

FG{ID}
FLEXIBLE UNIT CONDITIONS
40 CFR Part 63, Subpart EEEEE – Iron and Steel Foundries
covers major sources of HAPs.

Red text identifies options. Select the option that applies to the source and change the text to black. Delete red text that does not apply and renumber conditions if necessary.

Blue text is guidance or notes on the use of the template. Delete all blue prior to issuing the final permit or submitting it with a permit application. Read through all conditions. If this template is being used for an ROP Reopening or Renewal, and the MACT conditions were established in a PTI, the appropriate footnotes which reference enforceability must be added to each applicable condition in the template.

DESCRIPTION

The affected source is a new or existing iron and steel foundry, that is (or is part of) a major source of hazardous air pollutant (HAP) emissions. An existing affected source is a source that commences construction or reconstruction before December 23, 2002. A new affected source is a source that commences construction or reconstruction on or after December 23, 2002. The regulations cover emissions from metal melting furnaces, scrap preheaters, new pouring areas, pouring stations, new automated conveyor and new pallet cooling lines, new automated shakeout lines, mold and core making lines, and fugitive emissions from foundry operations.

Emission Units: {Enter Emission Units}

POLLUTION CONTROL EQUIPMENT

{Enter specific control equipment used by the facility or NA}

I. **EMISSION LIMIT(S)** Select all appropriate emission limits for the facility based on the definition of new or existing equipment. Renumber the items in the table.

Pollutant	Limit	Time Period/Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
1. Fugitive Emissions	20% opacity (6-min average), except for one 6-min average per hour that does not exceed 27% opacity	6-minute average	Each Building or Structure Housing any Iron or Steel Foundry Emission Source at FG{ID}	SC V.1	40 CFR 63.7690(a)(7)

Pollutant	Limit	Time Period/Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
2. PM ---OR--- Total Metal HAP	0.006 gr/dscf or 0.10 pound per ton of metal charged ---OR--- 0.0005 gr/dscf or 0.008 pound per ton of metal charged	Hourly	Existing Cupola Melting Furnace	SC V.2, SC V.3	40 CFR 63.7690(a)(2) (i) or (ii) or (iii) or (iv)
3. PM ---OR--- Total Metal HAP	0.002 gr/dscf ---OR--- 0.0002 gr/dscf	Hourly	New Cupola Melting Furnace	SC V.2, SC V.3	40 CFR 63.7690(a)(3) (i) or (ii)
4. Volatile Organic HAP (VOHAP)	20 ppmv corrected to 10% oxygen while on blast	Hourly	New or Existing Cupola Melting Furnace	SC V.2, SC V.3	40 CFR 63.7690(a)(8)
5. PM ---OR--- Total Metal HAP	0.005 gr/dscf ---OR--- 0.0004 gr/dscf	Hourly	Existing Electric Arc or Electric Induction Melting	SC V.2, SC V.3	40 CFR 63.7690(a)(1) (i) or (ii)
6. PM ---OR--- Total Metal HAP	0.002 gr/dscf ---OR--- 0.0002 gr/dscf	Hourly	New Electric Arc Melting	SC V.2, SC V.3	40 CFR 63.7690(a)(3) (i) or (ii)
7. PM ---OR--- Total Metal HAP	0.001 gr/dscf ---OR--- 0.00008 gr/dscf	Hourly	New Electric Induction Melting	SC V.2, SC V.3	40 CFR 63.7690(a)(4) (i) or (ii)
8. PM ---OR--- Total Metal HAP	0.005 gr/dscf ---OR--- 0.0004 gr/dscf	Hourly	Existing Scrap Preheater	SC V.2, SC V.3	40 CFR 63.7690(a)(1) (i) or (ii)
9. PM ---OR--- Total Metal HAP	0.001 gr/dscf ---OR--- 0.00008 gr/dscf	Hourly	New Scrap Preheater	SC V.2, SC V.3	40 CFR 63.7690(a)(4) (i) or (ii)
10. Volatile Organic HAP (VOHAP)	20 ppmv	Hourly	New or Existing Scrap Preheater	SC V.2, SC V.3, SC VI.2	40 CFR 63.7690(a)(9)

