

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
AMENDMENTS TO 35 ILL. ADM. CODE ) R18-21  
SUBTITLE B ) (Rulemaking—Air)  
 )

**NOTICE**

TO: See attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S COMMENTS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/ Dana Vetterhoffer  
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DATED: September 26, 2024

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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY’S COMMENTS**

The Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by one of its attorneys, hereby submits its comments in the above rulemaking proceeding, responding to the questions specified in the Illinois Pollution Control Board’s (“Board”) June 6, 2024, Order.

While the Agency is not filing its responses as testimony, it will have representatives available at the October 3, 2024, hearing to answer any follow up questions.

**Part 201**

1. Section 201.102 defines “Standard Industrial Classification Manual” as its 1972 version, and Section 201.104(a) incorporates that 1972 version by reference. Section 211.101(a)(2) also incorporates the 1972 version by reference. Please comment on whether these provisions should refer to a more recent version of this manual or a different source. If so, please provide the information that would update the definition and incorporations. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “Standard Industrial Classification Manual”: The Standard Industrial Classification Manual (1987). The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.<sup>1</sup>

2. Section 201.104(b) incorporates by reference “ASAE Standard 248.1, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Dryers” by the American Society of Agricultural Engineers. Also, Section 201.146(t) refers to ASAE Standard 248.2. Please comment on whether the either the incorporation at Section 201.104(b) or the reference at Section 201.146(t) should be revised. If so, please provide the information that would update the incorporation and reference. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASAE Standard: ASAE S248.3 - MAR1976 (R2020) Construction and Rating of Equipment for Drying Farm Crops. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference. The Agency

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<sup>1</sup> To minimize cost, the Agency will only procure the standards that the Board confirms it intends to update.

notes that the Board question includes a reference to ASAE Standard 248.1 and ASAE Standard 248.2. We believe that the reference to 248.1 is likely a typographical error in the question, and both references in Part 201 are to ASAE Standard 248.2.

3. Section 201.104(c), (d), and (e) incorporate by reference various provisions of the 2015 Code of Federal Regulations. Please comment on whether any update to any of the incorporations is necessary and, if so, please provide the information that would update it.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the CFR. All CFRs are publicly available.

4. IEPA proposed to revise Section 201.207 by referring to “[t]he requirements of Sections 201.143 through 201.146 ~~201.148~~ of Subpart C.” Although IEPA proposed to repeal Section 201.147, Section 202.148 would continue in effect. The Board requests that IEPA comment on whether Section 201.148 would apply to sources subject to Section 39.5 of the Act and whether applying it reflects IEPA’s intent. If not, the Board requests that IEPA provide revised language reflecting its intent.

**RESPONSE:** The Agency agrees that this appears to be a typographical error. On further review, however, in addition to recommending repeal of Section 201.147, the Agency recommends that the Board repeal Section 201.148 as well. It is outdated and is not utilized by sources or the Agency. Also, the Illinois Environmental Protection Act does not contemplate issuing lifetime operating permits or federally enforceable state operating permits to noncompliant sources, so the Agency questions what purpose this Section serves, if any. If the Board repeals both Sections 201.147 and 201.148, the Agency recommends retaining its proposed amendments to Section 201.207. If the Board only repeals Section 201.147, the Agency recommends disregarding its proposed revisions to Section 201.207 and leaving the language as it currently exists.

5. Sections 201.401(b) and 201.406(b) refer to incorporating the 1987 version of 40 CFR 51, Appendix P, although it is not now incorporated by reference in either of those sections or in Section 201.104. The Board proposes to incorporate this regulation by reference as Section 201.104(f) and provide a cross reference to that incorporation in Sections 201.401(b) and 201.406(b). The Board specifically requests comment on whether to adopt this proposed incorporation and, if so, whether to update it from the 1987 version or revise it in any other way.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the CFR.

6. Section 201.406(a) refers to procedures in 35 Ill. Adm. Code 230, which has been repealed. See Continuous Monitoring Rules and Repeal of New Source Performance Standards and Hazardous Air Pollutant Regulations, R89-7(B) (Aug. 8, 1991). The Board specifically requests comment on whether this reference should be struck or whether this subsection should refer to another authority. If so, the Board requests proposed language for this revision.

**RESPONSE:** The reference to Part 230 can be struck and does not need to be replaced by reference to any other authority.

7. The Board specifically requests comment on whether to repeal as obsolete Section 201.Appendix C, which is based on compliance dates that passed as long as 50 years ago.

**RESPONSE:** The Agency agrees that Section 201.Appendix C can be repealed in its entirety. The Agency notes, however, that Appendix C is referenced in both Appendix A and Appendix B.

### **Part 202**

8. Section 202.302(c) refers to notifying IEPA “by telephone or telegram.” The Board specifically requests comment on whether it should revise that subsection, with different or additional means of communication and, if so, requests language revising it.

**RESPONSE:** The Agency does not object to the Board suggestion that Section 202.302(c) be revised. The different or additional means of communication can be “by telephone, email, or fax.”

### **Part 203**

9. Section 203.112 refers to a 1972 version of the Standard Industrial Classification Manual, incorporated by reference at 35 Ill. Adm. Code 720.111. That provision incorporates the 1987 version of the manual. The Board specifically requests comment on its proposal to update Section 203.112 by referring to the 1987 version.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “Standard Industrial Classification Manual”: the Standard Industrial Classification Manual (1987). The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

10. The Board has proposed to clarify the definition of “Dispersion Enhancement Techniques” at Section 203.117 by adding a Section 203.102 incorporating the cited federal regulation by reference and also adding a reference to the proposed incorporation. The Board specifically requests comment on these proposed revisions.

**RESPONSE:** The Agency does not object to the Board’s proposed amendments or to updating the reference to the most recent CFR.

### **Part 205**

11. Section 205.115 provides that “[t]he Part [Emissions Reduction Market System] does not apply after April 29, 2018.” The Board specifically requests comment on whether Part 205 should be repealed as obsolete or otherwise revised. If so, the Board requests proposed language of any suggested revision.

**RESPONSE:** The Agency agrees that Part 205 can be repealed in its entirety.

12. Section 205.225 refers to Section 201.262, which the Board repealed. See Amendments to 35 Ill. Adm. Code Parts 210, 202, and 212, R23-18 (July 20, 2023). The Board specifically requests comment on whether this reference should be struck as obsolete and whether this section should be otherwise revised. If so, the Board requests proposed language of the revision.

**RESPONSE:** The Agency agrees that Part 205 can be repealed in its entirety.

### **Part 207**

13. Sections 207.304(i), 207.314(e), 207.404, and 207.410 cite Chapter 13B of the Illinois Vehicle Emissions Inspection Law of 1995, which was repealed effective July 1, 2007. The Board specifically requests comment on whether this citation should be updated to refer to Chapter 13C of the Illinois Vehicle Code or any other provision or should be struck.

**RESPONSE:** The Agency agrees that the reference should be changed to the Illinois Vehicle Emissions Inspection Law of 2005 [625 ILCS 5/13C].

