

Illinois Updates

PROPOSED AIR PERMIT EXEMPTIONS

The Illinois Pollution Control Board on September 15, 2005, sent to first-notice a proposed rulemaking to revise the Board's air construction and operating permit regulations. On February 22, 2005, the Illinois Environmental Protection Agency and the Illinois Environmental Regulatory Group jointly filed this rulemaking docketed as Proposed Amendments To Exemptions From State Permitting Requirements (R05-19). The proponents state the proposal is designed to eliminate permitting delays for minor projects having little environmental or regulatory impact.

This rulemaking seeks to add four categories to the existing list of permit exemptions in Section 201.146 as follows:

1. Replacement or Addition of Air Pollution Control Equipment for Existing Emissions Units;
2. New Emission Units and Modification to Existing Emissions Units at Facilities with Federally Enforceable State Operating Permits (FESOPs);
3. New Emission Units or Modifications to Existing Emission Units at Permitted Sources That Are Not Major Sources or FESOPs, and;
4. Insignificant Activities at Clean Air Act Permit Program Sources

The Board held two public hearings in this rulemaking. The first hearing was April 12, 2005, in Chicago. The second hearing was June 14, 2005, in Springfield. **The proposed amendment was published in the Illinois Register on October 7, 2005. Comments referencing docket R05-19 are being accepted until November 21, 2005, and should be sent to: Dorothy Gunn, Clerk, Pollution Control Board, 100 W. Randolph, Suite 11-500, Chicago, IL 60601**

Also on September 15, 2005, the Illinois Pollution Control Board sent to first-notice the rulemaking proposal docketed as In the Matter of: Proposed Amendments to Exemptions From State Permitting Requirements for Plastic Injection Molding Operations (35 Ill. Adm. Code 201.146) (R05-20). The proposal by the Chemical Industry Council of Illinois (CICI) would add one category to the existing list of 59 permit exemptions in Section 201.146. CICI asserts the purpose of this rulemaking is to reduce the burden of state air permitting of low emitting units and activities. According to CICI, the proposed amendments will benefit both the Illinois Environmental Protection Agency (IEPA) and owners and operators of plastic injection molding processes.

The proposed amendment would include plastic injection molding operations in the categories of emissions units exempt from state air permitting requirements. CICI states that plastic injection molding operations emit volatile organic material and that emissions from the associated activities covered under the proposed exemption are negligible. CICI contends that because of the low level of emissions generated by plastic injection molding operations, such operations would qualify for the "*de minimis* emissions" exemption in the pending rulemaking Proposed Amendments To Exemptions From State Permitting Requirements (R05-19). However, CICI states that since plastic molding facilities do not require an IEPA-issued air pollution control permit these facilities would not be eligible for that proposed exemption.

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Two hearings were held in this matter. The first hearing was July 2, 2005, in Chicago. The second hearing was July 15, 2005, in Springfield. **The proposed amendment was published in the Illinois Register on October 14, 2005. Comments referencing docket R05-20 are being accepted until November 28, 2005, and should be sent to: Dorothy Gunn, Clerk, Pollution Control Board, 100 W. Randolph, Suite 11-500, Chicago, IL 60601.**

2006 Environmental Workshops for the Construction and Demolition Industry and Building Code Officials

The Department of Commerce and Economic Opportunity, Small Business Environmental Assistance Program along with the Illinois EPA, Department of Public Health, Emergency Management Agency and industry co-sponsors will be holding ten workshops around the state in January -March 2006 to educate the construction industry and building code officials about requirements for asbestos, lead, radon, mold, and safety and health. In addition, participants will learn about the requirements of the new Illinois Energy Conservation Code (IECC) for alterations, repairs, additions, renovations and new construction of commercial buildings. The IECC requirements take effect April 8, 2006.

A \$25 nonrefundable fee will be charged to cover meal expenses. Workshops will be held from 8:30-4:30 on the following dates and locations:

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| January 31, 2006 | John A. Logan College Carterville, IL |
| February 1, 2006 | Gateway Center Collinsville, IL |
| February 8, 2006 | Danville Area Community College Danville, IL |
| March 1, 2006 | Wilbur Wright Community College Chicago, IL |
| March 7, 2006 | Elgin Community College Elgin, IL |
| March 8, 2006 | McHenry County College Crystal Lake, IL |
| March 16, 2006 | Holiday Inn Moline, IL |

**Additional dates and locations are still being determined for Quincy, Bloomington, and Freeport and will be posted on www.ilbiz.biz as they are determined.*

If you have questions or would like to register for one of the workshops, please contact the Illinois Small Business Environmental Assistance Help line at 800/252-3998, visit the Web site at www.ilbiz.biz or send an e-mail to sbeap@ildceo.net

Illinois Lawmakers Pass New Environmental Legislation - "Right-to-Know" and Expanded Enforcement Authority

Legislation to expand notification of citizens of potential environmental threats at polluters' expense and to give the Illinois EPA authority for the first time to issue "administrative orders" to compel cleanups or containment of hazardous contaminants was among several significant environmentally-related bills passed by Illinois lawmakers and signed into law by Governor Rod Blagojevich this summer. On July 24, Governor Blagojevich signed into law **Senate Bill 241**, making it **Public Act 94-314**.

For newly identified contamination, IEPA will evaluate the scientific information available to identify the responsible parties for any "off-site" spill or release which poses a significant public health threat, and work with the state and local health departments to notify area residents. For existing sites, IEPA will review case files to determine if there is a potential off-site public health risk that warrants additional notification.

The specific process and range of notification tools are being developed by the IEPA with the participation of the public and the regulated community. They could include direct mail notices, phone calls, door-to-door visits, small group meetings, and public service announcements and flyers, depending on the type and nature of contamination. While all of these tools have been used by IEPA for several years, the new law codifies a systematic approach and makes polluters responsible for reasonable notification costs.

