

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

Blue Island Phenol LLC
3350 West 131st Street
Blue Island, Illinois 60406

Illinois EPA ID Number: 031824AAE

Application Number: 96030067

Application Type: CAAPP Renewal

Start of Public Comment Period: May 7, 2008

Close of Public Comment Period: June 6, 2008

Permit Engineer/Technical Contact: Dan Punzak, 217/782-2113

Community Relations/Comments Contact: Brad Frost, 217/782-7027

(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 manufactures synthetic organic chemicals. In addition, the source operates storage tanks for the storage of raw materials and products and loading

b. 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 PM_{2.5} and attainment or unclassifiable for all other criteria pollutants (CO, lead, NO₂, PM₁₀, SO₂).

c. Major source status

1. The source requires a CAAPP permit as a major source of HAP 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.

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	Annual Emissions (tons)				
Pollutant	2007	2006	2005	2004	2003
CO	2.9	2.7	2.7	2.6	2.7
NOx	37.2	40.7	34.0	34.8	33.7
PM	3.9	3.9	3.7	3.5	3.7
SO2	0.3	0.3	0.3	0.3	0.3
VOM	28.9	32.0	20.2	21.0	45.3
Cumene (top HAP)	9.4	11.3	4.9	6.6	30.1

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. These limits came from construction after the original CAAPP permit was issued.

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

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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.

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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) ^a	Yes
Nitrogen Oxides (NO _x) Trading Program	No
Acid Rain Program	No
Compliance Assurance Monitoring (CAM) Plan	No
Fugitive Particulate Matter (PM) Operating Program ^b	Yes
Risk Management Plan (RMP) ^c	Yes
PM ₁₀ Contingency Measure Plan	No

- a. The ERMS is a market-based program designed to reduce VOM emissions from stationary sources located in the Chicago ozone non-attainment area in order to contribute to reasonable further progress toward attainment (35 IAC Part 205). If applicable, this program is further described in Section 6.0 of the draft permit, including the Illinois EPA's determination of the source's baseline emissions and allotment of trading units under the ERMS.
- b. The fugitive PM operating program is required to significantly reduce fugitive particulate matter emissions from certain affected locations and facilities (35 IAC Part 212.309 – 212.312). Normally, elements of this program include, but are not limited to, addressing normal traffic pattern roads, parking facilities, and material piles and handling through the use of water, oils, or chemical dust suppressants.
- c. The RMP is a program for reducing the levels of emissions during an emergency, consistent with safe operating procedures (Section 112(r) of the federal Clean Air Act). The program requires the immediate implementation the appropriate steps described in this plan should an emergency be declared. The Permittee is required to maintain and have this plan on file with the USEPA.

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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 - Cumene Process Units and Flare	
Description	The cumene process utilizes catalysts, benzene and propylene to yield cumene. The cumene is then used as a raw material for the units in Section 7.2
Date Constructed	Prior to 1970 with some modification in 1997-1997
Emission Control Equipment	Flare
Applicable Rules and Requirements	
Emission Standards	40 CFR 63 Subpart F, G and H. 35 IAC 218 Subpart G (Use of Organic Material). 35 IAC 218 Subpart Q (Equipment Leaks)
Streamlining	35 IAC 218 Subpart G requires only 85% control but 40 CFR 63 Subpart G requires 98% control.
Title I Conditions	N/A

