



Rep. Joyce Mason

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10100SB1854ham003

LRB101 09540 CPF 61334 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 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

1 the University of Illinois Hospital Act.

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

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

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

24 (c) Beginning 180 days after the effective date of this
25 amendatory Act of the 101st General Assembly, no nonnegligible
26 ethylene oxide emissions source shall conduct activities that

1 cause ethylene oxide emissions unless the owner or operator of
2 the nonnegligible ethylene oxide emissions source has
3 performed dispersion modeling and the Agency approves the
4 dispersion modeling.

5 (1) Dispersion modeling must:

6 (A) be conducted using accepted United States
7 Environmental Protection Agency methodologies,
8 including Appendix W to 40 CFR 51, except that no
9 background ambient levels of ethylene oxide shall be
10 used;

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

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

25 (2) The owner or operator of the nonnegligible ethylene
26 oxide emissions source shall submit revised results of all

1 modeling if the Agency accepts with conditions or declines
2 to accept the results submitted.

3 (d) 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 obtains a
8 permit consistent with the requirements in this Section from
9 the Agency to conduct activities that may result in the
10 emission of ethylene oxide.

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

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

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

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