

ILLINOIS POLLUTION CONTROL BOARD

IN RE THE MATTER OF:)
)
R21-1 NAAQS Update)

REPORT OF PROCEEDINGS at the hearing of the
above-entitled cause before HEARING OFFICER OFFICER
MCCAMBRIDGE, Hearing Officer of said hearing, on November
19th, 2020, at the hour of 11:45 o'clock a.m.

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A P P E A R A N C E S

STAFF ATTORNEY
MESSERS. DANIEL PAULEY and MARK KAMINSKI

 Appeared on behalf of the Illinois Pollution
 Control Board;

MS. GODIKSEN

 Appeared on behalf of the Agency;

VENESSA HORTON

 Attorney advisor for the Board.

ALSO PRESENT:

- MS. Cynthia Santos, Board Member
- MS. Jennifer VanWie, Board Member
- MS. Barbara Flynn Currie, Board Member
- MS. Cynthia Santos, Board Member
- MR. Don Brown, Clerk of the Board
- MS. Essences Brown, Tactical Unit of the Board
- MR. Rory Davis, Illinois EPA's Bureau of Air Regulatory
 Development.

1 HEARING OFFICER McCAMBRIDGE: Let's go on the
2 record. My name is Michael McCambridge. I'm the
3 Hearing Officer.

4 I am remote from home, thanks to our
5 involved situation. This is the hearing in the
6 R21-1 National Ambient Air Quality Standards, NAAQS
7 is the acronym, update for the first half of 2020
8 from January 1st to June 20th, 2020.

9 It's noticed here that we have two Board
10 Members -- or three Board Members attending. Could
11 our Board Members identify themselves?

12 Chairman Currie?

13 CHAIRMAN CURRIE: I'm Barbara Lynn Currie, and
14 I'm here.

15 HEARING OFFICER McCAMBRIDGE: Ms. Santos?

16 MS. SANTOS: I'm Cynthia Santos, and I'm here.

17 HEARING OFFICER McCAMBRIDGE: Ms. VanWie?

18 MS. VAN WIE: This is Jennifer VanWie, and I'm
19 here as well.

20 HEARING OFFICER McCAMBRIDGE: Okay. And,
21 again, all participating remotely, thanks to the
22 Internet.

23 Could persons in the Board Chicago office
24 identify themselves, for the record?

25 MR. PAULEY: This is Daniel Pauley, staff

1 attorney, and I'm the only one here.

2 HEARING OFFICER McCAMBRIDGE: Staff attorney
3 with the Board. In Springfield, could you identify?

4 I see we have other people participating, Don
5 Brown, the Clerk of the Board is monitoring this.

6 Essence, could you identify yourself

7 MS. ESSENCE: I'm Essence Brown from the
8 Tactical Unit of the Board.

9 HEARING OFFICER McCAMBRIDGE: Okay. And we
10 have Mark Kaminski. Could you identify yourself,
11 Mark?

12 MR. KAMINSKI: I'm Mark Kaminski, attorney for
13 the Board, who is also following the hearing.

14 HEARING OFFICER McCAMBRIDGE: Venessa, could
15 you identify yourself?

16 MS. HORTON: My name is Venessa Horton,
17 H-o-r-t-o-n. I'm the attorney advisor for the
18 Board.

19 HEARING OFFICER McCAMBRIDGE: Okay. And I see
20 two other persons here. Mr. Davis, could you
21 identify yourself?

22 MR. DAVIS: I'm Rory Davis with Illinois EPA's
23 Bureau of Air Regulatory Development.

24 HEARING OFFICER McCAMBRIDGE: Okay. And
25 Ms. Marzullo?

1 THE COURT REPORTER: That's me. I am the court
2 reporter, M-a-r-z-u-l-l-o.

3 HEARING OFFICER McCAMBRIDGE: Very good. I
4 wasn't aware that was you.

5 Those are all the names that I see on the
6 screen. Is there anyone else that wishes to
7 identify, for the record, that I don't see?

8 Okay, seeing none, I'll continue. As I
9 said, this is the R21-1 NAAQS Update for the First
10 Half of 2020.

11 During the first half of the year, USEPA
12 undertook a couple of actions that the Board needs
13 to attend to and one action that the Board does not.

