

AN ACT concerning safety.

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

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

(415 ILCS 5/9.16 new)

Sec. 9.16. Nonnegligible ethylene oxide emissions sources.

(a) In this Section, "nonnegligible ethylene oxide emissions source" means an ethylene oxide emissions source permitted by the Agency that currently emits more than 150 pounds of ethylene oxide as reported on the source's 2017 Toxic Release Inventory and is located in a county with a population of at least 700,000 based on 2010 census data. "Nonnegligible ethylene oxide emissions source" does not include facilities that are ethylene oxide sterilization sources or hospitals that are licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act.

(b) Beginning 180 days after the effective date of this amendatory Act of the 101st General Assembly, no nonnegligible ethylene oxide emissions source shall conduct activities that cause ethylene oxide emissions unless the owner or operator of the nonnegligible ethylene oxide emissions source submits for review and approval of the Agency a plan describing how the

owner or operator will continuously collect emissions information. The plan must specify locations at the nonnegligible ethylene oxide emissions source from which emissions will be collected and identify equipment used for collection and analysis, including the individual system components.

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

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

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

(1) Dispersion modeling must:

(A) be conducted using accepted United States Environmental Protection Agency methodologies,

including Appendix W to 40 CFR 51, except that no background ambient levels of ethylene oxide shall be used;

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

(C) use a receptor grid that extends to at least one kilometer around the nonnegligible ethylene oxide emissions source and ensures the modeling domain includes the area of maximum impact, with receptor spacing no greater than every 50 meters starting from the building walls of the nonnegligible ethylene oxide emissions source extending out to a distance of at least 1/2 kilometer, then every 100 meters extending out to a distance of at least one kilometer.

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

(d) Beginning 180 days after the effective date of this amendatory Act of the 101st General Assembly, no nonnegligible ethylene oxide emissions source shall conduct activities that cause ethylene oxide emissions unless the owner or operator of the nonnegligible ethylene oxide emissions source obtains a

permit consistent with the requirements in this Section from the Agency to conduct activities that may result in the emission of ethylene oxide.

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

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

(2) include permit conditions granting the Agency the authority to reopen the permit if the Agency determines that the emissions of ethylene oxide from the permitted nonnegligible ethylene oxide emissions source pose a risk to the public health as defined by the Agency.

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