



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

September 28, 2020

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 44, Issue 40 of the Illinois Register, dated 10/2/2020.

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information

Point of Contact: Michael McCambridge 16378

PROPOSED RULES

Air Quality Standards

35 Ill. Adm. Code 243 16081

Point of Contact: Michael McCambridge

Pretreatment Programs

35 Ill. Adm. Code 310 16097

Point of Contact: Michael McCambridge

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

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NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE OF PUBLIC HEARING AND COMMENT PERIOD
PURSUANT TO 415 ILCS 5/10(H) and 1 ILCS 100/5-70(b)

Notice of Public Comment Period and Public Hearing
for State Implementation Plan (SIP) Submittals
for National Ambient Air Quality Standards (NAAQS)

The Pollution Control Board (Board) is accepting public comments and will conduct a public hearing on a prospective NAAQS SIP submittal to the U.S. Environmental Protection Agency (USEPA). The Board will accept written comments on the proposed rule that will form the basis for the SIP proposal until 45 days after the Notice of Proposed Amendments appears in the *Illinois Register*. A public hearing will occur by videoconference between Chicago and Springfield on November 19, 2020. The Board presently anticipates adoption of amendments to the Illinois ambient air quality standards before December 31, 2020.

Section 10(H) of the Environmental Protection Act (Act) [415 ILCS 5/10(H)] requires the Board to do as follows:

[T]he Board shall adopt ambient air quality standards specifying the maximum permissible short-term and long-term concentrations of various contaminants in the atmosphere, those standards shall be identical in substance to the national ambient air quality standards promulgated by the Administrator of the United States Environmental Protection Agency in accordance with Section 109 of the Clean Air Act [(42 U.S.C. § 7409 (2018))].

The USEPA NAAQS are codified at 40 C.F.R. § 50. The Board is required to adopt those exemptions using the "identical in substance" rulemaking procedure of Section 7.2 of the Act [415 ILCS 5/7.2]. The Illinois listing of these compounds is codified at 35 Ill. Adm. Code 243.

On September 17, 2020, the Board adopted a proposal for public comment in docket R21-1 to initiate adoption of the latest USEPA amendments to and actions affecting the federal NAAQS during the first half of 2020.

- On February 3, 2020 (85 Fed. Reg. 5958), USEPA designated a new federal reference method (FRM) for sulfur dioxide (SO₂) in ambient air.
- On May 7, 2020 (85 Fed. Reg. 27221), USEPA designated a new federal equivalent method (FEM) for nitrogen dioxide (NO₂) in ambient air.
- On May 26, 2020 (85 Fed. Reg. 31378), USEPA redesignated the Lemont and Pekin areas from nonattainment to attainment for the 2010 NAAQS for SO₂. This action

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does not change applicability of any NAAQS in Illinois. The Board takes note, but this USEPA action requires no Board response.

- On June 15, 2020, USEPA updated the *List of Designated Reference and Equivalent Methods*. This update included the FRMs that USEPA designated on February 3, 2020 and May 7, 2020 (85 Fed. Reg. 27221).

The Board submitted this Notice of Public Hearing and Public Comment together with a Notice of Proposed Amendments to appear in the *Illinois Register* relative to the docket R21-1 proposal.

The Board expects that the Illinois Environmental Protection Agency (Agency) will submit the present amendments to USEPA to be included in or to revise the Illinois SIP pertaining to one or more ambient air quality priority pollutants (carbon monoxide, lead nitrogen oxides, ozone, particulate matter, and sulfur dioxide) pursuant to section 110 of the federal Clean Air Act (42 U.S.C. § 7410(a) (2018)) and the implementing USEPA regulations. See 40 C.F.R. § 51.102 and appendix V (2019).

As USEPA will require the State to have conducted a hearing on the amendments to the Illinois NAAQS rules involved in this proceeding pursuant to 42 U.S.C. § 4210(a) and 40 C.F.R. § 51.102

The Board scheduled a public hearing to allow the public to comment on the proposed amendments and the anticipated SIP revision. The Board will conduct that hearing by videoconference between the Board's offices in Chicago and Springfield, as follows:

11:45 a.m., Thursday, November 19, 2020

James R. Thompson Center
Illinois Pollution Control Board Hearing Room
100 West Randolph Street, Room 11-512
Chicago

and

Illinois Environmental Protection Agency Building
Illinois Pollution Control Board Hearing Room, Room 1244N, First Floor
1021 North Grand Avenue East
Springfield

Due to the Coronavirus pandemic and Executive Orders in effect at the time of this opinion and order, the Board is providing remote access through Webex as an additional platform for public participation.

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Use the following for remote access via Webex:

Meeting number (access code): 133 406 7470

Meeting password: Ppn6ihXT7q8

Remote Access by Webex with Video:

Hyperlink: <https://illinois.webex.com/webappng/sites/illinois/meeting/download/9047dcd61df244f094e5b0deee8ca374?siteurl=illinois&MTID=mf67ee5d4e2238d1190ef6d0880585773>

Once on the Webex page, click "Join Now", then enter the Meeting number and Password information:

Remote Access by Webex by Telephone without Video:

Phone: 312-535-8110 or 415-655-0002

Only persons physically present at either of the two hearing locations given above and those remotely participating by video will be allowed to give testimony on the record. Testimony will not be allowed by those participating by telephone. This does not limit the right of any person to submit public comments on the proposed amendments.

The Board invites public comment on the proposed amendments. The Board will receive public comments until at least 45 days after a notice of these proposed amendments appears in the *Illinois Register*. Anyone may file a public comment with the Board addressed as follows:

Office of the Clerk
Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

All comments relating to this rulemaking should clearly refer to docket R21-1.

The record in this docket will include all documents pertaining to this proceeding. All documents in the record are publicly available for inspection and copying as provided in 2 Ill. Adm. Code 2175 by contacting the Office of the Clerk. The documents are also freely available online at the Board's webpage: www.ipcb.state.il.us.

The record will not include a copy of the following documents, which are all otherwise publicly available:

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- The February 3, 2020, May 7, 2020, March 18, 2019, and May 26, 2020 *Federal Register* notices that prompted this action (referenced in the Board's September 17, 2020 opinion and order proposing amendments);
- The June 15, 2020 update to the List of Designated Methods that prompted this action (referenced in the Board's September 17, 2020 opinion and order proposing amendments);
- Federal statutes and regulations referenced in the Board's September 17, 2020 opinion and order; and
- Illinois statutes and regulations referenced in the Board's September 17, 2020 opinion and order.

The Board requests that interested persons direct questions to the following person:

Michael J. McCambridge, Staff Attorney
Pollution Control Board
100 West Randolph Street, Room 11-500
Chicago, Illinois 60601
312-814-6924
michael.mccambridge@illinois.gov

The Board requests that interested persons request documents from or submit documents to the following person:

Don A. Brown, Clerk of the Board
Pollution Control Board
100 West Randolph Street, Room 11-500
Chicago, Illinois 60601
312-814-3461
don.brown@illinois.gov

After the hearing and conclusion of the public comment period, the Board will promptly issue an opinion and order adopting final rule amendments. The Board presently anticipates voting to adopt the amendments before December 31, 2020. The Board will then file the amendments with the Office of the Secretary of State, and a Notice of Adopted Amendments will appear in the *Illinois Register*. Any Agency submission of the associated SIP revision to USEPA will follow that Notice.