Pollutant	Limit	Time Period/Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
11. PM ---OR--- Total Metal HAP	0.010 gr/dscf ---OR--- 0.0008 gr/dscf	Hourly	Existing Pouring Station	SC V.2, SC V.3	40 CFR 63.7690(a)(5) (i) or (ii)
12. PM ---OR--- Total Metal HAP	0.002 gr/dscf ---OR--- 0.0002 gr/dscf	Hourly	New Pouring Station or Area	SC V.2, SC V.3	40 CFR 63.7690(a)(6) (i) or (ii)
13. Volatile Organic HAP (VOHAP)	20 ppmv	3-hour flow weighted average (VOC CEMS)	New Automated Conveyor and Pallet Cooling Lines	SC V.2, SC V.3, SC VI.3, SC VI.4	40 CFR 63.7690(a)(10)
14. Triethylamine (TEA)	1 ppmv ---OR--- 99% emission reduction	Hourly	New or Existing Triethylamine Cold Box Mold or Core Making Line	SC V.2, SC V.3	40 CFR 63.7690 (a)(11)(i) or (ii)

II. MATERIAL LIMIT(S)

OPTIONAL – Use the following condition for SCRAP PREHEATERS only. If not applicable, delete and use NA.

- As an alternative to meeting the VOHAP limit in 40 CFR 63.7690(a)(9) for a new or existing scrap preheater, the permittee shall charge only material to the scrap preheater that is subject to and in compliance with the scrap certification requirement of 40 CFR 63.7700(b). (40 CFR 63.7700(e)(2) and (f))

III. PROCESS/OPERATIONAL RESTRICTION(S)

- By April 23, 2007 for an existing affected source **OR** Upon startup for a new affected source, the permittee shall submit to the AQD District Supervisor, for review and approval, an Operation and Maintenance (O&M) plan for each capture and control system and control device for an emission unit subject to an emission limit as described in 40 CFR 63.7710. The plan shall include, but is not limited to, the following:
 - Monthly inspections of the equipment that is important to the performance of the total capture system. (40 CFR 63.7710(b)(1))
 - Operating limits for each capture system for an emission unit subject to a limit for VOHAP or TEA. (40 CFR 63.7710(b)(2))
 - Preventative maintenance plan for each control device, including a schedule. (40 CFR 63.7710(b)(3))
 - A site-specific monitoring plan for each bag leak detection system. (40 CFR 63.7710(b)(4))
 - Corrective action plan for each baghouse. (40 CFR 63.7710(b)(5))
 - Procedures for igniting gases from mold vents. (40 CFR 63.7710(b)(6))

The permittee shall maintain and implement the approved O&M plans at all times. (40 CFR 63.7710, 40 CFR 63.7745)
- For each capture system, wet scrubber, acid wet scrubber, or combustion device, the permittee shall establish site-specific operating limits in the O&M plans according to the procedures specified in 40 CFR 63.7733. (40 CFR 63.7733)

3. The permittee shall comply with the emission limits, work practice standards, and operation and maintenance requirements at all times. **(40 CFR 63.7720(a))**
4. For each segregated scrap storage area, bin or pile, the permittee shall prepare and operate at all times according to a written certification that the facility purchases and uses only charge material that does not include post-consumer automotive body scrap, post-consumer engine blocks, oil filters, oily turnings, lead components, mercury switches, plastics or organic liquids. **(40 CFR 63.7700(a), 40 CFR 63.7700(b))**
5. For each segregated scrap storage area, bin or pile, the permittee shall prepare and operate according to a written plan for the selection and inspection of iron and steel scrap as specified in 40 CFR 63.7700(c). **(40 CFR 63.7700(a), 40 CFR 63.7700(c))**

OPTIONAL – Use the following condition for WET SCRUBBERS used to control emissions from a CUPOLA, ELECTRIC OR ARC MELTING FURNACE, SCRAP PREHEATER, POURING AREA, OR POURING STATION subject to an emission limit for PM or Total Metal HAP. Delete if not applicable and renumber conditions appropriately.

