

SB3630



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3630

Introduced 11/7/2018, by Sen. John F. Curran - Chris Nybo - Wm. Sam McCann

SYNOPSIS AS INTRODUCED:

415 ILCS 5/9.17 new

Amends the Environmental Protection Act. Provides that the Illinois Environmental Protection Agency shall reevaluate the current air pollution operating permit of any facility emitting ethylene oxide and conduct a 90-day public hearing process on such permits. Provides that no air pollution operating permit shall be renewed if the facility is in violation of any federal or State standards or current studies pertaining to ethylene oxide. In the event of an ethylene oxide leak, a facility shall issue a notice to all affected property owners and local government within 2,500 feet of the leak site. Provides that a facility emitting ethylene oxide at levels higher than federal or State standards shall immediately cease operations until the level of emissions are reduced below both federal and State standards. Effective immediately.

LRB100 23350 LNS 42371 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by
5 adding Section 9.17 as follows:

6 (415 ILCS 5/9.17 new)

7 Sec. 9.17. Permits, hearings, and notice for facilities
8 emitting ethylene oxide.

9 (a) The Agency shall immediately reevaluate the current air
10 pollution operating permit of any facility emitting ethylene
11 oxide, by conducting a 90-day public hearing process on all
12 such facilities. The Agency shall, by rule, provide for the
13 90-day public hearing process which shall, at a minimum,
14 include:

15 (1) three public hearings in the community where the
16 facility emitting the ethylene oxide is located; and

17 (2) an opportunity for public testimony at each
18 hearing.

19 (b) No air pollution operating permit shall be renewed if
20 the Agency finds that the facility is emitting ethylene oxide
21 at a level that violates any federal or State standards or
22 current studies pertaining to ethylene oxide. The Agency shall
23 also consider the results of the 90-day public hearing process

1 when evaluating a facility's permit renewal.

2 (c) Any facility that self-reports an ethylene oxide leak
3 or is found to be in violation concerning an ethylene oxide
4 leak shall issue a notice to all affected property owners and
5 units of local government within 2,500 feet of the leak site.
6 The notice system shall be funded by the facility. The notice
7 shall, at a minimum, contain the following information:

8 (1) the name and address of the site or facility where
9 the leak occurred or is suspected to have occurred;

10 (2) the identification and approximate amount of the
11 contaminant leaked or suspected to have been leaked;

12 (3) information as to whether the contaminant was
13 leaked or suspected to have been leaked into the air, land,
14 or water;

15 (4) a brief description of the potential adverse health
16 effects posed by the contaminant;

17 (5) the name, business address, and phone number of
18 persons at the Agency from whom additional information
19 about the leak or suspected leak can be obtained; and

20 (6) the name, business address, and phone number of
21 persons at the Department of Public Health from whom
22 additional information about the health effects of the leak
23 or suspected leak can be obtained.

24 (d) If, at any time, a facility is emitting ethylene oxide
25 at a level higher than the standards set forth by Section 112
26 of the federal Clean Air Act (42 U.S.C. 7412) or the Agency,

1 then the facility shall immediately cease operations until
2 sufficient changes are made to reduce the level of such
3 emissions below both federal and State standards.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.