

ILLINOIS POLLUTION CONTROL BOARD
October 20, 2011

IN THE MATTER OF:)
)
AIR QUALITY STANDARDS CLEAN-UP:) R09-19
AMENDMENTS TO 35 ILL. ADM. CODE) (Rulemaking - Air)
PARTS 217, 223, AND 243)

Adopted Rule. Final Notice.

OPINION AND ORDER OF THE BOARD (by A.S. Moore)

The Board today adopts amendments to its air pollution regulations. The Illinois Environmental Protection Agency (Agency or Illinois EPA) initiated this proceeding by filing a rulemaking proposal on December 1, 2008. On November 4, 2010, the Board issued its first-notice opinion and order proposing amendments intended to update Part 243 of the Board's regulations to reflect federal air quality standards and to make technical corrections to Sections 217.388 and 223.205. 34 Ill Reg. 17513, 17525, 17537 (Nov. 19, 2010). On September 22, 2011, the Board adopted its second-notice opinion and order. At its meeting on October 11, 2011, the Joint Committee on Administrative Rules (JCAR) issued its Certificate of No Objection to the Board's proposal.

In the opinion below, the Board first provides the procedural history of this rulemaking before summarizing its second-notice proposal. After discussing the issues of technical feasibility and economic reasonableness, the Board reaches its conclusion. The order following this opinion then directs the Clerk to file the adopted amendments with the Secretary of State for publication in the *Illinois Register*.

PROCEDURAL HISTORY

On December 1, 2008, the Agency filed a proposal to amend the air quality standards at Part 243 of the Board's regulations (Prop.). See 35 Ill. Adm. Code 243. A Statement of Reasons (SR) and a Technical Support Document accompanied the proposal. In an order dated December 18, 2008, the Board accepted the proposal for hearing.

In an order dated December 23, 2008, the hearing officer scheduled two hearings: the first on February 3, 2009, in Edwardsville, and the second on March 10, 2009, in Chicago. The same order set a deadline of January 20, 2009, to pre-file testimony for the first hearing. On January 20, 2009, the Agency filed a motion to reschedule the first hearing and to set a new deadline to pre-file testimony for it. Also on January 20, 2009, the Agency filed a motion to amend its rulemaking proposal (Mot. Amend).

In an order dated January 30, 2009, the hearing officer granted the Agency's motion to reschedule the first hearing, rescheduled it on March 10, 2009, in Chicago, and set a deadline of February 24, 2009, to pre-file testimony for it.

In an order dated February 19, 2009, the Board granted the Agency's motion to amend its proposal.

On March 3, 2009, the Agency filed a motion to file *instanter* the testimony of Mr. Robert Kaleel. Mr. Kaleel's testimony (Kaleel Test.) and a revised Technical Support Document (TSD) accompanied the motion.

The first hearing took place on March 10, 2009, and the Board received the transcript (Tr.1) on March 20, 2009. During the first hearing, the hearing officer granted the Agency's motion to file *instanter* the testimony of Mr. Kaleel. Tr.1 at 4-5. Also during the first hearing, the hearing officer admitted one exhibit into the record of this proceeding: 40 C.F.R 50.2 – 50.15 (Exh. 1). *See* Tr.1 at 15.

In an order dated March 10, 2009, the hearing officer scheduled the second hearing on April 28, 2009, in Springfield and set April 14, 2009, as the deadline to pre-file testimony for it.

On April 14, 2009, the Agency filed an *errata* sheet to its proposal (*Errata 1*). On the same date, the Illinois Environmental Regulatory Group (IERG) pre-filed the testimony of Mr. David L. Kolaz (Kolaz Test.) for the second hearing.

The second hearing took place on April 28, 2009, and the Board received the transcript (Tr.2) on May 7, 2009. During the second hearing, the hearing officer admitted three exhibits into the record: the cover page, page six, and pages 62-66 of the Agency's *2007 Illinois Annual Air Quality Report* (Exh. 2); a "Summary of Pekin Sulfur Dioxide Data from USEPA's [United States Environmental Protections Agency's] Airdata System" (Exh. 3); and a document entitled "Example Standard Language for Sulfur Oxides, Carbon Monoxide and Nitrogen Dioxide" (Exh. 4).

As required by Section 27(b) of the Act (415 ILCS 5/27(b) (2010)) the Board requested in a letter dated December 19, 2008, that the Department of Commerce and Economic Opportunity (DCEO) determine whether it would conduct an economic impact study of the Agency's rulemaking proposal. DCEO did not respond to the Board's request. At the second hearing, the hearing officer noted the Board's request to DCEO and the absence of a response to it. Tr.2 at 37. Although the hearing officer afforded those present an opportunity to testify regarding the request, no participant offered testimony. *See id.* at 37-38.

In an order dated May 8, 2009, the hearing officer set June 8, 2009, as the deadline to file post-hearing comments. On June 8, 2009, both the Agency (PC 1), and IERG (PC 2) filed post-hearing comments. On June 9, 2009, the Agency filed corrected post-hearing comments (PC 3) accompanied by a motion for leave to file *instanter*.

On July 28, 2009, the Agency filed a "Motion to File *Instanter* a Request to Add an Amendment to Part 223 to the Current Rulemaking" (Mot. Add).

On October 2, 2009, the Board docketed as a public comment an e-mail to the hearing officer from the Agency (PC 4).

On November 4, 2010, the Board issued its first-notice opinion and order (Opinion). *See* 34 Ill. Reg. 17513, 17525, 17537 (Nov. 19, 2010). In its opinion and order, the Board granted the Agency's unopposed June 9, 2009 motion for leave to file corrected post-hearing comments *instanter*. Opinion at 4. The Board also granted the Agency's unopposed July 28, 2009 motion to file *instanter* a request to add an amendment to Part 223 to this proceeding. *Id.* at 4-5.

On December 28, 2010, the Agency filed a second *errata* sheet (PC 5 or *Errata* 2).

On January 3, 2011, IERG filed first-notice comments (PC 6). On January 18, 2011, the Agency filed first-notice comments (PC 7).

On September 22, 2011, the Board adopted its second-notice opinion and order. At its meeting on October 11, 2011, JCAR issued its Certificate of No Objection to the Board's proposal.

