ILLINOIS POLLUTION CONTROL BOARD
December 18, 2003

IN THE MATTER OF:	)	
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PETITION OF ARGONNE NATIONAL LABORATORY FOR AN ADJUSTED STANDARD FROM 35 ILL. ADM. CODE 218.182	))))	AS 03-4 (Adjusted Standard - Air)

ASSISTANT GENERAL COUNSEL WILLIAM D. LUCK APPEARED ON BEHALF OF PETITIONER, and

RACHEL DOCTORS APPEARED ON BEHALF OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

OPINION AND ORDER OF THE BOARD (by T.E. Johnson):

On April 22, 2003, Argonne National Laboratory (Argonne) filed a petition for an adjusted standard from Board regulations that limit air emissions of volatile organic material (VOM) from stationary sources. Specifically, Argonne asks for an adjusted standard from 35 Ill. Adm. Code 218.182, which restricts the use of cold cleaning degreasers in the Chicago ozone nonattainment area.[1]

Argonne, which occupies a 1,500-acre site in DuPage County, is owned by the United States Department of Energy and operated by the University of Chicago. Pet. at 1. Argonne states that some of its research requires the surfaces of samples and related equipment to be completely free of residual contaminants, necessitating the use of common laboratory solvents with vapor pressures that exceed the regulation's limit. Pet. at 4.

The Board initially assigned docket number AS 03-3 to the case. On May 15, 2003, the Board dismissed the case and closed docket AS 03-3 because Argonne failed to timely publish newspaper notice of its adjusted standard petition. On May 19, 2003, Argonne re-filed the petition, also moving the Board to incorporate the AS 03-3 record into the record of the new proceeding, which the Board has docketed AS 03-4. On June 19, 2003, the Board issued an order accepting the newly filed petition and granting Argonne's motion to incorporate the record of AS 03-3 into the record.

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[1] The Chicago ozone nonattainment area is comprised of Cook, DuPage, Kane, Lake, McHenry, and Will Counties, Aux Sable Township and Goose Lake Township in Grundy County, and Oswego Township in Kendall County. The area does not meet the National Ambient Air Quality Standard (NAAQS) for ozone adopted by the United States Environmental Protection Agency under the federal Clean Air Act (42 U.S.C. § 7409).

The Illinois Environmental Protection Agency (Agency) recommended granting the adjusted standard both in its August 1, 2003 Recommendation, and at the September 16, 2003 hearing.

Based upon the record before it, the Board finds that Argonne has provided sufficient justification for each of the Section 28.1 factors. The Board grants Argonne an adjusted standard from 35 Ill. Adm. Code 218.182, as outlined in this order.

ADJUSTED STANDARD PROCEDURE

The Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.*, (2003)) and Board rules provide that a petitioner may request, and the Board may grant, an environmental standard that is different from the generally applicable standard that would otherwise apply to the petitioner. This is called an adjusted standard. The general procedures that govern an adjusted standard proceeding are found at Section 28.1 of the Act and Part 104, Subpart D of the Board's procedural rules. 415 ILCS 5/28.1 (2003); 35 Ill. Adm. Code 104.400 *et al.*

The Board rules for the content requirements of the petition and Agency recommendation are found at Section 104.406 and Section 104.416, respectively. 35 Ill. Adm. Code 104.406, 104.416.

PROCEDURAL BACKGROUND

On May 19, 2003, Argonne filed this petition with the Board for an adjusted standard from the cold cleaning degreasing rules. On May 24, 2003, Argonne published notice of the petition in the *Chicago Sun Times*, and filed the certificate of publication with the Board on June 10, 2003. The Agency filed its recommendation (Rec.) that the Board grant Argonne's requested relief on August 1, 2003.

On September 16, 2003, Hearing Officer Bradley Halloran conducted a hearing in this matter at 414 North Wood Dale Road, Wood Dale, DuPage County. Both Argonne and the Agency presented one witness, and submitted pre-filed testimony. Neither party filed a closing brief in this matter. No members of the public were present at the hearing. Tr. at 4.