### **Part 211**

14. Section 211.101(a)(1) incorporates by reference a 1962 bulletin of the American Petroleum Institute. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests proposed language updating it.

**RESPONSE:** The Agency recommends that the Board update references to the most recent version of the API standards: API Manual of Petroleum Measurement Standards Chapter 19.2 Evaporative Loss from Floating-roof Tanks of August 2000. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

15. Section 211.101(a)(3) incorporates by reference ASTM Standard D 86. The Board specifically requests comment on whether this incorporation should refer to a specific version. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: "ASTM D86-23a - Standard Test Method for Distillation of Petroleum Products and Liquid Fuels at Atmospheric Pressure." It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

16. Section 211.101(a)(3) incorporates by reference ASTM Standard D 240-64. Also, the definition of "gross heating value" at Section 211.2770 refers to this incorporation. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D240-19 - Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

17. Section 211.101(a)(3) incorporates by reference ASTM Standard D 369-69 (1971). Also, the definition of “distillate fuel oil” at Section 211.1770 refers to this incorporation. The Board specifically requests comment on whether this incorporation and that reference should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D369-84(2002) - Standard Test Method for Specific Gravity of Creosote Fractions and Residue.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

18. Section 211.101(a)(3) incorporates by reference ASTM Standard D 396-69. Also, the definition of “residual fuel oil” at Section 211.5590 refers to this incorporation. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D396-24 - Standard Specification for Fuel Oils.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

19. Section 211.101(a)(3) incorporates by reference ASTM Standards D 523-80 and D 523-89. Also, the definitions of “extreme high-gloss coating” at Section 211.2200 and “high gloss coating” at Section 211.2958 refer to these standards. The Board specifically requests comment on whether these incorporations should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D523-14(2018) - Standard Test Method for Specular Gloss.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

20. Section 211.101(a)(3) incorporates by reference ASTM Standard D 900-5. Also, the definition of “gross heating value” at Section 211.2770 refers to this incorporation. The Board

specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** This ASTM standard has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Section 211.2770.

21. Section 211.101(a)(3) incorporates by reference ASTM Standard D 975-68. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D975-24 - Standard Specification for Diesel Fuel.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

22. Section 211.101(a)(3) incorporates by reference ASTM Standard D 1826-64. Also, the definition of “gross heating value” at Section 211.2770 refers to this incorporation. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D1826-94(2017) - Standard Test Method for Calorific (Heating) Value of Gases in Natural Gas Range by Continuous Recording Calorimeter.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

23. Section 211.101(a)(3) incorporates by reference ASTM Standard D 2015-66. Also, the definition of “gross heating value” at Section 211.2770 refers to this incorporation. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** This ASTM standard has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Section 211.2770.

24. Section 211.101(a)(3) incorporates by reference ASTM Standard D 2880-71. The Board specifically requests comment on whether this incorporation should be updated. If so, the Board specifically requests language clarifying this incorporation.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2880-23 - Standard Specification for Gas Turbine Fuel Oils.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

25. Section 211.101(a)(3) incorporates by reference a number of ASTM standards without providing their titles. The Board specifically requests comment on whether it would clarify this subsection to provide the titles of these materials. If so, the Board specifically requests that the comment include these titles, particularly in light of any updates provided in response to the preceding questions.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standards with corresponding titles. If the Board does so, the ASTM standards and corresponding titles are as follows:

- ASTM D86-23a - Standard Test Method for Distillation of Petroleum Products and Liquid Fuels at Atmospheric Pressure
- ASTM D240-19 - Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter
- ASTM D323-20a - Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)
- ASTM D369-84(2002) - Standard Test Method for Specific Gravity of Creosote Fractions and Residue
- ASTM D396-24 - Standard Specification for Fuel Oils
- ASTM D523-14(2018) - Standard Test Method for Specular Gloss
- ASTM D975-24 - Standard Specification for Diesel Fuel
- ASTM D1826-94(2017) - Standard Test Method for Calorific (Heating) Value of Gases in Natural Gas Range by Continuous Recording Calorimeter
- ASTM D2880-23 - Standard Specification for Gas Turbine Fuel Oils

26. Section 211.101(b) list as a “Referenced Material” the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136). The Board specifically requests comment on whether this material should instead be included in the incorporations by reference in subsection (a), struck from this section, or revised in some other manner. If so, the Board specifically requests language providing this revision.

**RESPONSE:** The Agency is not aware of any requirement that state or federal statutes referenced in a regulation be incorporated by reference, so does not believe an incorporation by reference is necessary here. The Illinois Administrative Procedures Act only provides that agencies may incorporate by reference “rules, regulations, standards, and guidelines of any Agency of the United States or a nationally or state recognized organization or association.” See 5 ILCS 100/5-75.

27. At Section 211.1000, the definition of “Class II Finish” refers to a Voluntary Product Standard PS-59-73. The Board specifically requests comment on whether this reference should be updated or revised in some other manner. If so, the Board specifically requests language providing this revision. Also, the Board requests comment on whether this or any revised standard should be included in the incorporations by reference at Section 211.101(a).

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ANSI standards A135.5-Prefinished Hardboard Paneling 2020. The Agency does



not object to this document being added to the incorporations by reference. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to include this as an incorporation by reference.

28. The definition of “medical device” at Section 211.3705 refers to “the National Formulary or the United States Pharmacopeia, or any supplement to them.” The Board specifically requests comment on whether these materials should be described more specifically and whether they should be incorporated by reference in Section 211.101. If so, the Board specifically requests language revising this reference and requests that the comment include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** Per Section 211.3705(c), a “Medical Device” is an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar article, including any component or accessory defined in “the National Formulary or the United States Pharmacopeia.” The term “medical device” covers a number of apparatus and related tests. This reference document is updated every year. The Agency does not believe that it is necessary to make a change to this Section or include a more specific incorporation by reference in Section 211.101 at this time.

29. The definition of “no detectable volatile organic material emissions” at Section 211.4030 refers to “40 CFR 60.485(c), incorporated by reference in 35 Ill. Adm. Code 215.105, 218.112 and 219.112.” Part 215 incorporates the 1989 version, and Parts 218 and 219 incorporate the 1991 version. The Board specifically requests comment on whether these incorporations should be consistent with one another and, if so, requests language for revisions that would accomplish this.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent CFR, which would ensure consistency.

30. The definition of “power driven fastener coating” at Section 211.4990 refers to “Federal Specification FF-N-105b of the General Services Administration dated August 23, 1977.” The Board specifically requests comment on whether this reference should be updated or revised and, if so, requests language for revisions that would accomplish this. The Board also requests comment on whether this or any updated specification should be incorporated by reference at Section 211.101. If so, the Board specifically requests that the comment include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board changing the reference to the federal specification to the most recent version of the relevant ASTM standard: “ASTM F1667/F1667M – 21a - Standard Specification for Driven Fasteners: Nails, Spikes, and Staples for nails, brads, staples, and spikes.” It does not appear that this amendment will result in any substantive change for subject sources. The Agency does not object to this document being added to the incorporations by reference. The Agency will provide the Board with copies of the ASTM if the Board advises that it intends to add this as an incorporation by reference.

