



Rep. Joyce Mason

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10100SB1854ham001

LRB101 09540 CPF 61218 a

1 AMENDMENT TO SENATE BILL 1854

2 AMENDMENT NO. _____. Amend Senate Bill 1854 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. Nonnegligible ethylene oxide emissions sources.

8 (a) In this Section, "nonnegligible ethylene oxide
9 emissions source" means an ethylene oxide emissions source
10 permitted by the Agency that currently, or at any point in the
11 previous 5 years, emits or has the potential to emit more than
12 150 pounds of ethylene oxide annually, and is located in a
13 county with a population of at least 700,000 based on 2010
14 census data. "Nonnegligible ethylene oxide emissions source"
15 does not include facilities that are ethylene oxide
16 sterilization sources or hospitals that are licensed under the

1 Hospital Licensing Act or operated under the University of
2 Illinois Hospital Act.

3 (b) Beginning 180 days after the effective date of this
4 amendatory Act of the 101st General Assembly, no nonnegligible
5 ethylene oxide emissions source shall conduct activities that
6 cause ethylene oxide emissions unless the owner or operator of
7 the nonnegligible ethylene oxide emissions source submits for
8 review and approval of the Agency a plan describing how the
9 owner or operator will continuously collect emissions
10 information. The plan must specify locations at the
11 nonnegligible ethylene oxide emissions source from which
12 emissions will be collected and identify equipment used for
13 collection and analysis, including the individual system
14 components.

15 (1) The owner or operator of the nonnegligible ethylene
16 oxide emissions source must provide a notice of acceptance
17 of any conditions added by the Agency to the plan or
18 correct any deficiencies identified by the Agency in the
19 plan within 3 business days after receiving the Agency's
20 conditional acceptance or denial of the plan.

21 (2) Upon the Agency's approval of the plan the owner or
22 operator of the nonnegligible ethylene oxide emissions
23 source shall implement the plan in accordance with its
24 approved terms.

25 (c) Beginning 180 days after the effective date of this
26 amendatory Act of the 101st General Assembly, no nonnegligible

1 ethylene oxide emissions source shall conduct activities that
2 cause ethylene oxide emissions unless the owner or operator of
3 the nonnegligible ethylene oxide emissions source submits for
4 review and approval by the Agency an Ambient Air Monitoring
5 Plan.

6 (1) The Ambient Air Monitoring Plan shall include, at a
7 minimum, the following:

8 (A) Detailed plans to collect and analyze air
9 samples for ethylene oxide on at least a quarterly
10 basis near the property boundaries of the
11 nonnegligible ethylene oxide emissions source and at
12 community locations with the highest modeled impact
13 according to the dispersion modeling conducted under
14 subsection (d).

15 (B) A schedule for implementation of the plans
16 under subparagraph (A).

17 (C) The name of the independent third party company
18 that will perform sampling and analysis and the
19 company's experience with similar testing.

20 (2) The owner or operator of the nonnegligible ethylene
21 oxide emissions source must provide a notice of acceptance
22 of any conditions added by the Agency to the Ambient Air
23 Monitoring Plan or correct any deficiencies identified by
24 the Agency in the Ambient Air Monitoring Plan within 15
25 business days after receiving any conditional acceptance
26 or denial of the Ambient Air Monitoring Plan from the

1 Agency.

2 (3) Upon the Agency's approval of the Ambient Air
3 Monitoring Plan, the owner or operator of the nonnegligible
4 ethylene oxide emissions source shall implement the
5 Ambient Air Monitoring Plan in accordance with its approved
6 terms.

7 (d) Beginning 180 days after the effective date of this
8 amendatory Act of the 101st General Assembly, no nonnegligible
9 ethylene oxide emissions source shall conduct activities that
10 cause ethylene oxide emissions unless the owner or operator of
11 the nonnegligible ethylene oxide emissions source has
12 performed dispersion modeling and the Agency approves the
13 dispersion modeling.

14 (1) Dispersion modeling must:

15 (A) be conducted using accepted United States
16 Environmental Protection Agency methodologies,
17 including Appendix W to 40 CFR 51, except that no
18 background ambient levels of ethylene oxide shall be
19 used;

20 (B) use emissions and stack parameter data from any
21 emissions test conducted and 5 years of hourly
22 meteorological data that is representative of the
23 nonnegligible ethylene oxide emissions source's
24 location; and

25 (C) use a receptor grid that extends to at least
26 one kilometer around the nonnegligible ethylene oxide

1 emissions source and ensures the modeling domain
2 includes the area of maximum impact, with receptor
3 spacing no greater than every 50 meters starting from
4 the building walls of the nonnegligible ethylene oxide
5 emissions source extending out to a distance of at
6 least 1/2 kilometer, then every 100 meters extending
7 out to a distance of at least one kilometer.

8 (2) The owner or operator of the nonnegligible ethylene
9 oxide emissions source shall submit revised results of all
10 modeling if the Agency accepts with conditions or declines
11 to accept the results submitted.

12 (e) Beginning 180 days after the effective date of this
13 amendatory Act of the 101st General Assembly, no nonnegligible
14 ethylene oxide emissions source shall conduct activities that
15 cause ethylene oxide emissions unless the owner or operator of
16 the nonnegligible ethylene oxide emissions source obtains a
17 permit consistent with the requirements in this Section from
18 the Agency to conduct activities that may result in the
19 emission of ethylene oxide.

20 (f) The Agency in issuing the applicable permits to a
21 nonnegligible ethylene oxide emissions source shall:

22 (1) impose a site-specific annual cap on ethylene oxide
23 emissions set to protect the public health; and

24 (2) include permit conditions granting the Agency the
25 authority to reopen the permit if the Agency determines
26 that the emissions of ethylene oxide from the permitted

1 nonnegligible ethylene oxide emissions source pose a risk
2 to the public health as defined by the Agency.".

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