FACTUAL BACKGROUND

Argonne National Laboratory is a United States government-owned, contractor-operated research and development facility located on a 1,500 acre site at 9700 S. Cass Avenue, Argonne, DuPage County. Pet. at 3. The facility is surrounded by the 2,240-acre Waterfall Glen Forest Preserve. *Id.* The laboratory is operated for the United States Department of Energy by the University of Chicago, and is a multi-program basic research and development laboratory employing approximately 3,200 people. *Id.*

Argonne's Agency air pollution control site identification number is 043802AAA. Pet. at 3. The facility's major source of emissions is the Central Heating Plant that consists of five boilers. *Id.* Argonne contends that it performs many cold cleaning activities at the facility, such as conventional machining operations, that are in compliance with the requirements of 35 Ill.

Adm. Code 218.182. Pet. at 4. However, staff at the facility also performs research applications involving x-rays, vacuum systems and analytical instrumentation for research at the atomic and sub-atomic levels. *Id.* Argonne asserts that these activities require sample surface areas to be completely free of any residual contamination, necessitating the use of a number of common laboratory solvents such as methanol, ethanol, isopropanol, hexane, and toluene – each of these solvents have vapor pressures that exceed the limitation of the regulation. *Id.*

Further, Argonne contends the exemptions to the regulation are not available for their operation. Wipe cleaning, exempted from the definition of cold cleaning, cannot be used in sample preparation due to problems resulting from low levels of particulate residue that could have an adverse effect on analytical results. Pet. at 4. The exemption for the use of cold cleaning electronic components does not encompass the procedures associated with the testing and analysis process of the research samples. Pet. at 5.

REGULATORY BACKGROUND

Cold cleaning is defined as "the process of cleaning and removing soils from surfaces by spraying, brushing, flushing or immersion while maintaining the organic solvent below its boiling point." 35 Ill. Adm. Code 211.1310.

The regulation from which Argonne seeks relief provides in pertinent part:

Section 218.182 Cold Cleaning

b) Equipment Requirements: No person shall operate a cold cleaning degreaser unless:

1) The degreaser is equipped with a cover which is closed whenever parts are not being handled in the cleaner. The cover shall be designed to be easily operated with one hand or with the mechanical assistance of springs, counter-weights or a powered system if:

A) The solvent vapor pressure is greater than 2 kPa (15 mmHg or 0.3 psi) measured at 38°C (100°F);

B) The solvent is agitated; or

C) The solvent is heated above ambient room temperature.

2) The degreaser is equipped with a device for draining cleaned parts. The drainage device shall be constructed so that parts are enclosed under the cover while draining unless:

A) The solvent vapor pressure is less than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38°C (100°F); or

B) an internal drainage device cannot be fitted into the cleaning system, in which case the drainage device may be external.

3) The degreaser is equipped with one of the following control devices if the vapor pressure of the solvent is greater than 4.3 kPa (32 mmHg or 0.6 psi) measured at 38°C (100°F) or if the solvent is heated above 50°C (120°F) or its boiling point:

A) A freeboard height of 7/10 of the inside width of the tank or 91 cm (36 in), whichever is less; or

B) Any other equipment or system of equivalent emission control as approved by the Agency and further processed consistent with Section 218.108 of this Part. Such a system may include a water cover, refrigerated chiller or carbon absorber.

4) A permanent conspicuous label summarizing the operating procedure is affixed to the degreaser; and

5) If a solvent spray is used, the degreaser is equipped with a solid fluid stream spray, rather than a fine, atomized or shower spray.

c) Material Requirements:

1) On and after March 15, 1999, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold cleaning degreasing operations located in the area covered by Section 218.103 of this Part.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 2.0 mmHg (0.038 psi) measured at 20° C (68° F).

2) On and after March 15, 2001, no person shall:

A) Cause or allow the sale of solvent with a vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F) in units greater than five gallons, for use in cold

cleaning degreasing operations located in the area covered by Section 218.103 of this Part.

