

ILLINOIS POLLUTION CONTROL BOARD

July 26, 2017

IN THE MATTER OF:)
NATIONAL AMBIENT AIR QUALITY) R17-10
STANDARDS, USEPA AMENDMENTS) (Identical-in-Substance Rulemaking - Air)
(July 1, 2016 through December 31, 2016,)
March 20, 2017, May 11, 2017, and June 16,)
2017)

Proposed Rule. Proposal for Public Comment.

OPINION AND ORDER OF THE BOARD (by G.M. Keenan):

Section 10(H) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/10(H) (2016)) requires the Board to adopt ambient air quality standards that are identical in substance to the NAAQS adopted by USEPA. The Board today proposes such amendments to Illinois regulations (35 Ill. Adm. Code 243). The United States Environmental Protection Agency (USEPA) took six actions related to the National Ambient Air Quality Standards (NAAQS) during the update period of this docket, on July 26, 2016; August 11, 2016; August 24, 2016; September 29, 2016; October 3, 2016; and October 18, 2016. The Board includes later actions on March 20, 2017; May 11, 2017; and June 16, 2017 for expedience and administrative efficiency.

The Board will cause the proposed amendments to be published in the *Illinois Register* and will receive public comments for 45 days after publication. The Board will also hold a public hearing on September 21, 2017. The Board will then adopt the final rules. The Board requests comment on the amendments. The Board expects to adopt final rules no later than November 30, 2017.

SUMMARY OF PROPOSED AMENDMENTS

Federal Regulations Implemented

During the second half of 2016, USEPA undertook took six actions with regard to the federal NAAQS. Three of the USEPA actions will require amendments to Illinois regulations in this docket.

July 13, 2016 (81 Fed. Reg. 45284)

USEPA designated one federal reference method (FRM) for sulfur dioxide (SO₂) and four new federal equivalent methods (FEMs) for particulate matter (PM) in ambient air: two for fine PM (PM_{2.5}), one for total PM (PM₁₀), and one for coarse PM (PM_{10-2.5}). The Board included this USEPA action in the prior update docket, National Ambient Air Quality Standards, USEPA Amendments (January 1, 2016 through June 30, 2016 and July 13, 2016), R17-1 (Jan. 19, 2017). No further Board action will be required based on this USEPA action.

August 11, 2016 (81 Fed. Reg. 53006)

USEPA adopted a technical correction to an equation used for calculating compliance with the NAAQS for PM_{2.5} in ambient air. USEPA withdrew this direct final rule on September 29, 2016, as described below. No Board action will be required based on this USEPA action.

August 24, 2016 (81 Fed. Reg. 58010)

USEPA adopted implementation rules for the 2012 primary annual NAAQS for PM_{2.5}. Although the implementation rules do not ordinarily affect the NAAQS, in this case it revokes the older 1997 annual NAAQS for PM_{2.5}, which will no longer apply in areas designated as attainment for that standard. USEPA's revocation does not affect the 1997 24-hour NAAQS for PM_{2.5} or the 1997 secondary annual NAAQS for PM_{2.5} for areas that USEPA designated nonattainment for the 1997 primary annual NAAQS for PM_{2.5}, that standard will continue to apply until the effective date of a USEPA designation of attainment for the area. . Board action will be required based on this USEPA action.

All areas of Illinois are designated attainment or "attainment/unclassifiable" for PM_{2.5}, except for limited areas in the Metro East St. Louis statistical area. These areas are Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County. *See* 40 C.F.R. § 81.314 (2016).

September 29, 2016 (81 Fed. Reg. 68823)

USEPA withdrew the direct final rule of August 11, 2016. USEPA later adopted the correction by a final rule on March 20, 2017, as described below. No Board action will be required based on this USEPA action.

October 3, 2016 (81 Fed. Reg. 68216)

USEPA revised the requirements for handling monitoring data influenced by exceptional events. USEPA recognizes that basing regulatory determinations on data influenced by exceptional events may not be appropriate. The rules provide a procedure for excluding data influenced by exceptional events from regulatory decision-making. An exceptional event (1) has a clear causal relationship with violation or exceedance of a NAAQS; (2) is not reasonably controllable or preventable; (3) is caused by natural causes or human activity that is unlikely to recur at a particular location; and (4) has been declared such by USEPA. The revisions require written mitigation plans for areas that have "historically documented" or "known seasonal" exceptional events. Several revisions relate to wildfires and controlled burns as exceptional events. Board action will be required based on this USEPA action.

October 18, 2016 81 Fed. Reg. 71906)

USEPA retained the 2008 primary and secondary three-month average NAAQS for lead without revision. This determination was the result of the periodic review of the NAAQS that USEPA conducted from 2008 through 2014, as Clean Air Act section 109(d)(2) requires. *See* 42 U.S.C. § 7409(d)(2) (2015). The Board notes the USEPA action, but no Board action will be required based on this action.

During the first half of 2017, USEPA undertook two actions with regard to the federal NAAQS that will require amendments to Illinois regulations. The Board has added those amendments to this docket for the purpose of expedience and administrative economy. Only one of those USEPA actions will require Board action. Prompt Board action on that one USEPA action will likely allow immediate dismissal of the update docket for the first half of 2017 (National Ambient Air Quality Standards, USEPA Amendments (January 1, 2017 through June 30, 2017), R18-7).

March 20, 2017 (82 Fed. Reg. 14325)

USEPA adopted a technical correction to an equation used for calculating compliance with the NAAQS for PM_{2.5} in ambient air. Board action will be required based on this USEPA action.

May 11, 2017 (82 Fed. Reg. 21995)

USEPA designated one new federal equivalent method (FEM) for nitrogen dioxide (NO₂) in ambient air. No Board action will be directly required by this USEPA action because USEPA added this FEM to the *List of Designated Reference and Equivalent Methods* on June 16, 2017, as described below.

June 16, 2017

USEPA updated the *List of Designated Reference and Equivalent Methods*. This update obviates action on the USEPA designation of May 11, 2017, since the *List* now includes that FEM, as well as the FRM and FEMs designated on July 13, 2016 and included in docket R17-1. Board action will be required based on this USEPA action.

