

ILLINOIS POLLUTION CONTROL BOARD

October 5, 2017

IN THE MATTER OF:)
)
NOISE RULE UPDATE: AMENDMENTS) R18-19
TO 35 ILL. ADM. CODE PARTS 900, 901,) (Rulemaking - Noise)
902, and 910.)

Proposed Rule. Proposal for Public Comment.

ORDER OF THE BOARD (by K. Papadimitriu):

Under Part 102 of the Board's procedural rules (35 Ill. Adm. Code 102. Subpart B) and Sections 27 and 28 of the Illinois Environmental Protection Act (415 ILCS 5/27,28 (2016)), the Board opens this docket to amend the Board's noise rules.

This review is part of a broader review of Board rules started in the summer of 2016. Prompted by a recognition that some of its rules were no longer current due to changing technology and the passage of time, the Board began planning a broad review of all its rules, with a view to streamline, update, and overhaul them. Governor Rauner's Executive Order 2016-13 provided additional impetus to the Board's initiative. Today's proposal continues the Board's review of its rules by proposing to streamline and update the Board's noise rules.

The noise rules affected are located at 35 Ill. Adm. Code 900, 901, 902, and 910. These are general provisions addressing the definitions of acoustical terminology, noise emissions standards for property-line-noise-sources and motor vehicles, and sound measurement procedures; they also include site-specific provisions. The proposed changes involve updating definitions, references, and sound measurement procedures, last updated in 2003 and 2006. The bases for some changes are the American National Standards Institute's (ANSI) updates from the years 2001-2016 and the Society of Automotive Engineers' (SAE) updates from 2004-2015. The proposed amendments also clarify language in some sections and remove provisions that are no longer applicable or necessary.

Specifically, in Part 900, the Board updates definitions, updates the ANSI and SAE references, adds references to the Code of Federal Regulations, clarifies some provisions, and removes obsolete provisions. The Board repeals Section 900.104 because its provisions are covered by general requirements of civil and administrative procedure. In Part 901, the Board clarifies some provisions and removes obsolete provisions. The Board also repeals site-specific provisions for the facilities that, based on the information available to the Board, no longer operate: Amforge Division of Rockwell International located at 119th Street, Chicago; Modern Drop Forge Company located at 139th Street and Western Avenue in Blue Island; and Wyman-Gordon Company located at 147th Street and Wood Street in Harvey. In Part 902, the Board clarifies some provisions, removes obsolete provisions, and for provisions that duplicate federal rules, replaces them with references to the Code of Federal Regulations. In Part 910, the Board updates the references and clarifies language in some sections.

The Board adopts this proposal for public comment, without submitting it to first-notice publication. The Board invites comments on the proposal. The Board intends to hold two hearings on the proposal, by videoconference in Chicago and Springfield. *See* 35 Ill. Adm. Code 101.600(b), 102.114. Interested persons are encouraged to contact the hearing officer to be added to this docket's notice list.

IT IS SO ORDERED.

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

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don A. Brown, Clerk
Illinois Pollution Control Board