6. The permittee shall maintain the 3-hour average pressure drop and water flow rate, of each wet scrubber controlling PM or Total Metal HAP, at or above the minimum levels established during the performance test. **(40 CFR 63.7690(b)(2))**

OPTIONAL – Use the following condition(s) for CUPOLA MELTING FURNACES only. Delete if not applicable and renumber conditions appropriately.

7. The permittee shall maintain the 15-minute average combustion zone temperature at or above 1300°F. Periods when the cupola is off-blast and for 15 minutes after going on-blast from an off-blast condition, are not included in the 15-minute average. **(40 CFR 63.7690(b)(3))**
8. For each cupola at a new or existing iron and steel foundry, you must reduce VOHAP emissions to the extent practicable during periods of off-blast, as defined in 40 CFR 63.7765, by meeting the applicable requirements in 40 CFR 63.7700(g)(2)(i through iii). **(40 CFR 63.7700(g))**

OPTIONAL – Use the following condition for SCRAP PREHEATERS only. Delete if not applicable and renumber conditions appropriately.

9. As an alternative to meeting the VOHAP limit in 40 CFR 63.7690(a)(9) for an existing preheater, the permittee shall install, operate and maintain a gas-fired preheater where the flame directly contacts the scrap charged. **(40 CFR 63.7700(e)(1), 40 CFR 63.7744(c))**

OPTIONAL – Use the following condition for SCRAP PREHEATERS or TEA COLD BOX MOLD AND CORE LINES subject to a VOHAP or TEA emission limit and use a combustion control device. Delete if not applicable and renumber conditions appropriately.

10. For each combustion device used to meet the VOHAP or TEA emission limit, the permittee shall maintain the 3-hour average combustion zone temperature, at or above the minimum level established during the performance test. **(40 CFR 63.7690(b)(4))**

OPTIONAL – Use the following condition(s) for TEA COLD BOX MOLD AND CORE LINES that use a wet acid scrubber to control TEA. Delete if not applicable and renumber conditions appropriately.

11. The permittee shall maintain the 3-hour average scrubbing liquid flow rate of each wet acid scrubber controlling TEA, at or above the minimum levels established during the performance test. **(40 CFR 63.7690(b)(5)(i))**
12. The permittee shall maintain the 3-hour average pH of the scrubber blowdown, for a scrubber controlling TEA, as measured by a continuous parameter monitoring system (CPMS), or the pH measured once every 8 hours during the process operation, at or below 4.5. **(40 CFR 63.7690(b)(5)(ii))**

OPTIONAL – Use the following condition for WARM FURAN MOLD OR CORE MAKING LINE only. Delete if not applicable and renumber conditions appropriately.

13. The permittee shall not use any catalyst formulation in the binder system for a warm furan box mold or core making line that contains methanol as determined by a Material Safety Data Sheet. **(40 CFR 63.7700(d))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

OPTIONAL – Use the following condition for CUPOLAS, SCRAP PREHEATERS, NEW AUTOMATED CONVEYOR AND PALLET COOLING LINES AND NEW AUTOMATED SHAKEOUT LINES. Delete if not applicable and renumber conditions appropriately.

1. The permittee shall not operate an emission source subject to an emission limit or standard for VOHAP or TEA unless the associated capture and control system is installed, operated and maintained in accordance with the approved Operation and Maintenance (O&M) plan. **(40 CFR 63.7690(b), 40 CFR 63.7710)**

OPTIONAL – Use the following condition for WET SCRUBBERS used to control emissions from a CUPOLA, ELECTRIC OR ARC MELTING FURNACE, SCRAP PREHEATER, POURING AREA, OR POURING STATION subject to an emission limit for PM or Total Metal HAP. Delete if not applicable and renumber conditions appropriately.

