



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829  
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

July 8, 2010

IEPA 2011-1

Eileen J. Moyer  
Director of Regulatory Relations  
Reckitt Benckiser Inc.  
Morris Corporate Center IV  
399 Interpace Parkway  
P.O. Box 225  
Parsippany, NJ 07054-0225

Certified Mail

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JUL 12 2010

STATE OF ILLINOIS  
Pollution Control Board

IEPA 10-GR-02

Re: Extension of Provisional Variance

Dear Ms. Moyer:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the July 1, 2010, request from Reckitt Benckiser Inc. ("Reckitt") for an extension of the provisional variance from the requirement under 35 Ill. Adm. Code 223.205(a)(5)(A) for its Air Wick® Freshmatic® Ultra air freshener sold in Illinois. The Illinois EPA granted the provisional variance on May 25, 2010, for a 45-day period ending July 9, 2010. The Illinois EPA has decided to grant Reckitt's request for an extension.

Reckitt received the provisional variance due to the temporary unavailability of a key ingredient of the product. Such ingredient is being diverted by the manufacturer to the Gulf region to aid in the response to the oil spill. Reckitt has begun testing a potential replacement ingredient, and as a result, additional time is needed to conclude the testing to validate the replacement.

Based upon a review of Reckitt's request for an extension to its provisional variance, the Illinois EPA has concluded that the environmental impact from the requested relief is predicted to be minimal, no other reasonable alternative appears available, no federal regulations preclude the granting of this request, and Reckitt will face an arbitrary and unreasonable hardship if the request is not granted.

The Illinois EPA hereby grants Reckitt an extension to the provisional variance from the aforementioned regulatory requirement under Section 223.205(a)(5)(A). The provisional variance will be extended for a 45-day period, as requested by Reckitt, beginning July 10, 2010, through August 24, 2010, and is subject to the same specific conditions contained in the provisional variance, namely:

1. Reckitt shall submit to the Illinois EPA a report containing all sales, including product name, date code, and quantity of Air Wick® Freshmatic® Ultra air freshener, to distributors who sell in Illinois throughout the term of this provisional variance extension.

2. Reckitt shall inform the Illinois EPA of the expected sell through period in Illinois for Air Wick® Freshmatic® Ultra air freshener manufactured during the term of this provisional variance extension.
3. Reckitt shall submit to the Illinois EPA a discussion of how Reckitt achieved compliance within the term of the provisional variance extension and how it will ensure compliance prospectively.
4. Reports and information required under paragraphs 1, 2, and 3 above shall be submitted within 30 days after the term of the provisional variance extension to:

Bureau of Air Compliance Unit  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276

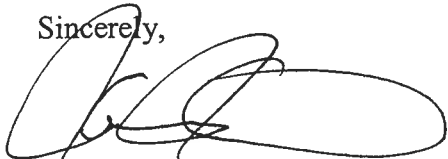
The Illinois EPA requests that Reckitt, following receipt of this provisional variance extension, submit a certification to the Illinois EPA signifying its acceptance of the terms and conditions expressed herein. The certification should be mailed to the Illinois EPA within 10 days of the date of this provisional variance extension and should be signed by the owner or operator, as follows:

Certification

I (We), \_\_\_\_\_, have read the terms and conditions of the Illinois EPA's provisional variance extension, dated July 8, 2010, and, I (we) hereby accept and agree to abide by the terms and conditions expressed therein.

The certification should be mailed, by certified mail, to the undersigned.

Sincerely,



John J. Kim  
Chief Legal Counsel



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DOUGLAS P. SCOTT, DIRECTOR

July 8, 2010

John Therriault  
Assistant Clerk  
Illinois Pollution Control Board  
100 West Randolph St., Suite 11-500  
Chicago, IL 60601

Re: Notice of Grant of Provisional Variance Extension      IEPA 10-4  
Reckitt Benckiser Inc.

Dear Mr. Therriault:

Attached please find a copy of a provisional variance extension that the Illinois Environmental Protection Agency ("Illinois EPA") granted to Reckitt Benckiser Inc. As you may know, the Illinois Environmental Protection Act requires the Illinois EPA to promptly file a copy of its provisional variance decisions with the Illinois Pollution Control Board. *See*, 415 ILCS 5/37(b). This letter and attachment should adequately fulfill the Illinois EPA's statutory obligation.

Thank you for your attention to this matter.

Sincerely,

Gina Roccaforte  
Assistant Counsel