B) Operate a cold cleaning degreaser with a solvent vapor pressure which exceeds 1.0 mmHg (0.019 psi) measured at 20° C (68° F).

d) Recordkeeping Requirements: On and after March 15, 1999:

1) All persons subject to the requirements of subsections(c)(1)(A) and (c)(2)(A) of this Section must maintain records which include for each sale:

A) The name and address of the solvent purchaser;

B) The date of sale;

C) The type of solvent;

D) The unit volume of solvent;

E) The total volume of solvent; and

F) The vapor pressure of the solvent measured in mmHg at 20° C (68° F).

2) All persons subject to the requirements of subsections (c)(1)(B) and (c)(2)(B) of this Section must maintain records which include for each purchase:

A) The name and address of the solvent supplier;

B) The date of purchase;

C) The type of solvent; and

D) The vapor pressure of the solvent measured in mmHg at 20° C (68° F).

e) All records required by subsection (d) of this Section shall be retained for three years and shall be made available to the Agency upon request. 35 Ill. Adm. Code 218.182.

Argonne seeks an adjusted standard from the vapor pressure requirements of 218.182(c) as well as the associated equipment requirements of 218.182(b) and the record keeping requirements of 218.182(d). Pet. at 2-3. Because the Chicago metropolitan region was

designated an ozone non-attainment area under the 1990 amendments to the Clean Air Act, Illinois has instituted a number of measures, including the regulation at issue, as part of its program to bring the region into attainment as required by the Clean Air Act. Pet. at 2. The regulation derives from the requirements of the Clean Air Act (42 USC 7401 et. seq.), but is not specifically directed by that statute. *Id.*

STANDARD OF REVIEW

Both parties assert that the regulation of general applicability at 35 Ill. Adm. Code 218.182 does not specify a level of justification for an adjusted standard. Pet. at 8; Rec. at 4. The Board agrees with the parties' assertion. Therefore, pursuant to Section 28.1(c) of the Act, the burden of proof is on the petitioner to demonstrate that:

1. Factors relating to that petitioner are substantially and significantly different from the factors relied upon by the Board in adopting the general regulation applicable to that petitioner;

2. The existence of those factors justifies an adjusted standard;

3. The requested standard will not result in environmental or health effects substantially and significantly more adverse than the effects considered by the Board in adopting the rule of general applicability; and

4. The adjusted standard is consistent with any applicable federal law. 415 ILCS 5/28.1(c) (2002); 35 Ill. Adm. Code 104.426(a).

ARGONNE'S PROPOSED ADJUSTED STANDARD

Argonne proposes the following adjusted standard for adoption by the Board:

The adjusted standard from 35 Ill. Adm. Code 218.182 applies to Argonne National Laboratory, a research laboratory located near Waterfall Glen Forest Preserve, in DuPage County, Illinois. The requirements of this adjusted standard shall apply only to cold cleaning involving the preparation of sample materials and associated apparatus used for research and development testing and analysis activities. These activities are subject to the following requirements:

The research and development related cleaning activities include, but are not limited to, washing and rinsing slides, drying glassware, sample preparation, specimen cleaning, gel stain/destaining, membrane rinsing, and the cleaning of small parts and equipment associated with the preparation of sample materials for testing and analysis.

The requirements of this adjusted standard do not apply where solvents meeting the vapor pressure limits of 35 Ill. Adm. Code 218.182 can be used without compromising the quality of the equipment being used or the validity of research results. Pet. at 6-7.

AGENCY'S RECOMMENDATION

The Agency recommends that the Board grant Argonne's petition. Rec. at 1,10. The Agency concludes that Argonne has met the required level of justification because it has demonstrated that there are factors substantially and significantly different than those relied upon by the Board when it adopted its regulation limiting the solvent vapor pressure used for cold cleaning, and that the factors that Argonne believes entitle it to regulatory relief, do justify an adjusted standard. Rec. at 5.