SUMMARY OF SECOND-NOTICE PROPOSAL

In its second-notice opinion and order, the Board summarized significant elements of the record in this proceeding, and it will not repeat those summaries today. *See* Air Quality Standards Clean-Up: Amendments to 35 Ill. Adm. Code Parts 217, 223, and 243, R9-19 (Sept. 22, 2011). The Board directs the reader to the second-notice opinion and order for a summary of the Board's first-notice opinion and order (*id.* at 3-8), the Agency's second *errata* sheet (*id.* at 8-10), IERG's first-notice comments (*id.* at 10-15), and the Agency's first-notice comments (*id.* at 15-16).

In the following subsection, the Board provides a brief section-by section-review of its second-notice opinion and order, which the Board today adopts with only a small number of technical changes by JCAR.

Section 217.388

In its first-notice opinion, the Board concurred with a public comment indicating that Section 217.388(a)(2)(B) includes an incorrect cross-reference. The Board agreed that the public comment proposed an appropriate correction and submitted that correction to publication. First-notice comments did not address the substance of this proposal. Accordingly, the Board's second-notice order submitted this proposed amendment of Section 217.388 to JCAR review.

Section 223.205

In its first-notice opinion, the Board granted the Agency's unopposed motion to add a proposed amendment to Section 223.205 for consideration in this docket. Specifically, the Agency sought to amend the name of the category "Adhesives -- Construction, Panel and Floor Contact" to correspond to the definition of the term "Adhesives -- Construction, Panel and Floor

Covering Adhesives.” The Board found that this proposed amendment would clarify the Board’s volatile organic material emission regulations and submitted it to publication. First-notice comments did not address the substance of this proposal. Accordingly, the Board’s second-notice order submitted this proposed amendment of Section 223.205 to JCAR review.

Part 243 Subpart A: General Provisions

Section 243.101: Definitions

In its first-notice opinion, the Board in this section proposed only a single non-substantive change. JCAR proposed additional non-substantive changes. First-notice comments did not address any of these proposed amendments. Accordingly, the Board’s second-notice order submitted the amended Section 243.101 to JCAR review.

Section 243.104: Nondegradation

In its first-notice opinion, the Board proposed in this section only a single change correcting a typographical error, and JCAR proposed additional non-substantive changes. First-notice comments did not address any of these amendments. Accordingly, the Board’s second-notice order submitted the amended Section 243.104 to JCAR review.

Section 243.106: Monitoring

Although the Board’s first-notice opinion proposed in this section one change deleting an extra letter in a single word (*see* Opinion at 42), *Illinois Register* publication of the Board’s proposal inexplicably did not include Section 243.106. Consequently, this provision was not submitted to the statutory 45-day comment period, and the Board could not propose changes to the section for the first time at second notice. *See* 5 ILCS 100/5-40(b) (2010) (“Each agency shall give at least 45 days notice of its intended action to the general public. This first notice period shall commence on the first day the notice appears in the Illinois Register.”) The Board stated that, although the Agency’s second *errata* sheet did propose additional clarifying amendments to this section (*Errata 2* at 1), the Agency must necessarily pursue those amendments in another proceeding. The Board noted that it had recently accepted for hearing in docket R12-8 an Agency proposal to amend other sections of the Board’s air regulations, and this proceeding may present a procedural avenue for submitting these proposed changes.

Section 243.107: Reference Conditions

In its first-notice opinion, the Board submitted to publication the Agency’s proposal regarding measurements of PM_{2.5}. During the first-notice comment period, the Agency’s second *errata* sheet proposed to amend this section by adding reference to lead measurements. *Errata 2* at 1. As noted above under “Procedural History,” the Board has granted the Agency’s motion to amend its original rulemaking proposal to reflect a new federal air quality standard for lead. The Board concluded that the changes proposed by the second *errata* sheet clarify the amended proposal and submitted them to JCAR review.

Section 243.108: Incorporations by Reference

In its first-notice opinion, the Board submitted to publication the Agency's proposed amendments to materials incorporated by reference. During the first-notice comment period, the Agency's second *errata* sheet proposed to amend this section to incorporate two additional sets of material: the hi-volume method at 40 C.F.R. 50 Appendix B (1983), and the gas phase chemiluminescence method at 40 C.F.R. 50 Appendix F (1983). *Errata 2* at 2.

The Board noted, however, that it has revised the lead standard at Section 243.126 for second notice by requiring the use of a reference method specified in 40 C.F.R. Part 50 Appendix G, which sets forth sample collection requirements, instead of 40 C.F.R. 50 Appendix B. Accordingly, incorporation of Appendix B was no longer necessary, and the Board declined to list it in this section for second-notice review. *See* 40 C.F.R. 50 Appendix G (cross-referencing Appendix B).

In addition, the Board noted that the gas phase chemiluminescence method measures nitrogen dioxide concentrations. However, as the Board declined to adopt substantive amendments to this standard, it declined to incorporate this method by reference for second-notice review.

Part 243 Subpart B: Standards and Measurement Methods

Section 243.120: PM₁₀ and PM_{2.5}

In its first-notice comments, IERG stated that it concurred with the language proposed by the Board in its first-notice opinion and order (Opinion at 43-44), which the Agency's second *errata* sheet effectively restated (PC 4 at 2-3). Specifically, IERG stated that it "supports the substantive elements of the Agency's suggestions" with one exception. "[t]he phrase 'or an equivalent method designated in 40 CFR 53' should read 'or an equivalent method designated pursuant to 40 CFR 53' in subsection (b) after 'Appendix J' and in subsection (d) after 'Appendix L.'" PC 6 at 4.

The Board proposed for second-notice review the language of its first-notice opinion and order, which is effectively restated by the Agency's second *errata* sheet. The Board also concluded that the language proposed by IERG's first-notice comment would clarify this provision, and the Board incorporated that language in its order.

Section 243.122: Sulfur Oxides (Sulfur Dioxide)

Through its testimony by Mr. Kolaz and its post-hearing comments, IERG sought to amend the Agency's original proposal for the SO_x standard. *See* Kolaz Test. at 2-4; PC 2 at 5-9. The Agency opposed adoption of IERG's proposed amendments. *See* PC 3 at 5-6; PC 7 at 1. In its first-notice opinion, the Board effectively submitted the Agency's proposal to first-notice publication and declined to adopt the language proposed by IERG. Opinion at 22.

