

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BUREAU OF AIR

DIVISION of AIR POLLUTION CONTROL

PERMIT SECTION

PROJECT SUMMARY for the
DRAFT CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT

Silgan Containers Manufacturing Corporation
400 North 15th Street
Rochelle, Illinois 60168

Illinois EPA ID Number: 141805AAF

Application Number: 95120230

Application Type: CAAPP Renewal

Start of Public Comment Period: September 30, 2007

Close of Public Comment Period: October 30, 2007

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(This Project Summary generally describes the source and explains the draft permit. This document has been prepared pursuant to Section 39.5(8)(b) of the Illinois Environmental Protection Act, which requires "a statement that sets forth the legal and factual basis for the draft CAAPP permit conditions.")

I. INTRODUCTION

This source has applied for a renewal of its Clean Air Act Permit Program (CAAPP) operating permit. The CAAPP is the program established in Illinois for operating permits for significant stationary sources as required by Title V of the federal Clean Air Act and Section 39.5 of Illinois' Environmental Protection Act. The conditions in a CAAPP permit are enforceable by the Illinois Environmental Protection Agency (Illinois EPA), the USEPA, and the public. This document is for informational purposes only and does not shield the Permittee from enforcement actions or its responsibility to comply with applicable regulations. This document shall not constitute a defense to a violation of the Act or any rule or regulation.

A CAAPP permit contains conditions identifying the applicable state and federal air pollution control requirements that apply to a source. The permit also establishes emission limits, appropriate compliance procedures, and specific operational flexibility. The appropriate compliance procedures may include monitoring, record keeping, and reporting to show compliance with these requirements. The Permittee must carry out these procedures on an on-going basis to demonstrate that the source is operating in accordance with the requirements of the permit. Further explanations of the specific provisions of the draft CAAPP permit are contained in the attachments to this document, which also identify the various emission units at the source.

II. GENERAL SOURCE DESCRIPTION

a. Nature of source

The source is involved in manufacturing of coating sheet steel for use in sanitary food cans. The source also produces converted or easy-open ends using pre-coated sheet steel. The primary emissions are from organic solvents in the coatings. There are also storage tanks for the coatings.

b. Ambient air quality status for the area

The source is located in an area that is currently designated attainment or unclassifiable for the National Ambient Air Quality Standards for all criteria pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, PM_{2.5}, PM₁₀, sulfur dioxide).

c. Major source status

1. The source requires a CAAPP permit as a major source of VOM emissions.

d. Source Emissions

The following table lists annual emissions of criteria pollutants from this source, as reported in the Annual Emission Reports sent to the Illinois EPA.

Pollutant	Annual Emissions (tons)				
	2006	2005	2004	2003	2002
CO	5.52	5.25	5.60	5.52	5.05
NO _x	6.57	6.25	6.67	6.58	6.01
PM	0.50	0.48	0.51	0.50	0.46
SO ₂	NR	NR	NR	NR	NR
VOM	123.90	117.80	100.60	109.90	108.40
(top HAP)	4.86	4.33	3.68	6.35	11.10
	Hexane	Hexane	Hexane	Xylene	Xylene

III. NEW SOURCE REVIEW/TITLE I CONDITIONS

This draft permit contains terms and conditions that address the applicability of permit programs for new and modified sources under Title I of the Clean Air Act (CAA) and regulations promulgated thereunder, including 40 CFR 52.21, Prevention of Significant Deterioration (PSD) and 35 IAC Part 203, Major Stationary Sources Construction and Modification. Any such terms and conditions are identified within the draft permit by T1, T1R, or T1N. Any conditions established in a construction permit pursuant to Title I and not revised or deleted in this draft permit, remain in effect pursuant to Title I provisions until such time that the Illinois EPA revises or deletes them. Where the source has requested that the Illinois EPA establish new conditions or revise such conditions in a Title I permit, those conditions are consistent with the information provided in the CAAPP application and will remain in effect pursuant to Title I provisions until such time that the Illinois EPA revises or deletes them.

This draft permit would establish new Title I requirements.

IV. COMPLIANCE INFORMATION

The source has certified compliance with all applicable rules and regulations; therefore, a compliance schedule is not required for this source. In addition, the draft permit requires the source to certify its compliance status on an annual basis.

V. PROPOSED ILLINOIS EPA ACTION/REQUEST FOR COMMENTS

It is the Illinois EPA's preliminary determination that this source's permit application meets the standards for issuance of a CAAPP permit. The Illinois EPA is therefore proposing to issue a CAAPP permit, subject to the conditions proposed in the draft permit.

Comments are requested by the Illinois EPA for the draft or proposed permit, pursuant to 35 IAC Part 252 and Sections 39.5(8) and (9) of the Illinois Environmental Protection Act. A final decision on the draft or proposed permit will not be made until the public, affected states, and USEPA have had an opportunity to comment. The Illinois EPA is not required to accept recommendations that are not based on applicable requirements. If substantial public interest is shown in this matter, the Illinois EPA will consider holding a public hearing in accordance with 35 IAC Part 166.