TIMETABLE TO COMPLETE RULEMAKING

The statutory due date for this proceeding was August 24, 2017 (one year after the earliest USEPA action in this docket requiring Board action). To complete this proceeding by August 24, 2017, the Board would have had to adopt the present proposal for public comment by July 6, 2017.

The Board finds that more time is needed to complete rulemaking on the present amendments. The time needed to prepare the present proposal exceeded that normally expected. The unusually high volume of work on other identical-in-substance proposals¹ has compounded the delay. The result is unavoidable delay in preparing this proposal for public comment.

The Board observes that adopting the present proposal for public comment today will

¹ These include the R17-12 (SDWA Update, USEPA Amendments (July 1, 2016 through December 31, 2016)), proposed by the Board on June 22, 2017, and R17-15 (RCRA Subtitle C Update, USEPA Amendments (July 1, 2016 through December 31, 2016)), which the Board has not yet completed for proposal.

enable the Board, absent further unforeseen delays, to follow the projected schedule below:

Final Adoption:	November 30, 2017
Board order proposing amendments:	July 26, 2017
Submission for <i>Illinois Register</i> publication:	August 7, 2017
Estimated <i>Illinois Register</i> publication date:	August 18, 2017
Date of public hearing:	September 21, 2017
Estimated end of 45-day public comment period:	October 2, 2017
Board order adopting amendments:	October 19, 2017
Estimated filing and effective date:	October 30, 2017
Estimated <i>Illinois Register</i> publication date:	November 10, 2017

The Board believes it necessary to add one month to this projected schedule to accommodate minimal further delay. For these reasons, the Board extends the deadline for final Board action until November 30, 2017.

PUBLIC HEARING & RULEMAKING RECORD

The Board expects that the Illinois Environmental Protection Agency (Agency) will submit these amendments to USEPA to be included in the Illinois state implementation plan (SIP) under section 110 of the federal Clean Air Act (42 U.S.C. § 7410(a) (2015)) and the implementing USEPA regulations. *See* 40 C.F.R. 51.102 and appendix V (2016).

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:

1:30 p.m., Thursday, September 21, 2017

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 East (north entrance)
Springfield

The record in this docket will include all documents pertaining to this proceeding. All documents in the record are publicly available as provided in 2 Ill. Adm. Code 2175 online at the Board's website.

The record will not include a copy of the following documents, which are publicly available from other sources:

- *Federal Register* notices;

- Federal statutes and regulations; and
- Illinois statutes and regulations.

On July 26, 2017, the Board submitted a Notice of Public Information on Proposed Rules for publication in the *Illinois Register*. In that Notice, the Board provides the hearing date and information on how to obtain documents and participate in this proceeding. Please direct any questions to:

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

Interested persons may request documents from or submit documents to:

Don A. Brown, Clerk of the Board
 Pollution Control Board
 100 West Randolph Street, Room 11-500
 Chicago, Illinois 60601
 312-814-3629
 don.brown@illinois.gov

After the hearing and public comment period, the Board will promptly issue an order adopting final rule amendments. 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 would follow that Notice.

The Board finds that these measures will satisfy the federal requirements for SIP revision, as set forth in 33 U.S.C. § 7410(a) (2015) and 40 C.F.R. 51.102, as to subjects included in this proceeding.

DISCUSSION

Federal Actions in This Rulemaking

The Board summarized the federal actions during the second half of 2016 and first half of 2017 above, indicating any Board action needed for each. Three of the USEPA actions require corresponding amendments to the Illinois regulations in this proceeding. The discussion below considers the Board actions relating to each of the three USEPA actions.

Implementation Rule for the 2012 Primary Annual NAAQS for PM_{2.5} (August 24, 2016)

USEPA adopted the implementation rule for the 2012 primary annual NAAQS for fine particulate matter (PM_{2.5}) in August 2016. *See* 81 Fed. Reg. 58010 (Aug. 24, 2016). The implementation rule includes a provision revoking the 1997 primary annual NAAQS for PM_{2.5}.

After the October 24, 2016 effective date of the implementation rule,² the 1997 annual primary NAAQS does not apply to any area designated attainment by USEPA. USEPA considers the 1997 primary annual NAAQS revoked as to an area designated attainment. *See* 40 C.F.R. § 50.13(d) (2016), as added at 81 Fed. Reg. 58010 (Aug. 24, 2016); *see also* 81 Fed. Reg. at 58141-47 (discussion of revocation). The 1997 NAAQS applies to a monitoring area then designated nonattainment until the effective date of a USEPA designation of attainment for that area.

The revocation does not apply to the 1997 secondary annual and primary and secondary 24-hour NAAQS for PM_{2.5}. 40 C.F.R. § 50.13(d), as added at Fed. Reg. at 58149.

USEPA designated most areas in Illinois as attainment/unclassifiable with regard to the 1997 PM_{2.5} NAAQS in 2005, but designated portions of the Chicago and Metro East St. Louis areas as nonattainment. *See* 40 C.F.R. § 81.314 (2005); 70 Fed. Reg. 944, 970 (Jan. 5, 2005); *see also* 70 Fed. Reg. 19844, 19852-53 (Apr. 14, 2005) (supplemental designation). In 2013, USEPA redesignated the areas in the Chicago area as attainment and those in the Metro East St. Louis area as moderate nonattainment. *See* 40 C.F.R. § 81.314 (2016); 78 Fed. Reg. 60704, 60606-07 (Oct. 2, 2013).

In sum, the 1997 primary annual NAAQS for PM_{2.5} only applies in limited areas of Illinois. The 1997 NAAQS will no longer apply in Madison, Monroe, and St. Clair Counties and in the Baldwin Village portion of Randolph County on the effective date of a USEPA designation of those areas as attainment with the standard. In a Board note, the Board added a citation to 40 C.F.R. § 81.314 for the area designations in Illinois, including explanation that the only nonattainment areas in Illinois are Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County.

The Board added 35 Ill. Adm. Code 243.120(c)(4) to correspond with new 40 C.F.R. § 50.13(d). The Board revised USEPA's general language about inapplicability in nonattainment areas to specifically state inapplicability in Illinois.

