

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Sound Emission Standards and Limitations for Property-Line Noise-Sources
- 2) Code Citation: 35 Ill. Adm. Code 901
- 3) Section Number: 901.119 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 25 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/25 and 27]
- 5) A Complete Description of the Subjects and Issues Involved: On June 2, 2014, Clifford-Jacobs Forging Company (Clifford-Jacobs) filed a rulemaking proposal to amend the previously promulgated site-specific noise rule at 35 Ill. Adm. Code 901.119. The amendments would extend the allowable operational levels for Clifford-Jacobs' forging facility located in unincorporated Champaign County. For a detailed description of the proposed changes to Part 901, please refer to the Board's April 16, 2015 opinion and order in docket R14-22, Proposal of Clifford-Jacobs Forging Co. for an Amendment to the Site-Specific Rule at 35 Ill. Adm. Code 901.119.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the *Illinois Register*. Public comments must be filed with the Clerk of the Board. Public comments should reference Docket R14-22 and be addressed to:

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MAY 11 2015
STATE OF ILLINOIS
Pollution Control Board

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Clerk's Office
Illinois Pollution Control Board
JRTC
100 W. Randolph St., Suite 11-500
Chicago IL 60601

Public comments may also be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at www.ipcb.state.il.us.

Interested persons may request copies of the Board's opinion and order in R14-22 by calling the Clerk's office at 312/814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information, contact hearing officer Mark Powell at 312/814-6887 or e-mail at Mark.Powell@illinois.gov.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Because this is a request for site-specific relief from a single facility, direct economic effects will not extend beyond that facility.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: 38 Ill. Reg. 23,506; December 12, 2014

The full text of the Proposed Amendment begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE H: NOISE
CHAPTER I: POLLUTION CONTROL BOARD

PART 901
SOUND EMISSION STANDARDS AND LIMITATIONS
FOR PROPERTY LINE-NOISE-SOURCES

Section

- 901.101 Classification of Land According to Use
- 901.102 Sound Emitted to Class A Land
- 901.103 Sound Emitted to Class B Land
- 901.104 Highly - Impulsive Sound
- 901.105 Impact Forging Operations
- 901.106 Prominent Discrete Tones
- 901.107 Exceptions
- 901.108 Compliance Dates for Part 901
- 901.109 Highly - Impulsive Sound from Explosive Blasting
- 901.110 Amforge Operational Level
- 901.111 Modern Drop Forge Operational Level
- 901.112 Wyman-Gordon Operational Level
- 901.113 Wagner Casting Site-Specific Operational Level (Repealed)
- 901.114 Moline Forge Operational Level
- 901.115 Cornell Forge Hampshire Division Site-Specific Operational Level
- 901.116 Forgings and Stampings, Inc. Operational Level
- 901.117 Rockford Drop Forge Company Operational Level
- 901.118 Scot Forge Company -- Franklin Park Division Operational Level
- 901.119 Clifford-Jacobs Operational Level
- 901.120 C.S. Norcross Operational Level
- 901.121 Vaughan & Bushnell Operational Level
- 901.122 Ameren Elgin Facility Site-Specific Noise Emission Limitations

- 901.APPENDIX A Old Rule Numbers Referenced
- 901.APPENDIX B Land-Based Classification Standards and Corresponding 35 Ill. Adm. Code 901 Land Classes

AUTHORITY: Implementing Section 25 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/25 and 27].

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SOURCE: Originally filed as Part 2 of Chapter 8: Noise Pollution, effective August 10, 1973; amended at 2 Ill. Reg. 27, p. 223, effective June 26, 1978; amended at 5 Ill. Reg. 6371, effective June 1, 1981; amended at 5 Ill. Reg. 8533, effective August 10, 1981; amended at 6 Ill. Reg. 10960, effective September 1, 1982; codified at 7 Ill. Reg. 13646; amended at 7 Ill. Reg. 14519, effective October 17, 1983; amended in R83-35 at 8 Ill. Reg. 18893, effective September 25, 1984; amended in R83-33, 26, 29, 30 and R83-34 at 9 Ill. Reg. 1405, effective January 17, 1985; Section 901.105(f)(1), (2) and (3) recodified to Sections 901.110, 901.111 and 901.112 at 9 Ill. Reg. 7147; amended in R83-25, 31 and 32 at 9 Ill. Reg. 7149, effective May 7, 1985; amended in R83-7 at 11 Ill. Reg. 3136, effective January 28, 1987; amended in R04-~~11,11~~ at 28 Ill. Reg. 11910, effective July 30, 2004; amended in R03-9 at 30 Ill. Reg. 5533, effective March 10, 2006; amended in R06-11 at 31 Ill. Reg. 1984, effective January 12, 2007; ~~and~~ amended in R-14-22 at 39 Ill. Reg. ~~_____~~, effective ~~_____~~.

Section ~~901.119~~ 901.119 Clifford-Jacobs Operational Level

Clifford-Jacobs Forging Company and future owners of the forging facility, located at North Market Street, Champaign, Illinois, must comply with the following site-specific operational level and sound ~~limitation:~~limitations:

- a) Operate no more than fourteen hammers at any one time;
- b) Operate its forging hammers up to 24 hours per day, Monday through Saturday;
- c) Must not cause or allow the emission of sound from the facility to exceed 65 dB (A-weighted Leq) at the far southwest corner of the facility's property line adjacent to Wallace Avenue between the hours of 11 p.m. to 6:00 a.m., Monday through Saturday;
- d) Must investigate new technologies, sound abatement measures, and possible operational changes to mitigate the sound emissions from its forging operations; and
- e) Must submit to the Board a report on the findings of the investigation pursuant to subsection (d) of this Section, once every ~~ten~~10 years after the effective date of this amended Section. The report must be filed with the Clerk of the Board at the following address:

Office of the Clerk

~~ILLINOIS REGISTER~~ [JCAR350901-1506179r01](#)

~~POLLUTION CONTROL BOARD~~

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Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

(Source: Amended at 39 Ill. Reg. _____, effective _____);

Document comparison by Workshare Compare on Tuesday, May 05, 2015
9:07:04 AM

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Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2015\04Apr2015\35-901-Agency-delta(issue19).docx
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Document 2 ID	file:///I:\Input\Agency Rulemakings - Files Received\2015\04Apr2015\35-901-JCARr01(issue19).docx
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<u>Insertion</u>	
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Deletions	14
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	25

1ST NOTICE VERSION

JCAR350901-1506179r01

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2 SUBTITLE H: NOISE
3 CHAPTER I: POLLUTION CONTROL BOARD

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 56 Market Street, Champaign, Illinois, ~~must~~ shall comply with the following site-specific operational
 57 level and sound limitations:

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59 a) Operate no more than fourteen hammers at any one time; ~~and~~

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61 b) Operate its forging hammers up to 24 hours per day, ~~only between the hours of~~
 62 ~~6:00 a.m. and 11:00 p.m. Monday through Saturday;~~

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64 c) Must not cause or allow the emission of sound from the facility to exceed 65 dB
 65 (A-weighted Leq) at the far southwest corner of the facility's property line
 66 adjacent to Wallace Avenue between the hours of 11 p.m. to 6:00 a.m., Monday
 67 through Saturday;

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69 d) Must investigate new technologies, sound abatement measures, and possible
 70 operational changes to mitigate the sound emissions from its forging operations;
 71 and

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73 e) Must submit to the Board a report on the findings of the investigation pursuant to
 74 subsection (d) of this Section, once every 10 years after the effective date of this
 75 amended Section. The report must be filed with the Clerk of the Board at the
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