ATTACHMENT 1: Summary of Source-Wide Requirements

The following table indicates the source-wide emissions control programs and planning requirements that are applicable to this source. These programs are addressed in Sections 5 and 6 of the draft permit.

Program/Plan	Applicable
Emissions Reduction Market System (ERMS)	No
Nitrogen Oxides (NO _x) Trading Program	No
Acid Rain Program	No
Compliance Assurance Monitoring (CAM) Plan	Yes
Fugitive Particulate Matter (PM) Operating Program	No
Risk Management Plan (RMP)	No
PM ₁₀ Contingency Measure Plan	No

1. Compliance Assurance Monitoring (CAM) is a program for pollutant-specific emission units which use an add-on control device to achieve compliance with an emission limitation or standard. A CAM plan is required for such units that have potential pre-control device emissions of the applicable regulated air pollutant that are equal to or greater than major source threshold levels, and are not specifically exempt by 40 CFR Part 64. Subject units and the CAM plans are identified in Attachment 3 of the draft permit.

ATTACHMENT 2: Summary of Requirements for Specific Emission Units

The following tables include information on the requirements that apply to significant emission units at this source. The requirements are found in Section 7 of the draft permit, which is further divided into subsection, i.e., Section 7.1, 7.2, etc., for the different categories of units at the source. A separate table is provided for each subsection in Section 7 of the draft permit. An explanation of acronyms and abbreviations is contained in Section 2 of the draft permit.

Table 1 (Section 7.1 of the draft permit)

Emission Unit - Coating Lines Vented to VOM Control Equipment	
Description	Sheet coaters and post coaters are vented to control equipment, i.e. oxidizers
Date Constructed	2001 and 2002
Emission Control Equipment	Regenerative Thermal Oxidizers
Applicable Rules and Requirements	
Emission Standards	<ul style="list-style-type: none"> • 35 IAC 215.205(a) use of oxidizers when noncompliant coatings are used • 35 IAC 215.204(b) use of compliant coatings remains an option • 35 IAC 212 Subpart L (PM emissions)
Streamlining	N/A
Title I Conditions	<ul style="list-style-type: none"> • The draft permit contains limits on operation and emissions in Condition 5.6.3. These limits were incorporated from Permit 06030009. The limits are on all operations and thus were placed in Section 5 rather than some in Section 7.1 and some in 7.2.
Non-applicability	<ul style="list-style-type: none"> • 35 IAC 215.301: The reason for non-applicability is explained in detail in the permit. • 40 CFR 60 Subpart WW: The reason for non-applicability is explained in detail in the permit. • 35 IAC 215.207: The reason for non-applicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	
Testing	

Emission Unit - Coating Lines Vented to VOM Control Equipment	
Emissions Monitoring	
Operational Monitoring	CAM Requirements are described in Attachment 3 of the permit.
Inspections	
Recordkeeping	Usage and VOM content of coatings and as described in the CAM requirements.
Other	
Reporting	
Prompt Reporting	In excess of the regulatory limits or not meeting operating requirements.
Other Reporting	CAM Reporting
Other Information	
Footnotes	

Table 2 (Section 7.2 of the draft permit)

Emission Unit - Coating Lines and Other Operations Not Vented to Control Equipment	
Description	Parts of a coating line that are not vented to control equipment, primarily conversion presses, tab lube and end liners. There are also some small storage tanks.
Date Constructed	2001 to 2006
Emission Control Equipment	None
Applicable Rules and Requirements	
Emission Standards	<ul style="list-style-type: none"> • End liner is subject to 35 IAC 215.204(b)(6) for VOM content of coatings. • Conversion presses and tab lube are subject to 35 IAC 215.301 for photochemical reactive content of organic materials used. • End liner, conversion presses and tab lube are subject to 35 IAC 212 subpart L for PM emissions. • Storage tanks are subject to 35 IAC 215.122(b) which requires a submerged loading pipe if the vapor pressure of the material stored is above 2.5 psia. The materials stored have a vapor pressure well below 2.5 psia.
Streamlining	N/A
Title I Conditions	<ul style="list-style-type: none"> • The draft permit contains limits on operation and emissions in Condition 5.6.3. These limits were incorporated from Permit 06030009. The limits are on all operations and thus were placed in Section 5 rather than some in Section 7.1 and some in 7.2.
Non-applicability	<ul style="list-style-type: none"> • 40 CFR 60 Subpart WW: The reason for non-applicability is explained in detail in the permit. • 35 IAC 215.301 for the end liners. The reason for non-applicability is explained in detail in the permit. • 40 CFR 64: The reason for non-applicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	
Testing	
Emissions Monitoring	See recordkeeping.

Emission Unit - Coating Lines and Other Operations Not Vented to Control Equipment	
Operational Monitoring	N/A
Inspections	
Recordkeeping	Usage and VOM content of material employed.
Other	
Reporting	
Prompt Reporting	In excess of the limits specified by the rules.
Other Reporting	N/A
Other Information	
Footnotes	

ATTACHMENT 3: Prompt Reporting of Deviations

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 permittee to measure compliance and to direct investigation and follow-up activities. Prompt reporting is evidence of a permittee'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 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 an emission limitation or standard or the like, as necessary and appropriate.

