

Volume 25, Issue 31, August 3, 2001

ENVIRONMENTAL PROTECTION AGENCY
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Annual Emissions Report	2) Code Citation: 35 Ill. Adm Code 254	3) Section Numbers:	Proposed Action:
		254.101	Amended
		254.102	Amended
		254.103	Amended
		254.104	Repealed
		254.105	Repealed
		254.106	Repealed
		254.107	Repealed
		254.108	Repealed
		254.109	Repealed
		254.110	Repealed
		254.111	Repealed
		254.112	Repealed
		254.120	New
		254.130	Repealed
		254.131	Repealed
		254.132	Amended
		254.133	Amended
		254.134	Amended
		254.135	Amended
		254.136	Amended
		254.137	New
		254.138	New
		254.201	Repealed
		254.202	Repealed
		254.203	Amended
		254.204	Amended
		254.301	Repealed
		254.302	Repealed
		254.303	Amended
		254.304	Repealed
		254.305	Repealed
		254.306	Amended
		254.401	Repealed
		254.402	Repealed
		254.403	Repealed
		254.404	Repealed
		254.501	New

- 4) Statutory Authority: The Illinois Environmental Protection Act. (415 ILCS 5/41).
- 5) Effective Date of Amendments: July 17, 2001
- 6) Do these amendments contain an automatic repeal date? No

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SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCYPART 254
ANNUAL EMISSIONS REPORT

SUBPART A: GENERAL PROVISIONS

- 7) Do these adopted amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 3099
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposal and final version: There were three changes between the proposal and the final version: First, in Section 254.102(c), the "D" was changed to "E". Second, in the definition "Actual Emissions" in Section 254.103, "emissions unit" was changed to "emission unit". In Section 254.138, "emissions unit" also was changed to "emission unit". Finally, in Section 254.501(a)(1)(B), "responsible official" was capitalized.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements 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? No
- 15) Summary and Purpose of Amendments: This rulemaking primarily amends 35 Ill. Adm. Code 254 by restructuring the Part and clarifying reporting requirements. The amendments also add reporting requirements for seasonal emissions for sources that are subject to the Emissions Reduction Market System (ERMS) [35 Ill. Adm. Code 205]. The reporting of seasonal emissions focuses on volatile organic material emissions, but also addresses enhanced reporting of hazardous air pollutant emissions. This enhanced reporting is needed to enable the Illinois Environmental Protection Agency to perform an annual evaluation of the ERMS program, as required by 35 Ill. Adm. Code 205.760. The Illinois Environmental Protection Agency is required to evaluate trends and spatial distribution of hazardous air pollutants as a component of this annual program evaluation.
- 16) Information and questions regarding these adopted amendments shall be directed to:
- Bonnie Sawyer
Ill Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Springfield, Illinois 62794-9276
217/782-5544
- The full text of the adopted amendments begins on the next page:

Section	Purpose
254.101	Applicability
254.102	Definitions
254.103	Actual Emissions (Repealed)
254.104	Annual Process Rate (Repealed)
254.105	Certifying Individual (Repealed)
254.106	Emission Determination Method (Repealed)
254.107	Emissions Summary (Repealed)
254.108	Inventory Edit Summary (Repealed)
254.109	Peak Ozone Season (Repealed)
254.110	Source Inventory Report (Repealed)
254.111	Typical Ozone Season Day (Repealed)
254.112	Applicable pollutants for Annual Emissions Reporting
254.120	Minimum Contents of Annual Emissions Report (Repealed)
254.130	Methods of Filing Annual Emissions Report (Repealed)
254.131	Failure to File a Complete Report
254.132	Voluntary Submittal of Data
254.133	Retention of Records
254.134	Reporting of Errors
254.135	Confidentiality and Trade Secret Protection
254.136	Reporting Schedule
254.137	Issuance of Source Inventory Report
254.138	
Section	SUBPART B: REPORTING REQUIREMENTS FOR LARGE SOURCES
254.201	Annual Emissions Report (Repealed)
254.202	Reporting Schedule (Repealed)
254.203	Contents of Subpart B Annual Emissions Report
254.204	Complete Reports
Section	SUBPART C: REPORTING REQUIREMENTS FOR OTHER SOURCES 0F-VGM-0R-N0t*x)
254.301	IN-08GNB-N0N4VW41MHBV-ARBAS
254.302	Annual Emissions Report (Repealed)
254.303	Reporting Schedule (Repealed)
254.304	Contents of Subpart C Annual Emissions Report
254.304	Transition to Full Reporting by Large Sources (Repealed)
254.305	Continuing Requirements for Other Sources (Repealed)

