



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

December 23, 2015

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

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DEC 30 2015

STATE OF ILLINOIS
Pollution Control Board

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 40, Issue 1 of the Illinois Register, dated 1/4/2016.

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

Notice of Public Information
Point of Contact: Mike McCambridge 236

PROPOSED RULES

General Rules
35 Ill. Adm. Code 101 52
Point of Contact: Nancy Hoepfner

Regulatory and Informational Hearings and Proceedings
35 Ill. Adm. Code 102 95
Point of Contact: Nancy Hoepfner

Enforcement
35 Ill. Adm. Code 103 107
Point of Contact: Nancy Hoepfner

Regulatory Relief Mechanisms
35 Ill. Adm. Code 104 114
Point of Contact: Nancy Hoepfner

Appeals of Final Decisions of State Agencies
35 Ill. Adm. Code 105 121
Point of Contact: Nancy Hoepfner

Proceedings Pursuant to Specific Rules or Statutory Provisions



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35 Ill. Adm. Code 106	127
Point of Contact: Nancy Hoepfner	
Petition to Review Pollution Control Facility Siting Decisions	
35 Ill. Adm. Code 107	138
Point of Contact: Nancy Hoepfner	
Administrative Citations	
35 Ill. Adm. Code 108	144
Point of Contact: Nancy Hoepfner	
Tax Certifications	
35 Ill. Adm. Code 125	148
Point of Contact: Nancy Hoepfner	
Air Quality Standards	
35 Ill. Adm. Code 243	152
Point of Contact: Mike McCambridge	

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

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

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)

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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 date of this issue of the *Illinois Register*, and a public hearing will occur by videoconference between Chicago and Springfield on February 18, 2016. The Board presently anticipates adoption of amendments to the Illinois ambient air quality standards on March 3, 2016, or within a short time after that date.

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 (2013))].

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 December 17, 2015, the Board adopted a proposal for public comment in docket R16-2 to initiate adoption of the latest USEPA amendments to and actions affecting the federal NAAQS during the period January 1, 2015 through June 30, 2015.

- On March 6, 2015 (80 Fed. Reg. 12264) USEPA adopted an implementation rule for the 2008 ozone National Ambient Air Quality Standard (NAAQS). One segment of the implementation rule revised the sunset and anti-backsliding provisions of the 1997 ozone NAAQS.
- On June 5, 2015 (80 Fed. Reg. 32114) USEPA designated one new reference method (FRM) for fine particulates (PM_{2.5}), one new equivalent method (FEM) for PM_{2.5}, one

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ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

new FEM for coarse particulates (PM_{10-2.5}), and two new FEMs for ozone (O₃) in ambient air.

- On June 18, 2015 USEPA issued an updated version of its *List of Designated Reference and Equivalent Methods (List of Designated Methods)*. The update included the one new FRM and four new FEMs included in the June 5, 2015 *Federal Register* notice.

The Board added three USEPA actions that occurred after June 30, 2015 for the purpose of administrative economy:

- On August 26, 2015 (at 80 Fed. Reg. 51802) USEPA designated one new FEM for fine particulate matter (PM_{2.5}) and one for ozone in ambient air.
- On October 26, 2015 (at 80 Fed. Reg. 65292) USEPA adopted a new primary and secondary NAAQS for O₃ in ambient air, lowering the NAAQS to 70 parts per billion (ppb) from the 2008 primary and secondary NAAQS for ozone, which was 75 ppb. USEPA included amendments relating to implementation of the 2015 NAAQS.
- On November 19, 2015 (at 80 Fed. Reg. 72432) USEPA designated one new FRM for carbon monoxide and one new FEM for ozone in ambient air.

A Notice of Proposed Amendment appears in today's issue of the *Illinois Register* relative to the docket R16-2 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) (2013) and the implementing USEPA regulations. See 40 C.F.R. § 51.102 and appendix V (2015).

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 has scheduled a public hearing in this matter to occur by videoconference between two locations, as follows:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

1:30 p.m., February 18, 2016

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

and

Sangamo Building
Illinois Pollution Control Board Hearing Room
1021 North Grand Avenue
Springfield

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 number R16-2.

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 (2014) 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:

- The March 6, 2015, June 5, 2015, August 26, 2015, October 26, 2015, and November 19, 2016 *Federal Register* notices that prompted this action (referenced in the Board's December 17, 2015 opinion and order proposing amendments);
- The June 18, 2015 update to the List of Designated Methods that prompted this action (referenced in the Board's December 17, 2015 opinion and order proposing amendments);

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

- Federal statutes and regulations referenced in the Board's December 17, 2015 opinion and order; and
- Illinois statutes and regulations referenced in the Board's December 17, 2015 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:

John T. Therriault, Clerk of the Board
Pollution Control Board
100 West Randolph Street, Room 11-500
Chicago, Illinois 60601
312-814-3629
john.therriault@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 adoption of the amendments on March 3, 2016. 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.