All deviations from the literal text of the USEPA amendments are listed in the Identical-in-Substance Rulemaking Addendum (Proposed) (IIS-RA(P)) that the Board has added to the record for this proceeding. Table 1 lists USEPA amendments on which the Board has not acted, stating the reasons for inaction. Table 2 lists deviations from the literal text of federal amendments. Table 3 lists Board housekeeping amendments—corrections and other revisions that are not directly derived from current USEPA amendments.

Revised Requirements for Handling Data Affected by Exceptional Events (October 3, 2016)

In October 2016, USEPA revised the Exceptional Events Rule—the rule that governs handling data from exceptional events. *See* 81 Fed. Reg. 68216 (Oct. 3, 2016). The rules allow exclusion of event-influenced data from regulatory decision-making upon USEPA approval. An exceptional event (1) has a clear causal relationship with violation or exceedance of a NAAQS; is not reasonably controllable or preventable; (3) is caused by natural causes or human activity

² October 24, 2016. *See* 81 Fed. Reg. 58010 (Aug. 24, 2016).

that is unlikely to recur at a particular location; and (4) has been declared such by USEPA. The revisions require written mitigation plans for areas that have “historically documented” or “known seasonal” exceptional events. Several revisions relate to wildfires and controlled burns as exceptional events.

The Board has two options with regard to the USEPA revisions to the Exceptional Events Rule: (1) incorporate the federal amendments into 35 Ill. Adm. Code 243.105; or (2) remove nearly all of the Rule from the Illinois regulations. The Board proposes the latter option.

The Board believes that removing the substance of the Exceptional Events Rule is possible due to its unique character. USEPA exclusively administers the Exceptional Events Rule; the State’s only role is to apply to USEPA for a determination of exceptional event to gain data exclusion. The Rule applies exclusively to the State, not to entities regulated by the State other than the Agency. No other entity that the State regulates has a direct role in compliance with the NAAQS under the Rule.³

The Board proposes to delete the substance of the Exceptional Events Rule. To clarify the applicability of the Rule in Illinois and the fact that data excluded by USEPA is excluded for the purposes of the Illinois ambient air quality standards, the Board replaces the three main segments of the federal Rule with explanatory statements. Subsection (a) generally explains that 40 C.F.R. § 50.14 provides for application to USEPA for a determination that an exceptional event affected monitoring data to exclude affected data. Subsection (b) requires the Agency to use the procedure of 40 C.F.R. § 50.14 to obtain a USEPA determination of an exceptional event if the Agency determines that an exceptional event affected data that should be thus excluded. Subsection (c) provides that ambient air quality monitoring data excluded by a USEPA determination of an exceptional event is excluded for the purposes of determining compliance with the Illinois ambient air quality standards.

Deleting the substance of the Exceptional Events Rule includes repealing Table A to 35 Ill. Adm. Code 243. The Board moved the table from former table 1 to 40 C.F.R. 50.14 into this table for structural reasons in National Ambient Air Quality Standards, USEPA Regulations (through December 31, 2012), R13-11 (July 25, 2013).

The Board included the USEPA amendments relating to definitions of terms. This includes an amended definitions of “exceptional event” and “natural event” and the added definitions of “federal land manager,” “high wind dust event,” “high wind threshold,” “prescribed fire,” “wildfire,” and “wildland.” The definitions define the scope of the Exceptional Events Rule and its application. Even though the Board is deleting the substantive provisions for

³ The Rule provides that “a federal land manager or other federal agency” may request data exclusion under the Rule with the concurrence of the State. *See* 40 C.F.R. § 50.14(a)(1)(ii), as added at 81 Fed. Reg. at 68277. The Rule further provides that these federal entities collaborate with burn managers and the State for compliance. *See* 40 C.F.R. § 50.14(b)(3)(ii)(B)(1) and (b)(3)(ii)(B)(2), as added at 81 Fed. Reg. at 68278. However, these federal entities are not doing so as a matter of Illinois law and regulations.

exceptional events determinations by USEPA, the need to apply to USEPA for a determination and the effect of a determination remain elements in the Illinois rule.

The Board has not incorporated the federal Exceptional Events Rule by reference. The Board does not believe incorporation by reference is needed because the Illinois rules do not impose requirements of the Rule. Rather, the Illinois rules require using the federal procedure to exclude data influenced by an exceptional event. The Illinois rules accept the results of any such USEPA determination.

The Board observes that USEPA recently adopted a direct final rule approving the Illinois SIP revision for the amendments adopted in National Ambient Air Quality Standards, USEPA Amendments (January 1, 2015 through June 30, 2015, August 26, 2015, October 26, 2015, November 19, 2015, December 18, 2015), R16-2 (Mar. 3, 2016). This included approval of revisions based on USEPA amendments to the Exceptional Events Rule. The Board does not believe that removing the substantive and procedural elements of the Rule that USEPA approved will jeopardize USEPA approval of the Illinois SIP. What will replace the Rule are provisions that direct attention to 40 C.F.R. § 50.14 and make a USEPA determination to exclude data applicable to compliance with the Illinois ambient air quality standards. The Board believes this sufficient to fulfill federal SIP requirements.

In addition to the three tables described above, the IIS-RA(P) includes an Illustration and Tables 1 and 2. The Illustration sets forth amendments to 35 Ill. Adm. Code 243.105 as it would appear should the Board decide to retain the entire text of the Exceptional Events Rule, incorporating the October 3, 2016 USEPA amendments into the text. Illustration Tables 1 and 2 list deviations from the literal text of the USEPA amendments and Board housekeeping amendments that would occur if the Board determines to retain the entire text of the Exceptional Events Rule.

PUBLIC COMMENTS

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*. While requesting comments in general, the Board requests comments on the following specific aspects of the amendments:

1. Is ensuring that it is possible to exclude data affected by exceptional events the objective when considering the USEPA amendments to the Exceptional Events Rule?
2. Is the Board correct that retaining the entire text of the Exceptional Events Rule is not necessary for the Illinois ambient air quality standards to remain consistent with the federal NAAQS?
3. Is replacing federal text of 40 C.F.R. § 50.14 with the three statements added by the Board adequate to fulfill federal NAAQS requirements and ensure that excluding data is possible in Illinois? Or is there some alternative that would better serve those purposes?