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for those pollutants rather than using an estimation method to derive the total for that period of time during which the measurements were taken.

"Annual Emissions Report" means the information and certifications required by Subparts B and C of this Part, as applicable under Section 254.102(a) or (b) of this Subpart, and any additional requirements for submission with the Annual Emissions Report specifically imposed by the source's permit.

"Annual process rate" means the actual or estimated annual fuel operating rate, process operating rate, or waste operating rate.

"Certifying individual" means the individual responsible for the certification of the accuracy of the Annual Emissions Report and who will take legal responsibility for the information verified or reported in the Annual Emissions Report.

"Emission determination method" means the method generally accepted and used by those persons engaged in the field of air pollution control to derive actual emissions, whether measured or estimated. A permit condition may specify the emission determination method to be used.

"Peak ozone season" means the months of June, July and August.

"Seasonal Emissions Report" means the seasonal report required under EIRMS at 35 Ill. Adm. Code 205.300 and the information and certifications required by Subpart E of this Part, as applicable under Section 254.102(c) of this Subpart.

"Source Inventory Report" means the report that the Agency provides to a source that lists data fields for the information required in the Annual Emissions Report, and contains the information, if any, that previously has been reported to the Agency by the source for those data fields.

"Typical peak ozone season day" means any day representative of source operations during the peak ozone season.

(Source: Amended at 25 Ill. Reg. 9856, effective 10/17/2001)

Section 254.104 Actual Emissions (Repealed)

means the rate of emission of a regulated air pollutant from a source or an emissions unit for the calendar year seasonal period or a period of time as specified based on the best information available to

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the owner or operator of that emissions unit. Actual emission rates include startup, shutdown or malfunction emissions. The calculation of actual emissions must follow an emission determination method. Where for any reason a source has measured any of its emissions, the source must report the measured total as its actual emissions for those pollutants rather than using an estimation method to derive the total for that period of time during which the measurements were taken.

(Source: Repealed at 25 Ill. Reg. 9856, effective 10/17/2001)

Section 254.105 Annual Process Rate (Repealed)

Annual process rate means the actual or estimated annual fuel operating rate, process operating rate, or waste operating rate.

(Source: Repealed at 25 Ill. Reg. 9856, effective 10/17/2001)

Section 254.106 Certifying Individual (Repealed)

"Certifying individual" means the individual responsible for the certification of the accuracy of the Annual Emissions Report and who will take legal responsibility for the information verified or reported in the Annual Emissions Report.

(Source: Repealed at 25 Ill. Reg. 9856, effective 10/17/2001)

Section 254.107 Emission Determination Method (Repealed)

"Emission determination method" means the method generally accepted and used by those persons engaged in the field of air pollution control to derive actual emissions, whether measured or estimated.

(Source: Repealed at 25 Ill. Reg. 9856, effective 10/17/2001)

Section 254.108 Emissions Summary (Repealed)

"Emissions Summary" means the portion of the source inventory report listing the data fields for the information required in the minimum Annual Emissions Report prescribed at Section 254.130 of this Part.

(Source: Repealed at 25 Ill. Reg. 9856, effective 10/17/2001)

Section 254.109 Inventory Edit Summary (Repealed)

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"Inventory-Bit-Summary" means the report that the Agency provides to the source that lists data fields from the Source Inventory Report that the Agency has reason to believe are incorrectly incomplete or outdated.

