

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 9.16 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 emits more than 150  
11 pounds of ethylene oxide as reported on the source's 2017 Toxic  
12 Release Inventory and is located in a county with a population  
13 of at least 700,000 based on 2010 census data. "Nonnegligible  
14 ethylene oxide emissions source" does not include facilities  
15 that are ethylene oxide sterilization sources or hospitals that  
16 are licensed under the Hospital Licensing Act or operated under  
17 the University of Illinois Hospital Act.

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

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

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

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

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

24 (1) Dispersion modeling must:

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

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

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

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

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

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

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

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

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

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

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