly required for similar emission units at other facilities and in similar circumstances; (13) The interaction or relationship between the different measures in the Periodic Monitoring for an emission unit; and (14) The feasibility and reasonableness of requiring additional measures in the Periodic Monitoring for an emission unit in light of other relevant considerations.[10]

# CHAPTER IV – CHANGES FROM PREVIOUSLY ISSUED CAAPP PERMITS

## 4.1 Major Changes Summary

This renewal CAAPP draft is presented in a new format. The new format is the result of recommendations by the USEPA, comments made by sources, and interactions with the public.

| | *Previous CAAPP Permit Layout* | *New CAAPP Permit Layout* |
|---|---|---|
| Section 1 | Source Identification | Source Information |
| Section 2 | List Of Abbreviations/Acronyms | General Permit Requirements |
| Section 3 | Insignificant Activities | Source Requirements |
| Section 4 | Significant Emission Units | Emission Unit Requirements |
| Section 5 | Overall Source Conditions | Title I Requirements |
| Section 6 | Emission Control Programs | Insignificant Activities |
| Section 7 | Unit Specific Conditions | Other Requirements |
| Section 8 | General Permit Conditions | State Only Requirements |
| Section 9 | Standard Permit Conditions | --- |
| Section 10 | Attachments | Attachments |

## 4.2 Specific Permit Condition Changes

As an initial permit, there are not changes from a previously issued CAAPP Permit.

## Endnotes

[1] The federal PSD program, 40 CFR 52.21, applies in Illinois. The Illinois EPA administers PSD permitting for major projects in Illinois pursuant to a delegation agreement with USEPA.

[2] Illinois has a state nonattainment NSR program, pursuant to state rules, Major Stationary Sources Construction and Modification ("MSSCM"), 35 IAC Part 203, which have been approved by USEPA as part of the State Implementation Plan for Illinois.

[3] The provisions of the Act for Periodic Monitoring in CAAPP permits reflect parallel requirements in the federal guidelines for State Operating Permit Programs, 40 CFR 70.6(a)(3)(i)(A), (a)(3)(i)(B), and (c)(1).

[4] Section 39.5(7)(p)(i) of the Act also provides that a CAAPP permit shall contain "Compliance certification, testing, monitoring, reporting and record keeping requirements sufficient to assure compliance with the terms and conditions of the permit."

[5] The classic example of regulatory standards for which Periodic Monitoring requirements must be established in a CAAPP permit are state emission standards that pre-date the 1990 Clean Air Act Amendments that were adopted without any associated compliance procedures. Periodic Monitoring must also be established in a CAAPP permit when standards and limits are accompanied by compliance procedures but those procedures are determined to be inadequate to assure compliance with the applicable standards or limits.

[6] Another example of emission standards for which requirements must be established as part of Periodic Monitoring is certain NSPS standards that require initial performance testing but do not require periodic testing or other measures to address compliance with the applicable limits on a continuing basis.

[7] The need to establish Monitoring requirements as part of Periodic Monitoring when existing compliance procedures are determined to be inadequate, as well as when they are absent, was confirmed by the federal appeals court in Sierra Club v. Environmental Protection Agency, 536 f. 3d 673, 383 U.S. App. D.C. 109.

[8] The need to establish Monitoring requirements as part of Periodic Monitoring is also confirmed in USEPA's Petition Response. USEPA explains that "…if there is periodic monitoring in the applicable requirements, but that monitoring is not sufficient to assure compliance with permit terms and conditions, permitting authorities must supplement monitoring to assure such compliance." Petition Response, page 6.

[9] The test for the adequacy of "Periodic Monitoring" is a context-specific determination, particularly whether the provisions in a Title V permit reasonably address compliance with relevant substantive permit conditions. 40 CFR 70.6(c)(1); *see also* 40 CFR 70.6(a)(3)(i)(B); *see also, In the Matter of CITGO Refinery and Chemicals Company L.P.,* Petition VI-2007-01 (May 28, 2009); *see also, In the Matter of Waste Management of LA. L.L.C. Woodside Sanitary Landfill & Recycling Center, Walker, Livingston Parish, Louisiana,* Petition VI-2009-01 (May 27, 2010); *see also, In the Matter of Wisconsin Public Service Corporation's JP Pulliam Power Plant,* Petition V-2009-01 (June 28, 2010).

[10] A number of these factors are specifically listed by USEPA in its Petition Response. USEPA also observes that the specific factors that it identifies in its Petition Response with respect to Periodic Monitoring provide "…the permitting authority with a starting point for its analysis of the adequacy of the monitoring; the permitting authority also may consider other site-specific factors." Petition Response, page 7.