

ILLINOIS POLLUTION CONTROL BOARD
December 5, 2007

IN THE MATTER OF:)
)
EXEMPTIONS FROM THE) R08-6
DEFINITION OF VOM, USEPA) (Identical-in-
AMENDMENTS (January 1, 2007) Substance
through June 30, 2007)) Rulemaking - Air)
)
)

REPORT OF PROCEEDINGS held in the
above-entitled cause before Hearing Officer Michael
J. McCambridge, called by the Illinois Pollution
Control Board, taken before Laura Bernar, CSR, a
notary public within and for the County of Cook and
state of Illinois, at the James R. Thompson Center,
100 West Randolph, Suite 11-500, Chicago, Illinois,
on the 5th day of December, 2007, commencing at the
hour of 1:30 p.m.

BOARD MEMBERS:

MR. G. TANNER GIRARD - Chairman

MR. THOMAS JOHNSON - Member

MR. MICHAEL McCAMBRIDGE - Hearing Officer

1 A P P E A R A N C E S:

2 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
3 1021 North Grand Avenue East
4 P.O. Box 19276
5 Springfield, Illinois 62794-9276
6 (217)782-5544

7 Appeared on behalf of the Illinois
8 Environmental Protection Agency;
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1 HEARING OFFICER McCAMBRIDGE: Let the
2 record show that it's 1:33. This is the
3 Public Hearing in R-086, the exemption from
4 the definition of VOM, USEPA amendments
5 (January 1, 2007 through June 30, 2007.) My
6 name is Mike McCambridge. I'm the hearing
7 officer. With me here are Dr. Tanner Girard,
8 Chairman, and Mr. Tom Johnson, board member.
9 Would the agency care to --

10 CHAIRMAN GIRARD: Want me to give my
11 welcome speech?

12 HEARING OFFICER McCAMBRIDGE: If you
13 wish.

14 CHAIRMAN GIRARD: Good afternoon. On
15 behalf of the board, I welcome everyone to
16 this hearing to consider updating the
17 definition of volatile organic material. The
18 proposal before us would add one new compound
19 to the list of compounds exempted from the
20 definition of VOM and clarify some amendments
21 made by the Board in 2005. We look forward
22 to your testimony and comments. Thank you.

23 MR. KIM: John Kim, attorney for the
24 Illinois EPA.

1 HEARING OFFICER McCAMBRIDGE: Okay.

2 The compound added by USEPA on May 19 --

3 wait. What was the date on that? I'm at a

4 loss. It was January 18, 2007, was

5 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-

6 trifluoromethyl-pentane. It also has, I

7 guess you'd say, industrial names of HFE-7300

8 and L-14787. The USEPA has determined that

9 this compound has negligible photochemical

10 reactivity, so it is exempted from the

11 federal definition of volatile organic

12 compound. As a result of that, pursuant to

13 section 9.1(e) of the Environmental

14 Protection Act, the Board is compelled to

15 also exempt it from the Illinois definition

16 of volatile organic material, and to do so by

17 January 18, 2008. The notice of proposed

18 amendments in this appeared in the Illinois

19 Register on November 2 of 2007. The public

20 comment period will end on December 17, 2007,

21 and its present intent for the Board to

22 consider adoption of this amendment at the

23 January 10, 2008 meeting. I might add that,

24 as mentioned by Dr. Girard, there is a

1 correction in here on the way tertiary butyl
2 acetate is handled in the existing -- in an
3 existing exemption from the definition of
4 volatile organic material, basically adding a
5 reference to clarify the definition in
6 response to USEPA comments made to IEPA and
7 then turned over to the Board.

8 Having said that, I've said what I
9 have. Mr. Kim, do you have anything?

10 MR. KIM: The Illinois EPA has
11 reviewed the Board's order dated October 18,
12 2007, which contained the proposed rule as
13 well as explanation that you have just
14 alluded to, Mr. Hearing Officer. And
15 specifically as to the modifications that
16 were made by the Board to the Agency
17 suggested language, we do appreciate those
18 modifications and certainly we have no
19 problem with the slightly revised wording.
20 So having reviewed the Board's October 18
21 order as well as the first notice, the Agency
22 has no concerns or objections as to the
23 format and the content of the proposed rule.