In its first-notice comment, IERG noted that USEPA had adopted a new sulfur dioxide NAAQS, which revokes both the annual and the 24-hour standard. PC 6 at 10, citing 75 Fed. Reg. 35520 (June 22, 2010). The Agency also noted that USEPA had revised this and other standards and stated that it “intends to propose revisions to these standards in a separate rulemaking in the near future.” PC 7 at 1. IERG acknowledged that these circumstances “reduce the potential impact of any interpretation of the current state rule that results in a more stringent conclusion than that which would be reached from the revoked federal rule.” PC 6 at 10. In light of these considerations, the Board submitted to JCAR review only non-substantive changes to Section 243.122 as proposed for first notice. As the Agency intended to address the recent federal revision of this standard “in the near future,” the Board anticipated a full substantive review at that time.

Section 243.123: Carbon Monoxide

In its first-notice opinion, the Board noted that the Agency’s original proposal had not sought to amend the carbon monoxide standard in Section 243.123. Opinion at 23. Although IERG had sought to amend this language (*see* Kolaz Test. at 10-11), the Board declined to submit IERG’s proposal to first-notice publication. Opinion at 23. The Board recognized that IERG has restated its position in favor of amending the carbon monoxide standard. *See* PC 6 at 12 (IERG), PC 7 at 1, 2 (Agency). However, the Board could not propose changes to this section for the first time at second-notice. *See* 5 ILCS 100/5-40(b) (2010). In this regard, the Agency indicated that USEPA is considering a revision of this standard and that an Agency rulemaking proposal would follow that federal action. *See* PC 7 at 1. Again, the Board anticipated a full substantive review in a future rulemaking.

Section 243.124: Nitrogen Dioxide

In its first-notice opinion, the Board noted that the Agency’s original proposal had not sought to amend the nitrogen dioxide standard in Section 243.124. Opinion at 23. Through its testimony by Mr. Kolaz and in post-hearing comments, IERG has recommended amendments to provision. *See* Kolaz Test. at 4-5; PC 2 at 9-10. The Agency has opposed adoption of IERG’s proposed amendments. *See* PC 3 at 5-6; PC 7 at 1. In its first-notice opinion, the Board declined to submit any amendment of this section to first-notice publication. Opinion at 23-24. Accordingly, the Board may not propose changes to this section for the first time at second notice. *See* 5 ILCS 100/5-40(b) (2010).

In addition, IERG’s first-notice comment noted that USEPA “has promulgated a new nitrogen dioxide standard while retaining the current annual standard.” PC 6 at 11, citing 75 Fed. Reg. 6474 (Feb. 9, 2010). IERG stated that it “anticipates that at some point the Agency will propose adoption of the federal standard and this matter can be addressed at that time.” PC 6 at 11. The Agency noted that USEPA has revised this and other standards and states that it “intends to propose revisions to these standards in a separate rulemaking in the near future.” PC 7 at 1.

As the Agency intended to address the recent federal revision of this standard “in the near future,” the Board anticipated a full substantive review of this standard at that time. Among

other issues, the Board expected the Agency to address in that proceeding whether to incorporate the gas phase chemiluminescence method for measurement of nitrogen dioxide concentrations.

Section 243.125: 8-Hour Ozone

In its first-notice comments, IERG stated that it concurred with the language proposed by the Board in its first-notice opinion and order (Opinion at 45), which the Agency's second *errata* sheet effectively restates (PC 4 at 3-4). Specifically, IERG stated that it "supports the substantive elements of the Agency's suggestions" with a single exception. "[T]he first sentence of subsection (b) should be replaced with the sentence 'Ozone shall be measured by a reference method based on 40 CFR Part 50, appendix D and designated in accordance with 40 CFR Part 53 or an equivalent method designated in accordance with 40 CFR Part 53.'" PC 6 at 5.

The Board proposed for second-notice review the language of its first-notice opinion and order, which was effectively restated by the Agency's second *errata* sheet. The Board also concluded that the language proposed in IERG's first-notice comment would clarify this provision, and the Board incorporated that language for JCAR review.

Section 243.126: Lead

In its first-notice comments, IERG proposed amendments to Section 243.126 on the basis that they would "correct and clarify" this provision and make it more consistent with the federal standard. Having reviewed the first-notice comments, the Board found IERG's position largely persuasive. In subsection (a), the Board concurred that the language should refer to air quality standards for lead and its compounds. However, the Board declined to amend the Agency's reference to a "maximum rolling three month average measured and determined over a three-year period." The Board concluded that this language was sufficiently clear and was consistent with 40 C.F.R. 50 Appendix R. In subsection (b), the Board concluded that IERG's proposed language made this provision more clear and also reflected the federal standard more closely than the Agency's proposal. The Board reflected these conclusion and finding in its second-notice opinion and order.

TECHNICAL FEASIBILITY AND ECONOMIC REASONABLENESS

As noted above under "Procedural Background," the Board in a letter dated December 19, 2008, requested that DCEO determine whether it would conduct an economic impact study of the Agency's rulemaking proposal. *See* 415 ILCS 5/27(b) (2010). DCEO did not respond to the Board's request. At the second hearing, the hearing officer noted the Board's request to DCEO and the absence of a response to it. Tr.2 at 37. Although the hearing officer afforded those present an opportunity to testify regarding the request, no participant offered testimony regarding that issue. *See id.* at 37-38.

At first notice, the Board noted that the Agency's Statement of Reasons addressed the issues of technical feasibility and economic reasonableness with a statement providing in its entirety that

[t]he amendments to Part 243 do not impose new requirements, they merely update the State's regulations to reflect current federal law and standards. The Illinois EPA therefore believes that an analysis of technical feasibility and economic reasonableness is not appropriate. These standards are well known to industry and have been thoroughly discussed by the U.S. EPA. Opinion at 25; *see* SR at 4.

Generally, the Board proposed for first-notice publication language reflecting the Agency's intent to adopt revised NAAQS promulgated by USEPA into Part 243. Opinion at 25. The Board generally declined to propose language that was not suggested by the Agency and that raised questions about identifying potentially affected sources and projecting economic and environmental impacts. Accordingly, the Board concurred with the Agency that the first-notice proposal reflected current federal law and that compliance with it is both technically feasible and economically reasonable. *Id.* The Board also concluded that the proposed amendments to Parts 217 and 223 provide only clarifying technical corrections and are also technically feasible and economically reasonable. *Id.* In the absence of any persuasive argument to the contrary, the Board concludes that the adopted amendments below are both technically feasible and economically reasonable.

CONCLUSION

The Board adopts amendments to air quality standards in Part 243 of its air pollution regulations and also adopts technical corrections in Sections 217.388 and Part 223.205. Substantively, the Board adopts its second-notice proposal with a small number of technical changes by JCAR.

