

1 BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

2

3 IN THE MATTER OF: )  
 )  
4 EXEMPTIONS FROM THE DEFINITION ) R97-17  
OF VOM, U.S. EPA AMENDMENTS ) (Identical in  
5 (July 1 - December 31, 1996; ) Substance Rules-Air)  
HFC 43-10mee and HCFC223ca and cb )

6

7

8

9

10

11 The following is the transcript of a  
12 rulemaking hearing held in the above-entitled  
13 matter, taken stenographically by Kim M.  
14 Howells, CSR, a notary public within and for  
15 the County of Cook and State of Illinois,  
16 before Amy Christine Muran, Hearing Officer,  
17 at 100 West Randolph Street, Room 11-500,  
18 Chicago, Illinois, on the 2nd day of April,  
19 1997, A.D., commencing at the hour of  
20 1:30 p.m.

21

22

23

24

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

2

3 HEARING TAKEN BEFORE:  
4 ILLINOIS POLLUTION CONTROL BOARD,  
5 100 West Randolph Street  
6 Suite 11-500  
7 Chicago, Illinois 60601  
8 (312) 814-7011  
9 BY: MS. AMY CHRISTINE MURAN

6

7

8 ILLINOIS POLLUTION CONTROL BOARD MEMBERS PRESENT:

8

9 G. Tanner Girard, Ph.D.

9

10

11 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
12 MEMBERS PRESENT:

13 Ms. Christina L. Archer

14

15

16

17

18

19

20

21

22

23

24

25

1 MS. MURAN: We can go on the record now.

2 Good afternoon. This is a  
3 regulatory hearing being conducted by the  
4 Illinois Pollution Control Board in the matter  
5 of Exemptions from the Definition of Volatile  
6 Organic Materials, U.S. EPA Amendments, 235  
7 Illinois Administrative Code, Part 211,  
8 docketed as R97-17.

9 My name is Amy Muran, and I am the  
10 hearing officer in this proceeding. Present  
11 today on behalf of the Illinois Pollution  
12 Control Board and seated to my right is board  
13 member Dr. Tanner Girard.

14 Dr. Girard is the board member  
15 assigned to coordinate this rulemaking. Also  
16 present from the board is Marie Tipsord, Diana  
17 O'Neil, Casey Polus, and Mike McCambridge.

18 This rulemaking as proposed as HFC  
19 43-10mee and HCFC 225ca and cb to the list of  
20 chemical species that are exempted from the  
21 definition of volatile organic materials.

22 This hearing will be governed by the  
23 board's procedural rules for regulatory  
24 proceedings. This is a legislative-type

1 hearing intended to develop a record for  
2 review by the entire seven-member board.

3 All information which is relevant  
4 and not repetitious or privileged will be  
5 admitted. All witnesses will be sworn and  
6 subject to cross questioning.

7 Pursuant to Section 7.2 of the  
8 Illinois Environmental Protection Act, this  
9 hearing is being conducted in accordance with  
10 identical and substance rulemaking  
11 procedures. I would like to note that this  
12 rulemaking is mandated by Section 9.1(e) of the  
13 Illinois Environmental Protection Act which  
14 requires the board to exempt from the  
15 definition of VOM for purposes of preparing  
16 the state implementation plans national  
17 ambient air quality standards for ozone.

18 Anyone may ask a question of any  
19 witness. During the questioning period, I  
20 would like persons with questions to raise  
21 their hand and wait for me for to acknowledge  
22 them. Please note that any questions asked by  
23 a board member and/or staff are not intended  
24 to express any preconceived notions or bias

1 but only to build a complete record for review  
2 by the other board members who are not present  
3 here today.

4 Dr. Girard, do you have any comments  
5 at this time?

6 MR. GIRARD: No, just welcome and thank  
7 you for attending.

8 MS. MURAN: I understand that Miss Tina  
9 Archer is here on behalf of the Illinois  
10 Environmental Protection Agency.