31. The definition of “power driven fastener coating” at Section 211.4990 refers to “Bulletin UM-25d of the U.S. Department of Housing and Urban Development - Federal Housing Administration dated September 5, 1973.” The Board specifically requests comment on whether this reference should be updated or revised and, if so, requests language for revisions that would accomplish this. The Board also requests comment on whether this or any updated specification should be incorporated by reference at Section 211.101. If so, the Board specifically requests that the comment include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency could neither obtain the current version nor obtain any updated version of this reference. The Agency therefore recommends that the reference be deleted from Section 211.4990. The Agency has obtained other updated references for the definition of “power driven fastener coating” as indicated in the responses to Questions 30 and 32.

32. The definition of “power driven fastener coating” at Section 211.4990 refers to “the Model Building Code of the Council of American Building Officials.” The Board specifically requests comment on whether this reference should be made more specific or should be updated or revised and, if so, requests language for revisions that would accomplish this. The Board also requests comment on whether this or any updated specification should be incorporated by reference at Section 211.101. If so, the Board specifically requests that the comment include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** “The Model Building Code of the Council of American Building Officials” has now been updated to “The International Building Code (IBC).” The Agency does not object to the Board updating references to the most recent version of the IBC : 2024 International Building Code. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

33. The definition of “Ringelmann chart” at Section 211.5650 refers to “the chart published and described in the Bureau of Mines, U.S. Department of Interior, Information Circular 8333 (Revision of IC7718) May 1, 1967” or any adaptation of it that the Agency has approved. The Board specifically requests comment on whether this reference should be updated or revised and, if so, requests language of the revision that would accomplish this. The Board also requests comment on whether this material should be incorporated by reference at Section 211.101. If so, the Board specifically requests that the comment include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The reference to the Ringelmann chart has been removed from 35 Ill. Adm. Code Part 212. The reference has been updated to USEPA Method 9, which is already incorporated in Section 212.109. The Agency therefore recommends that section 211.5650 be deleted.

Additionally, Section 211.6050 also references the Ringelmann chart, although it is spelled “Ringlemann.” The Agency believes that this definition can be updated to read:

*"Smokeless flare" means a combustion unit and the stack to which it is affixed in which organic material achieves combustion by burning in the atmosphere such that the smoke*

*or other particulate matter emitted to the atmosphere from such combustion does not cause an opacity of greater than 20% as measured by USEPA Method 9 ~~have an appearance density or shade darker than No. 1 of the Ringlemann Chart.~~*

## **Part 212**

34. Section 212.113(a) incorporates by reference 14 methods from 40 CFR part 60, Appendix A (1991). The Board specifically requests comment on whether any of these incorporations should be updated or otherwise revised and, if so, requests language of the revision or revisions that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR. If the Board does so, Appendix A of 40 CFR Part 60 has been renumbered as follows, which should be reflected in the rule. All methods are publicly available in the CFR.

Appendix A-1 includes Method 1 through 2D, referenced in Section 212.113(a)(1) through (6).

Appendix A-2 includes Method 3, referenced in Section 212.113(a)(7).

Appendix A-3 includes Method 4 and 5 through 5E, referenced in Section 212.113(a)(8) through (12).

Appendix A-4 includes Method 9, referenced in Section 212.113(a)(13).

Appendix A-7 includes Method 22, referenced in Section 212.113(a)(14).

35. Section 212.113(b) incorporates by reference three methods from 40 CFR part 51 Appendix M (1994). The Board specifically requests comment on whether any of these incorporations should be updated or otherwise revised and, if so, requests language of the revision or revisions that would accomplish this and include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to updating the references to the most recent CFR. If the Board does so, the titles of the Methods identified in Section 212.113(b) should be revised to be consistent with the current titles of the Methods as set forth in 40 CFR 51. Appendix M. For example, Method 201A should be titled "Determination of PM10 and PM2.5 Emissions from Stationary Sources (Constant Sampling Rate Procedure)" as noted in Appendix M.

36. Section 212.113(c) and (d) incorporate by reference provisions of 40 CFR 672 and 40 CFR 675 (1991). The Board specifically requests comment on whether any of these incorporations should be updated or otherwise revised and, if so, requests language of the revision or revisions that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR.

37. Section 212.113(e) incorporates by reference “Standard 248.2, Section 9, Basis for Stating Drying Capacity of Batch and Continuous-Flow Grain Dryers, American Society of Agricultural Engineers.” Also, Section 212.463, Grain Drying Operations, refers to this incorporation. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASAE Standard: ASAE S248.3 - MAR1976 (R2020) Construction and Rating of Equipment for Drying Farm Crops. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

38. Section 212.113(f) incorporates by reference “U.S. Sieve Series, ASTM-E11, American Society of Testing Materials.” The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E11-24 - Standard Specification for Woven Wire Test Sieve Cloth and Test Sieves.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

39. Section 212.113(g) incorporates by reference “Standard Methods for the Examination of Water and Wastewater, Section 209C, "Total Filtrable Residue Dried at 103 - 105° C," 15th Edition, 1980, American Public Health Association.” Also, Section 212.443(h), Coke Plants, refers to this incorporation. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “Standard Methods for the Examination of Water and Wastewater”, Section 2540C, "Total Dissolved Solids Dried at 180° C," 24th Edition, 2020, American Public Health Association. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

40. Section 212.113(j) incorporates by reference “40 CFR 50, Appendix K (1992), Interpretation of the National Ambient Air Quality Standard for Particulate Matter.” The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR. If the Board does so, the title of Appendix K has changed slightly to reference “National Ambient Air Quality Standards.”

41. Part 212.Appendix C, Past Compliance Dates, includes dates that passed more than 50 years ago. The Board specifically requests comment on whether this entire appendix or specific sections of it should be struck as obsolete or otherwise revised.

**RESPONSE:** The Agency agrees that Part 212.Appendix C can be repealed in its entirety. The Agency notes, however, that Appendix C is referenced in both Appendix A and Appendix B.

### **Part 214**

42. Because Section 214.100 addresses the scope and organization of Part 214, the Board has proposed to repeal Sections 214.120, 214.140, 214.300, 214.380, 214.400, 214.420, and 214.560 entitled “Scope” as redundant and specifically requests comment on these proposed repeals.

**RESPONSE:** The Agency does not recommend that Sections 214.120, 214.140, 214.300, 214.380, 214.400, 214.420, and 214.560 be repealed. While Section 214.100 sets forth the overall scope of Part 214 and describes the provisions contained in its various Subparts, the “Scope” provisions within each Subpart provide additional, more specific information. For example, they clarify when the industry- and site-specific provisions in Subparts N through X apply instead of the general sulfur emission rules in Subparts A through M. Section 214.300 also clarifies that the sulfur content limitations in Subpart K apply regardless of industry- and site-specific rules set forth in other Subparts.