4. Is it necessary to retain the definitions of the Exceptional Events Rule to allow exclusion of data affected by exceptional events in Illinois?
5. Is the Board correct in concluding that the 1997 annual NAAQS for PM_{2.5} does not apply in any area of Illinois except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County?
6. Does the language used by the Board in 35 Ill. Adm. Code 243.120(c)(4) fully and accurately reflect the status of the 1997 primary and secondary annual and 24-hour NAAQS for PM_{2.5} in Illinois?

Revisions

In an identical-in-substance proceeding, the Board must adopt the verbatim text of federal regulations except for (1) changes needed for compliance with the Illinois Administrative Code; (2) technical changes that do not change the scope or meaning of the regulations; and (3) typographical and grammatical errors. In addition, the Board must not adopt USEPA rules that are not applicable to Illinois or “things which are outside the Board’s normal functions.” See 415 ILCS 5/7.2(a), (a)(1), (a)(2), and (a)(7) (2014). Thus, the Board made only minor, non-substantive deviations from the federal text described below.

The IIS-RA(P) for this proceeding fully lists the differences between the text of the USEPA amendments and the Board’s language in this rulemaking. The IIS-RA(P) is available in the docket for this rulemaking on the Board’s website.

ORDER

The Board directs the Clerk to provide notice in the *Illinois Register* of the appended proposed amendments to the Illinois ambient air quality regulations at 35 Ill. Adm. Code 243. The Board further directs the Clerk to publish notice in the *Illinois Register* to extend the deadline for final Board action in this matter until November 30, 2017.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on July 26, 2017, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board

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

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243.101	Definitions
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243.103	Applicability
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243.105	Air Quality Monitoring Data Influenced by Exceptional Events
243.106	Monitoring (Repealed)
243.107	Reference Conditions
243.108	Incorporations by Reference

SUBPART B: STANDARDS AND MEASUREMENT METHODS

Section	
243.120	PM ₁₀ and PM _{2.5}
243.121	Particulates (Repealed)
243.122	Sulfur Oxides (Sulfur Dioxide)
243.123	Carbon Monoxide
243.124	Nitrogen Oxides (Nitrogen Dioxide as Indicator)
243.125	Ozone
243.126	Lead
243.APPENDIX A	Rule into Section Table (Repealed)
243.APPENDIX B	Section into Rule Table (Repealed)
243.APPENDIX C	Past Compliance Dates (Repealed)
243.TABLE A	Schedule for Flagging and Documentation Submission for Data Influenced by Exceptional Events for Use in Initial Area Designations <u>(Repealed)</u>

AUTHORITY: Implementing Sections 7.2 and 10 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 10, and 27].

SOURCE: Adopted as Chapter 2: Air Pollution, Part III: Air Quality Standards, in R71-23, filed and effective April 14, 1972; amended in R80-11, 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. 18857, effective October 25, 2011; amended in R13-11 at 37 Ill. Reg. 12882, effective July 29, 2013; amended in R14-6 at 37 Ill. Reg. 19848, effective November 27, 2013; amended in R14-16 at 38 Ill. Reg. 12900, effective June 9, 2014; amended in R15-4 at 39 Ill. Reg. 5434, effective March 24, 2015; amended in R16-2 at 40 Ill. Reg. 4906, effective March 3, 2016;

amended in R17-1 at 41 Ill. Reg. 1121, effective January 23, 2017; amended in R17-10 at 42 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 243.101 Definitions

For the purposes of this Part, terms listed below will have the meanings attributed to them in this Section. As used in this Part, all terms not defined in this Section will have the meaning given them by the Act; the CAA, incorporated by reference in Section 243.108; or 35 Ill. Adm. Code 201.102.

“Act” means the Environmental Protection Act [415 ILCS 5].

“Agency” means the Illinois Environmental Protection Agency.

“Ambient air” means that portion of the atmosphere, external to buildings, to which the general public has access.

“Clean Air Act” or “CAA” means the federal Clean Air Act 42 USC 7401 et. seq, as amended, incorporated by reference in Section 243.108.

“Exceedance of a NAAQS” means one occurrence of a measured or modeled concentration that exceeds the specified concentration level of such NAAQS for the averaging period specified by the standard.

“Exceptional event” means an event and its resulting emissions that fulfills all of the following criteria:

The event affects air quality in such a way that there exists a clear causal relationship between the specific event and the monitored exceedance or violation;

The event is not reasonably controllable or preventable;

The event is caused by human activity that is unlikely to recur at a particular location or a natural event; and

The event is determined by USEPA in accordance with 40 CFR 50.14 to be an exceptional event.

An “exceptional event” does not include any of the following:

Air pollution relating to source noncompliance;

Stagnation of air masses ~~or~~ and meteorological inversions;

A meteorological event involving high temperatures or lack of precipitation (i.e., severe, extreme or exceptional drought); ~~or~~

~~Air pollution relating to source noncompliance.~~

BOARD NOTE: Stagnation of air masses, meteorological inversions, and meteorological events involving high temperatures or lack of precipitation do not directly cause pollutant emissions and are not exceptional events. However, conditions involving high temperatures or lack of precipitation may promote occurrences of particular types of exceptional events, such as wildfires or high wind events, which do directly cause emissions.

“Federal equivalent method” or “FEM” means a method for measuring the concentration of an air pollutant in the ambient air that USEPA has designated as an equivalent method pursuant to 40 CFR 53 and which is included in the List of Designated Methods, including later updates, as incorporated by reference in Section 243.108; the term “federal equivalent method” does not include a method for which USEPA has cancelled or superseded an equivalent method designation in accordance with 40 CFR 53.11 or 53.16, as reflected in the incorporation by reference in Section 243.108.

BOARD NOTE: Derived from 40 CFR 50.1(f) (definition of “equivalent method”), 50.11(d)(2) (parenthetical definition of “FEM”), and 53.1 (definition of “federal equivalent method”). The clause “including later updates” in this definition is intended to exclude methods canceled by USEPA pursuant to 40 CFR 53.11 or 53.16 for which the cancellation is included in the updates to List of Designated Methods incorporated by reference in Section 243.108. A federal designation of an FEM becomes effective upon publication of a notice in the Federal Register. A federal cancellation of an FEM becomes effective upon deletion from the listing of FEMs.

