

Therriault, John

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Sent: Thursday, April 07, 2016 1:05 PM
To: McCambridge, Michael; Therriault, John
Cc: Mikalian, Charles; Setnicar, Mary
Subject: Comments on IPCB Docket R 2016-7
Attachments: Comments to IPCB on Docket R 16-7.docx

PC#7

Mike: Congratulations on a good submission and proposing a tough rule (DSW). We have a few comments.

First: All of the Errors found in the complete Illinois regulatory overhaul that Jean, Chuck and I worked on, were adequately addressed. I have given Todd Marvel at IEPA the green light to submit a draft ARA 9 application.

Second: The new comments are on the DSW submission. Mostly just errant cites where the 100 isn't added (or subtracted in the case of Subpart AA-BB) such as 721.4(a) vs. 721.104(a). I know that is easy to do as I did it myself in the last comments to you, for example I cited 724.1089 and it should have been 724.989. Anyway there were no cases where interpretation was necessary in this docket. So aside from the cites and a couple typos, we have no issues.

I have informed Todd Marvel that we should add the DSW Ill rule to ARA 9 as it will be effective soon.

Talk to you in the near future,

Gary W.

John Therriault has been copied, because as clerk he will need the submission for his records.

As a heads up: for future dockets, we are working on the final rules for Generator Improvements, Pharmaceuticals, and Import- Export. These have a good chance of being in one of your 2017 dockets. If you are curious about what is in them here are the regulations.gov docket numbers and the proposed rule cites.

Pharmaceuticals Rule: 9/25/2015 80 FR 58013 Docket: *EPA-HQ-RCRA-2007-0932*

Generator Improvements Rule: 9/25/2015 80 FR 57917 Docket: *EPA-HQ-RCRA-2012-0121*

Import-Export Rule: 10/19/2015 80 FR 63283 Docket: *EPA-HQ-RCRA-2015-0147*

The fee schedule for the electronic manifest is in proposed phase at OMB.

Comments on IPCB Docket R 16-7

Illinois was given several comments by U.S. EPA to address. IPCB logged these comments in as PC 4. The comments were addressed in Docket R 2016-7. They are explained in the opinion, starting on page 62. All of the necessary changes were made and they are accurate. Only two items were not changed, one was optional.

The non-optional ended up being a federal error. 728 Appendix C – Illinois had Hexachlorophene, federal had hexachloroprophene . A cross check of 261, and a chemical register, has indicated this is a federal error. Illinois should keep the language and they have. No issues.

The optional deals with 702.123. Illinois has not opened this section in this docket and as this does not a required change, but rather a query, it does not have to be amended in R 16-7.

Comments on new issues: No major issues, but we do have a few cite errors.

Part 720 (fed 260)

Section 720.133 (a) and (b) are repeated. Delete the first entry as the second one properly contains (c) through (e) as well.

Part 721 (fed 261)

721.291(c) the cite 721.196 is a non-existent section. It should be 721.296

721.294(c) the same issue as in 721.291(c) the cite 721.196 should be 721.296.

721.296 (e)(4) the cite 721.193 should be 721.293.

721.297 the cite 721.4 (a)(27) should be 721.104 (a)(27) (p 230)

721,933 (e)(4) HT needs to be subscripted like was done in (e)(5) (p 247)

721.934 (c)(1)(D)(i) the equation has E2sd and the definition has Q2sd. The equation should also have Q2sd. (p 255)

in (c)(1)(F), the cite “Eh as determined in subsection (c)(1)(F)” should be Eh as determined in subsection (c)(1)(D). (p 257)

721.935 (b)(4)(C), the cite “subsections (b)(4)(C)(i) through (b)(4)(C)(G)” should be subsections (b)(4)(C)(i) through (b)(4)(C)(vii). (p 261)

721.964(m) Board note at end of section has typo: federal new soruce should be federal new source (p 285)

721.980 the cite 721.4 (a)(27) should be 721.104 (a)(27) (p 286)

721.983(c)(4) the cite 721.9085(b)(1)(A) should be 721.985(b)(1)(A) (p 297)

721.984 (d)(3) the word closedvent needs to be closed vent (p304)

721.989 (e)(1)(F)(ii) as in 721.984 above, the word closedvent needs to be closed vent (p 337)

Part 724 (fed 264)

In 724.933(e)(4) Illinois has language that says **Error! Bookmark not defined**. This should be eliminated from the text. (page 399) Also in the equation, you define the constants in 721.934, but they are not define for the equation here in 724.933.

In 724.1102 (page 441) Illinois cites 724.310, a non-existent section, the cite should be 724.410 (Illinois equivalent of 264.310).