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Emission Unit - Cumene Process Units and Flare	
Non-applicability	<p>40 CFR Part 60, Subpart NNN, Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations: The basis for nonapplicability is explained in detail in the permit.</p> <p>40 CFR 60 Subpart RRR, Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes: The basis for nonapplicability is explained in detail in the permit.</p> <p>40 CFR 61.342(a), National Emission Standard for Benzene Waste Operations: The basis for nonapplicability is explained in detail in the permit.</p> <p>40 CFR Part 60, Subpart V, Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry: The basis for nonapplicability is explained in detail in the permit.</p> <p>40 CFR Part 60, Subparts J and V, Equipment Leaks (Fugitive Emission Sources) of Benzene: The basis for nonapplicability is explained in detail in the permit.</p> <p>35 IAC 218 Subpart V, Batch Operations and Air Oxidation Processes: The basis for nonapplicability is explained in detail in the permit.</p> <p>35 IAC 218 Subpart RR, Miscellaneous Organic Chemical Manufacturing Processes: The basis for nonapplicability is explained in detail in the permit.</p> <p>40 CFR Part 64, Compliance Assurance Monitoring (CAM): The basis for nonapplicability is explained in detail in the permit.</p>
Periodic Monitoring (other than basic regulatory requirements)	
Testing	There is no required testing but if testing is performed the method is specified as part of the NESHAP rule that applies.
Emissions Monitoring	N/A
Operational Monitoring	Monitor the flare for a flame. Equipment leak testing is addressed in Section 5 of the permit since it addresses multiple section of the permit.
Inspections	N/A
Recordkeeping	Primarily NESHAP records. Malfunction and Breakdown records.
Other	
Reporting	
Prompt Reporting	Noncompliance with 7.1.3 or 7.1.5.
Other Reporting	NESHAP reporting. Malfunction and Breakdown reporting.

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Emission Unit - Cumene Process Units and Flare	
Other Information	
Footnotes	

Table 2 (Section 7.2 of the draft permit)

Emission Unit - Phenol Process Units and Thermal Oxidizer	
Description	The phenol process units produce phenol and acetone by oxidizing cumene and decomposition of cumene hydroperoxide (CHP) to phenol and acetone. Emissions vent to a thermal oxidizer.
Date Constructed	Prior to 1970
Emission Control Equipment	Thermal oxidizer
Applicable Rules and Requirements	
Emission Standards	40 CFR 63 Subpart F, G and H. 35 IAC 218 Subpart G (Use of Organic Material). 35 IAC 218 Subpart Q (Equipment Leaks). 35 IAC 218 Subpart V (Batch Operations and Air Oxidation Process). 35 IAC 201.149, 201.161 and 201.262 (Malfunction and Breakdown).
Streamlining	35 IAC 218 Subpart G requires only 85% control but 40 CFR 63 Subpart G requires 98% control.
Title I Conditions	The draft permit contains limits on operation and emissions in Conditions 7.1.5 and 7.1.6. These limits were incorporated from Permit 85120049 but were revised slightly when the original CAAPP permit was issued.
Non-applicability	40 CFR Part 60, Subpart III, Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes: The basis for nonapplicability is explained in detail in the permit. 40 CFR Part 60, Subpart V, Equipment Leaks (Fugitive Emission Sources): The basis for nonapplicability is explained in detail in the permit. 35 IAC 218 Subpart RR, Miscellaneous Organic Chemical Manufacturing Processes: 35 IAC 218 Subpart RR, Miscellaneous Organic Chemical Manufacturing Processes. 40 CFR Part 64, Compliance Assurance Monitoring (CAM): The basis for nonapplicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	

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Emission Unit - Phenol Process Units and Thermal Oxidizer	
Testing	The NESHAP test method is described but no specific requirement that testing be done at this time.
Emissions Monitoring	N/A
Operational Monitoring	NESHAP monitoring for control device and bypass line.
Inspections	N/A
Recordkeeping	Primarily NESHAP records. Malfunction and Breakdown records.
Other	
Reporting	
Prompt Reporting	Noncompliance with 7.2.3, 7.2.5 or 7.2.6.
Other Reporting	NESHAP reporting. Malfunction and Breakdown reporting.
Other Information	
Footnotes	

Table 3 (Section 7.3 of the draft permit)

