TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE B: AIR POLLUTION

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER i: AIR QUALITY STANDARDS AND EPISODES

PART 245
ODORS

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Appendix B: Section into Rule Table

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Part VIII: Odors, in R71-23, 4 PCB 191, filed and effective April 14, 1972; codified at 7 Ill. Reg. 13635.

Section 245.100 Definitions

"Animal and Marine Matter": any product or derivative of animal life.

"Food Service Establishment": any fixed or mobile restaurant; coffee shop; cafeteria; short order cafe, luncheonette, grill; tea room; sandwich shop; soda fountain; tavern; bar; cocktail lounge; nightclub; roadside stand; industrial feeding establishment; private, public, or non-profit organization or institution routinely serving food; catering kitchen; commissary or similar place in which food is placed for sale or served on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public, with or without charge.

"Odor Concentration": the number of cubic feet that one cubic foot of sample will occupy when diluted to the odor threshold. It is a measure of the number of odor units in one cubic foot of the sample. It is expressed in odor units per cubic foot.

"Odor Unit": one cubic foot of air at the odor threshold.

"Person": any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

"Process": any action, operation, or treatment and the equipment used in connection therewith, and all methods or forms of manufacturing or processing that may emit smoke, particulate matter or gaseous matter.

"Rendering": any heating process, including cooking, drying, dehydrating, digesting, evaporating and protein concentrating of animal or marine matter.

Section 245.101 Incorporation by Reference

The following is incorporated by reference: "Quantitative Odor Measurement" by John L. Mills, et al, presented at the 56th Annual Meeting of APCA, Sheraton Cadillac Hotel, June 9-23, 1963, Detroit, Michigan. (Journal of the Air Pollution Control Association, Volume 13, No. 10, October 1963, Pages 467-475).

(Source: Added and codified at 7 Ill. Reg. 13635)

Section 245.120 Inedible Rendering Process

a) The provisions of this Part shall not apply to any device, machine, equipment, or other contrivance used exclusively for the processing of food for human consumption and to food service establishments.

b) No person shall operate or use any device, machine, equipment, or other contrivance for the inedible rendering of animal or marine matter unless all gases, vapors and gas entrained effluents from these processes shall be controlled in such manner as to effectively abate any objectionable odor nuisance. In the event that the rendering processes of more than one company are contributing to the objectionable odor nuisance, abatement shall be deemed effective when the odor concentration from each process is not more than 120 odor units/cubic foot as determined by Mills adaptation of ASTM D-1391-57.

c) An objectionable odor nuisance exists when a trained state inspector, upon the receipt of a complaint from one resident or property owner in the area affected shall determine that these odors cause a nuisance as outlined in Section 245.121.

Section 245.121 Objectionable Odor Nuisance Determination

An objectionable odor nuisance exists:

a) On or adjacent to residential, recreational, institutional, retail sales, hotel or educational premises when odor is detectable in the ambient air after it is diluted with eight volumes of odor-free air as measured by the Scentometer;

b) On or adjacent to industrial premises when odor is detectable in the ambient air after it is diluted with twenty-four volumes of odor-free air as measured by the Scentometer;