



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

December 29, 2022

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 46, Issue 53 of the Illinois Register, dated 12/30/2022.

PROPOSED RULES

Permits and General Provisions 35 Ill. Adm. Code 201 Point of Contact: Shannon Bilbruck	20627
Alternative Control Strategies 35 Ill. Adm. Code 202 Point of Contact: Shannon Bilbruck	20638
Visible and Particulate Matter Emissions 35 Ill. Adm. Code 212 Point of Contact: Shannon Bilbruck	20644

REGULATORY AGENDA

Definitions and General Provisions 35 Ill. Adm. Code 211 Point of Contact: Shannon Bilbruck	20999
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If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

JANUARY 2023 REGULATORY AGENDA

a) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)

1) Rulemaking: Docket number R23-16

A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] requires the Board to adopt rules that are identical-in-substance to exempt from regulation those volatile organic compounds that the United States Environmental Protection Agency (USEPA) has determined are exempt from regulation for ozone due to negligible photochemical reactivity. The Illinois definition of volatile organic material (VOM) lists the federally excluded volatile organic compounds.

USEPA codified the compounds determined by to be exempt from regulation as 40 C.F.R. §51.100(s). 57 Fed. Reg. 3945 (Feb. 3, 1992). This codified definition includes all the compounds and classes of compounds excluded by USEPA. The Illinois definition of VOM, codified at 35 Ill. Adm. Code 211.7150, corresponds with USEPA's definition.

The Board reserved docket number R23-16 to accommodate any amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may adopt between July 1, 2022, and December 31, 2022. To date, the Board has found no USEPA amendments to the definition of VOM during this period that require Board action.

By about mid-February 2023, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois definition of VOM using the identical-in-substance procedure or dismiss docket R23-16, as appropriate.

Section 9.1(e) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, July 1, 2022, the due date for Board adoption of amendments in docket R23-16 would be July 1, 2023.

To meet a due date of July 1, 2023, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register*.

RECEIVED

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