The Agency concurs with Argonne's assertion that there are no technically feasible or economically reasonable alternatives available as required by Section 28.1 of the Act. Rec. at 8. The Agency agrees that the estimated additional one ton per year of VOM emissions is minimal and that the environmental impact from the adjusted standard will, likewise, be minimal. Rec. at 8. The Agency contends the adjusted standard will not result in environmental or health effects substantially or significantly more adverse than the effects envisioned by the Board in adopting the rule. Rec. at 9. The Agency believes that Argonne has made the required showing that no reasonable alternative to using solvent with a higher vapor pressure for the cold cleaning and preparation of sample materials exists. *Id.*

The Agency contends that the proposed adjusted standard is consistent with federal law. Rec. at 10. The Agency asserts that while the emissions reductions resulting from the regulation in question are required by the Clean Air Act, the method of achieving the reductions (control of emissions from degreasing activities) are not. Rec. at 5. The Agency also maintains that the granting of the petition would be consistent with the Illinois Rate-of-Progress (ROP) SIP for achieving the NAAQS for ozone as the expected emissions are *de minimus*. *Id.*

SUMMARY OF TESTIMONY

Argonne and the Agency each presented one witness at hearing. Each witness also prefiled testimony that was accepted into evidence at the hearing.

Gregory Barrett

Gregory Barrett (Barrett) testified on behalf of Argonne. He has been employed with the group responsible for environmental compliance at Argonne for eleven years. Barrett at 1. His primary area of responsibility is to evaluate and implement all federal and state regulatory requirements related to the Clean Air Act. *Id.*

Barrett testified that due to the very stringent requirements of the research and the limitations of specific equipment involved, it would be difficult to comply with 35 Ill. Adm. Code 218.182 without compromising the quality of the equipment of validity of the research. Barrett at 2. Barrett testified that the use of organic solvents that do not meet the cold cleaning vapor pressure requirements is necessary for cold cleaning activities involving the preparation of sample materials and associated apparatus for testing and analysis. *Id.*

Barrett testified that environmental impact from the requested adjusted standard is expected to be negligible. Barrett at 3. He estimated that no more than 200 gallons,

approximately 1500 pounds, on an annual basis of solvents are used for cold cleaning. *Id.* Barrett stated that a conservative determination of the amount of solvents used for cold cleaning would be approximately 1 ton per year. Tr. at 18. He testified that typically the cold cleaning performed at the facility is not done in a conventional cold cleaning degreasing system. Tr. at 19. Barrett testified that the nature of volatile organic solvents with higher vapor pressures – the ability to evaporate quickly – is the characteristic needed to perform acceptable cleaning activities in certain research applications, and that the use of a wiping technique would result in unacceptable residues on the item to be cleaned. Barrett at 3.

Barrett testified that the record keeping aspects of the existing regulation would impose a significant burden on the Argonne research community that outweighs any benefit. Barrett at 3. He stated that complying with the record keeping requirements of the existing regulation would be difficult because it is an unreasonable and unfair burden to require hundreds of researchers at the facility to keep track of every type of solvent with respect to usage. Tr. at 20. Barrett testified that the total usage of solvent is tracked, but that it includes uses other than cold cleaning. *Tr.* at 29.

Michael D. Rogers

Michael D. Rogers (Rogers) testified for the Agency. Rogers is employed in the Agency's Bureau of Air, and was involved in the development of Section 218.182. Rogers at 1. He testified that the requirements of the regulation are intended to reduce the evaporation of the solvent being used, and that VOM emissions in the Chicago area are being reduced by approximately 22 tons per day from 1998 levels due to the implementation of the regulation. *Id.*

Rogers testified that the research and development testing and analysis activities performed by Argonne are not the typical activities intended to be affected by the cold cleaning regulation, and that the Agency acknowledges that Argonne's activities and requirements are unique from typical cold cleaning operations. Rogers at 1. He stated that Argonne does not utilize typical cold cleaning apparatus, and uses milliliters, rather than gallons, of solvents, and laboratory beakers rather than a sink. Rogers at 1-2.

Rogers testified that the Agency does not require the total usage of solvents at the facility to be tracked by other entities subject to the existing regulation, and that such a requirement would not help the Agency with any compliance activity towards Argonne in this situation. Tr. at 32. Rogers testified that in a 1999 inventory of the Chicago nonattainment area ozone precursor emissions, the Agency estimated that approximately 660 tons of man-made VOM emissions are generated each summer day in the six-county area. Rogers at 2. Rogers stated that even if the estimated use increased twofold, it would be relatively insignificant and would not affect air quality in light of the 660 tons emitted per day in the area. Tr. at 37-38.