14 On February 3rd, at 85 Fed. Reg. 5958,
15 USEPA approved a new reference method for sulfur
16 dioxide in ambient air. On May 7th, at 85 Fed. Reg.
17 27221, USEPA designated a new equivalent method for
18 nitrogen dioxide in ambient air.

19 The Board has to take action on those two,
20 incorporating those two methods into the Illinois
21 rules. May 26th, 2020, USEPA redesignated the air
22 quality for the Lemont and Pekin areas for
23 containment of the sulfur dioxide on max. The
24 reference on that is 85 Fed. Reg. 31738.

25 No Board action is required on that. The

1 Board just took note of it, because it really
2 doesn't change the applicability of any NAAQS within
3 the state. And the final thing that USEPA did on
4 June 15th on 2020, was publish a new list of
5 designated reference and equivalent methods. That
6 new updated list included the methods approved on
7 February 3rd and May 7th.

8 The Board adopted a proposal for public
9 comment in this on September 17th, 2020. A notice
10 of proposed amendments period in the October 2nd,
11 2020, Illinois Register, along with -- that was of
12 the reference for that is 44 Illinois Reg. 16081.

13 Along with the proposed amendments was a
14 notice of public information, giving notice of this
15 hearing, and that was at 44 Illinois Reg. 16378.

16 Based on the publication date of
17 October 2nd, the 45-day public comment period
18 formally ended on November 16th.

19 However, because of this hearing, I will
20 extend that public comment period for another two
21 weeks, to give people a chance to react to anything
22 said today, until December 4th.

23 After December 4th, the Board at some
24 point will consider adopting final amendments. The
25 statutory due date right now for this is

1 February 3rd of 2021.

2 Having said all that I have to say in this
3 matter, does anyone have anything to add?

4 (Discussion off the record.)

5 HEARING OFFICER McCAMBRIDGE: Does anyone --
6 MS. Godiksen, does the agency have anything to add,
7 to the record?

8 MS. GODIKSEN: No, we don't.

9 HEARING OFFICER McCAMBRIDGE: I'm sorry, you
10 broke up.

11 MS. GUNNISON: The agency has nothing to add.

12 HEARING OFFICER McCAMBRIDGE: Okay. Does
13 anyone -- any of the Board Members have anything to
14 add?

15 MS. SANTOS: Not I.

16 HEARING OFFICER McCAMBRIDGE: Anyone on Board
17 staff have anything to add?

18 (No response.)

19 HEARING OFFICER McCAMBRIDGE: The nature of
20 these IIS proceeding is that the Board does not
21 engage in substantive review of what USEPA did. Our
22 job is to incorporate USEPA requirements into the
23 Illinois program, so that we can maintain a program
24 that is federally efficient.

25 And as a result of that, I find myself

1 listening to myself more than I wish. So, having
2 said that, again, does anyone have anything to add
3 to the record?

4 (No response.)

5 HEARING OFFICER McCAMBRIDGE: Seeing none, we
6 will adjourn this hearing. Thank you. Paper copy
7 submitted to Don brown, the Clerk of the Board.

8 When it comes into the Board, Don Brown is
9 very efficient at distributing it among the people
10 who need it.

11 (WHICH WERE ALL THE PROCEEDINGS HAD.)

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1 STATE OF ILLINOIS)
2)
3 COUNTY OF COOK)

4 I, Pamela A. Marzullo, Court Reporter, certify that
5 I was authorized to and did stenographically report the
6 foregoing proceedings; and that the transcript is a true and
7 complete record of my stenographic notes.

8 I further certify that I am not a relative,
9 employee, attorney or counsel of any of the parties, nor am
10 I relative or employee of any of the parties' attorney or
11 counsel connect4d with the action, nor am I financially
12 interested in the actions.