The new law requires responsible parties to bear the costs of all reasonable measures taken to inform the affected public of exposure risks from any off-site contamination. This will now be mandatory in cases where groundwater and drinking water sources have been contaminated, at sites where entry and access have been prohibited to protect public safety, as well as emergencies involving the release of a hazardous substance.

Another key part of the legislation gives IEPA an authority that many other state environmental agencies already had, to issue "administrative orders" which compel responsible parties to clean up or contain hazardous contaminants released into the environment. Previously, the Agency had to ask the Attorney General to seek a court order in such cases. The IEPA is developing proposed regulations to implement the authority and alleged responsible parties will be able to contest orders before the Illinois Pollution Control Board. For more information about this rule, visit the Illinois EPA's Web site at: www.epa.state.il.us

3rd Annual Illinois Radon Networking Day January 18, 2006

Sponsored by the Illinois Management Agency and Illinois State University, this event is perfect for county health departments, code officials, extension educators, radon grant partners, and those with interest in learning more about radon. Learn how to correctly respond to questions from the public about radon and its associated health risk. The day will also cover a teacher and student success story, teaching radon in the classroom through example, a code official's perspective on their radon requirements, and a chance to see a cloud chamber and witness alpha particle emission. The agenda includes: information about radon grants available from the Illinois Emergency Management Agency Radon Program (IEMA), IEMA radon updates and creative ways to match grant funds. The take away value from this program will be how to fund a radon program, implement new ideas and apply them to your program.

This **FREE**, event is January 18, 2006, at the Bone Student Center, Circus Room at Illinois State University, Normal Illinois. **and registration is required by January 6, 2006**. Registration will be limited to the first 75 participants. If you have any questions or would like to register to attend, call Cindy Ladage of Illinois Emergency Management Agency at 217/785-9889 or via e-mail Ladage@iema.state.il.us.

New Guidelines Available!

In September 2005, the US EPA announced the availability of the "Compliance Guide for Small Businesses to the Reinforced Plastic Composites Production National Emission Standard for Hazardous Air Pollutants (NESHAP)". Use this 16 page guidance document to determine if the Reinforced Plastic Composite NESHAP applies to your facility and to understand the requirements of the rule if it does apply to your facility. For your free copy, contact the Small Business Environmental Assistance Program at 800/252-3998 (TDD: 800/785-6055) or visit the following Web site: www.epa.gov/ttn/atw/rpc/rpcpg.html.

Illinois EPA - Jim Ross is the New Manager of Division of Air Pollution Control

Effective October 2005, Jim Ross is the Manager of the Division of Air Pollution Control at the Illinois EPA. Formerly, Jim was the manager for the Emergency Operations Unit for Illinois EPA and highly involved in Homeland Security issues. Prior to working in homeland security, Jim worked in the Bureau of Air Permit Section for sixteen years as the Clean Air Act Permit Program (CAAPP) unit manager and was crucial in the development and issuance of CAAPP permits.

DID YOU REMEMBER TO RE-ORDER YOUR RECORDKEEPING CALENDARS?

January 2006 the SBEAP will have new calendars for:

- Dry Cleaners, and
- Air Quality Compliance for Grain Elevators, Concrete Batch Plants, Rock Crushers and Quarries

Then, in March 2006, a new calendar will be available for gas stations who comply with Stage 1/2 Vapor Recovery requirements.

For your free copy of any of the 2006 calendars mentioned above, call the SBEAP helpline at 800/252-3998 or send an e-mail with your complete mailing address to: sbeap@illinoisbiz.biz

Sustainable Building Conference on January 18, 2006

The Illinois Waste Management and Research Center (WMRC), a division of the Illinois Department of Natural Resources, located in Champaign, IL on the campus of the University of Illinois, is a download site for the January 18, 2005, Sustainable Building Video Conference. WMRC is pleased to host this 2-hour video conference from 9:00 a.m. to 12:30 p.m.; the video conference is sponsored by the Small Business Smart Energy (SBSE) program team. The video-conference will address the needs of small for-profit businesses and area practitioners. An expert panel, comprised of architects, engineers and contractors involved in the program will discuss program participants, energy efficiency issues and will answer questions from viewers with real-time responses.

Additionally, WMRC will kick-off a new program - *Green Construction and Development*. This program is designed to assist businesses in several ways by identifying 'green' opportunities, current industry leaders, by recruiting mentors and establishing demonstration sites, and by providing technology demonstrations and displaying integrated technologies to designers and builders. WMRC can also offer industrial pollution prevention assistance, environmental regulatory assistance, and ISO 14001 assistance to businesses, industries, and manufacturers.

WMRC is located two blocks south of the University of Illinois Assembly Hall and one block west of First Street in the newly developed Research Park at 1 Hazelwood Drive, Champaign, IL and can be reached at 217/333-8940. For more information about the video conference, please contact Ken Barnes of WMRC at 217/244-9940 or via e-mail at kbarnes@wmrc.uiuc.edu.

NOTE: WMRC requests that you RSVP your attendance to Ken Barnes at kbarnes@wmrc.uiuc.edu.

MARK YOUR CALENDARS...

January 18, 2006 Sustainable Building Teleconference

Champaign, IL
See article above.

January 18, 2006 3rd Annual Illinois Radon Networking Day

Normal, IL
See article above.

January-March 2006 Construction and Demolition Industry Workshops

Throughout Illinois.
See article on previous page.

For additional information about the events above, contact the Small Business Environmental Assistance Program at 800/252-3998 (out-of-state, call 217/785-6192).

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 and ask to be included on the e-mail list.