43. Section 214.104(a) incorporates by reference 10 methods from 40 CFR 60, Appendix A (2014). The Board specifically requests comment on whether any of these incorporations should be updated or otherwise revised. If so, the Board requests that the comment include language of the revision or revisions that would accomplish this and include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** See the Agency response to Question 34 above. Appendix A has been renumbered, so if the Board updates this provision, it should do consistent with the current numbering, as set forth below.

Appendix A-1 to Part 60: Test Methods 1 through 2F

Appendix A-2 to Part 60: Test Methods 2G through 3C

Appendix A-3 to Part 60: Test Methods 4 through 5I

Appendix A-4 to Part 60: Test Methods 6 through 10B

Appendix A-5 to Part 60: Test Methods 11 through 15A

Appendix A-6 to Part 60: Test Methods 16 through 18

Appendix A-7 to Part 60: Test Methods 19 through 25E

Appendix A-8 to Part 60: Test Methods 26 through 30B

44. Section 214.104(b) incorporates by reference 40 CFR 60.8(b) (2014). The Board specifically requests comment on whether this incorporation should be updated or otherwise revised. If so, the Board requests that the comment include language of the revision or revisions that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the reference to the most recent CFR.

45. Section 214.104(c)(1) incorporates by reference ASTM Standards D-2234 (1989) and D-2013 (1986) for solid fuel sampling. The Board specifically requests comment on whether these incorporations should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2234-20 - Standard Practice for Collection of a Gross Sample of Coal and ASTM D2013-21 - Standard Practice for Preparing Coal Samples for Analysis.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

46. Section 214.104(c)(2) incorporates by reference ASTM Standards D-3177 (1984), D-2622 (1987), D-3180 (1984), and D-4239 (1985) for sulfur determinations. The Board specifically requests comment on whether these incorporations should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** For ASTM standards D-3177 (1984) and D-4239(1985), it appears that updating to the most recent standard, ASTM D4239-18e1: Standard Test Method for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion may result in substantive changes affecting subject sources because the updated standard may require different or additional equipment. The Agency will defer to the Board as to whether the standard should be updated in this rulemaking, which is generally geared toward non-substantive amendments.

For ASTM standards D-2622 (1987) and D-3180 (1984), the Agency does not object to the Board updating references to the most recent version of the ASTM standards: “ASTM D2622-24 - Standard Practice for Preparing Coal Samples for Analysis and ASTM D3180-15(2023) - Standard Practice for Calculating Coal and Coke Analyses from As-Determined to Different

Bases.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

47. Section 214.104(c)(3) incorporates by reference ASTM Standards D-2015 (1985) and D-3286 (1985) for heating value determinations. The Board specifically requests comment on whether these incorporations should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The ASTM standard D2015-00 has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as another standard has been provided in Section 214.104(c)(3).

The ASTM standard D3286 (1985) has been withdrawn and replaced with ASTM standard D5865-19. The Agency recommends revising Section 214.104(c)(3) with the new ASTM standard D5865-19: Standard Test Method for Gross Calorific Value of Coal and Coke. It does not appear that replacing this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with the copies of the updated version if the Board advises that it intends to update this incorporation by reference.

48. Section 214.104(d) incorporates by reference the Tutwiler Procedure for hydrogen sulfide at 40 CFR 60.648 (2014). The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the CFR.

49. Section 214.104(e) incorporates by reference 40 CFR 75 (2014). The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language of the revision that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR.

50. Section 214.562 addresses emissions from a specific generating station in Montgomery County. The Board specifically requests comment on whether this section correctly identifies its current owner and, if not, requests language that correctly identifies the current owner.

**RESPONSE:** The Agency recommends that Section 214.562 be repealed as obsolete as the Coffeen Generating Station is permanently closed.

51. Part 214.Appendix D, Past Compliance Dates, includes dates that passed more than 50 years ago. The Board specifically requests comment on whether this entire appendix or specific sections of it should be struck as obsolete or otherwise revised.

**RESPONSE:** The Agency does not object to the Board repealing the past compliance dates as obsolete.

### **Part 215**

52. The thirteen ASTM standards incorporated by reference in Section 215.105(a) are not identified by title. The Board specifically requests comment on whether it would clarify subsection (a) to include a title for any or all of the incorporations. If so, and particularly in light of any revisions in response to the following questions, the Board also requests the specific titles.

**RESPONSE:** The Agency agrees with the Board's suggestion to include and identify the ASTM standards with the current titles. The following responses for Questions 53 to 65 include the current titles for the ASTM standards.

53. Section 215.105(a)(1) incorporates by reference ASTM Standard D 1644-59 Method A. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this, and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: "ASTM D1644-01(2017) - Standard Test Methods for Nonvolatile Content of Varnishes." It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

54. Section 215.105(a)(2) incorporates by reference ASTM Standard D 1475-60. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: "ASTM D1475-13(2020) - Standard Test Method for Density of Liquid Coatings, Inks, and Related Products." It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

55. Section 215.105(a)(3) incorporates by reference ASTM Standard D 2369-81. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.



**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2369-24 - Standard Test Method for Volatile Content of Coatings.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

56. Section 215.105(a)(4) incorporates by reference ASTM Standards D 2879-83 (Approved 1983) and D 2879-86 (Approved 1986). The Board specifically requests comment on whether these incorporations should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2879-23 - Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

57. Section 215.105(a)(5) incorporates by reference ASTM Standard D 86-82 (Approved 1982). The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D86-23a - Standard Test Method for Distillation of Petroleum Products and Liquid Fuels at Atmospheric Pressure.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

58. Section 215.105(a)(6) incorporates by reference ASTM Standards E 260-73 (Approved 1973), E 168-67 (Reapproved 1977), E 169-63 (Reapproved 1981), and E 20 (Approved 1985). The Board specifically requests comment on whether these incorporations should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standards: ASTM E260-96(2019) - Standard Practice for Packed Column Gas Chromatography; ASTM E168-16(2023) - Standard Practices for General Techniques of Infrared Quantitative Analysis; ASTM E169-16(2022); Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis. It does not appear that updating these ASTM standards will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

The ASTM standard E 20 has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Section 215.105(a)(6).

59. Section 215.105(a)(7) incorporates by reference ASTM Standard D 97-66. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D97-17b(2022) - Standard Test Method for Pour Point of Petroleum Products.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

60. Section 215.105(a)(8) incorporates by reference ASTM Standard D 1946-67. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D1946-90(2019) - Standard Practice for Analysis of Reformed Gas by Gas Chromatography.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

61. Section 215.105(a)(9) incorporates by reference ASTM Standard D 2382-76. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4809-18 - Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method).” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

62. Section 215.105(a)(10) incorporates by reference ASTM Standard D 2504-83. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** This ASTM standard has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Section 215.438, which is the only Section that references this standard.

