



Illinois Compliance Advisory Panel (CAP) Minutes
January 18, 2018 2:30 - 3:30 p.m.
DCEO Office,
607 East Adams Street
Springfield, IL 62701
Teleconference

Present: Mark Grant, Alec Davis, Annette Fulgenzi, and Rick Fiddymnt.

Via Teleconference: Ted Wysocki, Julie Armitage, Roz Iasillo, Ray Pilapil and Rob Kerr

Absent: Karen May, Michelle Haberstroh

I. Welcome

Mark Grant welcomed attendees to the meeting.

II. Introductions

Rick Fiddymnt introduced as new staff person with the Illinois Small Business Environmental Assistance Program.

III. Approval of July 31, 2017 Meeting Minutes

Ted Wysocki moved that the draft minutes of the July 31, 2017 CAP meeting be approved. Alec Davis seconded the motion. The CAP approved the minutes unanimously.

IV. Development of a National Network of Compliance Advisory Panels and Ohio SBEAP and CAP Overview

- **Speaker: Brent Goetz - Ohio Environmental Protection Agency/Division of Environmental and Financial Assistance/Office of Compliance Assistance and Pollution Prevention**

Presentation was tabled because of a scheduling error. Annette Fulgenzi gave a brief overview of the Ohio SBEAP and CAP.

V. State Updates

A. Illinois EPA Bureau of Air & Agency Updates

Julie Armitage provided an update on IEPA's Permit By Rule (PBR) process and regulations. She reported that the initial class of sources to be considered for regulation under the PBR process --- "Certain boilers and heaters using natural gas or refinery gas" -- had been finalized. Armitage also reported that IEPA had begun sending out electronic versions of Annual Emissions Reports (AER) to permittees. These were sent out on January 5th. The change to e-mailing electronic copies had been requested by permittees. There was discussion regarding issues that will arise from bad email addresses and



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AER's not being received by sources. Spam filters may also pose a problem and Illinois EPA is looking at ways to address this. Annette Fulgenzi added that some notification about these concerns could be added to the upcoming edition of Clean Air Clips along with the suggestion that companies create generic compliance inboxes so regulatory correspondence would not be impacted by staff turnover.

B. SBEAP Program Updates– DCEO

1. Budget & Staffing

The formerly vacant helpline position posted as an Energy & Natural Resources Specialist III was filled beginning on October 1, 2017 by Rick Fiddymment who previously worked in DCEO's energy programs. Fiddymment was introduced to the CAP by Annette Fulgenzi. Mark Grant inquired about the third vacancy and whether there had been any diminution of the obstacles in the way of hiring the third permanent staff person for SBEAP. The program funds were targeted for budget sweeps in SFY19 which very much limits the program this fiscal year.

2. Rapid Results Initiative

Rob Kerr, Assistant Deputy Director of the Bureau of Entrepreneurship, Innovation and Technology, provided an update on the Rapid Results Initiative being undertaken by the Bureau. The Bureau's Knowledge Base System (KBS) is the focus of the project and staff are working together to improve the information in the system and its use by the small business community. Mark Grant asked whether the KBS is accessible to the public, specifically the small business community and about its keyword search capability. Alec Davis asked whether links to SBEAP webpages and files had been built into the KBS. Annette Fulgenzi replied that some links had been incorporated. Mark Grant asked what plans there were for more widely marketing the existence and usefulness of the KBS. Rob Kerr replied that the group was looking at improving awareness and marketing of the system. Annette Fulgenzi added that there were plans in the works for utilizing client lists in Constant Contact combined with Survey Monkey to try and determine the extent of public awareness of the KBS within the business community.

