

THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
) R13-1
 DEFINITION OF VOM) (Identical-in-substance
 UPDATE, USEPA) Rulemaking - Air)
 REGULATIONS (January)
 1, 2012 through June)
 30, 2012))

TRANSCRIPT FROM THE PROCEEDINGS

taken before HEARING OFFICER MICHAEL J.

MCCAMBRIDGE by KARI WIEDENHAUPT, CSR, at the
Illinois Pollution Control Board, James R.

Thompson Center, 100 West Randolph Street, Room
11-512, Chicago, Illinois, on the 20th day of
December 2012, A.D., at 10:00 o'clock a.m.

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

2 ILLINOIS POLLUTION CONTROL BOARD,
3 100 West Randolph Street
4 Suite 11-500
5 Chicago, Illinois 60601
6 (312) 814-6983

7 BY: MR. MICHAEL J. McCAMBRIDGE,
8 HEARING OFFICER,

9

10 ILLINOIS POLLUTION CONTROL BOARD MEMBERS
11 PRESENT:

12 Ms. Jennifer A. Burke, Board Member

13

14 ILLINOIS ENVIRONMENT PROTECTION AGENCY,
15 1021 North Grand Avenue East
16 P.O. Box 19276
17 Springfield, Illinois 62794-9276
18 (217) 782-5544

19 BY: CHARLES MATOESIAN.

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22 ALSO PRESENT:

23 Mr. Daniel Robertson, IPCB

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I N D E X

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E X H I B I T S

Marked Admitted

(None) .

1 HEARING OFFICER McCAMBRIDGE: This is the
2 public hearing in Board Docket No. R13-1
3 entitled, Definition of VOM Update, USEPA
4 regulations (January 1, 2012 through June 30,
5 2012.) Included in this docket is a single
6 USEPA action. On June 22nd, 2012 at 77 Fed.
7 Reg. at 37612 USEPA approved an additional
8 compound as exempt from the definition of
9 volatile organic compound or VOC. That compound
10 is trans-1,3,3,3-tetraflouropropene. It also
11 has, I guess you would say, the street name of
12 HFO-1234ze. If I recall correctly, it is
13 primarily used as a blowing agent in industry.

14 Under -- I should have introduced
15 myself. I am Mike McCambridge, hearing officer.
16 Sitting to my right is Board -- attending Board
17 Member, Jennifer Burke. Also in the room is
18 Board attorney, Daniel Robertson. Mr.
19 Matoesian, could you introduce yourself on
20 behalf of the Agency?

21 MR. MATOESIAN: Sure. Charles Matoesian on
22 behalf of Illinois Environmental Protection
23 Agency. I apologize for the false start.

24 HEARING OFFICER McCAMBRIDGE: Is there anyone

1 else in the room?

2 MR. MATOESIAN: No, there isn't.

3 HEARING OFFICER McCAMBRIDGE: Section 9.1 of
4 the Environmental Protection Act requires the
5 Board to adopt these federal exemptions within
6 one year of when they occur. The Board adopted
7 a proposal for public comment in this matter on
8 October 18th, 2012, and a notice of proposed
9 amendments appeared in the November 9th, 2012
10 Illinois Register at 36 Ill. Reg 15575.

11 Together with this was a notice of
12 public information on proposed rules that
13 announced this hearing. This hearing is being
14 conducted pursuant to Section 9.1(e) of the
15 Environmental Protection Act to satisfy the
16 Federal Clean Air Act Section 110 requirement
17 that the State conduct a public hearing on any
18 revision to the state implementation plan, and
19 we fully anticipate at this point that the
20 Agency will be submitting this additional
21 exemption to USEPA as a revision to the Illinois
22 state implementation plan or SIP, S-I-P.

23 The Board in identical-in-substance
24 rulemaking does not review the substance of the

1 underlying federal action. We endeavor to make
2 the best fit of the federal substance into the
3 Illinois regulations, and that is in the
4 proposal. I will add that as a result of
5 publication in the Illinois Register, the Board
6 has received a single suggestion for revision
7 from the Joint Committee on Administrative
8 Rules.

9 JCAR requested that the Board add the
10 Subpart B heading in the text of the proposed
11 amendments. It's a non-substantive -- it
12 corrects a format error. It is completely
13 non-substantive. As of right now, we have no
14 further revisions.

15 Ms. Burke, do you have anything to say?

16 BOARD MEMBER BURKE: No.

17 HEARING OFFICER McCAMBRIDGE: Mr. Matoesian?

18 MR. MATOESIAN: I only have one quick
19 comment. Something was brought to my attention.
20 So I will pass it along. Looking at the Notice
21 of Proposed Amendment that the Board received on
22 November 13th, 2012, there is a copy of the rule
23 marked exempt, and if you look at the back of
24 that on -- or it doesn't have a page number, but

1 Line 739, it says
2 trans-1,3,3,3-tetraflouropropene, but does not
3 include the parenthetical, HFO-1234ze. So I was
4 just bringing that to your attention. I don't
5 know if that was a mistake or if it's
6 unnecessary.

7 HEARING OFFICER McCAMBRIDGE: This is the
8 copy that the Secretary of State or JCAR sends
9 to the Board.

10 MR. MATOESIAN: Yes, and it looks like --

11 HEARING OFFICER McCAMBRIDGE: Yeah. I don't
12 see it. I don't see it in the Illinois Register
13 published copy, and it does appear in the -- it
14 does appear in the Board's proposal.

15 Apparently, it became omitted at some point. I
16 will look into that and make that correction. I
17 assume that the Agency is suggesting that the
18 Board make that correction?

19 MR. MATOESIAN: Well, I just wanted to bring
20 it to the Board's attention in case they wanted
21 to change it.

22 HEARING OFFICER McCAMBRIDGE: I appreciate
23 that.

24 MR. MATOESIAN: Sure. Thank you.

1 HEARING OFFICER McCAMBRIDGE: Do you have
2 anything further?

3 MR. MATOESIAN: No. That's all I have.

4 HEARING OFFICER McCAMBRIDGE: And you are,
5 again, still alone in the room.

6 Daniel, do you have anything?

7 MR. ROBERTSON: No.

8 HEARING OFFICER McCAMBRIDGE: Seeing nothing,
9 I am going to adjourn the hearing.

10 (END OF PROCEEDINGS.)

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I, KARI WIEDENHAUPT, do hereby certify that the foregoing was reported by stenographic and mechanical means, which matter was held on the date, and at the time and place set out on the title page hereof and that the foregoing constitutes a true and accurate transcript of same.

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I further certify that I am not related to any of the parties, nor am I an employee of or related to any of the attorneys representing the parties, and I have no financial interest in the outcome of this matter.

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Kari Wiedenhaupt

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KARI WIEDENHAUPT, CSR

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