“Federal land manager” means the Secretary of the department with authority over the federal Class I area (or the Secretary’s designee).

BOARD NOTE: See 40 CFR 50.1(r) and 51.301 (2016) (definitions of “federal land manager”). There are no federal Class I areas in or immediately abutting Illinois. See subpart D of 40 CFR 81 (2016).

“Federal reference method” or “FRM” means a method of sampling and analyzing the ambient air for an air pollutant that USEPA has specified as a reference method in an appendix to 40 CFR 50, incorporated by reference in Section 243.108, or a method that USEPA has designated as a reference method pursuant to 40 CFR 53 and which is included in List of Designated Methods, including later updates, incorporated by reference in Section 243.108; the term “federal reference method” does not include a method for which USEPA has cancelled or superseded a reference method designation in accordance with 40 CFR 53.11 or 53.16, as reflected in the incorporation by reference in Section 243.108.

BOARD NOTE: Derived from 40 CFR 50.1(f) (definition of “reference method”) and 53.1 (definition of “federal reference method”). The clause “including later updates” in this definition is intended to include methods canceled by USEPA pursuant to 40 CFR 53.11 or 53.16 for which the cancellation is included in the

updates to List of Designated Methods incorporated by reference in Section 243.108. A federal designation of an FRM becomes effective upon publication of a notice in the Federal Register. A federal cancellation of an FRM becomes effective upon deletion from the listing of FRMs or from an appendix to 40 CFR 50.

“High wind dust event” is an event that includes the high-speed wind and the dust that the wind entrains and transports to a monitoring site.

“High wind threshold” is the minimum wind speed capable of causing particulate matter emissions from natural undisturbed lands in the area affected by a high wind dust event.

“Micrograms per cubic meter” or “ $\mu\text{g}/\text{m}^3$ ” means one millionth (10^{-6}) of a gram of a contaminant per cubic meter of ambient air, as measured and determined by the methods prescribed for that contaminant.

BOARD NOTE: The Board added this definition and that for “milligrams per liter” (immediately below).

“Milligrams per cubic meter” or “ mg/m^3 ” means one thousandth (10^{-3}) of a gram of a contaminant per cubic meter of ambient air, as measured and determined by the methods prescribed for that contaminant.

“National Ambient Air Quality Standard” or “NAAQS” means a standard established by USEPA that applies for outdoor air throughout the United States. BOARD NOTE: The Board added this definition, derived from the definition in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), EPA 175-B-97-001, at p. 30. USEPA has codified the NAAQS at 40 CFR 50.

BOARD NOTE: The Board added this definition based on the definition in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), document number EPA 175-B-97-001, USEPA, Office of Communications, Education, and Public Affairs, at p. 30.

“Natural event” means an event and its resulting emissions, which may recur at the same location, in which human activity plays little or no direct causal role. For purposes of this definition, anthropogenic sources that are reasonably controlled are not human activity that plays a direct causal role in causing emissions.

“Parts per billion” or “ppb” means the ratio of the parts of a specified contaminant to a billion parts of air by weight ($1:10^{-9}$), as measured and determined by the methods prescribed for that contaminant.

BOARD NOTE: The Board added this definition and that for “parts per million,” derived from the parentheticals in 40 CFR 50.4(a) and (b) and 50.17(a) and the definition of “parts per billion (ppb)/parts per million (ppm)” in “Terms of

Environment: Glossary, Abbreviations, and Acronyms” (December 1997), EPA 175-B-97-001, at p. 34.

“Parts per million” or “ppm” means the ratio of the parts of a specified contaminant to a million parts of air by weight ($1:10^{-6}$), as measured and determined by the methods prescribed for that contaminant.

BOARD NOTE: The Board added this definition, derived from the parentheticals in 40 CFR 50.4(a) and (b) and 50.17(a) and the definition of “parts per billion (ppb)/parts per million (ppm)” in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), EPA 175-B-97-001, at p. 34.

“PM₁₀” means particulate matter that has an aerodynamic diameter less than or equal to a nominal 10 micrometers (μm).

BOARD NOTE: The Board added this definition, derived from the parenthetical definition in 40 CFR 50.6(c).

“PM_{2.5}” means particulate matter that has an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (μm).

BOARD NOTE: The Board added this definition, derived from the parenthetical definition in 40 CFR 50.7(a).

“Prescribed fire” is any fire intentionally ignited by management actions in accordance with applicable laws, policies, and regulations to meet specific land or resource management objectives.

“Traceable” means that a local standard has been compared and certified either directly or via not more than one intermediate standard, to a primary standard, such as a National Bureau of Standards Standard Reference Material (NBS SRM), or a USEPA/NBS-approved Certified Reference Material (CRM).

“USEPA” means the United States Environmental Protection Agency.

BOARD NOTE: Derived from 40 CFR 50.1(c). The Board has used “USEPA” in text where USEPA has used “Administrator,” where action by USEPA is clearly contemplated. Otherwise, the Board has retained the term “Agency” as defined in this Section.

“Wildfire” is any fire started by an unplanned ignition caused by lightning; volcanoes; other acts of nature; unauthorized activity; or accidental, human-caused actions, or a prescribed fire that has developed into a wildfire. A wildfire that predominantly occurs on wildland is a natural event.

“Wildland” means an area in which human activity and development are essentially non-existent, except for roads, railroads, power lines, and similar transportation facilities. Structures, if any, are widely scattered.

BOARD NOTE: Derived from 40 CFR 50.1 ~~(2016)~~-(2012), except as otherwise more specifically indicated.

