



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

May 3, 2024

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 48, Issue 18 of the Illinois Register, dated 5/3/2024.

PROPOSED RULES

Permits and General Provisions 35 Ill. Adm. Code 201 Point of Contact: Shannon Bilbruck	6554
Alternative Control Strategies 35 Ill. Adm. Code 202 Point of Contact: Shannon Bilbruck	6569
Major Stationary Sources Construction and Modification 35 Ill. Adm. Code 203 Point of Contact: Shannon Bilbruck	6574
Prevention of Significant Deterioration 35 Ill. Adm. Code 204 Point of Contact: Shannon Bilbruck	6655
Toxic Air Contaminants 35 Ill. Adm. Code 232 Point of Contact: Shannon Bilbruck	6676

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

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Permits and General Provisions
- 2) Code Citation: 35 Ill. Adm. Code 201
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
201.169	Amendment
201.175	Amendment
- 4) Statutory Authority: Implementing Sections 10, 39, 39.5, and 39.12 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27, 39, 39.5, and 39.12].
- 5) A Complete Description of the Subjects and Issues Involved: This proposal amends 35 Ill. Adm. Code 201, 202, 203, 204, and 232 to make the Board's Non-Attainment New Source Review consistent with the federal Clean Air Act and underlying NA NSR program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the Illinois Register. Public comments should refer to Docket R22-17 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at pcb.illinois.gov. Public comments may be addressed to:

Clerk's Office

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NOTICE OF PROPOSED AMENDMENTS

Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
Don.brown@illinois.gov

Interested persons may download copies of the Board's opinions and orders in R22-17 from the Board's Web site at pcb.illinois.gov and may also request copies by calling the Clerk's office at 312-814-3620.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
 - C) Types of Professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Alternative Control Strategies
- 2) Code Citation: 35 Ill. Adm. Code 202
- 3) Section Number: 202.306 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 9.3 and authorized by Sections 5 and 27 of the Environmental Protection Act [415 ILCS 5/5, 9.3 and 27].
- 5) A Complete Description of the Subjects and Issues Involved: This proposal amends 35 Ill. Adm. Code 201, 202, 203, 204, and 232 to make the Board's Non-Attainment New Source Review consistent with the federal Clean Air Act and underlying NA NSR program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the Illinois Register. Public comments should refer to Docket R22-17 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at pcb.illinois.gov. Public comments may be addressed to:

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
 - C) Types of Professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:

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1) Heading of the Part: Major Stationary Sources Construction and Modification

2) Code Citation: 35 Ill. Adm. Code 203

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
203.100	New Section
203.1000	New Section
203.1010	New Section
203.1020	New Section
203.1030	New Section
203.1040	New Section
203.1050	New Section
203.1060	New Section
203.1070	New Section
203.1080	New Section
203.1090	New Section
203.1100	New Section
203.1110	New Section
203.1120	New Section
203.1130	New Section
203.1140	New Section
203.1150	New Section
203.1160	New Section
203.1170	New Section
203.1180	New Section
203.1190	New Section
203.1200	New Section
203.1210	New Section
203.1220	New Section
203.1230	New Section
203.1240	New Section
203.1250	New Section
203.1260	New Section
203.1270	New Section
203.1280	New Section
203.1290	New Section
203.1300	New Section
203.1310	New Section
203.1320	New Section

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203.1330	New Section
203.1340	New Section
203.1350	New Section
203.1360	New Section
203.1370	New Section
203.1380	New Section
203.1390	New Section
203.1400	New Section
203.1410	New Section
203.1420	New Section
203.1430	New Section
203.1440	New Section
203.1450	New Section
203.1460	New Section
203.1500	New Section
203.1600	New Section
203.1610	New Section
203.1700	New Section
203.1800	New Section
203.1810	New Section
203.1820	New Section
203.1830	New Section
203.1900	New Section
203.2000	New Section
203.2100	New Section
203.2110	New Section
203.2120	New Section
203.2130	New Section
203.2140	New Section
203.2150	New Section
203.2160	New Section
203.2170	New Section
203.2180	New Section
203.2190	New Section
203.2200	New Section
203.2210	New Section
203.2220	New Section
203.2230	New Section
203.2240	New Section

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203.2250	New Section
203.2260	New Section
203.2270	New Section
203.2280	New Section
203.2290	New Section
203.2300	New Section
203.2310	New Section
203.2320	New Section
203.2330	New Section
203.2340	New Section
203.2350	New Section
203.2360	New Section
203.2370	New Section
203.2380	New Section
203.2390	New Section
203.2400	New Section
203.2410	New Section
203.2420	New Section
203.2500	New Section
203.2510	New Section
203.2520	New Section
203.2530	New Section

- 4) Statutory Authority: Implementing Section 9.1 and 10 and authorized by Section 27 and 28.5 of the Environmental Protection Act [415 ILCS 5/9.1, 10, 27 and 28.5].
- 5) A Complete Description of the Subjects and Issues Involved: This proposal amends 35 Ill. Adm. Code 201, 202, 203, 204, and 232 to make the Board's Non-Attainment New Source Review consistent with the federal Clean Air Act and underlying NA NSR program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? Yes

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- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the Illinois Register. Public comments should refer to Docket R22-17 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at pcb.illinois.gov. Public comments may be addressed to:

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
- C) Types of Professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear

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in the previous two regulatory agendas.

The full text of the Proposed Amendments begins on the next page:

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- 1) Heading of the Part: Prevention of Significant Deterioration
- 2) Code Citation: 35 Ill. Adm. Code 204
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
204.290	Amendment
204.330	Amendment
204.380	Amendment
204.420	Amendment
204.490	Amendment
204.620	Amendment
204.800	Amendment
204.930	Amendment
204.1500	Amendment
204.1670	Amendment
- 4) Statutory Authority: Implementing Sections 9.1 and 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/9.1, 10, 27 and 28].
- 5) A Complete Description of the Subjects and Issues Involved: This proposal amends 35 Ill. Adm. Code 201, 202, 203, 204, and 232 to make the Board's Non-Attainment New Source Review consistent with the federal Clean Air Act and underlying NA NSR program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed

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- 1) Heading of the Part: Toxic Air Contaminants
- 2) Code Citation: 35 Ill. Adm. Code 232
- 3) Section Number: 232.120 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Section 9.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/9.5 and 27].
- 5) A Complete Description of the Subjects and Issues Involved: This proposal amends 35 Ill. Adm. Code 201, 202, 203, 204, and 232 to make the Board's Non-Attainment New Source Review consistent with the federal Clean Air Act and underlying NA NSR program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
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- 9) Does this proposed rulemaking contain incorporations by reference? No
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