ORDER

The Board directs the Clerk to file the following adopted rules with the Secretary of State for publication in the *Illinois Register*. Additions to the rules are underlined, and proposed deletions from them appear stricken.

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER ~~6~~c: EMISSION STANDARDS AND LIMITATIONS
 FOR STATIONARY SOURCES

PART 217
 NITROGEN OXIDES EMISSIONS
 SUBPART A: GENERAL PROVISIONS

Section	
217.100	Scope and Organization
217.101	Measurement Methods

- 217.102 Abbreviations and Units
- 217.103 Definitions
- 217.104 Incorporations by Reference

SUBPART B: NEW FUEL COMBUSTION EMISSION SOURCES

- Section
- 217.121 New Emission Sources (Repealed)

SUBPART C: EXISTING FUEL COMBUSTION EMISSION UNITS

- Section
- 217.141 Existing Emission Units in Major Metropolitan Areas

SUBPART D: NO_x GENERAL REQUIREMENTS

- Section
- 217.150 Applicability
- 217.152 Compliance Date
- 217.154 Performance Testing
- 217.155 Initial Compliance Certification
- 217.156 Recordkeeping and Reporting
- 217.157 Testing and Monitoring
- 217.158 Emissions Averaging Plans

SUBPART E: INDUSTRIAL BOILERS

- Section
- 217.160 Applicability
- 217.162 Exemptions
- 217.164 Emissions Limitations
- 217.165 Combination of Fuels
- 217.166 Methods and Procedures for Combustion Tuning

SUBPART F: PROCESS HEATERS

- Section
- 217.180 Applicability
- 217.182 Exemptions
- 217.184 Emissions Limitations
- 217.185 Combination of Fuels
- 217.186 Methods and Procedures for Combustion Tuning

SUBPART G: GLASS MELTING FURNANCES

- Section

217.200	Applicability
217.202	Exemptions
217.204	Emissions Limitations

SUBPART H: CEMENT AND LIME KILNS

Section	
217.220	Applicability
217.222	Exemptions
217.224	Emissions Limitations

SUBPART I: IRON AND STEEL AND ALUMINUM MANUFACTURING

Section	
217.240	Applicability
217.242	Exemptions
217.244	Emissions Limitations

SUBPART K: PROCESS EMISSION SOURCES

Section	
217.301	Industrial Processes

SUBPART M: ELECTRICAL GENERATING UNITS

Section	
217.340	Applicability
217.342	Exemptions
217.344	Emissions Limitations
217.345	Combination of Fuels

SUBPART O: CHEMICAL MANUFACTURE

Section	
217.381	Nitric Acid Manufacturing Processes

SUBPART Q: STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES AND TURBINES

Section	
217.386	Applicability
217.388	Control and Maintenance Requirements
217.390	Emissions Averaging Plans
217.392	Compliance
217.394	Testing and Monitoring
217.396	Recordkeeping and Reporting

SUBPART T: CEMENT KILNS

Section	
217.400	Applicability
217.402	Control Requirements
217.404	Testing
217.406	Monitoring
217.408	Reporting
217.410	Recordkeeping

SUBPART U: NO_x CONTROL AND TRADING PROGRAM FOR SPECIFIED NO_x GENERATING UNITS

Section	
217.450	Purpose
217.452	Severability
217.454	Applicability
217.456	Compliance Requirements
217.458	Permitting Requirements
217.460	Subpart U NO _x Trading Budget
217.462	Methodology for Obtaining NO _x Allocations
217.464	Methodology for Determining NO _x Allowances from the New Source Set-Aside
217.466	NO _x Allocations Procedure for Subpart U Budget Units
217.468	New Source Set-Asides for "New" Budget Units
217.470	Early Reduction Credits (ERCs) for Budget Units
217.472	Low-Emitter Requirements
217.474	Opt-In Units
217.476	Opt-In Process
217.478	Opt-In Budget Units: Withdrawal from NO _x Trading Program
217.480	Opt-In Units: Change in Regulatory Status
217.482	Allowance Allocations to Opt-In Budget Units

SUBPART V: ELECTRIC POWER GENERATION

Section	
217.521	Lake of Egypt Power Plant
217.700	Purpose
217.702	Severability
217.704	Applicability
217.706	Emission Limitations
217.708	NO _x Averaging
217.710	Monitoring
217.712	Reporting and Recordkeeping

SUBPART W: NO_x TRADING PROGRAM FOR

ELECTRICAL GENERATING UNITS

Section	Purpose
217.750	Purpose
217.751	Sunset Provisions
217.752	Severability
217.754	Applicability
217.756	Compliance Requirements
217.758	Permitting Requirements
217.760	NO _x Trading Budget
217.762	Methodology for Calculating NO _x Allocations for Budget Electrical Generating Units (EGUs)
217.764	NO _x Allocations for Budget EGUs
217.768	New Source Set-Asides for "New" Budget EGUs
217.770	Early Reduction Credits for Budget EGUs
217.774	Opt-In Units
217.776	Opt-In Process
217.778	Budget Opt-In Units: Withdrawal from NO _x Trading Program
217.780	Opt-In Units: Change in Regulatory Status
217.782	Allowance Allocations to Budget Opt-In Units

SUBPART X: VOLUNTARY NO_x EMISSIONS REDUCTION PROGRAM

Section	Purpose
217.800	Purpose
217.805	Emission Unit Eligibility
217.810	Participation Requirements
217.815	NO _x Emission Reductions and the Subpart X NO _x Trading Budget
217.820	Baseline Emissions Determination
217.825	Calculation of Creditable NO _x Emission Reductions
217.830	Limitations on NO _x Emission Reductions
217.835	NO _x Emission Reduction Proposal
217.840	Agency Action
217.845	Emissions Determination Methods
217.850	Emissions Monitoring
217.855	Reporting
217.860	Recordkeeping
217.865	Enforcement

Section 217.APPENDIX A	Rule into Section Table
Section 217.APPENDIX B	Section into Rule Table
Section 217.APPENDIX C	Compliance Dates
Section 217.APPENDIX D	Non-Electrical Generating Units
Section 217.APPENDIX E	Large Non-Electrical Generating Units
Section 217.APPENDIX F	Allowances for Electrical Generating Units

Section 217.APPENDIX G Existing Reciprocating Internal Combustion Engines Affected by the NO_x SIP Call

Section 217.APPENDIX H Compliance Dates for Certain Emissions Units at Petroleum Refineries

AUTHORITY: Implementing Sections 9.9 and 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/9.9, 10, 27 and 28].