3. Environmental Helpline Report

Annette Fulgenzi reported on SBEAP Helpline activity for the calendar year 2017. She presented pie charts of Helpline calls by subject area for each month in 2017 and for the calendar year that had been prepared by Michelle Haberstroh. The group discussed the different subjects that clients request information on when



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utilizing the program's helpline. Inquiries about ROSS/Permits and asbestos were the most frequent areas for questions. Links from IEPA's website from those areas increase calls. After observing the monthly pie charts, Rick Fiddymant asked whether there was any cyclical nature to the calls, any significant trends that had been observed. Annette Fulgenzi replied that subjects tend to be consistent but will have variances based up SBEAP projects for example, dry cleaner calendars and reporting deadlines like the Annual Emission Reports.

4. 2018 Dry Cleaner Compliance Workbook

Annette Fulgenzi announced that copies of the 2018 Dry Cleaner Compliance Workbook had recently been sent to all parties who had placed orders prior to December 31st. Those parties who submitted requests after that date would have theirs sent in the very near future once the pre-12/31/17 orders had been filled by DCEO Management Operations. Post-12/31/17 orders would be filled directly by the SBEAP office. Annette Fulgenzi also mentioned the development of a "palm card" for the Illinois SBEAP to replace the old brochure that uses the same graphic as the 2018 calendar.

5. Draft Stage I Vapor Recovery Guide

Annette Fulgenzi reported that an initial draft of the Guide had been completed and reviewed by IEPA staff and their suggested changes incorporated into a second draft which she circulated to CAP members.

6. Public Act 100-0436 Small Business Self-Disclosure

Annette Fulgenzi circulated copies of Public Act 100-0436, signed by Governor Rauner, that amends Section 42 of the Illinois Environmental Protection Act and makes it easier for small businesses to self-disclose. While pleased at the Governor's decision to sign the bill, Mark Grant, Ted Wysocki and Alec Davis all expressed concerns that Illinois small businesses will have difficulty determining who qualifies as a "small entity" under the Act. The problem lies with the fact that the definition is based upon the federal Small Business Act definition which involve the SBA's Size Standards for different industry types. Grant, Wysocki and Davis were concerned this would be too difficult for many small businesses to utilize. Annette Fulgenzi added that the SBEAP would provide links to the self-disclosure law as well as a link to the SBA Size Standards in order to assist small businesses.

VI. New Business/Discussion Items

A. General Discussion



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Ted Wysocki asked Annette Fulgenzi whether the portion of the FY18 SBEAP's funds targeted for sweep have actually yet been taken. The state budget includes fund sweeps of Title V permitting fees at Illinois EPA as well as Small Business Environmental Assistance Program funds. Approximately \$294,000 of the \$425,000 program budget is subject to fund sweeps. Annette Fulgenzi replied that, to the best of her knowledge, the funds had not yet been swept but that it had been awhile since she had last investigated. She said she would look into the matter.

Ted Wysocki asked whether the Illinois Competitiveness Council had met its goal of reducing the number of State of Illinois business regulations by December 31, 2017 by 20 percent. No one was able to speak directly to this as the Competitiveness Council has yet to issue a report speaking to the issue. However, Julie Armitage reported that IEPA has achieved its individual agency goal of reducing the number of its regulations by at least 20 percent and that, in consequence, the Agency had recently filed a rulemaking with the Pollution Control Board. (The petition was initially filed with the PCB on January 10, 2018 and is Case #R2018-021.)

Mark Grant asked for an update on the University of Illinois Student Law Project making the case for federal action to secure dedicated funding for the individual state SBEAP programs and proposed legislative language to bring this about. Annette Fulgenzi replied that the student undertaking the project had indeed turned in a paper at the end of the fall semester but that it fell short on the expected outcome. It could serve as a starting point to build upon. Alec Davis asked for a status update on the USEPA Region V State SBEAP Rule 6W – Plating and Polishing Initiative. Annette Fulgenzi replied that the project, a cooperative effort between USEPA and the Region V SBEAP's, is on hold pending a response from the metal finishing trade associations on checklists.

B. Next Meeting Date

It was agreed that the next meeting of the CAP should be set for April 19, 2018.