(Source: Repealed at 25 Ill. Reg. 9856 effective

Section 254.110 Peak Ozone Season (Repealed)

"Peak-ozone-season" means the months of June, July and August.

(Source: Repealed at 25 Ill. Reg. 9856 effective

Section 254.111 Source Inventory Report (Repealed)

"Source Inventory Report" means the report that the Agency provides to the source that lists data fields for the information required in the Annual Emissions Report and contains the information if any that previously has been reported to the Agency for those data fields.

(Source: Repealed at 25 Ill. Reg. 9856 effective

Section 254.112 Typical Ozone Season Day (Repealed)

"Typical ozone season day" means any day Monday through Friday representative of source operations during the peak ozone season.

(Source: Repealed at 25 Ill. Reg. 9856 effective

Section 254.120 Applicable Pollutants for Annual Emissions Reporting

Each Annual Emissions Report shall include applicable information for all regulated air pollutants as defined in Section 39.5 of the Act (415 ILCS 5/39.5), except for the following pollutants:

- a) A pollutant emitted from an emission unit that is considered an insignificant activity under the source's Clean Air Act Permit Program (CAAPP) permit or, if the initial CAAPP permit for the source has not been issued, proposed as an insignificant activity in the source's CAAPP application, or is exempt from permitting requirements under 35 Ill. Adm. Code 201.1467.02
- b) A hazardous air pollutant emitted by an emission unit that is not subject to a National Emissions Standard for Hazardous Air Pollutants (NESHAP) or maximum achievable control technology (MACT). For purposes of this subsection (b), emission units that are not required to control or limit emissions but are required to monitor, keep

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records, or undertake other specific activities are considered subject to such regulation or requirement.

(Source: Added at 25 Ill. Reg. 9856 effective

Section 254.130 Minimum Contents of Annual Emissions Report (Repealed)

As a minimum, each Annual Emissions Report filed pursuant to 35 Ill. Adm. Code 254 shall contain:

- a) Source identification information:
 - 1) Source name, physical location and mailing address;
 - 2) SIC code;
 - 3) Source contact;
 - 4) Source contact telephone number.
- b) Source-wide totals of actual emissions for all regulated air pollutants emitted by the source.
- c) The following certification statement: "All Annual Emissions Report data verified, modified or provided on behalf of the company named above, whether submitted electronically or in writing, represents the best available information and is true and accurate to the best of my knowledge. The certification statement shall be accompanied by the full name, title, actual signature and date of signature and a telephone number of the certifying individual."

(Source: Repealed at 25 Ill. Reg. 9856 effective

Section 254.131 Methods of Filing Annual Emissions Report (Repealed)

Each owner or operator subject to a reporting requirement pursuant to 35 Ill. Adm. Code 254 must file the minimum Annual Emissions Report pursuant to Section 254.130 of this Part in paper form. This will satisfy the requirement for the information listed in the Emissions Summary portion of the Source Inventory Report. When revisions or additions have been made to the information in the remainder of the Source Inventory Report that information may be filed in paper form or electronically.

(Source: Repealed at 25 Ill. Reg. 9856 effective

Section 254.132 Failure to File a Complete Report

- a) Failure to file a complete Annual Emissions Report by the applicable deadlines prescribed in Section 254.137(a) Subparts B, C and D of this Subpart Part shall be a violation of this Part and 35 Ill. Adm. Code 201.302(a).
- b) Failure to file a complete Seasonal Emissions Report by the applicable

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deadlines prescribed in Section 254.137(b) of this Subpart shall be a violation of this Part and 35 Ill. Adm. Code 205.300.
c) Failure to receive the Source Inventory Report from the Agency pursuant to Subparts B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ

(Source: Amended at 25 Ill. Reg. 9856, effective JUL 17 2001)

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