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 207: Nitrogen Oxides Emissions, R71-23, 4 PCB 191, April 13, 1972, filed and effective April 14, 1972; amended at 2 Ill. Reg. 17, p. 101, effective April 13, 1978; codified at 7 Ill. Reg. 13609; amended in R01-9 at 25 Ill. Reg. 128, effective December 26, 2000; amended in R01-11 at 25 Ill. Reg. 4597, effective March 15, 2001; amended in R01-16 and R01-17 at 25 Ill. Reg. 5914, effective April 17, 2001; amended in R07-18 at 31 Ill. Reg. 14271, effective September 25, 2007; amended in R07-19 at 33 Ill. Reg. 11999, effective August 6, 2009; amended in R08-19 at 33 Ill. Reg. 13345, effective August 31, 2009; amended in R09-20 at 33 Ill. Reg. 15754, effective November 2, 2009; amended in R11-17 at 35 Ill. Reg. 7391, effective April 22, 2011; amended in R11-24 at 35 Ill. Reg. 14627, effective August 22, 2011; amended in R11-8 at 35 Ill. Reg. 16600, effective September 27, 2011; amended in R09-19 at 35 Ill. Reg. _____, effective _____.

SUBPART Q: STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES AND TURBINES

Section 217.388 Control and Maintenance Requirements

- a) On and after the applicable compliance date in Section 217.392, an owner or operator of an affected unit must inspect and maintain affected units as required by subsection (a)(4) of this Section and comply with one of the following: the applicable emissions concentration as set forth in subsection (a)(1) of this Section, the requirements for an emissions averaging plan as specified in subsection (a)(2) of this Section, or the requirements for operation as a low usage unit as specified in subsection (a)(3) of this Section.
 - 1) Limits the discharge from an affected unit into the atmosphere of any gases that contain NO_x to no more than:
 - A) 150 ppmv (corrected to 15 percent O₂ on a dry basis) for spark-ignited rich-burn engines;
 - B) 210 ppmv (corrected to 15 percent O₂ on a dry basis) for spark-ignited lean-burn engines, except for existing spark-ignited Worthington engines that are not listed in Appendix G;
 - C) 365 ppmv (corrected to 15 percent O₂ on a dry basis) for existing spark-ignited Worthington engines that are not listed in Appendix G;

- D) 660 ppmv (corrected to 15 percent O₂ on a dry basis) for diesel engines;
 - E) 42 ppmv (corrected to 15 percent O₂ on a dry basis) for gaseous fuel-fired turbines; and
 - F) 96 ppmv (corrected to 15 percent O₂ on a dry basis) for liquid fuel-fired turbines.
- 2) Complies with an emissions averaging plan as provided for in either subsection (a)(2)(A) or (a)(2)(B) of this Section:
- A) For any affected unit identified by Section 217.386: The requirements of the applicable emissions averaging plan as set forth in Section 217.390; or
 - B) For units identified in Section 217.386(a)(2)(~~1~~)(B): The requirements of an emissions averaging plan adopted pursuant to any other Subpart of this Part. For such affected engines and turbines the applicable requirements of this Subpart apply, including, but not limited to, calculation of NO_x allowable and actual emissions rates, compliance dates, monitoring, testing, reporting, and recordkeeping.
- 3) Operates, for units not listed in Appendix G, the affected unit as a low usage unit pursuant to subsection (a)(3)(A) or (a)(3)(B) of this Section. Low usage units that are not part of an emissions averaging plan are not subject to the requirements of this Subpart Q except for the requirements to inspect and maintain the unit pursuant to subsection (a)(4) of this Section, test as required by Section 217.394(f), and retain records pursuant to Section 217.396(b) and (d). Either the limitation in subsection (a)(3)(A) or (a)(3)(B) may be utilized at a source, but not both:
- A) The potential to emit (PTE) is no more than 100 TPY NO_x aggregated from all engines and turbines located at the source that are not otherwise exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a)(1) or (a)(2) of this Section, and the NO_x PTE limit is contained in a federally enforceable permit; or
 - B) The aggregate bhp-hrs/MW-hrs from all affected units located at the source that are not exempt pursuant to Section 217.386(b), and not complying with the requirements of subsection (a)(1) or (a)(2) of this Section, are less than or equal to the bhp-hrs and MW-hrs operation limit listed in subsections (a)(3)(B)(i) and (a)(3)(B)(ii) of

this Section. The operation limits of subsections (a)(3)(B)(i) and (a)(3)(B)(ii) of this Section must be contained in a federally enforceable permit, except for units that drive a natural gas compressor located at a natural gas compressor station or storage facility. The operation limits are:

- i) 8 mm bhp-hrs or less on an annual basis for engines; and
 - ii) 20,000 MW-hrs or less on an annual basis for turbines.
- 4) Inspects and performs periodic maintenance on the affected unit, in accordance with a Maintenance Plan that documents:
- A) For a unit not located at natural gas transmission compressor station or storage facility, either:
 - i) The manufacturer's recommended inspection and maintenance of the applicable air pollution control equipment, monitoring device, and affected unit; or
 - ii) If the original equipment manual is not available or substantial modifications have been made that require an alternative procedure for the applicable air pollution control device, monitoring device, or affected unit, the owner or operator must establish a plan for inspection and maintenance in accordance with what is customary for the type of air pollution control equipment, monitoring device, and affected unit.
 - B) For a unit located at a natural gas compressor station or storage facility, the operator's maintenance procedures for the applicable air pollution control device, monitoring device, and affected unit.
- b) Owners and operators of affected units may change the method of compliance with this Subpart, as follows:
- 1) When changing the method of compliance from subsection (a)(3) of this Section to subsection (a)(1) or (a)(2) of this Section, the owner or operator must conduct testing and monitoring according to the requirements of Section 217.394(a) through (e), as applicable. For this purpose, references to the "applicable compliance date" in Section 217.394(a)(2) and (a)(3) shall mean the date by which compliance with subsection (a)(1) or (a)(2) of this Section is to begin.

