1. CALL TO ORDER

9:15 AM meeting was called to order by Chair Sam Tornatore at 9:17 AM.

2. ROLL CALL

PRESENT: DiCianni, Khouri, Krajewski, Tornatore, Zay
ABSENT: Elliott

Other County Board Members present: Liz Chaplin, Greg Hart, Jim Healy, County Board Member-elect Sadia Covert

County Staff present: Joy Hinz, Mary Keating, Sheryl Markay, Conor McCarthy, Joan Olson, Doreen Phillipp, Jeremy West

3. APPROVAL OF MINUTES

A. Legislative & Governmental Affairs Committee - Regular Meeting - Aug 14, 2018 9:30 AM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Sam Tornatore, Chair
SECONDER: Peter DiCianni, District 2
AYES: DiCianni, Khouri, Krajewski, Tornatore, Zay
ABSENT: Elliott

4. PUBLIC COMMENT

There was no public comment.

5. CHAIRMAN'S REMARKS

A visual roll was taken and there was a quorum. Chairman Tornatore welcomed back members of the Committee and guests to the meeting.
6. **VETO SESSION UPDATE**

A hand out of Vetoed Substantive Bills was distributed to the Committee. The Illinois State Association of Counties (ISACo) provided Veto and Amendatory Veto material and updates on legislation important to DuPage County. The Members discussed some of the legislation and shared thoughts and insight and will address these bill in the future.

7. **ACTION ITEMS**

Items 7A through 7D were combined and approved.

Four or five similar bills to date have been introduced in the Legislature regarding the use of Ethylene Oxide. Member Hart spoke to the Committee on the dangers of Ethylene Oxide to our communities even though it was classified as a carcinogen five years ago. Member Hart discussed Senate Bill 3640 and House Bill 5983, which is similar legislation. These bills would require the Illinois Environmental Protection Agency (IEPA) to establish new ethylene oxide emissions standards within 30 days of passage. In addition, it would deny renewed permits for companies emitting ethylene oxide that exceed the revised state standards. Finally, these bills would restrict the current uses of ethylene oxide to medical product sterilization and prohibit all uses of ethylene oxide in Illinois by 2022. Member Hart asked the Committee to consider supporting this legislation.

Committee Member Krajewski inquired whether certain surgeries would cease at hospitals due to lack of sterilization of medical devices. Member Hart stated there are other alternatives that currently exist in the medical supply chain. Member Chaplin stated she thought hospitals were moving away from using Ethylene Oxide to sterilize equipment and there were other alternatives. Committee Member DiCianni asked if this legislation set a safe standard of emissions and Member Hart explained the bills would require the IEPA to establish new guidelines for emissions that are more in line with the federal and state standard and public health. Chairman Tornatore questioned Member Hart on the issue of denying renewed permits for companies emitting ethylene oxide that exceed the revised state standards. Member Hart explained Senate Bill 3630 addresses companies with existing permits and requires the IEPA to reevaluate the current air pollution of any facility emitting ethylene oxide and conduct a 90-day public hearing process. There was a Committee consensus to support legislation addressing ethylene oxide and public health and safety.

RESULT: APPROVED [UNANIMOUS]  
MOVER: James Zay, District 6  
SECONDER: Peter DiCianni, District 2  
AYES: DiCianni, Khouri, Krajewski, Tornatore, Zay  
ABSENT: Elliott

A. Action Item -- Senate Bill 3640 and House Bill 5983 Ethylene Oxide Emissions Standards

B. Action Item -- Senate Bill 3630 Ethylene Oxide Emissions Standards
C. Action Item -- Senate Bill 241, Senate Floor Amendment #1 Ethylene Oxide Notice Requirements

D. Action Item -- House Bill 5985 Use of Ethylene Oxide

8. OLD BUSINESS
There was no old business.

9. NEW BUSINESS
There was no new business.

10. ADJOURNMENT
Without objection the meeting was adjourned at 9:46 AM.
1. CALL TO ORDER

9:30 AM meeting was called to order by Chair Sam Tornatore at 9:35 AM.

2. ROLL CALL

PRESENT: DiCianni, Elliott, Khouri, Krajewski, Tornatore, Zay
ABSENT: County Staff present: Tom Cuculich, Mary Keating, Sheryl Markay, Joan Olson, Doreen Phillipp, Evan Shields, Mike Tuman, Christopher Walton

3. APPROVAL OF MINUTES

A. Legislative & Governmental Affairs Committee - Regular Meeting - May 8, 2018 9:15 AM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Peter DiCianni, District 2
SECONDER: Brian J Krajewski, District 3
AYES: DiCianni, Elliott, Khouri, Krajewski, Tornatore, Zay

4. PUBLIC COMMENT

There was no public comment.

