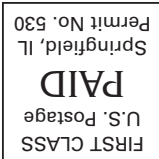




Illinois Department of Commerce and Economic Opportunity  
Small Business Environmental Assistance Program  
620 East Adams Street  
Springfield, Illinois 62701



# CLEAN Air Clips

Illinois Department of Commerce and Economic Opportunity, Small Business Environmental Assistance Program

Rod Blagojevich • GOVERNOR

Jack Lavin • DIRECTOR

**FALL 2004**

## US EPA Updates

### NESHAP for Boilers and Process Heaters

The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial and Institutional Boilers and Process Heaters was finalized September 13, 2004. Any boiler or process heater that is located at a major source\* for Hazardous Air Pollutants (HAPs) may be impacted by this rule. Boilers and process heaters emit HAPs such as arsenic, cadmium, chromium, hydrogen chloride, hydrogen fluoride, lead manganese, mercury and nickel. The boiler or process heater, by itself, may not be major, but may still be impacted if the entire facility operation is major for HAPs.

There are **NO REQUIREMENTS** for *existing small units* (all fuel types) and *new small units using gas fuel*. A small unit is defined as any firetube boiler and any boiler or process heater less than or equal to 10 million Btu/hr. Existing units are units that commenced construction before January 13, 2003; new units are units built on and after January 13, 2003. So, existing small units and new small units using gas fuel have no emission limits, no monitoring, no records and no notifications.

Existing large units (defined as any watertube boiler or process heater greater than 10 million Btu/hr) using gas and liquid fuel, new small units using distillate fuel oil only or combined with gas fuel only have to submit an initial notification by March 12, 2005.

All other units will have emission limits, possible testing, possible control requirements, monitoring, recordkeeping and reporting requirements. Initial notifications will also be required for these units by March 12, 2005. Reminder, several companies already submitted initial notifications in 2002 as required by the 112j rule. For additional information, please visit the US EPA's website: [www.epa.gov/ttn/atw/boiler/boilerpg.html](http://www.epa.gov/ttn/atw/boiler/boilerpg.html) or contact Jackie Sims at the IL EPA at 217/782-9333 or the Small Business Environmental Assistance Helpline helpline at 800/252-3998 (TDD: 800/785-6055).

*\*Major source is defined as one that emits greater than 10 tons of a single HAP or a total of 25 tons of combined HAPs. For a list of US EPA regulated HAPs, visit the Web site at: [www.epa.gov/ttn/atw/188polls.html](http://www.epa.gov/ttn/atw/188polls.html) or contact the Small Business Environmental Assistance Program helpline at 800/252-3998 (TDD: 800/785-6055).*

### Update: National Pollutant Discharge Elimination System (NPDES) Permit Fees Reduced

Public Act 93-840, signed by Governor Blagojevich on July 30, 2004, reduced NPDES permit fees for over one thousand small communities and other dischargers of primarily domestic sewage. The fee for permit holders with less than 100,000 gallons of flow per day was reduced from \$1500 to \$500, and the fee for permit holders with 100,000 to 500,000 gallons per day was reduced from \$5000 to \$2500. The lower amounts apply to annual NPDES permit fees applicable to periods after July 1, 2004. The Agency sent credit notices to affected permit holders at the end of August 2004. All other NPDES permit fee amounts remain unchanged. For additional information, visit the Illinois EPA's Web site at: [www.epa.state.il.us/fees/npdes.html](http://www.epa.state.il.us/fees/npdes.html) or call the Water Pollution Control Permit Section at 217/782-0610.

### "If You Burn It, You Breathe It"

To ensure that Illinois citizens are fully aware of the hazards of burning household waste, the Illinois Environmental Protection Agency (IEPA) kicked off an educational campaign to make citizens more aware of safer and healthier alternatives for disposing of unwanted materials and trash. This educational campaign includes public service announcements, newspaper ads and information over the Internet with the message "if you burn it, you breathe it."

Backyard burning has been a common trash disposal method, but the nature of household trash has changed over the past fifty years. Today's trash contains plastic, metals, rubber, chemicals and other materials that can release toxic chemicals potentially harmful to health when burned in the open and breathed at close range.