Section 39.5(7)(f)(ii) of the Illinois Environmental Protection Act, which mirrors 40 CFR 70.6(a)(3)(iii)(B), requires prompt reporting of deviations from the permit requirements. 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. Furthermore, Section 39.5(7)(f)(i) of the Illinois Environmental Protection Act, which mirrors 40 CFR 70.6(a)(3)(iii)(A) requires that monitoring reports must be submitted at least every 6 months. Therefore, USEPA generally considers anything less than 6 months to be "prompt" as long as the selected time frame is justified appropriately (60 Fed. Reg. 36083, 36086 (July 13, 1995)).

The USEPA has stated that, for purposes of administrative efficiency and clarity, it is acceptable to define prompt in each individual permit. *Id.* The Illinois EPA has elected to follow this approach and defines prompt reporting on a permit by permit basis. In instances where the underlying applicable requirement contains "prompt" reporting, this frequency or a shorter frequency of reporting is the required timeframe used in this permit. Where the underlying applicable requirement fails to explicitly set forth the timeframe for reporting deviations, the Illinois EPA has developed a structured manner to determine the reporting approach used in this permit.

The Illinois EPA generally uses a time frame of 30 days to define prompt reporting of most deviations. Also, for certain permit conditions in individual permits, the Illinois EPA may require an alternate timeframe that is less than 30 days if the permit requirement justifies a shorter reporting time period. Under certain circumstances, EPA may establish a deviation

reporting period longer than 30 days, but, in no event exceeding 6 months. Where it has established a deviation reporting period other than 30 days in an individual permit (specifically Section 7.x.10), the Illinois EPA has explained the reason for the alternative timeframe. (See Attachment 2 of this Project Summary.)

The timing for certain deviation reporting may be different when a source or emission unit at a source warrants reporting to address operation, independent of the occurrence of any deviations. This is the case for a source that is required to perform continuous monitoring for the emission unit, for which quarterly or semi-annual “monitoring” reports are appropriate. Where appropriate, reporting of deviations has generally been combined in, or coordinated with these quarterly or semi-annual reports, so that the overall performance of the plant can be reviewed in a comprehensive fashion. This will allow a more effective and efficient review of the overall performance of the source by the Illinois EPA and other interested parties, as well as by the source itself.

At the same time, there are certain deviations for which quicker reporting is appropriate. These are deviations for which individual attention or concern may be warranted by the Illinois EPA, USEPA, and other interested parties. Under this scenario, emphasis has been placed primarily on deviations that could represent substantial violations of applicable emission standards or lapses in control measures at the source. For these purposes, depending on the deviation, immediate notification may be required and preceded by a follow-up report submitted within 15 days, during which time the source may further assess the deviation and prepare its detailed plan of corrective action.

In determining the timeframe for prompt reporting, the Illinois EPA assesses a variety of criteria such as:

- historical ability to remain in continued compliance,
- level of public interest in a specific pollutant and/or source,
- seriousness of the deviation and potential to cause harm,
- importance of applicable requirement to achieving environmental goals,
- designation of the area (i.e., non-attainment or attainment),
- consistency among industry type and category,
- frequency of required continuous monitoring reports (i.e., quarterly),
- type of monitoring (inspection, emissions, operational, etc.), and
- air pollution control device type and operation

These prompt reporting decisions reflect the Illinois EPA’s consideration of the possible nature of deviations by different emission units and the responses that might be required or taken for those different types of deviations. As a consequence, the conditions for different emission units may identify types of deviations which include but are not limited to: 1) Immediate (or very quick) notification; 2) Notification within 30 days as the standard; or 3) Notification with regular quarterly or semi-annual monitoring reports.

The Illinois EPA's decision to use the above stated prompt reporting approach for deviations as it pertains to establishing a shorter timeframe in certain circumstances reflects the criteria discussed as well as USEPA guidance on the topic.

- 40 CFR 71.6(a)(3)(iii)(B) specifies that certain potentially serious deviations must be reported within 24 or 48 hours, but provides for semi-annual reporting of other deviations. (Serious or severe consequences)
- FR Vol. 60, No. 134, July 13, 1995, pg. 36086 states that prompt should generally be defined as requiring reporting within two to ten days of the deviation, but longer time periods may be acceptable for a source with a low level of excess emissions. (intermediate consequences)
- Policy Statement typically referred to as the "Audit Policy" published by the USEPA defines prompt disclosure to be within 21 days of discovery. (Standard for most "pollutant limiting" related conditions)
- Responses to various States by USEPA regarding other States' definition of prompt.

As a result, the Illinois EPA's approach to prompt reporting for deviations as discussed herein is consistent with the requirements of 39.5(7)(f)(ii) of the 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. 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 to develop preventative measures, to reduce the likelihood of similar events, all of which must be addressed in the notification for the deviation.

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