13 Dated this 2nd day of December, 2020.
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<hr/> A <hr/> a.m 1:8 above-entitled 1:6 acronym 3:7 action 5:13,19,25 9:10 actions 5:12 9:11 add 7:3,6,11,14 7:17 8:2 adjourn 8:6 adopted 6:8 adopting 6:24 advisor 2:8 4:17 agency 2:6 7:6,11 air 2:13 3:6 4:23 5:16,18,21 ambient 3:6 5:16 5:18 amendments 6:10 6:13,24 Appeared 2:3,6 applicability 6:2 approved 5:15 6:6 areas 5:22 attend 5:13 attending 3:10 attorney 2:2,8 4:1 4:2,12,17 9:8,9 authorized 9:4 aware 5:4 <hr/> B <hr/> Barbara 2:11 3:13 Based 6:16 behalf 2:6 behelf 2:3 Board 1:1 2:4,8 2:10,10,11,11,12 2:12 3:9,10,11 3:23 4:3,5,8,13 4:18 5:12,13,19 5:25 6:1,8,23 7:13,16,20 8:7,8 broke 7:10 brown 2:12,12 4:5	4:7 8:7,8 Bureau 2:13 4:23 <hr/> C <hr/> C 2:1 cause 1:6 certify 9:3,7 Chairman 3:12,13 chance 6:21 change 6:2 Chicago 3:23 Clerk 2:12 4:5 8:7 comes 8:8 comment 6:9,17 6:20 complete 9:6 connect4d 9:10 consider 6:24 containment 5:23 continue 5:8 Control 1:1 2:4 COOK 9:2 copy 8:6 counsel 9:8,10 COUNTY 9:2 couple 5:12 court 5:1,1 9:3 Currie 2:11 3:12 3:13,13 Cynthia 2:10,11 3:16 <hr/> D <hr/> Daniel 2:2 3:25 date 6:16,25 Dated 9:13 Davis 2:13 4:20 4:22,22 day 9:13 December 6:22,23 9:13 designated 5:17 6:5 Development 2:13 4:23 dioxide 5:16,18,23	Discussion 7:4 distributing 8:9 Don 2:12 4:4 8:7,8 due 6:25 <hr/> E <hr/> E 2:1,1 efficient 7:24 8:9 employee 9:8,9 ended 6:18 engage 7:21 EPA's 2:13 4:22 equivalent 5:17 6:5 Essence 4:6,7,7 Essences 2:12 extend 6:20 <hr/> F <hr/> February 5:14 6:7 7:1 Fed 5:14,16,24 federally 7:24 final 6:3,24 financially 9:10 find 7:25 first 3:7 5:9,11 Flynn 2:11 following 4:13 foregoing 9:5 formally 6:18 further 9:7 <hr/> G <hr/> give 6:21 giving 6:14 go 3:1 Godiksen 2:5 7:6 7:8 good 5:3 GUNNISON 7:11 <hr/> H <hr/> H-o-r-t-o-n 4:17 half 3:7 5:10,11 hearing 1:5,6,7,7	3:1,3,5,15,17,20 4:2,9,13,14,19 4:24 5:3 6:15,19 7:5,9,12,16,19 8:5,6 home 3:4 Horton 2:7 4:16 4:16 hour 1:8 <hr/> I <hr/> identify 3:11,24 4:3,6,10,15,21 5:7 IIS 7:20 Illinois 1:1 2:3,13 4:22 5:20 6:11 6:12,15 7:23 9:1 included 6:6 incorporate 7:22 incorporating 5:20 information 6:14 interested 9:11 Internet 3:22 involved 3:5 <hr/> J <hr/> January 3:8 Jennifer 2:10 3:18 job 7:22 June 3:8 6:4 <hr/> K <hr/> Kaminski 2:2 4:10,12,12 <hr/> L <hr/> Lemont 5:22 Let's 3:1 list 6:4,6 listening 8:1 Lynn 3:13 <hr/> M <hr/> M-a-r-z-u-l-l-o	5:2 maintain 7:23 Mark 2:2 4:10,11 4:12 Marzullo 4:25 9:3 matter 1:2 7:3 max 5:23 McCAMBRID... 1:7 3:1,2,15,17 3:20 4:2,9,14,19 4:24 5:3 7:5,9 7:12,16,19 8:5 Member 2:10,10 2:11,11 Members 3:10,10 3:11 7:13 MESSERS 2:2 method 5:15,17 methods 5:20 6:5 6:6 Michael 3:2 monitoring 4:5 <hr/> N <hr/> N 2:1 NAAQS 1:3 3:6 5:9 6:2 name 3:2 4:16 names 5:5 National 3:6 nature 7:19 need 8:10 needs 5:12 new 5:15,17 6:4,6 nitrogen 5:18 note 6:1 notes 9:6 notice 6:9,14,14 noticed 3:9 November 1:7 6:18 <hr/> O <hr/> o'clock 1:8 October 6:10,17 office 3:23
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