(Source: Amended at 42 Ill. Reg. _____, effective _____)

Section 243.105 Air Quality Monitoring Data Influenced by Exceptional Events

- a) The federal regulations at 40 CFR 50.14 provide that a state, federal land manager, or federal agency can seek USEPA determination that exceedances or violations of an NAAQS are directly due to an exceptional event, so that the State can exclude affected ambient air quality monitoring data from a compliance determination. An exceptional event is a natural event or the result of human activity that is unlikely to recur and which is not reasonably controllable or preventable that meets specified criteria. The federal rule provides that a fireworks display, a prescribed fire, a wildfire, a high wind dust event, a stratospheric intrusion, or an aggregate of events on the same day can be an exceptional event.~~Requirements:~~
- 1) ~~— The Agency may request USEPA to exclude from use in determinations data showing an exceedance of an NAAQS that is directly due to an exceptional event. The Agency must demonstrate to USEPA that the event caused a specific air pollution concentration at a particular air quality monitoring location.~~
 - 2) ~~— A demonstration to justify data exclusion may include any reliable and accurate data, but must demonstrate a clear causal relationship between the measured exceedance of an NAAQS and the event in accordance with subsection (c)(3)(D).~~
- b) The Agency must use the applicable procedures of 40 CFR 50.14 to obtain a USEPA determination of an exceptional event and exclusion of affected ambient air quality monitoring data if the Agency determines that the data are influenced by an exceptional event and should be excluded from a compliance determinaton.~~Determinations by USEPA. USEPA has stated the criteria for making a determination to exclude data as follow:~~
- 1) ~~— Exceptional Events. USEPA has stated that it will exclude data from use in determinations of exceedance of an NAAQS when the Agency has demonstrated that an exceptional event caused a specific air pollution concentration in excess of one or more NAAQS at a particular air quality monitoring location, and the Agency otherwise satisfies the requirements of 40 CFR 50.14.~~
 - 2) ~~— Fireworks Displays. USEPA has stated that it will exclude data from use in determinations of exceedance of an NAAQS when the Agency has demonstrated that emissions from fireworks displays caused a specific air pollution concentration in excess of one or more NAAQS at a particular air quality monitoring location, and the State otherwise satisfies the requirements of 40 CFR 50.14. USEPA has stated that these data will be treated in the same manner as exceptional events under this Section;~~

~~provided the Agency has demonstrated that the use of fireworks is significantly integral to traditional national, ethnic, or other cultural events, including, but not limited to July Fourth celebrations, which satisfy the requirements of 40 CFR 50.14.~~

- 3) ~~Prescribed Fires. USEPA has stated that it will exclude data from use in determinations of exceedance of an NAAQS when the Agency has demonstrated that emissions from prescribed fires caused a specific air pollution concentration in excess of one or more NAAQS at a particular air quality monitoring location, and the Agency otherwise satisfies the requirements of 40 CFR 50.14, provided that the emissions are from prescribed fires that USEPA determines meets the definition of “exceptional event” in Section 243.101, and provided that the Agency has certified to USEPA that the State has adopted and is implementing a Smoke Management Program (SMP) or the State has ensured that the burner employed basic smoke management practices. If an exceptional event occurs using the basic smoke management practices approach, the Agency must undertake a review of the State’s approach to ensure public health is being protected and must include consideration of development of an SMP.~~

~~BOARD NOTE: In each of corresponding 40 CFR 50.14(b)(1), (b)(2), and (b)(3), USEPA stated “EPA shall exclude data from use in determinations of exceedances and NAAQS violations.” In the first person, “shall” is used more to express present intent or to commit to future action. The Board has changed “EPA shall” to “USEPA has stated that it will.” Further, the Board has relied on the defined term “exceedance of an NAAQS.”~~

- c) Ambient air quality monitoring data excluded by a USEPA determination pursuant to 40 CFR 50.14 is excluded from use for compliance determination under this Part.Schedules and Procedures.
- 1) ~~Public Notification. The Agency or, where the Agency has delegated authority pursuant to Section 4(g) or (r) of the Act, the Agency’s delegatee, must notify the public promptly whenever an event occurs or is reasonably anticipated to occur that may result in the exceedance of an NAAQS.~~
- 2) ~~Flagging of Data.~~
- A) ~~The Agency must notify USEPA of the State’s intent to exclude one or more measured exceedances of an NAAQS as being due to an exceptional event by placing a flag in the appropriate field for the data record of concern that has been submitted to the federal air quality system (AQS) database.~~

- ~~B) — Flags placed on data in accordance with this Section must be deemed informational only, and the data must not be excluded from determinations with respect to an exceedance of an NAAQS unless and until USEPA notifies the Agency of USEPA concurrence following the Agency’s submittal of a demonstration pursuant to subsection (c)(3) by placing a concurrence flag in the appropriate field for the data record in the AQS database.~~
- ~~C) — Flags placed on data as being due to an exceptional event, together with an initial description of the event, must be submitted to USEPA not later than July 1 of the calendar year following the year in which the flagged measurement occurred, except as allowed under subsection (c)(2)(F).~~
- ~~D) — This subsection (c)(2)(D) corresponds with 40 CFR 50.14(c)(2)(iv), which USEPA has removed and marked “reserved.” This statement maintains structural consistency with the federal regulations.~~
- ~~E) — This subsection (c)(2)(E) corresponds with 40 CFR 50.14(c)(2)(v), which USEPA has removed and marked “reserved.” This statement maintains structural consistency with the federal regulations.~~
- ~~F) — Table A of this Part identifies the data submission process for a new or revised NAAQS. USEPA will apply this process to those data that will or may influence the initial designation of areas for any new or revised NAAQS.~~
- ~~3) — Submission of demonstrations:~~
- ~~A) — Except as allowed under subsection (c)(2)(F), when the Agency has flagged data as being due to an exceptional event and is requesting exclusion of the affected measurement data, the Agency must, after notice and opportunity for public comment, submit a demonstration to USEPA to justify data exclusion not later than the sooner of three years following the end of the calendar quarter in which the flagged concentration was recorded or 12 months prior to the date that a regulatory decision must be made by USEPA. The Agency must submit to USEPA the public comments it received, along with its demonstration.~~
- ~~B) — This subsection (c)(3)(B) corresponds with 40 CFR 50.14(b)(3)(ii), which USEPA has removed and marked “reserved.” This statement maintains structural consistency with the federal regulations.~~

- ~~C) This subsection (c)(3)(C) corresponds with 40 CFR 50.14(b)(3)(iii), which USEPA has removed and marked “reserved.” This statement maintains structural consistency with the federal regulations.~~
- ~~D) The demonstration to justify data exclusion must provide the following evidence:~~
- ~~i) That the event satisfies the definition of “exceptional event” set forth in Section 243.101;~~
 - ~~ii) That there is a clear causal relationship between the measurement under consideration and the event that is claimed to have affected the air quality in the area;~~
 - ~~iii) That the event is associated with a measured concentration in excess of normal historical fluctuations, including background; and~~
 - ~~iv) That there would have been no exceedance or violation but for the event.~~
- ~~E) With the submission of the demonstration, the Agency must document that the public comment process was followed.~~

BOARD NOTE: Derived from 40 CFR 50.14 ~~(2016)~~-(2012).