5. CHAIRMAN'S REMARKS

A visual roll was taken and there was a quorum. The Chairman provided an overview of the Action Items listed for approval on the Agenda. Recommended for approval are two State Lobbyist and Consulting Services contracts and one Federal Lobbyist and Consulting Services contract. The Chairman explained these three contracts save DuPage County residents $22,000.00 from last year. In addition, the Chairman stated that both our State and Federal Lobbyists have both accomplished important goals for DuPage County, including the consolidation of the Election Commission, restoration of the 5% cut of the Local Government Distributive Fund “LGDF, to name a few. The County’s Federal Lobbyist last year assisted
Executive Director, Karen Ayala, of the County Health Department with her testimony in Washington regarding the opioid and heroin epidemic. In addition, they have assisted with many capital improvement projects which come from federal funding.

6. ACTION ITEMS

A. LEG-P-0226-18 Recommendation for the approval of a County Contract to Roger C. Marquardt and Company, Inc., to provide Consulting Services as Lobbyists representing DuPage County before the Illinois General Assembly and State Executive Branch. This contract covers the period of September 15, 2018 through September 14, 2019 for County Board, for a contract total amount not to exceed $90,000. Other Professional Service not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-300.4-108 (1) (b)

RESULT: APPROVED [UNANIMOUS]
MOVER: James Zay, District 6
SECONDER: Peter DiCianni, District 2
AYES: DiCianni, Elliott, Khouri, Krajewski, Tornatore, Zay

B. LEG-P-0224-18 Recommendation for the approval of a County Contract to BGR Government Affairs, LLC, to provide Consulting Services as Lobbyists representing DuPage County before the U.S. Congress and the Federal Executive Branch for DuPage County’s Division of Transportation and Stormwater Management. This contract covers the period of September 1, 2018 through August 31, 2019 for County Board, for a contract total amount not to exceed $80,000. Other Professional Service not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-300.4-108 (1) (b)

RESULT: APPROVED [UNANIMOUS]
MOVER: Tim Elliott, District 4
SECONDER: James Zay, District 6
AYES: DiCianni, Elliott, Khouri, Krajewski, Tornatore, Zay

C. LEG-P-0225-18 Recommendation for the approval of County Contract to All Circo, Inc., to provide Consulting Services as Lobbyists representing DuPage County before the Illinois General Assembly and State Executive Branch. This contract covers the period of September 15, 2018 through September 14, 2019 for County Board, for a contract total amount of $90,000.00. Other Professional Service not subject to competitive bidding per 55 ILCS 5/5-1022(a). Vendor selected pursuant to DuPage County Code Section 2-300.4-108 (1) (b)
RESULT: APPROVED [UNANIMOUS]
MOVER: Peter DiCianni, District 2
SECONDER: Brian J Krajewski, District 3
AYES: DiCianni, Elliott, Khouri, Krajewski, Tornatore, Zay

7. OLD BUSINESS
There was no old business.

8. NEW BUSINESS
There was no new business.

9. ADJOURNMENT
Without objection the meeting was adjourned at 9:40.
October 22, 2018

Chairman Sam Tornatore and
Legislative Committee Members
DuPage County Board
421 N County Farm Road
Wheaton, IL 60187

Dear Chairman Tornatore and Legislative Committee Members,

I write to encourage the Legislative Committee to formally support Illinois Senate Bill (SB) 3640. The proposed legislation, sponsored by former DuPage County Board Vice Chairman and now State Senator John Curran, would amend the Environmental Protection Act to:

1.) Require the Illinois Environmental Protection Agency (IEPA) to establish new ethylene oxide emissions standards within 30 days of passage
2.) Deny renewed permits for companies emitting ethylene oxide that exceed the revised state standards
3.) Restrict current uses of ethylene oxide to medical product sterilization and prohibit all uses of ethylene oxide in Illinois by 2022

Passage of SB 3640 would further protect our air quality and ensure that communities in DuPage County and throughout the state are protected from harmful and potentially carcinogenic ethylene oxide exposure. As you are aware, my constituents in District 3 have been impacted directly by ethylene oxide emissions from Sterigenics International. The DuPage County Board unanimously passed a resolution on September 11 demanding the revocation of Sterigenics’ operating permit until public safety was guaranteed. On October 9, the Board took further action by adding ethylene oxide in our building and zoning codes as a restricted hazardous chemical.

I encourage your committee to take action to formally support SB 3640, as it would be another demonstration of DuPage County’s leadership in taking proactive steps to protect the health and safety of our residents.