Emission Unit - Group 1 Benzene Storage Tanks	
Description	Four (4) cylindrical tanks are used to store Benzene.
Date Constructed	1960
Emission Control Equipment	Internal Floating Roofs
Applicable Rules and Requirements	
Emission Standards	40 CFR 63 Subpart F, G and H. 35 IAC 218 Subpart G (Use of Organic Material). 35 IAC 218 Subpart B (Storage Tank Requirements).
Streamlining	N/A
Title I Conditions	N/A

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Emission Unit - Group 1 Benzene Storage Tanks	
Non-applicability	40 CFR 60, Subpart Kb, Volatile Organic Liquid Storage Vessels for which Construction, Reconstruction, or Modification Commenced after July 23, 1984: The basis for nonapplicability is explained in detail in the permit. 40 CFR 61 Subpart Y: The basis for nonapplicability is explained in detail in the permit. 40 CFR Part 64, Compliance Assurance Monitoring (CAM): The basis for nonapplicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	
Testing	N/A
Emissions Monitoring	N/A
Operational Monitoring	N/A
Inspections	NESHAP inspections of internal floating roofs.
Recordkeeping	Primarily records required by NESHAP.
Other	
Reporting	
Prompt Reporting	Noncompliance with Conditions 7.3.3, work practice requirements of Condition 7.3.5 or inspection requirements of Condition 7.3.7.
Other Reporting	NESHAP reporting.
Other Information	
Footnotes	

Table 4 (Section 7.4 of the draft permit)

Emission Unit - Group 2 Storage Tanks (Group 2 as defined in NESHAP regulations)	
Description	There are approximately 40 cylindrical tanks.
Date Constructed	Most were in 1963.
Emission Control Equipment	None
Applicable Rules and Requirements	

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Emission Unit - Group 2 Storage Tanks (Group 2 as defined in NESHAP regulations)	
Emission Standards	40 CFR 63 Subpart F, G and H. 35 IAC 218 Subpart G (Use of Organic Material). 35 IAC 218.122(b) [Submerged Loading Pipe].
Streamlining	N/A
Title I Conditions	The draft permit contains limits on operation and emissions in Conditions 7.1.5 and 7.1.6. These limits were incorporated from Permits 00010002 and 03100022.
Non-applicability	40 CFR 60, Subpart Kb, Volatile Organic Liquid Storage Vessels for which Construction, Reconstruction, or Modification Commenced after July 23, 1984: The basis for nonapplicability is explained in detail in the permit. 40 CFR Part 64, Compliance Assurance Monitoring (CAM): The basis for nonapplicability is explained in detail in the permit. 35 IAC 218 Subpart B (except 35 IAC 218.122(b) and 35 IAC 218.129(f)): The basis for nonapplicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	
Testing	N/A
Emissions Monitoring	N/A
Operational Monitoring	N/A
Inspections	Annual inspections to verify that the submerged loading pipe is in good working order if the material in the tank has a vapor pressure over 2.5 psia.
Recordkeeping	Materials stored and vapor pressure of materials stored.
Other	
Reporting	
Prompt Reporting	Emissions exceeding Conditions 7.4.3, 7.4.5 or 7.4.6.
Other Reporting	NESHAP reports.
Other Information	
Footnotes	

Table 5 (Section 7.5 of the draft permit)

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Emission Unit - Group 2 Loading Operations (Group 2 as defined in NESHAP regulations)	
Description	This source operates a loading rack and a barge loading rack in which materials and products are loaded for offsite transport.
Date Constructed	1963
Emission Control Equipment	None
Applicable Rules and Requirements	
Emission Standards	40 CFR 63 Subpart F, G and H. 35 IAC 218 Subpart G (Use of Organic Material).
Streamlining	N/A
Title I Conditions	The draft permit contains limits on operation and emissions in Conditions 7.1.5 and 7.1.6. These limits were incorporated from Permits 97050012, 03100022 and 05070070.
Non-applicability	40 CFR 60, Subpart BB, Benzene Emissions from Benzene Transfer Operations: The basis for nonapplicability is explained in detail in the permit. 35 IAC 218.122(b) for affected propane loading operation: The basis for nonapplicability is explained in detail in the permit. 40 CFR Part 64, Compliance Assurance Monitoring (CAM): The basis for nonapplicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	
Testing	N/A
Emissions Monitoring	N/A
Operational Monitoring	N/A
Inspections	N/A
Recordkeeping	Records to verify that the transfer operation continues to qualify as a Group 2 transfer operations under the NESHAP. Verifications of limits within Condition 7.5.6. Any other NESHAP records.
Other	
Reporting	

