

Received, Clerk's Office 1/26/2021  
**JOINT COMMITTEE ON ADMINISTRATIVE RULES**  
ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. BILL CUNNINGHAM

CO-CHAIR:  
REP. KEITH WHEELER

EXECUTIVE DIRECTOR:  
VICKI THOMAS



700 STRATTON BUILDING  
SPRINGFIELD, ILLINOIS 62706  
217/785-2254

SEN. JOHN CURRAN  
SEN. KIMBERLY LIGHTFORD  
SEN. TONY MUÑOZ  
SEN. SUE REZIN  
SEN. PAUL SCHIMPF  
REP. TOM DEMMER  
REP. MIKE HALPIN  
REP. FRANCES HURLEY  
REP. STEVEN REICK  
REP. ANDRE' THAPEDI

January 12, 2021

Barbara Flynn Currie, Chair  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago IL 60601

Dear Chair Flynn Currie:

This is to notify you that JCAR considered the following proposed rulemaking at its 1/12/21 meeting:

Ethylene Oxide Ambient Air Monitoring (35 Ill. Adm. Code 249)  
44 Ill. Reg. 2216 - 1/31/20

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of this rulemaking, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

The rulemaking may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to this rulemaking does not necessarily constitute approval, expressed or implied, of the substance of the rulemaking.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Cunningham".  
Senator Bill Cunningham  
Co-Chairman

A handwritten signature in black ink, appearing to read "Keith Wheeler".  
Representative Keith Wheeler  
Co-Chairman

SBC:RKW:JE:cw  
cc: Don Brown  
Enc.

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

CERTIFICATION OF NO OBJECTION  
TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 1/12/21 meeting, considered the rulemaking titled Ethylene Oxide Ambient Air Monitoring (35 Ill. Adm. Code 249; 44 Ill. Reg. 2216), proposed by the Pollution Control Board and published in the 1/31/20 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

January 12, 2021

A handwritten signature in cursive script that reads "Vicki Thomas".

Vicki Thomas  
Executive Director

Attachments: None

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January 12, 2021

Don Brown  
Pollution Control Board  
100 W. Randolph Street, Ste 11-500  
Chicago IL 60601

Re: Ethylene Oxide Ambient Air Monitoring (35 Ill. Adm. Code 249; 44 Ill. Reg. 2216 - 1/31/20)

Dear Mr. Brown:

The enclosed are the Register version and the Code copy of the above-cited rulemaking as this text is to be integrated in the Administrative Code database. You can use these copies when filing the rulemaking with the Secretary of State.

Please have someone on your staff peruse the enclosed copies to be sure that they reflect the language of the rulemaking as you now understand it to exist; i.e., the original draft with any First Notice changes, technical corrections and Agreements included.

If you notice any errors or discrepancies in the enclosed versions, please notify us as quickly as possible and we will provide a corrected version you can certify to the Code Division. This material will be integrated into the Code database when adoption of the rule appears in the Illinois Register.

Thank you for your cooperation and assistance.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Thomas".

Vicki Thomas  
Executive Director

VT:JE:cw  
Enc.

ILLINOIS REGISTER

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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED RULES

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER m: MONITORING REQUIREMENTS

PART 249  
ETHYLENE OXIDE AMBIENT AIR MONITORING

Section	
249.100	Purpose
249.105	Monitoring Locations
249.110	Ethylene Oxide Ambient Air Monitoring Requirements
249.115	Monitoring Results
249.120	Sunset Provisions

AUTHORITY: Implementing Section 9.16, and authorized by Sections 27 and 28, of the Environmental Protection Act [415 ILCS 5/9.16, 27, and 28].

SOURCE: Adopted in R20-18 at 45 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 249.100 Purpose**

The purpose of this Part is to set forth the manner in which the Agency must conduct ambient air monitoring of ethylene oxide in accordance with the requirements in Section 9.16 of the Environmental Protection Act [415 ILCS 5/9.16].

**Section 249.105 Monitoring Locations**

The Agency must monitor ethylene oxide levels of in the ambient air in or around the following locations in Illinois under the requirements of Section 249.110:

- a) Northbrook;
- b) Schiller Park;
- c) Nilwood;
- d) Alton; and
- e) Bondville.

ILLINOIS REGISTER

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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED RULES

**Section 249.110 Ethylene Oxide Ambient Air Monitoring Requirements**

- a) The Agency must conduct ambient air monitoring for ethylene oxide in or around each location specified in Section 249.105 for a period of six consecutive calendar months. During that time frame, the Agency must collect a sample every 12 days. Each sample must be collected over a period of approximately 24 hours.
- b) The six-month monitoring period must commence no later than one year after the effective date of this Part.
- c) The Agency must comply with all applicable USEPA regulations and guidelines for ambient air monitoring.

**Section 249.115 Monitoring Results**

The Agency must make the ethylene oxide ambient air monitoring results publicly available on the Agency's website within 30 days after receipt of each set of quality assured data.

**Section 249.120 Sunset Provisions**

The provisions of this Part will no longer apply 24 months after the effective date of this Part.

PCB

35 ILLINOIS ADMINISTRATIVE CODE 249

SUBTITLE B

SUBCHAPTER m

TITLE 35: ENVIRONMENTAL PROTECTION  
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CHAPTER I: POLLUTION CONTROL BOARD  
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