



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

August 2, 2017

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CLERK'S OFFICE

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STATE OF ILLINOIS
Pollution Control Board

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

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 41, Issue 32 of the Illinois Register, dated 8/11/2017.

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

Notice of Public Information (Notice Pursuant to 415 ILCS 5/7.2(b) (Docket R17-10)
Point of Contact: Mike McCambridge 10521

Notice of Public Information (Notice of Public Hearing and Comment Period Pursuant to 415 ILCS 5/10(H) and 1 ILCS 100/5-70(b)
Point of Contact: Mike McCambridge 10523

Notice of Public Information (Notice Pursuant to 415 ILCS 5/7.2(b) (Docket R17-11)
Point of Contact: Mike McCambridge 10527

Notice of Public Information (Notice of Public Hearing and Comment Period Pursuant to 415 ILCS 5/9.1(e) and 1 ILCS 100/5-70(b)
Point of Contact: Mike McCambridge 10529

PROPOSED RULES

Definitions and General Provisions
35 Ill. Adm. Code 211 10397
Point of Contact: Mike McCambridge

Air Quality Standards
35 Ill. Adm. Code 243 10422
Point of Contact: Mike McCambridge

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

Index Department - Administrative Code Division - 111 East Monroe Springfield, IL 62756

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

NOTICE PURSUANT TO 415 ILCS 5/7.2(b)

Section 10(H) of the Environmental Protection Act (Act) [415 ILCS 5/10(H)] requires the Board to “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 (2015))].” 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, which is to be amended in Board docket R17-10.

Section 7.2(a) of the Act requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

On July 26, 2017, the Pollution Control Board adopted an opinion and order in docket R17-10 that proposed amendments to 35 Ill. Adm. Code 243 for public comment. A segment of that opinion and order set forth reasons for delay in the 35 Ill. Adm. Code 243 update. In that order, the Board stated as follows:

TIMETABLE TO COMPLETE RULEMAKING

The statutory due date for this proceeding would have been August 24, 2017 (one year after the earliest USEPA action in this docket requiring Board action). Board completion of this proceeding would have required adoption of 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

¹ These include the R17-12 Safe Drinking Water Act (SDWA) update, proposed by the Board on June 22, 2017, and the R17-15 Resource Conservation and Recovery Act (RCRA) subtitle C update, which the Board has not yet completed for proposal.

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POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

in preparing this proposal for public comment.

The Board observes that adoption of the present proposal for public comment today could enable the Board to adhere to the following projected schedule, assuming not further delay occurs:

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 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 to complete this proceeding until November 30, 2017.