EFFORTS TO ACHIEVE COMPLIANCE AND ALTERNATIVES

Argonne asserts it has made a concerted effort since 1998 to identify and substitute replacement solvents that comply with Section 218.182(c), but there remain cases where acceptable substitutes have not been found. Pet. at 5. Argonne states that meeting the regulatory

requirement would jeopardize a number of particular Argonne research programs and, therefore, the research and development mission of the facility. *Id.*

Argonne asserts that acetone has been used as an acceptable substitute in some applications, but that the very low flashpoint of acetone makes it a potential fire hazard, and for safety reasons it cannot be substituted in all cold cleaning applications. Pet. at 5. Argonne states that the issue of compliance is a quality control issue where there are no feasible alternatives, rather than an issue of the cost of compliance. Pet. at 5-6. Argonne does not, therefore, discuss compliance alternatives or their corresponding costs.

SUBSTANTIALLY DIFFERENT FACTORS

Argonne asserted that the transcript of the Board's March 4, 1997 rulemaking hearing (*See* 9% ROP Plan Control Measures from VOM Emissions-Tightening Cold Cleaning Requirements: Amendments to 35 Ill. Adm. Code Parts 211, 218 and 219, Subpart E, R97-24) makes clear that restrictions on the use of solvents for cold cleaning in research and development applications were not among the issues before the Board. Pet. at 8. At that hearing, the Agency specifically noted that the regulation "is intended to cover the manufacturers, suppliers, and recyclers of solvent used in cold cleaning degreasers as well as the users of such solvent such [as] the auto repair and refinishing and metal finishing shops." Pet at 9, *citing* R97-24, *Tr.* at 10. Argonne concludes that the focus of the rule was on retail businesses engaging in repetitive, high-volume cold-cleaning operations, and that no mention of cold-cleaning applications for research and development purposes is included. Pet. at 9.

Argonne argues that cold cleaning in research and development is most akin to the cleaning of electronic components, specifically exempted from the regulation. Pet. at 10. Argonne asserts that these two types of cleaning activities should be regulated similarly. *Id.*

IMPACT ON THE ENVIRONMENT

Argonne contends that emissions associated with the cold cleaning activities under the proposed adjusted standard would be minimal, on the order of no more than approximately one ton per year. Pet. at 7. Argonne asserts that the amount of solvent employed by Argonne research staff in preparing samples or apparatus for research and development would be a bench scale, ranging from a few milliliters up to a liter, and that such an amount of solvent used in conjunction with bench scale laboratory equipment, in a connection other than cold cleaning would be an insignificant emission level. *Id.*

Argonne asserts that the amount of solvents used annually that did not comply with the current regulation would be expected to be in the same order of magnitude as the amount used annually for laboratory activity categorized as insignificant pursuant to 35 Ill. Adm. Code 201.210(b)(11). Pet. at 8. Accordingly, Argonne concludes, the impact of these emissions on the VOM inventory in the Chicago metropolitan ozone non-attainment area would be negligible. *Id.*

Argonne contends that when compared with environmental and health effects that would correspond to employing solvents for wipe cleaning (authorized by the existing regulation), the

impacts of the requested adjusted standard are not more adverse than those already allowable under the regulation. Pet. at 10.

CONSISTENCY WITH FEDERAL LAW

Argonne contends that the relief it requests is consistent with federal law because the federal regulations at 40 C.F.R. Part 63, Subpart T that prescribe national emission standards for halogenated solvent cleaning apply to batch and in-line cleaning, which are not forms of cleaning at issue in the instant petition. Pet. at 11. Argonne asserts that the regulation is consistent with the Clean Air Act. Pet. at 2. Argonne acknowledges that Illinois is committed under the Clean Air Act to reduce emissions of VOM by three percent each year from the 1990 baseline levels until attainment is reached. Pet. at 2, citing R97-24. However, Argonne contends that the rulemaking record in Docket R97-24 establishes that the rate of progress provisions are mandated by the Clean Air Act, but the regulation itself is not. *Id.*

DISCUSSION

In summary, Argonne is seeking an adjusted standard from Board regulations that limit air emissions of VOM from stationary sources, specifically 35 Ill. Adm. Code 218.182, which restricts the use of cold cleaning degreasers in the Chicago ozone nonattainment area. The Agency recommends that the Board grant the requested relief. If granted, the adjusted standard would apply only to cold cleaning involving the preparation of sample materials and associated apparatus used for research and development at Argonne's DuPage County facility.