Sincerely,

Greg Hart
DuPage County Board Member
District 3
Bill Status of SB3630 100th General Assembly

Full Text  Votes  Witness Slips  View All Actions  Printer-Friendly Version

Short Description:  EPA-PERMTS-ETHYLENE OXIDE

Senate Sponsors
Sen. John F. Curran - Chris Nybo - Wm. Sam McCann

Last Action
Date        Chamber Action
11/7/2018  Senate  Assigned to Environment and Conservation

Statutes Amended In Order of Appearance
4-5 ILCS 5/9.17 new

Synopsis As Introduced
Amends the Environmental Protection Act. Provides that the Illinois Environmental Protection Agency shall reevaluate the current air pollution operating permit of any facility emitting ethylene oxide and conduct a 90-day public hearing process on such permits. Provides that no air pollution operating permit shall be renewed if the facility is in violation of any federal or State standards or current studies pertaining to ethylene oxide. In the event of an ethylene oxide leak, a facility shall issue a notice to all affected property owners and local government within 2,500 feet of the leak site. Provides that a facility emitting ethylene oxide at levels higher than federal or State standards shall immediately cease operations until the level of emissions are reduced below both federal and State standards. Effective immediately.

Actions
Date        Chamber Action
11/7/2018  Senate  Filed with Secretary by Sen. John F. Curran
11/7/2018  Senate  First Reading
11/7/2018  Senate  Referred to Assignments
11/7/2018  Senate  Added as Chief Co-Sponsor Sen. Chris Nybo
11/7/2018  Senate  Added as Chief Co-Sponsor Sen. Wm. Sam McCann
11/7/2018  Senate  Assigned to Environment and Conservation
**Bill Status of HB5985** 100th General Assembly

**Full Text**  **Votes**  **Witness Slips**  **View All Actions**  **Printer-Friendly Version**

**Short Description:** EPA-ETHYLENE OXIDE

**House Sponsors**  
Rep. Sam Yingling

**Hearings**  
Environment Hearing Nov 13 2018 3:00PM Capitol Building Room 114 Springfield, IL

### Last Action

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<thead>
<tr>
<th>Date</th>
<th>Chamber</th>
<th>Action</th>
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**Statutes Amended In Order of Appearance**  
415 ILCS 5/9.16 new

**Synopsis As Introduced**  
Amends the Environmental Protection Act. Provides that ethylene oxide may only be used for the sterilization of medical products. Prohibits the use of ethylene oxide on and after January 1, 2021. Provides that the Environmental Protection Agency shall reevaluate emissions standards and regulations for ethylene oxide and promulgate new emissions standards and regulations. Provides reporting requirements. Provides that the Agency shall conduct an evaluation of ethylene oxide emissions by facilities with a Clean Air Act Permit Program permit and evaluate and modify any such permit as needed. Provides that the Agency shall revoke a facility’s CAAPP permit if a significant public health hazard is determined to exist due to ethylene oxide emissions. Provides that a facility permitted to emit ethylene oxide shall halt emissions of ethylene oxide for a specific amount of time. Provides that it is a violation to emit ethylene oxide at a level that violates any federal or State emissions standards or regulations and the Agency shall not renew the permit of any facility in violation. Provides a right of action for any person exposed to ethylene oxide. Provides notice requirements regarding ethylene oxide. Effective immediately.

### Actions

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</tr>
<tr>
<td>11/7/2018</td>
<td>House</td>
<td>Assigned to Environment</td>
</tr>
</tbody>
</table>

**Back To Top**
Summary of Ethylene Oxide Legislation:

- **Senate Bill 241, Senate Floor Amendment #1 – Notice Requirement**
  Amends the Environmental Protection Act to provide that when a permit is required under Title X that may impact either air or water pollution, notice shall be provided by certified or registered mail to the State Senator and State Representative of the district where the facility will be located and also to the public within 15 days from the date the application is filed. Requires the Illinois EPA to work with local officials and community groups to ensure the public is informed and provides that no permit shall be issued until all notices have been provided.

- **House Bill 5985 – Use of Ethylene Oxide**
  Amends the Environmental Protection Act to provide that ethylene oxide may only be used for the sterilization of medical products. Prohibits the use of ethylene oxide on and after January 1, 2021. Provides that the Illinois EPA shall reevaluate emissions standards and regulations for ethylene oxide and promulgate new emissions standards and regulations. Provides that the agency shall conduct an evaluation of ethylene oxide emissions by facilities with a Clean Air Act Permit Program (CAAPP) permit and evaluate and modify any such permit as needed. Requires the agency to revoke a CAAPP permit if a significant public health hazard is determined to exist due to ethylene oxide emissions. Beginning 30 days after the effective date of this legislation/Act, until the completion of the permit evaluation and modification process, a facility permitted to emit ethylene oxide shall halt emissions of ethylene oxide. Prohibits the agency from issuing any new CAAPP permits for the use of ethylene oxide on and after the effective date of this Act. Further provides that any person exposed to ethylene oxide shall have a right of action in State Circuit Court or as a supplemental claim in federal district court against an offending party, among other changes.

