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# ILLINOIS

## REGISTER RULES OF GOVERNMENTAL AGENCIES



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## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Nitrogen Oxides Emissions
- 2) Code Citation: 35 Ill. Adm. Code 217
- 3) 

<u>Section Numbers</u> :	<u>Adopted Action</u> :
217.101	Amended
217.102	Amended
217.104	Amended
217.386	New Section
217.388	New Section
217.390	New Section
217.392	New Section
217.394	New Section
217.396	New Section
217.APPENDIX G	New Section
- 4) Statutory Authority: Implementing Sections 9, 9.1, 9.9 and 10 and authorized by Sections 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9, 9.1, 9.9, 10, 27 and 28.5]
- 5) Effective Date of Amendments: September 25, 2007
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes
- 8) The adopted amendments, including any material incorporated by reference, are on file in the Board's Chicago office at the James R. Thompson Center, 100 W. Randolph, Suite 11-500 and are available for public inspection.
- 10) Notice of Proposal Published in Illinois Register: May 4, 2007; 31 Ill. Reg. 6597
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: The Board deleted any proposed language that did not directly apply to the control of No<sub>x</sub> emissions from large stationary reciprocating combustion engines.

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The Board opened a new docket, Nitrogen Oxide (NO<sub>x</sub>) Emissions From Stationary Reciprocating Internal Combustion Engines and Turbines: Amendments to 35 Ill. Adm. Code Parts 211 and 217 (R07-19), to address the portions of the rulemaking that were not applicable in the R07-18 fast track rule. First notice of those amendments was published in the *Illinois Register* on June 8, 2007 at 31 Ill. Reg. 7683 and 7702.

The Board made some additional changes to the amendments in response to the July 5, 2007 comments of the Agency that were intended to clarify or correct portions of the rulemaking that remained after the bifurcation.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will these amendments replace any emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
217.386	New Section	June 8, 2007; 31 Ill. Reg. 7702
217.388	New Section	June 8, 2007; 31 Ill. Reg. 7702
217.390	New Section	June 8, 2007; 31 Ill. Reg. 7702
217.392	New Section	June 8, 2007; 31 Ill. Reg. 7702
217.394	New Section	June 8, 2007; 31 Ill. Reg. 7702
217.396	New Section	June 8, 2007; 31 Ill. Reg. 7702

- 15) Summary and Purpose of Amendments: For a more detailed discussion of these amendments, see the Board's September 20, 2007 opinion and order in docket R07-18. These adopted amendments are intended to meet certain obligations of the State of Illinois under the Clean Air Act, 42 U.S.C. § 7401 *et seq.* Specifically, the amendments satisfy Illinois' obligation to submit a State Implementation Plan to address the requirements of Phase II of the United States Environmental Protection Agency's (USEPA's) nitrogen oxides (NO<sub>x</sub>) State Implementation Plan (SIP) call. The NO<sub>x</sub> SIP call required affected states, including Illinois, to regulate NO<sub>x</sub> emissions from large stationary internal combustion engines as required by the federal Clean Air Act (CAA) 69 Fed. Reg. 21604 (April 21, 2004).

Specifically, the amendments to Part 217 adopt a new Subpart Q and Appendix G that address the control of NO<sub>x</sub> emissions from stationary reciprocating internal combustion engines, including a number of compliance, reporting, and recordkeeping requirements.

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The adopted amendments contain updates to measurement methods and to the materials that are incorporated by reference in Part 217. The applicability section clarifies that the requirements of Subpart Q are applicable to the engines that are listed in Appendix G. The amendments contain specific requirements regarding testing and monitoring that address both initial performance and ongoing testing requirements.

The control and maintenance requirements of Subpart Q include limits on the discharge of NO<sub>x</sub> and offer compliance options to owners and operators through emissions averaging plans (as an alternative to the use of concentration limits). The amendments include standards and requirements for the emissions averaging plans that include a requirement that units must be located in Illinois and be owned by the same parent company. Additionally, units can be used in only one emissions averaging plan. Further requirements for emissions averaging plans include requiring demonstrations of compliance with the ozone season and calendar year standards, formulas for demonstrating this compliance, and equations to determine the affected units' actual NO<sub>x</sub> emissions for the type of fuel that the unit uses. Units included in an emissions averaging plan must undergo testing once every five years.

The amendments also adopt conditions for units that use continuous emissions monitoring systems (CEMS) in lieu of stack testing and portable monitoring. Units that are equipped with CEMS that meet specific federal requirements or that are following alternative procedures that have been approved by the IEPA or the USEPA in a federally enforceable permit are allowed alternative testing and monitoring requirements.

16) Information and questions regarding these adopted amendments shall be directed to:

Tim Fox  
Illinois Pollution Control Board  
100 W. Randolph, Ste. 11-500  
Chicago, IL 60601

312/814-6085

Copies of the Board's opinions and orders may be requested from the Clerk of the Board at the address listed in #8 above or by calling 312/814-3620. Please refer to the Docket number R07-18 in your request. The Board order is also available from the Board's Web site ([www.ipcb.state.il.us](http://www.ipcb.state.il.us))

The full text of the Adopted Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

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

PART 217  
NITROGEN OXIDES EMISSIONS

SUBPART A: GENERAL PROVISIONS

Section

217.104      Incorporations by Reference

## POLLUTION CONTROL BOARD

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**Section 217.104 Incorporations by Reference**

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions.

- a) The phenol disulfonic acid ~~procedures method~~, as published in 40 CFR 60, appendix ~~Appendix A~~, Method 7 (2000)~~(1999)~~;
- b) 40 CFR 96, subparts B, D, G, and H (1999);

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- c) 40 CFR 96.1 through 96.3, 96.5 through 96.7, 96.50 through 96.54, 96.55(a) & (b), 96.56 and 96.57 (1999);
- d) 40 CFR 60, 72, 75 & 76 (2006)~~(1999)~~;
- e) Alternative Control Techniques Document – NO<sub>x</sub> Emissions from Cement Manufacturing, EPA-453/R94-004, U.S. Environmental Protection Agency-Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, March 1994;
- f) Section 11.6, Portland Cement Manufacturing, AP-42 Compilation of Air Emission Factors, Volume 1: Stationary Point and Area Sources, U.S. Environmental Protection Agency-Office of Air Quality Planning and Standards, Research Triangle Park, N.C. 27711, revised January 1995;
- g) 40 CFR 60.13 (2001)~~(1999)~~; and
- h) 40 CFR 60, Appendix A, Methods 3A, 7, 7A, 7C, 7D, and 7E, 19, and 20 (2000); ~~(1999)~~.
- i) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers (2000);
- k) Standards of Performance for Stationary Combustion Turbines, 40 CFR 60, subpart KKKK, 60.4400 (2006); and
- l) Compilation of Air Pollutant Emission Factors: AP-42, Volume I: Stationary Point and Area Sources (2000), USEPA.

(Source: Amended at 31 Ill. Reg. 14271, effective September 25, 2007)