63. Section 215.105(a)(11) incorporates by reference ASTM Standard D 2382-83. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4809-18 - Standard Test Method for Heat of Combustion Of Hydrocarbon Fuels By Bomb Calorimeter (High-Precision Method).” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

64. Section 215.105(a)(12) incorporates by reference ASTM Standard D 4953-89. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4953-20 - Standard Test Method for Vapor Pressure of Gasoline and Gasoline-Oxygenate Blends (Dry Method).” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

65. Section 215.105(a)(13) incorporates by reference ASTM Standard D 4457-85. The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4457-02 (2014) - Standard Test Method for Determination of Dichloromethane and 1,1,1-Trichloroethane in Paints and Coatings by Direct Injection into a Gas Chromatograph.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

66. Section 215.105(c) incorporates by reference “National Fire Codes, National Fire Protection Association . . . (1979).” The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “National Fire Codes, National Fire Protection Association . . . (2024).” The

Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

67. Current Section 215.105(i), proposed to be re-designated as subsection (g), incorporates by reference “‘The Vapor Pressure of Pure Substances’ (1973).” The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** For the publication, Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," (1973) Elsevier Scientific Publishing Co., New York, the Agency is not able to obtain an updated version, and so does not recommend updating this incorporation. In this case, a 1984 version is available at libraries, but is not available for purchase.

68. Current Section 215.105(j), proposed to be re-designated as subsection (h), incorporates by reference “‘Perry’s Chemical Engineer’s Handbook’ (1984).” The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency recommends that the Board update references to the most recent version of “‘Perry’s Chemical Engineer’s Handbook, 9<sup>th</sup> edition, published, McGraw-Hill Book (2018).” The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

69. Current Section 215.105(k), proposed to be re-designated as subsection (i), incorporates by reference the “‘CRC Handbook of Chemistry and Physics’ (1986- 87).” The Board specifically requests comment on whether this incorporation should be updated or otherwise revised and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency recommends that the Board update references to the most recent version of the “‘CRC Handbook of Chemistry and Physics - 104th edition, published in 2023.” The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

70. Section 215.581(a)(4) refers to materials including “the guidelines of the National Fire Prevention Association.” The Board specifically requests comment on whether this is material incorporated by reference in Section 215.105 and whether subsection (a)(4) should refer to it. If not, the Board requests comment on whether Section 281.581 should provide a more specific reference to materials and whether they should be incorporated by reference in Section 215.105.

**RESPONSE:** The correct term is “National Fire Protection Association” as incorporated by reference at Section 215.105(c). The term at Section 215.581(a)(4) needs to be amended to reflect that and should refer to Section 215.105(c). The updated edition of the reference is

“National Fire Codes, National Fire Protection Association, Quincy, Massachusetts 02169 (2024).” The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

71. Section 215.610(b) refers to determining compliance using “methods described in EPA-450/3-82-009 (1982) and does not include any later amendments or editions.” The Board specifically requests comment on whether this reference should be updated or otherwise revised. The Board also specifically requests comment on whether it should be incorporated by reference in Section 215.105 and, if so, requests language that would accomplish this and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The methods described in EPA-450/3-82-009 (1982) have not been updated, so the Agency does not recommend that this reference be updated. The Agency agrees with the Board’s suggestion to incorporate the document by reference in Section 215.105. The Agency will provide the Board with copies of the document if the Board advises that it intends to add this incorporation by reference and that it does not currently have a copy of the document.

72. Section 215.610(c) refers to demonstrating compliance using “40 CFR 60 Appendix A, Method 25 (1984) and does not include any later amendments or editions.” The Board specifically requests comment on whether this reference should be updated or otherwise revised. The Board also specifically requests comment on whether it should be incorporated by reference in Section 215.105, noting that it now incorporates “40 CFR 60 (1989).” If so, the Board requests language that would accomplish these revisions and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR. If the Board does so, Method 25 is currently in 40 CFR 60, Appendix A-7. As all of 40 CFR 60 is incorporated by reference in Section 215.105, incorporation of Appendix A-7 specifically should not be necessary.

### **Part 216**

73. Part 216.Appendix C, Compliance Dates, includes two dates, the most recent of which is December 31, 1973. The Board specifically requests comment on whether this entire appendix or specific sections of it should be struck as obsolete or otherwise revised.

**RESPONSE:** The Agency agrees that Part 216.Appendix C can be repealed in its entirety. The Agency notes, however, that Appendix C is referenced in both Appendix A and Appendix B.

### **Part 217**

74. Section 217.104(i) incorporates by reference “ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers (2000).” The Board specifically requests comment on whether this reference should be updated or otherwise revised. If so, the Board requests language that

would accomplish this revision and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D6522-20 - Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural GasFired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

75. Section 217.104(f) and (k) incorporate by reference various provisions and revision of USEPA’s Compilation of Air Pollutant Emission Factors. The Board specifically requests comment on whether these references should be updated, revised, or merged. If so, the Board requests language that would accomplish this revision and a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “USEPA’s Compilation of Air Pollutant Emission Factors”: AP-42, COMPILATION OF AIR POLLUTANT EMISSION FACTORS FOR STATIONARY SOURCES – Jan 24. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

76. Section 217.156(j)(2) refers to compliance with requirements including “40 CFR 60.7(c) and (d) and 60.13, or 40 CFR 75.” The Board specifically requests comment on whether the subsection should refer to a specific version of those requirements by year or other designation and, if so, whether it should be incorporated by reference in Section 217.104 if it is not already incorporated.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent CFR. Both 40 CFR 60 and 75 are already included in Section 217.104 incorporations by reference, but Section 217.156 could reference the incorporation as well.

77. Section 217.156(k) refers to compliance with requirements including “40 CFR 96.” The Board specifically requests comment on whether the subsection should refer to a specific version of those requirements by year or other designation and, if so, whether it should be incorporated by reference in Section 217.104 if it is not already incorporated.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR.

78. Both Section 217.402(b) and 217.454(e) in italicized language cite language from Section 9.9(f) of the Environmental Protection Act. The Board notes that, with Public Act 92-279, effective August 7, 2001, Section 9.9(f) was struck and replaced with language providing that, “[n]otwithstanding any provisions in subparts T, U, and W of Section 217 of Title 35 of the Illinois Administrative Code to the contrary, compliance with the regulations promulgated by the

Board pursuant to subsections (b) and (d) of this Section is required by May 31, 2004.” The Board specifically requests comment on whether Sections 217.402(b) and 217.454(e) should be updated or otherwise revised and, if so, requests language accomplishing this revision.

**RESPONSE:** The Board could update this language in Section 217.402(b) consistent with the current language of Section 9.9(f) of the Act, for consistency with the Act if it desires. The Agency is unaware of any practical impact of this update, considering that the date has already passed but also considering that the compliance deadline set forth in Section 217.402(a) is already consistent with the compliance date set forth in the updated Section 9.9(f). The Agency does not see the utility of updating the reference in Section 217.454(e), however, as it has been sunset and is therefore not currently applicable.