- 2) An owner or operator of an affected unit that is changing the method of compliance from subsection (a)(1) or (a)(2) of this Section to subsection (a)(3) of this Section must:
- A) Continue to operate the affected unit's control device, if that unit relied upon a NO_x emissions control device for compliance with the requirements of subsection (a)(1) or (a)(2) of this Section; and
 - B) Prior to changing the method of compliance to subsection (c) of this Section, complete any outstanding initial performance testing, subsequent performances testing or monitoring as required by Section 217.394(a), (b), (c), (d) or (e) for the affected unit. If the deadline for such testing or monitoring has not yet occurred (e.g., the five-year testing or monitoring sequence has not yet elapsed), the owner or operator must complete the test or monitoring prior to changing the method of compliance to subsection (a)(3) of this Section. After changing the method of compliance to subsection (a)(3) of this Section, no additional testing or monitoring will be required for the affected unit while it is complying with subsection (a)(3) of this Section, except as provided for in Section 217.394(f).

(Source: Amended at 35 Ill. Reg. _____, effective _____)

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE B: AIR POLLUTION
 CHAPTER I: POLLUTION CONTROL BOARD
 SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
 FOR STATIONARY SOURCES

PART 223
 STANDARDS AND LIMITATIONS FOR ORGANIC MATERIAL EMISSIONS FOR AREA
 SOURCES

SUBPART A: GENERAL PROVISIONS

Section	
223.100	Severability
223.105	Abbreviations and Acronyms
223.120	Incorporations by Reference

SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

Section	
223.200	Purpose
223.201	Applicability

223.203	Definitions for Subpart B
223.205	Standards
223.206	Diluted Products
223.207	Products Registered under FIFRA
223.208	Requirements for Aerosol Adhesives
223.209	Requirements for Floor Wax Strippers
223.210	Products Containing Ozone-Depleting Compounds
223.220	Requirements for Charcoal Lighter Material
223.230	Exemptions
223.240	Innovative Product Exemption
223.245	Alternative Compliance Plans
223.250	Product Dating
223.255	Additional Product Dating Requirements
223.260	Most Restrictive Limit
223.265	Additional Labeling Requirements for Aerosol Adhesives, Adhesive Removers, Electronic Cleaners, Electrical Cleaners, Energized Electrical Cleaners, and Contact Adhesives
223.270	Reporting Requirements
223.275	Special Recordkeeping Requirements for Consumer Products that Contain Perchloroethylene or Methylene Chloride
223.280	Calculating Illinois Sales
223.285	Test Methods

SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS

Section	
223.300	Purpose
223.305	Applicability
223.307	Definitions for Subpart C
223.310	Standards
223.320	Container Labeling Requirements
223.330	Reporting Requirements
223.340	Compliance Provisions and Test Methods
223.350	Alternative Test Methods
223.360	Methacrylate Traffic Coating Markings
223.370	Test Methods

AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28].

SOURCE: Adopted in R08-17 at 33 Ill. Reg. 8224, effective June 8, 2009; amended in R09-19 at 35 Ill. Reg. _____, effective _____.

SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

Section 223.205 Standards

- a) Except as provided in Section 223.207, 223.230, 223.240, or 223.245, no person shall sell, supply, offer for sale, or manufacture for sale in Illinois any consumer product manufactured on or after July 1, 2009 that contains VOMs in excess of the limits specified in this subsection:

Affected Product	% VOM by Weight
1) Adhesives – Spray	
A) Mist Spray	65
B) Web Spray	55
C) Special Purpose Spray Adhesives	
i) Mounting, Automotive Engine Compartment, and Flexible Vinyl	70
ii) Polystyrene Foam and Automotive Headliner	65
iii) Polyolefin and Laminate Repair/Edgebanding	60
2) Adhesives – Construction, Panel, and Floor <u>Covering</u> Contact	15
3) Adhesives – General Purpose	10
4) Adhesives – Structural Waterproof	15
5) Air Fresheners	
A) Single-Phase Aerosol	30
B) Double Phase Aerosol	25
C) Liquids / Pump Sprays	18
D) Solids / Gel	3
6) Antiperspirants	
A) Aerosol	40 HVOM 10 HVOM

	B) Non-Aerosol	0 MVOM	
		0 MVOM	
7)	Automotive Brake Cleaners	45	
8)	Automotive Rubbing or Polishing Compound	17	
9)	Automotive Wax, Polish, Sealant, or Glaze		
	A) Hard Paste Waxes	45	
	B) Instant Detailers	3	
	C) All Other Forms	15	
10)	Automotive Windshield Washer Fluids	35	
11)	Bathroom and Tile Cleaners		
	A) Aerosol	7	
	B) All Other Forms	5	
12)	Bug and Tar Remover	40	
13)	Carburetor or Fuel-Injection Air Intake Cleaners	45	
14)	Carpet and Upholstery Cleaners		
	A) Aerosol	7	
	B) Non-Aerosol (Dilutables)	0.1	
	C) Non-Aerosol (Ready-to-Use)	3.0	
15)	Charcoal Lighter Material	see Section 223.220	
16)	Cooking Spray – Aerosol	18	
17)	Deodorants		
	A) Aerosol	0 HVOM	
		10 HVOM	
	B) Non-Aerosol	0 MVOM	

		0	MVOM
18)	Dusting Aids		
	A) Aerosol	25	
	B) All Other Forms	7	
19)	Engine Degreasers		
	A) Aerosol	35	
	B) Non-Aerosol	5	
20)	Fabric Protectants	60	
21)	Floor Polishes / Waxes		
	A) Products for Flexible Flooring Materials	7	
	B) Products for Nonresilient Flooring	10	
	C) Wood Floor Wax	90	
22)	Floor Wax Strippers		see Section 223.209
23)	Furniture Maintenance Products		
	A) Aerosol	17	
	B) All Other Forms Except Solid or Paste	7	
24)	General Purpose Cleaners		
	A) Aerosol	10	
	B) Non-Aerosol	4	
25)	General Purpose Degreasers		
	A) Aerosol	50	
	B) Non-Aerosol	4	
26)	Glass Cleaners		

	A) Aerosol	12
	B) Non-Aerosol	4
27)	Hair Mousses	6
28)	Hairshines	55
29)	Hairsprays	55
30)	Hair Styling Gels	6
31)	Heavy Duty Hand Cleaner or Soap	8
32)	Insecticides	
	A) Crawling Bug (Aerosol)	15
	B) Crawling Bug (All Other Forms)	20
	C) Flea and Tick	25
	D) Flying Bug (Aerosol)	25
	E) Flying Bug (All Other Forms)	35
	F) Foggers	45
	G) Lawn and Garden (Aerosol)	20
	H) Lawn and Garden (All Other Forms)	3
	I) Wasp and Hornet	40
33)	Laundry Prewash	
	A) Aerosols / Solids	22
	B) All Other Forms	5
34)	Laundry Starch Products	5
35)	Metal Polishes / Cleansers	30
36)	Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Products)	50

