

Therriault, John

From: McCambridge, Michael
Sent: Wednesday, April 27, 2016 7:39 PM
To: Eastvold, Jonathan C.
Cc: Therriault, John; Powell, Mark
Subject: RE: Question about 35 IAC 720

Pett 12

John T.: Please add this e-mail chain to docket R16-7 as a public comment.

Johnathan Eastvold: Within the chemical processing industry, the meaning of the word “intermediate” in this context is quite clear. Any attempt on the part of the Board to add to the language used by USEPA could result in confusion of that meaning—even in the context of a Board note.

In making this assertion on behalf of the Board, I am fully aware that the rule also uses the term “intermediate facility.” The term “intermediate facility” is defined in Section 720.110 in a way that leaves no confusion that a physical facility is intended. That definition avoids clouding the meaning of “intermediate” as the product of a process.

If you need more, please ask.

I am working on your other inquiries as I work on the JCAR revisions to the text. After I complete that work on Part 721, I will give your e-mails of April 11th and 15th my full attention.

From: Eastvold, Jonathan C. [<mailto:JonathanE@ilga.gov>]
Sent: Wednesday, April 13, 2016 8:57 AM
To: McCambridge, Michael
Subject: RE: Question about 35 IAC 720

Would it be permissible to add this definition as a board note?

From: McCambridge, Michael [<mailto:Michael.McCambridge@illinois.gov>]
Sent: Tuesday, April 12, 2016 3:31 PM
To: Eastvold, Jonathan C. <JonathanE@ilga.gov>
Cc: Therriault, John <John.Therriault@illinois.gov>
Subject: RE: Question about 35 IAC 720

Our rulemaking R16-7 is an identical in substance rulemaking. In this context, the Board needs to follow federal language unless the specific situation does not allow the Board to do so. One possible specific consideration that would justify Board alteration of federal language is ambiguous meaning.

The term “intermediate” is from the federal rules and occurs as the phrase “product or intermediate” in the context of physical/chemical processes. Paired with the word “product,” this use limits the meaning of “intermediate” to within the process of making the product. In the context of a process, this could only have the meaning of something between the raw materials and the final product.

In chemistry, an intermediate is a material formed from the initial materials before the desired end product of a chemical process. Alternatively, an intermediate is a substance formed in the course of a chemical process that participates in the process until it is either deactivated or consumed to make the end product.

The term “intermediate” has no other meaning in this context. The meaning is unambiguous and no further definition of “intermediate” is necessary.

John T.: Please enter this e-mail into docket R16-7 as a public comment.

From: Eastvold, Jonathan C. [<mailto:JonathanE@ilga.gov>]

Sent: Monday, April 11, 2016 2:54 PM

To: McCambridge, Michael

Subject: Question about 35 IAC 720

In 720.131(c)(3) and 720.143(a)(1) and (a)(1)(A) you refer to an “intermediate”. Is possible to define this term for purposes of this rule?

Jonathan C. Eastvold, Ph.D.

Rules Analyst II

Joint Committee on Administrative Rules

Illinois General Assembly

700 Stratton Building

Springfield, IL 62706

Tel.: 217-785-2254

JonathanE@ilga.gov