



Rep. Carol Sente

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10000SB3101ham005

LRB100 19678 JWD 43577 a

1 AMENDMENT TO SENATE BILL 3101

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3101 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by  
5 adding Section 9.16 as follows:

6 (415 ILCS 5/9.16 new)

7 Sec. 9.16. Ethylene oxide control.

8 (a) This Section may be referred to as the Ethylene Oxide  
9 Emission Control Law.

10 (b) On and after July 1, 2019, the provisions of this  
11 Section apply to the owner or operator of a sterilization  
12 source using 1 ton (907 kg) or more of ethylene oxide in a  
13 rolling 12-month period in sterilization or fumigation  
14 operations. These requirements do not apply to: beehive  
15 fumigators; research or laboratory facilities, as defined in  
16 Section 112(c) (7) of Title III of the Clean Air Act (42 U.S.C.

1 7412(c)(7)); or sources such as hospitals, doctor's offices,  
2 clinics, or other facilities whose primary purpose is to  
3 provide medical services to humans or animals.

4 (c) The owner or operator must reduce ethylene oxide  
5 emissions to the atmosphere from each chamber exhaust vent by  
6 at least 99%. "Chamber exhaust vent", also known as "back  
7 vent", means the point through which ethylene oxide-laden air  
8 is removed from the sterilization chamber during chamber  
9 unloading following the completion of sterilization and  
10 associated air washes.

11 (d) The owner or operator must conduct an initial emissions  
12 test to verify that emissions from each chamber exhaust vent  
13 are reduced by at least 99%.

14 (1) A notification of the scheduled test date and an  
15 emissions test protocol must be submitted to the Agency for  
16 review and written approval by August 1, 2019 for an  
17 existing source, or within 30 days after the initial  
18 startup of a new or modified source. The protocol must  
19 address the manner in which testing will be conducted,  
20 including, but not limited to, the methodologies to be used  
21 and conditions under which the test will be performed.

22 (2) The owner or operator must perform testing in  
23 accordance with an Agency-approved test protocol and at  
24 representative conditions by September 1, 2019 for an  
25 existing source, or within 60 days after the initial  
26 startup of a new or modified source. The owner or operator

1       must submit test results to the Agency within 60 days after  
2       the date of testing.

3       (e) The owner or operator must conduct emissions testing on  
4       all regulated emission points at least once each calendar year,  
5       starting in calendar year 2019, to demonstrate compliance with  
6       the control requirements of this Section and all applicable  
7       Illinois Pollution Control Board and United States  
8       Environmental Protection Agency control requirements regarding  
9       ethylene oxide. Annual emissions tests must take place at least  
10      6 months apart. An initial emissions test conducted on the  
11      chamber exhaust vent pursuant to subsection (c) above satisfies  
12      this requirement for that particular emission point for the  
13      year in which the initial emissions test is conducted.

14      A notification of the scheduled test date and an emissions  
15      test protocol must be submitted to the Agency for review and  
16      written approval at least 30 days prior to the scheduled test  
17      date. The protocol must address the manner in which testing  
18      will be conducted, including but not limited to the  
19      methodologies to be used and conditions under which the test  
20      will be performed. The owner or operator must perform testing  
21      in accordance with an Agency-approved test protocol and at  
22      representative conditions. The owner or operator must submit  
23      test results to the Agency within 60 days after the date of  
24      testing.

25      (f) The Agency must post a notice on its website and notify  
26      the following persons within 30 days after receiving emissions

1 test results or periodic monitoring information that indicates  
2 noncompliance with the emissions control requirements of this  
3 Section or emissions control requirements in any applicable  
4 Illinois Pollution Control Board or United States  
5 Environmental Protection Agency provision regarding ethylene  
6 oxide:

7 (1) The members of the General Assembly from the  
8 Legislative and Representative Districts in which the  
9 source in question is located.

10 (2) The county board members of the county in which the  
11 source in question is located.

12 (3) The corporate authorities of the municipality in  
13 which the source in question is located.

14 (4) The Illinois Department of Public Health.

15 (g) The Agency must reopen and modify the operating permit  
16 for each source subject to this Section to include the  
17 requirements set forth in this Section as well as all other  
18 applicable Illinois Pollution Control Board and United States  
19 Environmental Protection Agency requirements regarding  
20 ethylene oxide adopted after the effective date of this  
21 amendatory Act of the 100th General Assembly.

22 (h) Violations of the requirements of this Section are  
23 subject to enforcement and penalties as provided under this  
24 Act.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".