37)	Nail Polish Removers	75
38)	Non-Selective Terrestrial Herbicide - Non-Aerosol	3
39)	Oven Cleaners	
	A) Aerosols / Pump Sprays	8
	B) Liquids	5
40)	Paint Removers or Strippers	50
41)	Penetrants	50
42)	Rubber and Vinyl Protectants	
	A) Aerosol	10
	B) Non-Aerosol	3
43)	Sealants and Caulking Compounds	4
44)	Shaving Creams	5
45)	Silicone-Based Multi-Purpose Lubricants (Excluding Solid or Semi-Solid Products)	60
46)	Spot Removers	
	A) Aerosol	23
	B) Non-Aerosol	8
47)	Tire Sealants and Inflators	20
48)	Undercoatings – Aerosols	40

- b) No person shall sell, supply, offer for sale, or manufacture for sale in Illinois, on or after July 1, 2009, any antiperspirant or deodorant that contains any compound listed below:

Benzene

Ethylene Dibromide

Ethylene Dichloride

Hexavalent Chromium

Asbestos

Cadmium (metallic cadmium and cadmium compounds)

Carbon Tetrachloride

Trichloroethylene

Chloroform

Vinyl Chloride

Inorganic Arsenic

Nickel (metallic nickel and inorganic nickel compounds)

Perchloroethylene

Formaldehyde

1,3-Butadiene

Inorganic Lead

Dibenzo-p-dioxins and dibenzofurans chlorinated in the 2,3,7 and 8 positions and containing 4,5,6 or 7 chlorine atoms

(Source: Amended at 35 Ill. Reg. _____, effective _____).

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER I: AIR QUALITY STANDARDS AND EPISODES

PART 243
AIR QUALITY STANDARDS

SUBPART A: GENERAL PROVISIONS

Section
243.101

Definitions

243.102	Preamble
243.103	Applicability
243.104	Nondegradation
243.106	Monitoring
243.107	Reference Conditions
243.108	Incorporations by Reference

SUBPART B: STANDARDS AND MEASUREMENT METHODS

Section	
243.120	<u>PM₁₀ and PM_{2.5}</u> PM-10
243.121	Particulates (Repealed)
243.122	Sulfur Oxides (Sulfur Dioxide)
243.123	Carbon Monoxide
243.124	Nitrogen Dioxide
243.125	<u>8-Hour Ozone</u>
243.126	Lead

243.APPENDIX A	Rule into Section Table
243.APPENDIX B	Section into Rule Table
243.APPENDIX C	Past Compliance Dates

AUTHORITY: Implementing Section 10 and authorized by Section 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27, and 28].

SOURCE: Adopted as Chapter 2: Air Pollution, Part III: Air Quality Standards, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R80-11, 46 PCB 125, at 6 Ill. Reg. 5804, effective April 22, 1982; amended in R82-12, at 7 Ill. Reg. 9906, effective August 18, 1983; codified at 7 Ill. Reg. 13630; amended in R91-35 at 16 Ill. Reg. 8185, effective May 15, 1992; amended in R09-19 at 35 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 243.101 Definitions

- a) Except as ~~hereinafter~~ stated in this Part and unless a different meaning of a term is clear from its context, the definitions of terms used in this Part shall be the same as those used in the Environmental Protection Act [415 ILCS 5] (~~Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1001 et seq.~~) (Act).
- b) All terms ~~that~~which appear in this Part have the definitions specified by 35 Ill. Adm. Code Parts 201 or 211 ~~of this Chapter~~.

(Source: Amended at 35 Ill. Reg. _____, effective _____).

Section 243.104 Nondegradation

Existing ambient air quality ~~that~~^{which} is better than the established ambient air quality standards at the date of their adoption will be maintained in its present high quality. Such ambient air quality shall not be lowered unless and until it is proved to the Illinois Environmental Protection Agency (Agency) that ~~thesuch~~ change is justifiable as a result of necessary economic and social development and will not interfere with or become injurious to human health or welfare.

(Source: Amended at 35 Ill. Reg. _____, effective _____).

Section 243.107 Reference Conditions

All measurements of air quality, except PM_{2.5} and lead, are corrected to a reference temperature of 25°C, and to a reference pressure of 760 millimeters of mercury (1013.2 millibars). PM_{2.5} and lead measurements shall be based upon the actual ambient air volume measured at the actual temperature and pressure at the monitoring site during the measurement period.

(Source: Amended at 35 Ill. Reg. _____, effective _____).

Section 243.108 Incorporations by Reference

The following materials are incorporated by reference. These incorporations do not include any later amendments or editions:

- a) Pararosaniline method, 40 CFR 50, ~~appendix~~Appendix A (1982).
- b) Non-dispersive infrared spectrometry technique, 40 CFR 50, ~~appendix~~Appendix C (1982), 36 Fed. Reg. 22391, November 25, 1971.
- c) Colorimetric method, 36 Fed. Reg. 22396, November 25, 1971.
- d) Ozone-ethylene reaction method, 40 CFR 50, ~~appendix~~Appendix D (1982), 36 Fed. Reg. 22392, November 25, 1971.
- e) Lead, 40 CFR 50, ~~appendix G (2008)~~ Appendix G (1982) 3 Fed. Reg. 46258, October 5, 1978, as amended at 44 Fed. Reg. 37915, June 29, 1979; 46 Fed. Reg. 44163, September 3, 1981.
- f) Reference method for the determination of particulate matter as ~~PM₁₀~~PM-10 in the atmosphere, 40 CFR 50, ~~appendix~~Appendix J (1990).
- g) Interpretation of the National Ambient Air Quality Standards (NAAQS)~~national ambient air quality standards~~ for particulate matter, 40 CFR 50, ~~appendix~~Appendix K, 73 Fed. Reg. 61144 (October 17, 2006). (1990)

- h) Reference method for the determination of particulate matter as PM_{2.5} in the atmosphere, 40 CFR 50, appendix L, 73 Fed. Reg. 61144 (October 17, 2006).
- i) Interpretation of the NAAQS for PM_{2.5}, 40 CFR 50, appendix N, 73 Fed. Reg. 1497 (January 9, 2008).
- j) Interpretation of the NAAQS for O₃, 40 CFR 50, appendix P, 73 Fed. Reg. 16436 (March 27, 2008).
- k) The NAAQS for Lead; Final Rule, 40 CFR 50, 51, 53, and 58, 73 Fed. Reg. 66964 (November 12, 2008).
- l) Interpretation of the NAAQS for Lead, 40 CFR 50, appendix R, 73 Fed. Reg. 66964 (November 12, 2008).