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Emission Unit - Group 2 Loading Operations (Group 2 as defined in NESHAP regulations)	
Prompt Reporting	Noncompliance with Condition 7.5.3, 7.5.5 or 7.5.6.
Other Reporting	NESHAP reporting.
Other Information	
Footnotes	

Table 6 (Section 7.6 of the draft permit)

No	
Description	The Cumene unit and the Phenolic unit each have their own independent closed sewer systems that collect all the unit process wastewater streams that are subject to 40 CFR 63 Subpart G, National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Waste Water.
Date Constructed	Prior to 1970.
Emission Control Equipment	None
Applicable Rules and Requirements	
Emission Standards	40 CFR 63 Subpart F, G and H. 35 IAC 218 Subpart G (Use of Organic Material).
Streamlining	N/A
Title I Conditions	N/A
Non-applicability	40 CFR Part 61, Subpart FF, Benzene Waste Operations: The basis for nonapplicability is explained in detail in the permit. 35 IAC 218 Subpart TT, Other Emission Units: The basis for nonapplicability is explained in detail in the permit. 40 CFR Part 64, Compliance Assurance Monitoring (CAM) 40 CFR Part 64, Compliance Assurance Monitoring (CAM): The basis for nonapplicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	

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No	
Testing	N/A
Emissions Monitoring	N/A
Operational Monitoring	N/A
Inspections	N/A
Recordkeeping	Verification that the treatment operation remain Group 2 streams. Any other NESHAP records
Other	
Reporting	
Prompt Reporting	Emission in excess of Condition 7.6.3(b)
Other Reporting	Any required NESHAP reports including a change in status to a Group 1 stream.
Other Information	
Footnotes	

Table 7 (Section 7.7 of the draft permit)

Emission Unit - Fuel Combustion Units	
Description	One boiler and a cumene hot oil heater.
Date Constructed	1993 and 1963
Emission Control Equipment	None
Applicable Rules and Requirements	
Emission Standards	35 IAC 212 Subpart B, Visual Emissions (opacity). 35 IAC 216 Subpart B (CO emissions). 40 CFR 60.42c (SO ₂ emissions when on distillate fuel). 40 CFR 60.43c (NSPS opacity).
Streamlining	N/A

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Emission Unit - Fuel Combustion Units	
Title I Conditions	The draft permit contains limits on operation and emissions in Conditions 7.1.5 and 7.1.6. These limits were incorporated from Permit 91110056 and revised when the original CAAPP permit was issued.
Non-applicability	35 IAC 214.122: The basis for nonapplicability is explained in detail in the permit. 35 IAC 217.121: The basis for nonapplicability is explained in detail in the permit. 35 IAC 215.303: The basis for nonapplicability is explained in detail in the permit. 40 CFR 60.46c(a) and (d): The basis for nonapplicability is explained in detail in the permit.
Periodic Monitoring (other than basic regulatory requirements)	
Testing	Tests for sulfur content of fuel may be done by the supplier.
Emissions Monitoring	N/A
Operational Monitoring	Monthly opacity observations.
Inspections	N/A
Recordkeeping	NSPS records. Opacity observations.
Other	
Reporting	
Prompt Reporting	Emissions or operation in excess of Condition 7.7.3, 7.7.5 or 7.7.6.
Other Reporting	NSPS reports.
Other Information	
Footnotes	

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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

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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.

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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.