79. Section 217.454(a)(2) and (d) refer to the applicability of Subpart W, which IEPA has proposed to repeal. The Board specifically requests comment on whether this subsection should be updated or otherwise revised and, if so, requests language accomplishing the revision.

**RESPONSE:** The Agency does not object to the Board striking Section 217.454(a)(2)(D) in its entirety as it regards Subpart W, which the Agency is proposing to repeal. The Agency does not see the utility of updating the reference in Section 217.454(d), as it has been sunset and is therefore not currently applicable.

80. Section 217.462(b) refers to “budget units subject to Subpart W,” which IEPA has proposed to repeal. The Board specifically requests comment on whether this subsection should be updated or otherwise revised and, if so, requests language accomplishing the revision.

**RESPONSE:** The Agency does not see the utility of updating the reference in Section 217.462(b), as it has been sunset and is therefore not currently applicable.

81. Section 217.472(d) refers to “allowances issued for voluntary NO<sub>x</sub> reductions meeting the requirements of Subpart X” and “allowances for NO<sub>x</sub> reductions obtained in accordance with Subpart X,” which IEPA has proposed to repeal. The Board specifically requests comment on whether this subsection should be updated or otherwise revised and, if so, requests language accomplishing the revision.

**RESPONSE:** The Agency does not see the utility of updating the reference in Section 217.472(d), as it has been sunset and is therefore not currently applicable.

82. Section 217.474(a)(1) refers to “a budget EGU under Subpart W,” which IEPA has proposed to repeal. The Board specifically requests comment on whether this subsection should be updated or otherwise revised and, if so, requests language accomplishing the revision.

**RESPONSE:** The Agency does not see the utility of updating the reference in Section 217.474(a)(1), as it has been sunset and is therefore not currently applicable.

83. Part 217.Appendix C, Past Compliance Dates, includes deadlines, the most recent of which passed in 1975. The Board specifically requests comment on whether this entire appendix or specific sections of it should be struck as obsolete or otherwise revised.

**RESPONSE:** The Agency agrees that Part 217 Appendix C can be repealed in its entirety. The Agency notes, however, that Appendix C is referenced in both Appendix A and Appendix B.

84. Part 217.Appendix D, Non-Electrical Generating Units, has not been amended since it was adopted in 2000. The Board specifically requests comment on whether any of the units should be struck as obsolete or otherwise revised.

**RESPONSE:** The following sources and associated units can be removed from Appendix D:

GREAT LAKES NAVAL STATION  
INDIAN REFINING LIMITED PARTNERSHIP  
JEFFERSON SMURFIT CORPORATION

85. Part 217.Appendix E, Large Non-Electrical Generating Units, has not been amended since it was adopted in 2001. The Board specifically requests comment on whether any of the units should be struck as obsolete or otherwise revised.

**RESPONSE:** The Agency does not recommend any changes to Appendix E, as it identifies sources that continue to have monitoring and recordkeeping requirements.

86. Part 217.Appendix G, Existing Reciprocating Internal Combustion Engines Affected by the NOx SIP Call, has not been adopted since it was amended in 2007. The Board specifically requests comment on whether any part of it should be struck as obsolete or otherwise revised.

**RESPONSE:** All sources included in Appendix G are still active, so the Agency does not recommend any amendments.

### **Parts 218 and 219**

87. Sections 218.109(a), 218.110(a), 218.111(a), 219.109(a), 219.110(a), and 219.111(a) refer to four publications from which vapor pressure may be obtained. The Board specifically requests comment on whether any of these references should be updated or struck. If so, the Board specifically requests proposed language updating the reference. The Board also specifically requests comment on whether any of these publications should be incorporated by reference in Section 218.112 or 219.112. If so, the Board requests that the comment include a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency recommends that the Board update references to the most recent version of Perry's Chemical Engineer's Handbook, 9<sup>th</sup> edition, published, McGraw-Hill Book (2018); CRC Handbook of Chemistry and Physics, Chemical Rubber Publishing Company (2024); Lange's Handbook of Chemistry, John A. Dean, editor, McGraw Hill Book Company (1998). The Agency does not believe that these documents must be added to the incorporations by reference, but the Agency does not object if the Board wishes to do so. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to add these as incorporations by reference.



For the publication, Boublik, T., V. Fried and E. Hala, "The Vapor Pressure of Pure Substances," (1973) Elsevier Scientific Publishing Co., New York, the Agency is not able to obtain an updated version, and so does not recommend updating this incorporation. In this case, a 1984 version is available at libraries, but is not available for purchase.

88. Sections 218.112(a)(1) and 219.112(a)(1) incorporate by reference American Society for Testing and Materials (ASTM) Method "D 2879-86." Also, the definitions of "heavy liquid" at Section 211.2870 and "maximum true vapor pressure" at Section 211.3695 refer to the incorporation of this method. The Board specifically requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: "ASTM D2879-18 - Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope." It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

89. Sections 218.112(a)(2) and 219.112(a)(2) incorporate by reference ASTM Method "D 323-08." Also, the definition of "heavy liquid" at Section 211.2870 refers to this incorporation. The Board specifically requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: "ASTM D323-20a - Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)." It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

90. Sections 218.112(a)(3) and 219.112(a)(3) incorporate by reference ASTM Method "D 86-82." Also, the definition of "heavy liquid" at Section 211.2870 refers to this incorporation. The Board specifically requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: "ASTM D86-23a - Standard Test Method for Distillation of Petroleum Products and Liquid Fuels at Atmospheric Pressure." It does not appear that updating

this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

91. Sections 218.112(a)(4) and 219.112(a)(4) incorporate by reference ASTM Method “D 369-69 (1971).” Also, the definition of “distillate fuel oil” at Section 211.1770 refers to the incorporation of this method. The Board specifically requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D369-84(2002) - Standard Test Method for Specific Gravity of Creosote Fractions and Residue.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

92. Sections 218.112(a)(5) and 219.112(a)(5) incorporate by reference ASTM Method “D 369-69.” Also, the definition of “petroleum liquid” at Section 211.4610 refers to the incorporation of this method. The Board specifically requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D369-84(2002)- Standard Test Method for Specific Gravity of Creosote Fractions and Residue.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

93. Sections 218.112(a)(6) and 219.112(a)(6) incorporate by reference ASTM Method “D 2880-71.” Also, the definition of “petroleum liquid” at Section 211.4610 refers to the incorporation of this method. The Board specifically requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2880-23: Standard Specification for Gas Turbine Fuel Oils.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

94. Sections 218.112(a)(7) and 219.112(a)(7) incorporate by reference ASTM Method “D 975-68.” Also, the definition of “petroleum liquid” at Section 211.4610 refers to the incorporation of

this method. The Board specifically 57 requests comment on whether this should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D975-24 - Standard Specification for Diesel Fuel.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