2. The permittee shall install, operate, and maintain a Continuous Parameter Monitoring System (CPMS) for each capture and control system for emission units subject to the PM or Total Metal HAP emission limitation, to measure and record the pressure drop and scrubber water flow rate according to the requirements in 40 CFR 63.7741(c). **(40 CFR 63.7740(a), 40 CFR 63.7740(c), 40 CFR 63.7741(c))**

OPTIONAL – Use the following condition for CUPOLA MELTING FURNACES, SCRAP PREHEATERS NEW AUTOMATED CONVEYOR AND PALLET COOLING LINES AND NEW AUTOMATED SHAKEOUT LINES AND TEA COLD BOX MOLD AND CORE LINES that use a combustion device to control VOHAP or TEA emissions. Delete if not applicable and renumber conditions appropriately.

3. The permittee shall install, operate, and maintain a Continuous Parameter Monitoring System (CPMS) for each combustion device for emission units subject to the VOHAP or TEA emission limitations, to measure and record the combustion zone temperature according to the requirements in 40 CFR 63.7741(d). **(40 CFR 63.7740(a), 40 CFR 63.7740(d), 40 CFR 63.7741(d))**

OPTIONAL – Use the following condition for CUPOLA MELTING FURNACES, SCRAP PREHEATERS NEW AUTOMATED CONVEYOR AND PALLET COOLING LINES AND NEW AUTOMATED SHAKEOUT LINES AND TEA COLD BOX MOLD AND CORE LINES. Delete if not applicable and renumber conditions appropriately.

4. The permittee shall install, operate and maintain a Continuous Parameter Monitoring System (CPMS) for each capture system (wet scrubber, combustion device, or wet acid scrubber) subject to an operating limit in 40 CFR 63.7690(b)(1), according to the requirements in 40 CFR 63.7740(a)(1) and (2) and 40 CFR 63.7741(a). **(40 CFR 63.7740(a), 40 CFR 63.7741(a))**

ALWAYS INCLUDE

5. The permittee shall operate each CPMS according to the requirements of 40 CFR 63.7741(f)(1) through (3). **(40 CFR 63.7741(f))**
6. During the period between the compliance date specified for the foundry and the date when operating limits have been established during the performance test, the permittee shall maintain a log detailing the operation and maintenance of the process and control equipment. **(40 CFR 63.7720(b))**
7. The permittee shall monitor the relative change in PM loading using a bag leak detection system for any baghouse used to meet PM or Total Metal HAP emission limits. **(40 CFR 63.7740(b))**

OPTIONAL – Use the following condition for TEA COLD BOX MOLD AND CORE LINES that use a wet acid scrubber to control TEA. Delete if not applicable and renumber conditions appropriately.

8. The permittee shall install, operate, and maintain a continuous parameter monitoring system (CPMS) for each wet acid scrubber controlling TEA to measure and record the scrubber liquid flow rate according to the

requirements in 40 CFR 63.7741(c)(2) and the pH of the scrubber blow down according to the requirements in 40 CFR 63.7741(e)(2)(i) through (iv). **(40 CFR 63.7740(f), 40 CFR 63.7741(e))**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii), 40 CFR 63.7753)**

Permit staff – Change above UAR to Rule 201(3) if using in a PTI.

1. **No later than (October 19, 2007 for existing affected source / October 19, 2007 or 180 days after startup, whichever is later for new affected source),** the permittee shall conduct a performance test to demonstrate compliance with the opacity limit in 40 CFR 63.7690(a)(7), following the test methods and procedures in 40 CFR 63.7732(d). Subsequent compliance testing shall be conducted no less frequently than every 6 months. **(40 CFR 63.7730(a), 40 CFR 63.7731(b))**
2. **No later than (October 19, 2007 for existing affected source / October 19, 2007 or 180 days after startup, whichever is later for new affected source),** the permittee shall conduct performance testing to demonstrate compliance with applicable PM, Total Metal HAP, TEA and VOHAP emission rates from FG{ID} according to the requirements in 40 CFR 63.7(e)(1), following the test methods and procedures in 40 CFR 63.7732(a), (b), (c), (e), (f), (g) and (h). No less than **30** days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test. **(R 336.1213(3), R 336.2001, R 336.2003, R 336.2004, 40 CFR 63.7730(a))**
3. The permittee shall conduct subsequent compliance testing to demonstrate compliance with all applicable emission limits, no less frequently than every 5 years and each time the permittee elects to change an operating limit. This requirement does not apply if a CEMS is used to demonstrate continuous compliance. **(40 CFR 63.7731(a))**

