



Rep. Carol Sente

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LRB100 19678 JWD 43633 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 from each chamber's exhaust vent to a maximum
14 concentration of 1-ppmv or by at least 99%.

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

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

1 startup of a new or modified source. The owner or operator
2 must submit test results to the Agency within 60 days after
3 the date of testing.

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

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

26 (f) The Agency must post a notice on its website and notify

1 the following persons within 30 days after receiving emissions
2 test results or periodic monitoring information that indicates
3 noncompliance with the emissions control requirements of this
4 Section or emissions control requirements in any applicable
5 Illinois Pollution Control Board or United States
6 Environmental Protection Agency provision regarding ethylene
7 oxide:

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

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

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

15 (4) The Illinois Department of Public Health.

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

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".