The Board finds that Argonne's request for relief meets the statutory "fundamentally different" factors of section 28.1(c) of the Act. Argonne has demonstrated that: (1) factors relating to it are substantially and significantly different from the factors relied upon by the Board in adopting the general regulation; (2) the existence of these factors justifies an adjusted standard; (3) the requested standard will not cause substantially or significantly more adverse environmental or health effects than the effects considered by the Board in adopting the rule of general applicability; and (4) the adjusted standard is consistent with applicable federal laws. 415 ILCS 5/28.1(c) (2002).

Argonne bases its justification for the requested relief on the lack of a feasible alternative. According to Argonne, the cost of compliance is not an issue because the issue of compliance is a quality control issue where there are no feasible alternatives. Pet. at 5-6. Argonne does not, therefore, discuss compliance alternatives or their corresponding costs.

Argonne asserts it has made a concerted effort since 1998 to identify and substitute replacement solvents that comply with the vapor pressure requirements of Section 218.182(c), but there remain cases where acceptable substitutes have not been found. Argonne has used acetone in some situations, but is concerned that the low flashpoint of acetone makes it a potential fire hazard and raises safety. Wipe Cleaning, exempted from the regulation, would result in unacceptable residues on the item to be cleaned.

The Board finds that technically feasible and economically reasonable alternatives are not available. Additionally, the VOM emissions that will result from the adjusted standard will not

cause negative health and environmental effects. The estimated resulting VOM emissions of one ton per year are minimal when compared to the 660 tons of VOM emitted per summer day in the Chicago nonattainment area.

The Board finds that the cold cleaning rule at Section 218.182 did not anticipate the use of certain types of solvents for cold cleaning in research and development applications. Further, the Board finds no inconsistency between granting Argonne's requested relief and federal law.

In granting this adjusted standard, the Board is adopting language substantially similar to that proposed. The changes are non-substantive, and intended to bring this order into conformity with the Board's usual drafting style in this type of cases.

This opinion constitutes the Board's finding of fact and conclusions of law.

CONCLUSION

The Board grants Argonne's requested relief from the cold cleaning degreasers rule at Section 218.182, as set forth below. As is usual, the relief is effective as of the date of this order.

This opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

1. Pursuant to Section 28.1 of the Environmental Protection Act, the Board grants Argonne National Laboratory (Argonne) an adjusted standard from 35 Ill. Adm. Code 218.182 effective December 18, 2003. The adjusted standard applies to Argonne National Laboratory facility in DuPage County (facility), located at 9700 South Cass Avenue, Argonne, Illinois 60439 as identified by Illinois Environmental Protection Agency's air pollution control site identification number 043802AAA.

2. Pursuant to this adjusted standard, the applicable vapor pressure and other associated requirements of 35 Ill. Adm. Code 218.182 for shall not apply only to cold cleaning involving the preparation of sample materials and associated apparatus used for research and development testing and analysis activities conducted at the facility subject to the following:

    1) The research and development related cleaning activities include, but are not limited to, washing and rinsing slides, drying glassware, sample preparation, specimen cleaning, gel stain/destaining, membrane rinsing, and the cleaning of small parts and equipment associated with the preparation of sample materials for testing and analysis.

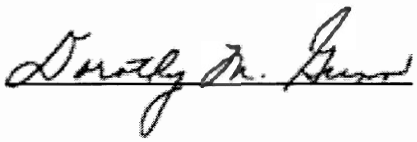
    2) The requirements of this adjusted standard do not apply where solvents meeting the vapor pressure limits of 35 Ill. Adm. Code

> 218.182 can be used without compromising the quality of the equipment being used or the validity of research results.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2002); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on December 18, 2003, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board