See Appendix 5

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

Permit staff – Change above UAR to Rule 201(3) if using in a PTI.

OPTIONAL – Use the following condition for CUPOLA MELTING FURNACES only. Delete if not applicable and renumber conditions appropriately.

1. For each cupola furnace at a new or existing iron and steel foundry in off-blast, the permittee must keep daily records to document the relevant times of off-blast, in conjunction with the requirements to monitor and record the combustion zone temperature for the cupola's thermal combustion control device as required in 40 CFR 63.7740(e) and 40 CFR 63.7741(d), to demonstrate continuous compliance with the requirements in 40 CFR 63.7700(g). The relevant times of off-blast include: The time blast air is started to begin the coke bed burn-in, the time the cupola afterburner or other thermal combustion device is lit, and the time metal production starts during cupola startup; the time when metal production ends, the time slag removal is completed, and the time the afterburner or other thermal combustion device is turned off during cupola shutdown; and the times idling starts and stops. **(40 CFR 63.7740(e))**

OPTIONAL – Use the following condition for SCRAP PREHEATERS only. Delete if not applicable and renumber conditions appropriately.

2. If using the alternative to meet the VOHAP limit in 40 CFR 63.7690(a)(9) for a new or existing scrap preheater, the permittee shall keep records to document that the preheater charges only material that is subject to and in compliance with the scrap certification requirements. **(40 CFR 63.7744(c) and (d))**

OPTIONAL – Use the following condition for NEW AUTOMATED CONVEYOR AND PALLET COOLING LINES AND NEW AUTOMATED SHAKEOUT LINES.

3. For applicable cooling and shakeout lines, the permittee shall monitor at all times the 3-hour average VOHAP concentration using a CEMS according to the requirements of 40 CFR 63.7741(g). **(40 CFR 63.7740(g))**

4. For applicable cooling and shakeout lines, the permittee may apply for alternative monitoring requirements for a CEMS according to the procedures in 40 CFR 63.7747. **(40 CFR 63.7747)**

ALWAYS INCLUDE

5. The permittee shall keep records of the chemical composition of the catalyst binder formulation as specified in 40 CFR 63.7744(b). **(40 CFR 63.7744)**
6. The permittee shall keep all records specified in 40 CFR 63.7752(a)(1) through (4), records for each continuous emission monitoring system (CEMS) as specified in 40 CFR 63.7752(b)(1) through (4) and records required by 40 CFR 63.7743, 40 CFR 63.7744, and 40 CFR 63.7745. **(40 CFR 63.7752)**
7. For each baghouse that is applied to meet any PM or Total Metal HAP emission limit, the permittee shall install, operate, and maintain a bag leak detection system according to the requirements in 40 CFR 63.7741(b) and conduct inspections according to the requirements specified in 40 CFR 63.7740(b)(1) through (8). **(40 CFR 63.7740(b), 40 CFR 63.7741(b))**
8. If a control device other than a baghouse, wet scrubber, wet acid scrubber, or combustion device is used, the permittee shall prepare and submit a monitoring plan containing the information in 40 CFR 63.7690(c)(1) through (5). **(40 CFR 63.7690(c))**
9. For each emission unit in FG{ID}, the permittee shall demonstrate initial compliance with the work practice standards and the operation and maintenance requirements as specified in 40 CFR 63.7735 and 40 CFR 63.7736. **(40 CFR 63.7735, 40 CFR 63.7736)**
10. The permittee shall monitor and collect data to demonstrate continuous compliance in accordance with 40 CFR 63.7742. **(40 CFR 63.7742)**
11. The permittee shall demonstrate continuous compliance with all applicable emission limitations in accordance with 40 CFR 63.7743. **(40 CFR 63.7743)**
12. The permittee shall maintain records that document continuous compliance with the requirements of 40 CFR 63.7700(b) or (c) as specified in 40 CFR 63.7744(a). **(40 CFR 63.7744)**