11 At this time, do you any comments  
12 regarding this rulemaking?

13 MS. ARCHER: I have a few short  
14 comments.

15 MS. MURAN: Okay. Great.

16 Would you please swear in Miss  
17 Archer?

18 (Witness sworn.)

19 WHEREUPON:

20 C H R I S T I N A L. A R C H E R ,  
21 called as a witness herein, having been first  
22 duly sworn, testified and saith as follows:

23 MS. MURAN: Miss Archer, would you like  
24 to present your testimony and comments on

1 behalf of the Illinois Environmental  
2 Protection Agency?

3 MS. ARCHER: Yes. Thank you, Miss  
4 Muran.

5 Good afternoon, my name is Christina  
6 Archer, and I represent Illinois EPA in this  
7 matter. The Illinois EPA supports the  
8 Illinois Pollution Control Board's rulemaking  
9 proposal to amend the definition of volatile  
10 organic material in Section 35 Illinois  
11 Administrative Code, Section 211.7150 to  
12 example the chemicals HFC 43-10mee and HCFC  
13 225ca and cb.

14 On October 8, 1996, the United  
15 States Environment Protection Agency delisted  
16 HFC 43-10mee and HCFC 225ca and cb as volatile  
17 organic materials because U.S. EPA determined  
18 that these compounds had negligible  
19 contribution to tropospheric ozone formation.  
20 Pursuant to Section 9.1(e) of the Environment  
21 Protection Act the board is mandated to exempt  
22 from the definition of VOM those compounds  
23 that U.S. EPA determines to be exempt from  
24 regulation. The Illinois EPA believes this

1 rulmaking is consistent with the act.

2           The exemption of HFC 43-10mee and  
3 HCFC 225ca and cb VOMs will not affect any  
4 efforts by the Illinois EPA to achieve the  
5 national ambient air quality standards and the  
6 Chicago and the metro east St. Louis  
7 nonattainment areas because the Illinois EPA  
8 believes that these chemicals will replace  
9 other chemicals that are already exempt from  
10 the definition of VOM.

11           Thank you.

12       MS. MURAN: Would anyone else present  
13 today wish to present any testimony with  
14 regard to this matter? Seeing none, we will  
15 now proceed with any questions that anyone  
16 present here may have for Miss Archer.

17           If you have a question, please raise  
18 your hand and wait for me to call on you.  
19 When I do, please stand and state in a loud,  
20 clear voice your name and the organization you  
21 represent, if any.

22           Would anyone here like to ask any  
23 questions of Miss Archer? Okay. Seeing none,  
24 the record in this matter will close for 14

1 days after receipt of the transcript from this  
2 hearing. As we anticipate, we will receive  
3 the transcript in this matter by April 10,  
4 1997. The public comment period in this  
5 matter will close 14 days thereafter or on or  
6 about April 24, 1997.

7 Are there any other matters which  
8 need to be addressed at this time? Seeing  
9 none, this hearing is adjourned, and thank you  
10 all.

11 Off the record for a second.

12 (Break taken.)

13 MS. MURAN: Back on the record. We've  
14 kept this proceeding open for a few minutes to  
15 account for any late arrivals. Seeing that  
16 none have arrived at this matter, we will  
17 close this proceeding unless there are any  
18 other questions that anyone has for us right  
19 now. Seeing none, this hearing is adjourned.

20 Thank you all for attending.

21

22

23

24



4 I, KIM M. HOWELLS, CSR, do hereby state  
5 that I am a court reporter doing business in  
6 the City of Chicago, County of Cook, and State  
7 of Illinois; that I reported by means of  
8 machine shorthand the proceedings held in the  
9 foregoing cause, and that the foregoing is a  
10 true and correct transcript of my shorthand  
11 notes so taken as aforesaid.

24

SUBSCRIBED AND SWORN TO  
20 before me this\_\_\_\_\_day  
of\_\_\_\_\_, A.D., 1996.

22                      Notary Public