

## 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 Part 901
- 3) Section Number: 901.121                      Proposed Action: Amend
- 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: For a more complete description of this proposal see the Board's July 20, 2006, order in Proposal of Vaughan & Bushnell Manufacturing Company of Amendment to a Site-Specific Rule 35 Ill. Adm. Code 901.121 (R06-11). The Board is proposing site specific amendments to an existing site-specific noise rule to allow the Vaughan & Bushnell Manufacturing Company (V&B) to extend the operational levels of its forging facility located at the intersection of Davis and Main Streets, Bushnell in McDonough County. The proposed amendments will allow V&B to operate 24-hours a day.

The proposal is based on a request filed by V&B on October 20, 2005. In its proposal for the rulemaking and at the hearing in this rulemaking, V&B stated that it needed an extension on its operational hours to allow it to operate a third shift at its facility. V&B stated that it produces hammers, hatchets, heavy striking tools, and pry bars, and has contracts with distributors that require timely delivery of its products.

In considering the character of the surrounding areas and land uses, the Board found that the V&B facility is appropriately located in an area that is heavily industrial in nature, and that the proposed amendments would not have an adverse environmental impact on the area.

- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No

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- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rule does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2004)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R06-11 and be addressed to:

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

Interested persons may request copies of the Board's opinion and order by calling Dorothy Gunn at 312-814-3620, or download from the Board's Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).

For more information contact John Knittle at 217/278-3111 or email at [knittlej@ipcb.state.il.us](mailto:knittlej@ipcb.state.il.us).

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: While V&B does not qualify as a small business, it is the largest employer in the city of Bushnell and last year paid \$137,000,000 for water, gas and electricity, as well as \$39,000 in property taxes. The mayor of Bushnell, Steve Russell, represented the city of Bushnell at the Board's hearing in this rulemaking. At the hearing he stated that he and the Bushnell city council unanimously were in favor of the request of V&B to increase their hours to meet demand for their products. Additionally, the Board received comments from the president of the Bushnell Economic Development Corporation; the State Representative for the city of Bushnell, Richard P. Myers; the Chairman and Chief Executive Officer for Farmers & Merchants Bank of Bushnell; the president of the Bushnell Chamber of Commerce; employees of V&B; and residents of Bushnell all in support of the proposed site-specific rulemaking.
- B) Reporting, bookkeeping or other procedures required for compliance: This

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rulemaking does not propose any additional reporting or bookkeeping requirements.

C) Types of Professional skills necessary for compliance: None

14) Regulatory Agenda on which this rulemaking was summarized: July 2006

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

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 <del>901901-109901</del>
<u>901.109</u>	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
<del>901.122</del>	<del>APPENDIX A Old Rule Numbers Referenced</del>
<u>901.122</u>	<u>Ameren Elgin Facility Site-Specific Noise Emission Limitations</u>
<u>901.APPENDIX A</u>	<u>Old Rule Numbers Referenced</u>
<u>901.APPENDIX B</u>	<u>Land-Based Classification Standards and Corresponding 35 Ill. Adm. Code 901 Land Classes</u>

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

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 30 Ill. Reg. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 901.121 Vaughan & Bushnell Operational Level

Vaughan & Bushnell Manufacturing Company and the future owners of the forging facility located at the intersection of Davis and Main Streets, Bushnell, Illinois, must comply with the following site-specific operational level:

a) Operate no more than ten hammers at any one time; and

b) ~~Operate its forging hammers only between the hours of 6:00 a.m. and 1:30 a.m. Monday through Saturday.~~ Vaughan & Bushnell may operate ~~twenty-four~~24 hours per day, Monday through Sunday.

(Source: Amended at 30 Ill. Reg.              , effective                     )

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Total changes	24

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