95. Sections 218.112(a)(8) and 219.112(a)(8) incorporate by reference ASTM Method “D 3925-81 (1985).” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(1)(A) and 219.105(a)(1)(A) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D3925-02(2022) - Standard Practice for Sampling Liquid Paints and Related Pigmented Coatings.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

96. Sections 218.112(a)(9) and 219.112(a)(9) incorporate by reference ASTM Method “E 300-96.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(1)(B) and 219.105(a)(1)(B) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E300-03(2022) - Standard Practice for Sampling Industrial Chemicals.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

97. Sections 218.112(a)(10) and 219.112(a)(10) incorporate by reference ASTM Method “D 1475-85.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(i) and 219.105(a)(2)(C)(i) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests

proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D1475-13(2020): Standard Test Method for Density of Liquid Coatings, Inks, and Related Products.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

98. Sections 218.112(a)(11) and 219.112(a)(11) incorporate by reference ASTM Method “D 2369-87.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(ii) and 219.105(a)(2)(C)(ii) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2369-24 - Standard Test Method for Volatile Content of Coatings.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

99. Sections 218.112(a)(12) and 219.112(a)(12) incorporate by reference ASTM Method “D 3792-86.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(iii) and 219.105(a)(2)(C)(iii) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D3792-16(2002) - Standard Test Method for Water Content of Coatings by Direct Injection Into a Gas Chromatograph.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

100. Sections 218.112(a)(13) and 219.112(a)(13) incorporate by reference ASTM Method “D 4017-81 (1987).” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(iv) and 219.105(a)(2)(C)(iv) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4017-22 - Standard Test Method for Water in Paints and Paint Materials by Karl Fischer Method.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

101. Sections 218.112(a)(14) and 219.112(a)(14) incorporate by reference ASTM Method “D 4457-85.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(v) and 219.105(a)(2)(C)(v) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4457-02(2014) - Standard Test Method for Determination of Dichloromethane and 1,1,1-Trichloroethane in Paints and Coatings by Direct Injection into a Gas Chromatograph.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

102. Sections 218.112(a)(15) and 219.112(a)(15) incorporate by reference ASTM Method “D 2697-86.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(vi) and 219.105(a)(2)(C)(vi) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2697-22 - Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

103. Sections 218.112(a)(16) and 219.112(a)(17) incorporate by reference ASTM Method “D 3980-87.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(vii) and 219.105(a)(2)(C)(vii) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board 59 requests proposed language updating or revising this incorporation. If so, please also

provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** This ASTM standard has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Section 218.105(a)(2)(C) and 219.105(a)(2)(C).

104. Sections 218.112(a)(17) and 219.112(a)(17) incorporate by reference ASTM Method “E 180-85.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(viii) and 219.105(a)(2)(C)(viii) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E180-03 - Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial and Specialty Chemicals.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

105. Sections 218.112(a)(18) and 219.112(a)(18) incorporate by reference ASTM Method “D 2372-85.” Also, test methods and procedures for coatings, inks, and fountain solutions at Sections 218.105(a)(2)(C)(ix) and 219.105(a)(2)(C)(ix) refer to the incorporation of this method. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2372-85(2022) - Standard Practice for Separation of Vehicle from Solvent-Reducible Paints.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

106. Sections 218.112(a)(19) and 219.112(a)(19) incorporate by reference ASTM Method “D 97-66.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D97-17b (2022) - Standard Test Method for Pour Point of Petroleum Products.” It does not appear that updating this ASTM standard will result in any

substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

107. Sections 218.112(a)(20) and 219.112(a)(20) incorporate by reference ASTM Method “E 168-67 (1977).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E168-16(2023) - Standard Practices for General Techniques of Infrared Quantitative Analysis.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

108. Sections 218.112(a)(21) and 219.112(a)(21) incorporate by reference ASTM Method “E 169-87.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act. 60

**RESPONSE (FINAL):** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E169-16(2022) - Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

109. Sections 218.112(a)(22) and 219.112(a)(22) incorporate by reference ASTM Method “E 260-91.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E260-96(2019) - Standard Practice for Packed Column Gas Chromatography.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

110. Sections 218.112(a)(23) and 219.112(a)(23) incorporate by reference ASTM Method “D 2504-83.” The Board specifically requests comment on whether this incorporation should be

updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** This ASTM standard has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Section 218.429(c)(4) and 219.429(c)(4).

111. Sections 218.112(a)(24) and 219.112(a)(24) incorporate by reference ASTM Method “D 2382-83.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** This ASTM standard has been withdrawn and replaced with the new standard ASTM D4809-18 - Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method). The Agency recommends revising references to this standard throughout Parts 218 and 219, including in Sections 218.429(c)(4), 218.112(a)(24), 218.Appendix C, 218. Appendix G(a)(6), 219.429(c)(4), 219.112 (a)(24), 219.Appendix C and 219.Appendix G (a)(6) with the new standard. It does not appear that replacing this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with the copies of the updated version if the Board advises that it intends to incorporate the new version.

112. Sections 218.112(a)(25) and 219.112(a)(25) incorporate by reference ASTM Method “D 2099-00.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D2099-14(2023) - Standard Test Method for Dynamic Water Resistance of Shoe Upper Leather by the Maeser Water Penetration Tester.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

113. Section 218.112(c) and 219.112(c) incorporate by reference American Petroleum Institute Bulletin 2517, “Evaporation Loss from Floating Roof Tanks,” second edition, February 1980. Also, the definitions of “maximum true vapor pressure” at Section 211.3695(a) and “true vapor pressure” at Section 211.6770 refer to this incorporation. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that standard or revised with a different method. If so, the Board requests proposed language



updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency recommends that the Board update all the references to the most recent version of the API standards: API Manual of Petroleum Measurement Standards Chapter 19.2 Evaporative Loss from Floating-roof Tanks of August 2000. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

114. Sections 218.112(d-h), 218.112(cc-ee), 219.112(d-h) and 219.112(z-cc) incorporate by reference provisions of the Code of Federal Regulations. The Board specifically requests comment on whether any of these should be updated with a more recent version of those regulations. If so, the Board requests language updating them.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent CFR. Appendix A to 40 CFR 60 has been renumbered; Method 24 is currently in Appendix A-7.

115. Section 218.112(d) incorporates by reference “40 CFR 60 (July 1, 1991) and 40 CFR 60, appendix A, Method 24.” Section 218.105(a)(2)(B) refers to the 61 incorporation of Method 24A in this section, and Section 218.105(f)(1) refers to the incorporation of Methods 18, 25, and 25A in this section. The Board specifically requests comment on whether Section 218.112(d) should be revised to specifically incorporate these four additional methods.

**RESPONSE:** The current incorporation of 40 CFR 60 would encompass these four additional Methods. If the Board prefers listing each individual provision of Part 60 that is referenced, the Agency does not object to doing so. As set forth in response to Question 43, Appendix A to Part 60 has been renumbered so any amendments should reflect such amendments.

