



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

February 1, 2021

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 45, Issue 6 of the Illinois Register, dated 2/5/2021.

ADOPTED RULES

Ethylene Oxide Ambient Air Monitoring

35 Ill. Adm. Code 249

1696

Point of Contact: Shannon Bilbruck

If you have any questions, you may contact the Administrative Code Division at
(217) 782 - 7017.

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NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Ethylene Oxide Ambient Air Monitoring
- 2) Code Citation: 35 Ill. Adm. Code 249
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
249.100	New Section
249.105	New Section
249.110	New Section
249.115	New Section
249.120	New Section
- 4) Statutory 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].
- 5) Effective Date of Rule: **JAN 21 2021**
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office at the James R. Thompson Center, 100 W. Randolph, Suite 11-500.
- 9) Notice of Proposal Published in Illinois Register: 44 Ill. Reg. 2216; January 31, 2020
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: The Board made a limited number of non-substantive corrections and clarifications to its first-notice proposal.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No

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NOTICE OF ADOPTED RULES

- 15) Summary and Purpose of Rulemaking: New Section 9.16(n) of the Environmental Protection Act (Act) (415 ILCS 5/9.16(n) amended in P.A. 101-22, eff. June 21, 2019) requires the IEPA to develop a system to ascertain ambient baseline levels of ethylene oxide (EtO) across Illinois. EtO is a flammable gas that is used in two ways: 1) it can be combined with other chemicals, resulting in a wide array of consumer products, including detergents, solvents, plastics, antifreeze, textiles, and adhesives; and 2) it is used as a sterilizing agent for medical equipment and a fumigating agent for food products. EtO is also an unintended byproduct of certain processes, including combustion. Sources of EtO emissions include plants, microbes, human exhalation, cigarette smoke, automobile exhaust, and industrial sources (*e.g.* commercial sterilizers and chemical facilities). EtO is one of 187 Hazardous Air Pollutants (HAPs) regulated under Section 112 of the Clean Air Act (42 U. S. C. §7412). This rule is proposed for the specific purpose of satisfying the statutory mandate to collect ambient monitoring data for EtO in order to supplement the monitoring being conducted by the United States Environmental Protection Agency (USEPA). The proposal provides a mechanism to collect ambient air samples to determine the background levels of EtO throughout the State. *Id.*
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Mark Kaminski
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

312-814-3886
mark.kaminski@illinois.gov

Copies of the Board's opinions and orders are available through the Clerk's Office On-Line (COOL) on the Board's website (<https://pcb.illinois.gov/>). You may also request copies of the Board's opinions and orders from the Clerk at the address listed above or by calling 312-814-3620. Please refer to docket number R20-18 in your request.

The full text of the adopted rules begins on the next page: