

Moving Forward Under the Pritzker Administration

Air & Waste Management Association
Lake Michigan States Section
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John J. Kim, Director
Illinois Environmental Protection Agency



Priorities

- Continue to engage partners on all sides
- Maintain current programs, expand or create new programs where possible
- Conduct in-house review of programs
- Set agency-wide goals
- Explore new revenue sources
- Increase Illinois EPA resources

Ethylene Oxide

- Volatile organic material
- Hazardous air pollutant
- Naturally created to small extent
- Created through fuels combustion
- Commercial/medical sterilization

Ethylene Oxide

- Sterilization process
 - FDA approved “recipe”
 - Pallets into sterilization chamber
 - Air evacuated
 - Ethylene oxide (EtO) introduced
 - Residence time
 - EtO evacuated
 - Backvent activated
 - Pallets to aeration room
 - Shipped off-site

Ethylene Oxide

- Illinois EPA regulation
 - Regulate emissions, process
 - Do not regulate use of EtO
 - Permitting
 - Recordkeeping
 - Reporting
 - Stack testing and monitoring
 - Inspections

Ethylene Oxide

- USEPA review of commercial sterilizers
 - NESHAP – commercial sterilizers
 - Probable → Carcinogenic to humans
- Sterigenics – Willowbrook, IL
- May 2018 sampling exercise
- Agency for Toxic Substances and Disease Registry August 2018 report

Ethylene Oxide

- People v. Sterigenics U.S. LLC,
No. 2018-CH-1329 (DuPage County)
- Illinois EPA February 2019 Seal Order
- Medline Industries, Waukegan, IL

Ethylene Oxide

- Medline Industries construction permit
 - Negative pressure/capture and control
 - Internal emissions to new scrubber
 - Backvent emissions controls
 - Aeration room emissions control improvements
 - Construction of new common stack
 - Total EtO emissions < 150 pounds/year
 - Continuous emissions monitor system

Ethylene Oxide Legislation

- Senate Bill 1852
 - Creates new Section 9.16 of Environmental Protection Act (Act)
 - Requires 100% capture and control
 - Requires 99.9% control efficiency or 0.2 ppm
 - Requires emissions testing at least once a calendar year
 - Requires continuous emissions monitoring
 - Requires approved ambient air monitoring plan
 - Requires approved dispersion modeling

Ethylene Oxide Legislation

- Senate Bill 1854
 - For facility subjected to seal order, certifications required
 - Notification of intellectual property rights
 - New CAAPP applicant must meet setbacks
 - Notification of deviations
 - Unannounced Illinois EPA inspection/year
 - Illinois EPA shall conduct air testing → statewide EtO background
 - Illinois EPA shall submit proposed ambient air testing rules

Ethylene Oxide Legislation

- Senate Bill 1852
 - Also creates new Section 9.16 of Act
 - Focuses on non-commercial sterilizer EtO sources
 - Sources must also meet location and emission criteria
 - Requires continuous emissions monitoring
 - Requires approved dispersion modeling
 - Requires an Illinois EPA-issued permit with site-specific annual EtO emissions cap

Legislation

- Repeal of Kyoto Protocol Act, HB 3481/SB 2140
 - Enacted in 1998 – denied Illinois’ ability to reduce carbon and GHGs beyond U.S. goals in Kyoto Protocol
 - U.S. withdrew from treaty in 2001
 - Allows for possibility of action on clean energy

Legislation

- Coal ash regulation, SB 9
 - Regulates coal combustion residual (CCR) surface impoundments consistent with RCRA and 40 CFR 257
 - Makes state definitions consistent with federal definitions
 - Removes on-site permit exemption for CCR surface impoundments

Legislation

- Coal ash regulation, SB 9
 - Creates new Section 22.59 of Act, that prohibits:
 - Discharge of CCR contaminants
 - Construction, operation, installation, modification, or closure of CCR surface impoundment without permit
 - Deposition of CCR on land in violation of Act

Legislation

- Coal ash regulation, SB 9
 - Allows RCRA permits issued by USEPA to be permits under Act
 - Requires CCR surface impoundments that are closing to conduct alternatives analysis including removal consideration
 - Requires owners/operators of CCR surface impoundments to provide financial assurance

Legislation

- Drycleaner Tax/Fee Extension, SB 171
 - Transfers administration of Drycleaners Environmental Response Trust Fund from DERTF Council to Illinois EPA
 - Extends repeal date for fee/tax provisions of DERTF Act by 10 years to 1/1/30
 - Limits Illinois EPA's administration to \$600,000/year



Climate Change

- Gov. Pritzker – Executive Order 2019-06
- U.S. Climate Alliance
- U.N. Paris Agreement
- Illinois EPA Office of Energy
 - Energy efficiency
 - Transportation
 - Climate finance

Enforcement & Compliance

- Historical figures
- Emphasize/renew focus
- Meaningful metrics
- Maintain partnerships



Environmental Justice

- Illinois EPA Office of Environmental Justice
- Supplemental Environmental Project Bank
- Increase transparency, risk communication coordination
- Illinois Commission on Environmental Justice

Regulatory Development

- Per- and Polyfluoroalkyl Substances (PFAS) groundwater quality standards
 - Develop strategy
 - Determine statistical relevance (18 PFAS contaminants in 118 CWS wells)
 - Develop PFAS webpage
 - Propose new combined groundwater quality standard of 70 ppt for PFOS/PFOA to 35 Ill. Adm. Code Part 620

Regulatory Development

- Tiered Approach to Corrective Action Objectives revision
 - Evaluating changes to contaminant remediation objectives
 - Objectives initially promulgated in 1997
 - Updating would ensure standards reflect most scientifically accurate toxicological and chemical/physical data



Revenue Enhancement

- Review permit fee structures
- Improve collection efforts
- Review State Revolving Fund interest rates
- Consider cost recovery for emergency response actions

Questions?

John J. Kim
Illinois EPA
(217) 782-9540
john.j.kim@illinois.gov



Illinois EPA
www2.illinois.gov/epa