See Appendices {Enter 3, 4, and/or 7}

VII. REPORTING

Permit Staff – SC VII.1, 2, and 3, references to Rule 213 are ROP only. Remove before putting into a PTI. Renumber as appropriate.

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be received by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. **(R 336.1213(3)(c)(i))**
3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be received by March 15 for the previous calendar year. **(R 336.1213(4)(c))**
4. The permittee shall report each instance in which each emission limitation, each work practice standard, and each operation and maintenance requirement was not met, in accordance with the requirements of 40 CFR 63.7751. **(40 CFR 63.7746, 40 CFR 63.7751)**
5. The permittee shall submit applicable notifications specified in 40 CFR 63.6(h)(4) and (5), 40 CFR 63.7(b) and (c), 40 CFR 63.8(e), 40 CFR 63.8(f)(4) through (6), and 40 CFR 63.9(b) through (h) for an initial notification, a notification of intent to conduct a performance test, and a notification of compliance status as specified in 40 CFR 63.7750. **(40 CFR 63.7750)**

6. The permittee shall submit all semiannual compliance reports and semiannual reports of monitoring and deviations from any emissions limitation or operation and maintenance requirement as required by 40 CFR 63.7751(a), (b), and (d). **(40 CFR 63.7751 (a), (b), and (d))**
7. The permittee must submit the reports according to the procedures listed below:
 - a. The permittee must submit all compliance reports required per 40 CFR 63.7751(e) electronically using the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the USEPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The permittee must use the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>). **(40 CFR 63.7551(e))**
 - b. Within 60 days after the date of completing each performance test, submit the results of the performance tests required by 40 CFR Part 63, Subpart EEEEE by using CEDRI. Performance test data must be submitted in the file format generated through use of the USEPA's Electronic Reporting Tool (ERT) (see <https://www.epa.gov/technical-air-pollution-resources>). For any performance test conducted using test methods that are not listed on the ERT Web site, the results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the USEPA's ERT website. Submit the ERT generated package or alternative file to the USEPA via CEDRI. **(40 CFR 63.7551(f)(1) and (2))**
 - c. **OPTIONAL – If not using CMS to comply then delete and renumber -** Within 60 days after the date of completing each CMS performance evaluation test (defined in 40 CFR 63.2), submit the relative accuracy test audit (RATA) data to the USEPA using CEDRI. Only RATA pollutants that are supported by the ERT (as listed on the ERT Web site) are subject to this requirement. For any performance evaluations with no corresponding RATA pollutants listed on the ERT Web site, the owner or operator shall submit the results of the performance evaluation in an electronic file consistent with the XML schema listed on the USEPA's ERT website. **(40 CFR 63.7551(g)(1) and (2))**
8. The permittee must report the results of performance tests within 60 days after the completion of the performance tests. The reports for all subsequent performance tests must include all applicable information required in 40 CFR 63.7730(a). The permittee shall submit any performance test reports **(including RATA reports)** to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. **(R 336.1213(3)(c), R 336.2001(5), 40 CFR 63.7730(a))**

See Appendix 8- **Permit Staff: Remove if PTI since this is ROP only.**

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

1. The permittee shall comply with all applicable provisions of the National Emission Standards for Hazardous Air Pollutants, as specified in 40 CFR Part 63, Subparts A and EEEEE for Iron and Steel Foundries by the compliance date. **(40 CFR Part 63, Subparts A and EEEEE)**

Remove these footnotes if no PTIs are associated with this flexible group.

Footnotes:

¹This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

²This condition is federally enforceable and was established pursuant to Rule 201(1)(a).