(Source: Amended at 42 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:

Government Printing Office (GPO), 732 Capitol Street NW, Washington, DC 20401 (telephone: 202-512-1800 or 866-512-1800; website: www.gpo.gov).
The following documents incorporated by reference are available from this source:

Appendix A-1 to 40 CFR 50 (2016) (Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method)), referenced in Section 243.122.

Appendix A-2 to 40 CFR 50 (2016) (Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method)), referenced in Section 243.122.

Appendix B to 40 CFR 50 (2016) (Reference Method for the Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method)), referenced in appendix G to 40 CFR 50 (see below).

Appendix C to 40 CFR 50 (2016) (Reference Measurement Principle and Calibration Procedure for the Measurement of Carbon Monoxide in the Atmosphere (Non-Dispersive Infrared Photometry)), referenced in Section 243.123.

Appendix D to 40 CFR 50 (2016) (Reference Measurement Principle and Calibration Procedure for the Measurement of Ozone in the Atmosphere), referenced in Section 243.125.

Appendix F to 40 CFR 50 (2016) (Reference Measurement Principle and Calibration Procedure for the Measurement of Nitrogen Dioxide in the Atmosphere (Gas Phase Chemiluminescence)), referenced in Section 243.124.

Appendix G to 40 CFR 50 (2016) (Reference Method for the Determination of Lead in Suspended Particulate Matter Collected from Ambient Air), referenced in Section 243.126.

Appendix H to 40 CFR 50 (2016) (Interpretation of the 1-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix I to 40 CFR 50 (2016) (Interpretation of the 8-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix J to 40 CFR 50 (2016) (Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere), referenced in Section 243.120.

Appendix K to 40 CFR 50 (2016) (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Particulate Matter), referenced in Section 243.120.

Appendix L to 40 CFR 50 (2016) (Reference Method for the Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere), referenced in Section 243.120.

Appendix N to 40 CFR 50 (2016), as amended at 82 Fed. Reg. 14325 (Mar. 20, 2017) (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Particulate Matter), referenced in Section 243.120.

Appendix O to 40 CFR 50 (2016) (Reference Method for the Determination of Coarse Particulate Matter as PM_{10-2.5} in the Atmosphere), referenced in appendix Q to 40 CFR 50 and for use in federally required monitoring by the NCore system pursuant to 40 CFR 58.

Appendix P to 40 CFR 50 (2016) (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix Q to 40 CFR 50 (2016) (Reference Method for the Determination of Lead in Particulate Matter as PM₁₀ Collected from Ambient Air), referenced in appendix R to 40 CFR 50.

Appendix R to 40 CFR 50 (2016) (Interpretation of the National Ambient Air Quality Standards for Lead), referenced in Section 243.126.

Appendix S to 40 CFR 50 (2016) (Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen Dioxide)), referenced in Section 243.124.

Appendix T to 40 CFR 50 (2016) (Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide)), referenced in Section 243.122.

Appendix U to 40 CFR 50 (2016) (Interpretation of the Primary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Clean Air Act, 42 USC 7401 et seq. (2013) (for definitions of terms only), referenced in Section 243.102.

BOARD NOTE: Segments of the Code of Federal Regulations and the United States Code are available for free download as PDF documents from the GPO FDsys website: <http://www.gpo.gov/fdsys/>.

USEPA, National Exposure Research Laboratory, Human Exposure & Atmospheric Sciences Division (MD-D205-03), Research Triangle Park, NC 27711. The following documents incorporated by reference are available from this source:

“List of Designated Reference and Equivalent Methods” (June 16, 2017) (~~June 17, 2016~~) (referred to as the “List of Designated Methods” and referenced in Sections 243.101, 243.120, 243.122, 243.123, 243.124, 243.125, and 243.126.

~~This incorporation by reference includes the following USEPA methods designations that occurred after June 17, 2016:~~

~~81 Fed. Reg. 45284 (July 13, 2016).~~

BOARD NOTE: The List of Designated Methods is available for free download as a PDF document from the USEPA, Technology Transfer, Ambient Monitoring Technology Information Center website: <http://www.epa.gov/ttn/amtic/criteria.html>.

(Source: Amended at 42 Ill. Reg. _____, effective _____)

SUBPART B: STANDARDS AND MEASUREMENT METHODS

Section 243.120 PM₁₀ and PM_{2.5}

- a) 1987 Primary and Secondary 24-Hour NAAQS for PM₁₀.
- 1) The level of the 1987 primary and secondary 24-hour NAAQS for PM₁₀ is 150 µg/m³, 24-hour average concentration. The 1987 primary and secondary NAAQS for PM₁₀ is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³, as determined in accordance with appendix K to 40 CFR 50, incorporated by reference in Section 243.108, is equal to or less than one.
 - 2) This subsection (a)(2) corresponds with 40 CFR 50.6(b), a provision marked “reserved” by USEPA. This statement maintains structural consistency with the corresponding federal regulation.
 - 3) For the purpose of determining attainment of the 1987 primary and secondary 24-hour NAAQS for PM₁₀, particulate matter must be measured in the ambient air as PM₁₀ by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix J to 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108.