- **Senate Bill 3630 – Ethylene Oxide Operating permits**
  Amends the Environmental Protection Act to require the Illinois EPA to reevaluate the current air pollution operating permit of any facility emitting ethylene oxide and conduct a 90-day public hearing process. Provides that no air pollution operating permit shall be renewed if the facility is in violation of any federal or state standards or current studies pertaining to ethylene oxide. In the even of an ethylene oxide leak, a facility shall issue a notice to all affected property owners and local governments within 2,500 feet of the leak site. Further provides that a facility emitting ethylene oxide at levels higher than federal or state standards shall immediately cease operations until the level of emissions are reduced below both federal and state standards.

- **Senate Bill 3640/House Bill 5983 – Use of Ethylene Oxide**
  Amends the Environmental Protection Act to provide that ethylene oxide shall only be used to sterilize medical products and only if the Illinois EPA determines there is no substitute sterilization technology available for sterilizing a particular medical product. Requires the agency to prohibit all uses of ethylene oxide by January 1, 2022. Provides that the Illinois EPA shall not renew an air pollution operating permit if the agency finds that the facility is emitting ethylene oxide at a level that violates any federal or state standards. Provides circumstances under which the agency shall reopen and modify permits issued to such facilities under the Clean Air Act Permit program.
Illinois General Assembly - Bill Status for SB3640

Bill Status of SB3640 100th General Assembly

Full Text  Votes  Witness Slips  View All Actions  Printer-Friendly Version

Short Description: EPA-ETHYLENE OXIDE BAN

Senate Sponsors
Sen. John F. Curran

Last Action
Date  Chamber  Action
11/7/2018  Senate  Assigned to Environment and Conservation

Statutes Amended in Order of Appearance
415 ILCS 5/9.16 new
415 ILCS 5/39.5 from Ch. 111 1/2, par. 1039.5

Synopsis As Introduced
Amends the Environmental Protection Act. Provides that ethylene oxide shall only be used to sterilize medical products, and only if the Environmental Protection Agency determines that there is no substitute sterilization technology available for sterilizing a particular medical product. Requires the Agency to prohibit all uses of ethylene oxide by January 1, 2022. Provides that the Agency shall not renew an air pollution operating permit if the Agency finds that the facility is emitting ethylene oxide at a level that violates any federal or State standards pertaining to ethylene oxide. Provides circumstances under which the Agency shall reopen and modify permits issued to facilities emitting ethylene oxide under the Clean Air Act Permit Program. Effective immediately.

Actions
Date  Chamber  Action
11/7/2018  Senate  Filed with Secretary by Sen. John F. Curran
11/7/2018  Senate  First Reading
11/7/2018  Senate  Referred to Assignments
11/7/2018  Senate  Assigned to Environment and Conservation

Back To Top

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Bill Status of SB0241  100th General Assembly

Full Text  Votes  Witness Slips  View All Actions  Printer-Friendly Version

Short Description:  SAFETY-TECH

Senate Sponsors
Sen. John J. Cullerton

Hearings
Executive Hearing Nov 13 2018 2:00PM Capitol 212 Springfield, IL - Senate Floor Amendment 1

Last Action

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Statutes Amended in Order of Appearance
430 ILCS 115/1 from Ch. 67 1/2, par. 501

Synopsis As Introduced

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Bill Status of HB5985 100th General Assembly

Full Text  Votes  Witness Slips  View All Actions  Printer-Friendly Version

Short Description: EPA-ETHYLENE OXIDE

House Sponsors
Rep. Sam Yingling

Hearings
Environment Hearing Nov 13 2018 3:00PM Capitol Building Room 114 Springfield, IL

Last Action
Date    Chamber    Action
11/7/2018    House    Assigned to Environment

Statutes Amended In Order of Appearance
415 ILCS 5/9.16 new

Synopsis As Introduced
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Actions
Date    Chamber    Action
11/2/2018    House    Filed with the Clerk by Rep. Sam Yingling
11/7/2018    House    First Reading
11/7/2018    House    Referred to Rules Committee
11/7/2018    House    Assigned to Environment