Many people who burn are unaware of the effects burning may have. All garbage releases toxic chemicals when burned, even paper. Examples of chemicals released from burn barrels are benzene, styrene oxide, formaldehyde, dioxins, and furans. Inhalation of these chemicals can be harmful to your health. Depending on how long and how often you are exposed, certain pollutants can harm your lungs, kidneys, nervous systems and the liver. Short term exposure can aggravate asthma and affect other respiratory conditions. Long term exposure can lead to an increased risk of cancer, heart disease, and respiratory, reproductive and developmental problems.

**In Illinois, it is illegal to burn garbage within any town or within one mile of towns with populations over 1,000. For detailed information on Illinois law concerning open burning, a model ordinance for local governments, and information on where to find local waste haulers and recycling centers, visit the following web sites: [www.illinoisburnbarrel.org](http://www.illinoisburnbarrel.org) and [www.epa.state.il.us](http://www.epa.state.il.us). Please contact Robert Fanning, IL EPA Outreach Programs, at 217/558-6716 for further information on the campaign.**

## OSHA Publishes Hexavalent Chromium Proposed Rule

On October 4, 2004, OSHA published a Notice of Proposed Rulemaking, request for public comment, and scheduled informal public hearings for hexavalent chromium (CrVI).

OSHA was required by a U.S. Court of Appeals order to publish the proposed rule no later than October 4, 2004. The court order also requires a final hexavalent chromium standard be published no later than January 18, 2006. The court order is to resolve a suit brought by Public Citizen Health Research Group to reduce chromium exposures primarily in the chemical industry. A copy of the 170 page Federal Register notice may be viewed by visiting the Web site at: [www.gpoaccess.gov/fr/index.html](http://www.gpoaccess.gov/fr/index.html)

The hexavalent chromium proposed rule applies to general industry, construction, and shipyards. All three proposed standards would lower the permissible exposure limit (PEL) from 52 micrograms to one microgram of hexavalent chromium (CrVI) per cubic meter of air as the 8-hour time weighted average (TWA). The primary route of exposure is inhalation, although exposure may also occur through skin contact or ingestion. In construction the primary exposures occur when welding chrome plated steel or chromated painted surfaces. The proposed rule includes requirements for medical surveillance, hazard communication, record keeping, protective work clothing and equipment, respiratory protection, and separated hygiene areas and practices.

The proposed hexavalent chromium standard circulated during the Small Business Regulatory Enforcement Fairness Act (SBREFA) process to determine the economic impacts to small business entities originally excluded Portland cement from the construction standard. However, union members of the Advisory Committee for Construction Safety and Health (ACCSH) recommended that OSHA include Portland cement in the standard. AGC and several other trade associations met with the Office of Management and Budget (OMB) during their review of the proposed standard and effectively argued to maintain the exclusion of Portland cement from the standard. However, one of the questions OSHA is requesting in this notice is whether the exclusion should be maintained.

Public comments can be submitted in several ways. Interested persons may submit three copies of written comments by mail to: Docket Office, Docket No. H054A, Room N-2625, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Comments less than 10 pages may be submitted by facsimile to the Docket Office at (202) 693-1648. Comments may also be submitted electronically to the Docket Office at [ecomments.osha.gov](http://ecomments.osha.gov). All comments should be clearly marked with Docket No. H054A and are due no later than **January 3, 2005**. Please consult the Federal Register notice at: [www.gpoaccess.gov/fr/index.html](http://www.gpoaccess.gov/fr/index.html) for complete details on submitting comments. *For more information regarding the proposed rule or to request additional information, contact Edward Pachico at 703/837-5367 or at [pachicoe@agc.org](mailto:pachicoe@agc.org) or contact the Small Business Environmental Assistance Helpline at 800/252-3998.*

## NEW PUBLICATIONS:

- **Does My Business Need A Pollution Control Permit?** Updated in September 2004, this 31 page booklet summarizes and highlights the Illinois EPA's air, water and land permitting requirements.
- **2005 Dry Cleaner Compliance Calendar** Don't forget to reserve your free copy of the 2005 Dry Cleaner Compliance Calendar which will be sent out in December of this year.
- **2005 Stage I/II Recordkeeping Calendar** New for 2005, this recordkeeping calendar reminds you of your daily, weekly and monthly requirements while providing a convenient place to document records.