BOARD NOTE: This subsection (a) is derived from 40 CFR 50.6 (2016) (~~2015~~). USEPA adopted 1997 primary NAAQS for PM₁₀ at 62 Fed. Reg. 38652 (July 18, 1997). As a result of a judicial vacatur, USEPA later removed the transitional provision relative to the 1987 NAAQS at 65 Fed. Reg. 80776 (Dec. 22, 2000) and the 1997 NAAQS at 69 Fed. Reg. 45595 (July 30, 2004). Thus, the 1987 primary and secondary NAAQS for PM₁₀ are included in this subsection (a).

- b) 1997 Primary and Secondary Annual Average and 24-Hour NAAQS for PM_{2.5}.

- 1) The 1997 primary and secondary annual average NAAQS for PM_{2.5} is 15.0 µg/m³, annual arithmetic mean concentration, and the 1997 primary and secondary 24-hour NAAQS for PM_{2.5} is 65 µg/m³, 24-hour average concentration, measured in the ambient air as PM_{2.5} by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix L of 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108.
- 2) The 1997 primary and secondary annual average NAAQS for PM_{2.5} is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 15.0 µg/m³.
- 3) The 1997 primary and secondary 24-hour NAAQS for PM_{2.5} is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 65 µg/m³.

BOARD NOTE: This subsection (b) is derived from 40 CFR 50.7 (2016) (2015). The 2006 primary and secondary annual average and 24-hour NAAQS for PM_{2.5} differs from the 1997 standards in that the 24-hour average concentration required by the 2006 standard is substantially lower (more stringent) than that for the 1997 standard. The Board has retained the 1997 standard in this subsection (b) because USEPA has retained the 1997 standard in 40 CFR 50.6.

- c) 2006 Primary and Secondary Annual Average and 24-Hour NAAQS for PM_{2.5}.
 - 1) The 2006 primary and secondary annual average NAAQS for PM_{2.5} is 15.0 µg/m³, annual arithmetic mean concentration, and the 2006 primary and secondary 24-hour NAAQS for PM_{2.5} is 35 µg/m³, 24-hour average concentration, measured in the ambient air as PM_{2.5} by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix L of 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108.

- 2) The 2006 primary and secondary annual average NAAQS for PM_{2.5} is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 15.0 µg/m³.
- 3) The 2006 primary and secondary 24-hour NAAQS for PM_{2.5} is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 35 µg/m³.
- 4) The 1997 annual PM_{2.5} NAAQS set forth in this section will continue in effect, notwithstanding the promulgation of the 2012 primary annual PM_{2.5} NAAQS in subsection (d). The 1997 primary annual PM_{2.5} NAAQS in this subsection (c) does not apply in any area of Illinois except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County. The 1997 primary NAAQS for PM_{2.5} in subsection (c) will no longer apply in any area of Illinois after USEPA has redesignated that area as attainment for that standard. The 1997 secondary annual NAAQS for PM_{2.5} and the 1997 24-hour NAAQS for PM_{2.5} remain applicable.

BOARD NOTE: USEPA has codified the area designations for Illinois in 40 CFR 81.314. All areas of Illinois were designated attainment or unclassifiable/attainment except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County.

BOARD NOTE: This subsection (c) is derived from 40 CFR 50.13 (2016), as amended at 82 Fed. Reg. 14325 (Mar. 20, 2017)-(2015).

- d) 2012 Primary Annual Average and 24-Hour NAAQS for PM_{2.5}
 - 1) The 2012 primary annual average NAAQS for PM_{2.5} is 12.0 µg/m³ annual arithmetic mean concentration, and the 2012 primary 24-hour NAAQS for PM_{2.5} is 35 µg/m³ 24-hour average concentration, measured in the ambient air as PM_{2.5} by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix L of 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108.
 - 2) The 2012 primary annual NAAQS for PM_{2.5} is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 12.0 µg/m³.

- 3) The 2012 primary 24-hour NAAQS for PM_{2.5} is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 35 µg/m³.

BOARD NOTE: This subsection (d) is derived from 40 CFR 50.18 (2016) (2015).

(Source: Amended at 42 Ill. Reg. _____, effective _____)

Section 243. TABLE A Schedule for ~~Flagging and Documentation~~ Submission for Data Influenced by Exceptional Events for Use in Initial Area Designations ~~(Repealed)~~

Exceptional events/regulatory action	Exceptional events deadline schedule ^d
Flagging and initial event description deadline for data years one, two, and three. ^a	If State initial designation recommendations for a new or revised NAAQS are due August through January, then the flagging and initial event description deadline will be the July 1 prior to the recommendation deadline. If State recommendations for a new or revised NAAQS are due February through July, then the flagging and initial event description deadline will be the January 1 prior to the recommendation deadline.
Exceptional events demonstration submittal deadline for data years one, two, and three. ^a	No later than the date that State recommendations are due to USEPA.
Flagging, initial event description and exceptional events demonstration submittal deadline for data year four ^b and, where applicable, data year five. ^c	By the last day of the month that is one year and seven months after promulgation of a new or revised NAAQS, unless either option a or b applies. a. If USEPA follows a three-year designation schedule, the deadline is two years and seven months after promulgation of a new or revised NAAQS. b. If USEPA notifies the State that it intends to complete the initial area designations process according to a schedule between two and three years, the deadline is five months prior to the date specified for final designations decisions in such USEPA notification.

~~^a Where data years one, two, and three are those years expected to be considered in State recommendations.~~

~~^b Where data year four is the additional year of data that USEPA may consider when making it makes final area designations for a new or revised NAAQS under the standard designations schedule.~~

~~^c Where data year five is the additional year of data that USEPA may consider when making it makes final area designations for a new or revised NAAQS under an extended designations schedule.~~

~~^d The date by which air agencies must certify their ambient air quality monitoring data in AQS is annually on May 1 of the year following the year of data collection, as specified in 40 CFR 58.15(a)(2). In some cases, however, the State may choose to certify a prior year's data in advance of May 1 of the following year, particularly if USEPA has indicated its intent to promulgate final designations in the first eight months of the calendar year. Exceptional Data flagging, initial event description and exceptional events demonstration deadlines for "early certified" data will follow the deadlines for "year four" and "year five" data.~~

~~BOARD NOTE: Derived from table 1 to 40 CFR 50.14(e).~~

~~(Source: Repealed at 42 Ill. Reg. _____, effective _____)~~