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART B: STANDARDS AND MEASUREMENT METHODS

Section 243.120 PM₁₀ and PM_{2.5}~~PM-10~~

- a) Standards. The primary and secondary ambient air quality standards for PM₁₀ PM₁₀ are a maximum 24-hour average concentration of 150 µg/m³. The standards are attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one, as measured and determined in accordance with subsection (b).
 - 1) ~~An annual arithmetic mean concentration of 50 micrograms per cubic meter; and~~
 - 2) ~~A maximum 24-hour concentration of 150 micrograms per cubic meter, not to be exceeded more than once per year.~~
- b) Measurement Method. For determining conformance with the PM₁₀ PM-10 ambient air quality standards, PM₁₀ PM-10 shall be measured by the method described in 40 CFR 50, ~~appendix Appendix~~ J or an equivalent method designated pursuant to 40 CFR 53 (incorporated by reference in Section 243.108). The standards are attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one, as determined in accordance with ~~The computations necessary for analyzing particulate matter data to determine attainment of the PM₁₀ PM-10 standards are described in~~ 40 CFR 50, ~~appendix Appendix~~ K (incorporated by reference in Section 243.108).
- c) Standards. The primary and secondary ambient air quality standards for PM_{2.5} are:

- 1) An annual arithmetic mean concentration of 15.0 $\mu\text{g}/\text{m}^3$; and as measured and determined in conformance with subsection (d).
 - 2) A maximum 24-hour concentration of 35 $\mu\text{g}/\text{m}^3$, at the 98th percentile value, and as measured and determined in conformance with subsection (d).
- d) Measurement Method for $\text{PM}_{2.5}$. For determining conformance with the $\text{PM}_{2.5}$ ambient air quality standards, $\text{PM}_{2.5}$ shall be measured by the method described in 40 CFR 50, ~~appendix Appendix L~~ or an equivalent method designated pursuant to 40 CFR 53 (incorporated by reference in Section 243.108). Compliance with the standards is determined using the methods and procedures ~~The computations necessary for analyzing particulate matter data to determine attainment of the $\text{PM}_{2.5}$ standards are~~ described in 40 CFR 50, ~~appendix Appendix N~~ (incorporated by reference in Section 243.108).
- 1) The annual primary and secondary $\text{PM}_{2.5}$ standards are met when the annual arithmetic mean concentration, as determined in accordance with 40 CFR 50, Appendix N, is less than or equal to 15.0 $\mu\text{g}/\text{m}^3$.
 - 2) The 24-hour primary and secondary $\text{PM}_{2.5}$ standards are met when the 98th percentile 24-hour concentration, as determined in accordance with 40 CFR 50, appendix N, is less than or equal to 35 $\mu\text{g}/\text{m}^3$.

(Source: Amended at 35 Ill. Reg. _____, effective _____).

Section 243.122 Sulfur Oxides (Sulfur Dioxide)

- a) Primary Standards. The primary ambient air quality standards for sulfur oxides measured as sulfur dioxide are:
 - 1) An annual arithmetic mean concentration of 80 $\mu\text{g}/\text{m}^3$ ~~micrograms per cubic meter~~ (0.03 ppm); and,
 - 2) A maximum 24-hour concentration, not to be exceeded more than once per year, of 365 $\mu\text{g}/\text{m}^3$ ~~micrograms per cubic meter~~ (0.14 ppm).
- b) Secondary Standard. The secondary ambient air quality standard for sulfur oxides measured as sulfur dioxide is a maximum 3-hour concentration not to be exceeded more than once per year of 1,300 $\mu\text{g}/\text{m}^3$ ~~micrograms per cubic meter~~ (0.5 ppm).
- c) Measurement Method. For determining conformance with sulfur oxide air quality standards, sulfur oxides shall be measured as sulfur dioxide by the pararosaniline method described in 40 CFR 50, ~~appendix Appendix~~ App. A, (incorporated by

reference in Section 243.108), (1982), or by an equivalent method of proof approved by the Agency.

(Source: Amended at 35 Ill. Reg. _____, effective ____).

Section 243.125 8-HourOzone

- a) Standard. The primary and secondary ambient air quality standards ~~standard~~ for ozone ~~are 0.075 is 0.12 ppm (parts per million) daily (235 micrograms per cubic meter)~~ are 0.075 is 0.12 ppm (parts per million) daily (235 micrograms per cubic meter) maximum 8-hour average 1-hour concentration, measured and determined in accordance with subsection (b) not to be exceeded on more than one day per year.
- b) Measurement Method. Ozone ~~For determining conformance with the ozone air quality standard, ozone shall be measured by a reference the ozone-ethylene reaction method based on as described in 40 CFR 50, appendix App. D and designated in accordance with 40 CFR 53 (incorporated by reference in Section 243.108) or an equivalent method designated in accordance with 40 CFR 53. The primary and secondary ambient air quality standards are met when the average of the annual fourth-highest daily maximum 8-hour average ozone concentration is less than or equal to 0.075 ppm, as determined using, (1982) 40 CFR 50, appendix P (incorporated by reference in Section 243.108), as amended.~~

(Source: Amended at 35 Ill. Reg. _____, effective ____).

Section 243.126 **Lead**

- a) Standard. The primary and secondary ambient air quality standards for lead and its compounds measured as elemental lead and its compounds are 1.5 are 0.15 $\mu\text{g}/\text{m}^3$ micrograms per cubic meter, maximum rolling three month average measured and determined over a three-year period arithmetic mean average over a calendar quarter.
- b) Measurement Method. For determining conformance with the ambient air quality standards for lead and its compounds, lead and its compounds shall be measured as elemental lead by reference by the atomic absorption spectrometry or equivalent method based on as described in 40 CFR 50 appendix appendices App. G and designated in accordance with 40 CFR 53, or by an equivalent method designated in accordance with 40 CFR 53 (incorporated by reference in Section 243.108). Compliance with the primary and secondary ambient air quality standards shall be determined in accordance with 40 CFR 50, appendix R (incorporated by reference in Section 243.108). App. G (1982).

(Source: Amended at 35 Ill. Reg. _____, effective ____).

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on October 20, 2011, by a vote of 5-0.

A handwritten signature in black ink, reading "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board