For your free copy of any of the publications above, contact the Small Business Environmental Assistance Helpline at 800/252-3998 or e-mail your request to: [sbeap@illinoisbiz.biz](mailto:sbeap@illinoisbiz.biz)

## Reminder to DRY CLEANERS: JUNE 30, 2005 DEADLINE

To be eligible for remedial program benefits from the Illinois Dry Cleaner Environmental Response Trust Fund, you must meet the following deadlines:

- June 30, 2005 – you must submit a budget proposal to do intrusive testing at your facility to the Fund by this date.
- June 30, 2006 – you must complete your intrusive testing and submit a claim form along with the intrusive testing lab results to the Fund by this date.

Failure to meet either of these 2 deadlines will result in your facility being ineligible for remedial program benefits. For additional information, please contact the Illinois Dry Cleaner Environmental Response Trust Fund at 800/765-4041 or visit their Web site at: [www.cleanup.fund](http://www.cleanup.fund). Also as a reminder, all drycleaners who are insured by the Fund must complete four hours of continuing education credits during calendar year 2004 in order to maintain their compliance certification. Failure to obtain four CEUs during calendar year 2004 may result in cancellation of your insurance coverage. Upcoming continuing education classes are also posted on the Fund's website at: [www.cleanupfund.org](http://www.cleanupfund.org).

## NOTICE FROM THE STATE FIRE MARSHAL

The Office of the State Fire Marshal (OSFM) was notified through the Statewide Terrorism Intelligence Center (STIC) of intelligence information that is pertinent to local fire departments and districts. The Statewide Terrorism Intelligence Center (STIC) is a joint initiative of the Illinois State Police, the Federal Bureau of Investigation, the Illinois Association of Chiefs of Police and the Illinois Terrorism Task Force in conjunction with their partners in Illinois' criminal justice community. STIC is headquartered in Springfield and is available 24 hours a day, 7 days a week.

Please be advised that all OSFM employees are issued an identification card signed by Fire Marshal Somer. OSFM does not have a specific uniform but all inspectors are provided marked OSFM vehicles and the I.D. You are encouraged to contact the OSFM personnel office if there is any identity question at 217/782-0395.

OSFM does recommend that all critical infrastructure organizations and industries, within your jurisdiction, be aware of your inspection schedules, your inspector's attire (uniform or clothing style) and the type of identification your department utilizes. OSFM further recommends that any person(s) asking to inspect a facility without proper identification should be reported to your local police and the STIC. STIC can be contacted at: 877/ILL-STIC (877-455-7842). Please do not hesitate to contact 217/558-0328 if you have any additional questions.

## MARK YOUR CALENDARS...

**November 16 -17**      **The Business Case for Sustainable Manufacturing: Applying the Sustainability Helix**

Both workshops will be held at the Chicago Center for Green Technology, 445 N. Sacramento Boulevard, Chicago, IL. To register or to learn more about the GreenPlants Network, please contact Karen Wan at 312/542-0430 or [kwana@cmcusa.org](mailto:kwana@cmcusa.org) or visit the Web site at: [www.cmcusa.org/events.htm](http://www.cmcusa.org/events.htm)

**April 11 -15, 2005**      **National Environmental Partnership, 2005 Summit Chicago, IL**

For additional information, visit the Web site at: [www.environmentalsummit.org](http://www.environmentalsummit.org)

WOULD YOU PREFER TO RECEIVE CLEAN AIR CLIPS QUARTERLY PUBLICATION VIA E-MAIL? If so, contact the Small Business Environmental Assistance Helpline at 800/252-3998 or e-mail us at [sbeap@illinoisbiz.biz](mailto:sbeap@illinoisbiz.biz) and asked to be included on the e-mail list.

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