24

1 HEARING OFFICER McCAMBRIDGE: Dr.

2 Girard? Do you have anything?

3 CHAIRMAN GIRARD: Nothing further.

4 Thank you.

5 HEARING OFFICER McCAMBRIDGE: Mr.

6 Johnson?

7 MR. JOHNSON: No. Other than I'm

8 assuming that there's no economic hearing

9 requirement component in this?

10 HEARING OFFICER McCAMBRIDGE: No.

11 Actually, the hearing is required under

12 Section 110 of the Federal Clean Air Act

13 because it will result in a state SIP

14 revision so that we are dotting a federal

15 "I," even though the merits --

16 MR. JOHNSON: Always fun.

17 HEARING OFFICER McCAMBRIDGE: -- are

18 not the subject of it, just how we are

19 accomplishing and whether we're getting it

20 done. Having said that, we'll conclude the

21 hearing.

22 MR. KIM: Thank you.

23 CHAIRMAN GIRARD: Thank you.

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(Which were all the
proceedings had.)

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1 STATE OF ILLINOIS)
2 COUNTY OF COOK) SS.

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4 I, LAURA BERNAR, being a Certified
5 Shorthand Reporter doing business in the City of
6 Chicago, Illinois, County of Cook, certify that I
7 reported in shorthand the proceedings had at the
8 foregoing hearing of the above-entitled cause. And
9 I certify that the foregoing is a true and correct
10 transcript of all my shorthand notes so taken as
11 aforesaid and contains all the proceedings had at
12 the said meeting of the above-entitled cause.

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LAURA BERNAR, CSR
CSR NO. 084-003592

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<p style="text-align: center;">A</p> <p>above-entitled 1:9 8:8,12</p> <p>accomplishing 6:19</p> <p>acetate 5:2</p> <p>Act 4:14 6:12</p> <p>Actually 6:11</p> <p>add 3:18 4:23</p> <p>added 4:2</p> <p>adding 5:4</p> <p>adoption 4:22</p> <p>aforesaid 8:11</p> <p>afternoon 3:14</p> <p>agency 2:2,5 3:9 5:16 5:21</p> <p>Air 1:5 6:12</p> <p>alluded 5:14</p> <p>Always 6:16</p> <p>amendment 4:22</p> <p>amendments 1:5 3:4 3:20 4:18</p> <p>anything 5:9 6:2</p> <p>appeared 2:4 4:18</p> <p>appreciate 5:17</p> <p>assuming 6:8</p> <p>attorney 3:23</p> <p>Avenue 2:2</p>	<p>Chairman 1:19 3:8 3:10,14 6:3,23</p> <p>Chicago 1:14 8:6</p> <p>City 8:5</p> <p>clarify 3:20 5:5</p> <p>Clean 6:12</p> <p>commencing 1:15</p> <p>comment 4:20</p> <p>comments 3:22 5:6</p> <p>compelled 4:14</p> <p>component 6:9</p> <p>compound 3:18 4:2,9 4:12</p> <p>compounds 3:19</p> <p>concerns 5:22</p> <p>conclude 6:20</p> <p>consider 3:16 4:22</p> <p>contained 5:12</p> <p>contains 8:11</p> <p>content 5:23</p> <p>Control 1:1,11</p> <p>Cook 1:12 8:2,6</p> <p>correct 8:9</p> <p>correction 5:1</p> <p>County 1:12 8:2,6</p> <p>CSR 1:11 8:16,16</p>	<p>exempt 4:15</p> <p>exempted 3:19 4:10</p> <p>exemption 3:3 5:3</p> <p>EXEMPTIONS 1:4</p> <p>existing 5:2,3</p> <p>explanation 5:13</p>	<p>January 1:5 3:5 4:4 4:17,23</p> <p>John 3:23</p> <p>Johnson 1:20 3:8 6:6 6:7,16</p> <p>June 1:5 3:5</p> <p>just 5:13 6:18</p>
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