116. Sections 218.112(i-v) and 219.112(i-u) incorporate by reference various USEPA materials. The Board specifically requests comment on whether any of these should be updated. If so, the Board requests language updating them. If so, please also provide a copy of the incorporated material required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The USEPA materials under reference have not been updated, so the Agency does not recommend any amendments.

117. Sections 218.204 and 219.204 require “compliance with the emission limitations marked with an asterisk . . . on and after March 15, 1996, and compliance with emission limitations not marked with an asterisk . . . until March 15, 1996.” The Board specifically requests comment on whether any or all of the standards not marked with an asterisk that were superseded in 1996 may be struck as obsolete or otherwise revised.

**RESPONSE:** The Agency agrees that the prior emission limits not marked with an asterisk that were superseded on March 15, 1996, may be struck as obsolete.

118. In Section 218.204 and 219.204, a number of subsections establish an emissions limitation that applies before a date and a limitation that applies on and after that date. As one example, Sections 218.204(l) and 219.204(l) establish wood furniture coating limitations that apply before March 15, 1998, and separate limitations that apply on and after March 15, 1998. The Board specifically requests comment on whether any or all of the superseded standards should be struck as obsolete or otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the superseded standards can be struck as obsolete.

119. Sections 218.205(e) refers to meeting “the requirement specified in the note to Section 218.204(l)(1),” which sets limits “[b]efore March 15, 1998.” Section 219.205(e) makes a similar reference to the corresponding Board Note. The Board specifically requests comment on whether the Board Notes and references to them should be struck as obsolete or otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the Board Notes and references to them which set limits “before March 15, 1998,” should be struck as obsolete.

120. In Sections 218.401 and 219.401, subsections establish requirements that apply before a date and after it. As one example, subsection (a) establishes limitations that apply “[p]rior to August 1, 2010” and separate limitations that apply “[o]n and after August 1, 2010.” The Board specifically requests comment on whether any or all of the superseded requirements should be struck as obsolete and whether these sections should be otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the superseded requirements can be struck as obsolete.

121. In Sections 218.405 and 219.405, subsection (b) applies “[p]rior to August 1, 2010,” and subsection (c) applies “[o]n and after August 1, 2010.” The Board specifically requests comment on whether any or all of the superseded requirements should be struck as obsolete and whether these sections should be otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the superseded requirements can be struck as obsolete.

122. Sections 218.407 and 219.407 establish limits that apply “[p]rior to August 1, 2010, and subsections and separate limits that apply “[o]n and after August 1, 2010. The Board specifically requests comment on whether any or all of the superseded requirements should be struck as obsolete and whether these sections should be otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the superseded requirements can be struck as obsolete.

123. Sections 218.411 and 219.411 includes requirements such as subsection (a) that apply before August 1, 2010, and such as subsection (b) that apply on and after August 1, 2010. The Board specifically requests comment on whether the superseded requirements should be struck as obsolete or whether these provisions should be otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the superseded requirements can be struck as obsolete.

124. Sections 218.452 and 219.452 include deadlines to submit a monitoring program and a first monitoring report by 1990 and 1991, respectively. The Board specifically requests comment on whether either or both or both of those requirements should be struck as obsolete or whether these sections should be otherwise revised with specific language.

**RESPONSE:** The Agency agrees that all the superseded requirements can be struck as obsolete.

125. In PC 9, JCAR suggested amending “propylenediene” to “propylene diene” in Sections 218.901(b)(2)(N) and 219.901(b)(2)(N). The Board specifically requests comment on whether these amendments correct or clarify these subsections.

**RESPONSE:** The Agency agrees with the amendment suggested by JCAR.

### **Part 223**

126. Section 223.120(f)(1) incorporates by reference ASTM Method “E119-05a.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E119-24 - Standard Test Methods for Fire Tests of Building Construction and Materials.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

127. Section 223.120(f)(2) incorporates by reference ASTM Method “D523-89 (1999).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D523-14(2018) - Standard Test Method for Specular Gloss.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

128. Section 223.120(f)(3) incorporates by reference ASTM Method “D1640-03 (1999).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D1640/D1640M-14(2022) - Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

129. Section 223.120(f)(4) incorporates by reference ASTM Method “D3912-95 (2001).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D3912-10(2023) - Standard Test Method for Chemical Resistance of Coatings and Linings for Use in Nuclear Power Plants.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

130. Section 223.120(f)(5) incorporates by reference ASTM Method “D4082-02.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4082-10(2023) - Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Nuclear Power Plants.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

131. Section 223.120(f)(6) incorporates by reference ASTM Method “D4214-98.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4214-23 - Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

132. Section 223.120(f)(7) incorporates by reference ASTM Method “D1613-03.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D1613-17 - Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer, and Related Products.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

133. Section 223.120(f)(8) incorporates by reference ASTM Method “E84-07.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E84-24 - Standard Test Method for Surface Burning Characteristics of Building Materials.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

134. Section 223.120(f)(9) incorporates by reference ASTM Method “D4359-90(2006).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4359-90(2024) - Standard Test Method for Determining Whether a Material Is a Liquid or a Solid.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

135. Section 223.120(f)(10) incorporates by reference ASTM Method “E260-96 (2006).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM E260-96(2019) - Standard Practice for Packed Column Gas Chromatography.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

136. Section 223.120(f)(11) incorporates by reference ASTM Method “E2167-01.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The most recent version of this ASTM standard is ASTM E2167-01(2008) – “Standard Guide for Selection and Use of Stone Consolidants.” This standard has been withdrawn in 2017, and no replacement was made by ASTM. However, there are no other standards provided in Section 223.307. The Agency therefore does not advise revising or removing the reference.

137. Section 223.120(f)(12) incorporates by reference ASTM Method “C836-06.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM C836/C836M-18(2022) - Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

138. Section 223.120(f)(13) incorporates by reference ASTM Method “D86-07b.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D86-23a - Standard Test Method for Distillation of Petroleum Products and Liquid Fuels at Atmospheric Pressure.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

139. Section 223.120(h)(1) incorporates by reference Bay Area Air Quality Management District (BAAQMD) Method 43, proposed amendment February 4, 2004. The Board specifically

requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent version of the Bay Area Air Quality Management District (BAAQMD) Method 43 -2005. This Method is publicly available.

140. Section 223.120(h)(2) incorporates by reference BAAQMD Method 41, proposed amendment February 4, 2004. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent version of the Bay Area Air Quality Management District (BAAQMD) Method 41 -2005. This Method is publicly available.

141. Section 223.120(i) incorporates by reference California Air Resources Board (CARB) Method 310, amended May 5, 2005. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating the references to the most recent version of the California Air Resources Board (CARB) Method 310 – 2022. This Method is publicly available.

142. In Section 223.203, “Deodorant” is defined separately based on whether the product is manufactured on and after July 1, 2009, or before that date. The Board specifically requests comment on whether the definition that applied before July 1, 2009, should be struck as obsolete or otherwise revised. If so, the Board requests proposed language updating or revising it.

**RESPONSE:** The Agency agrees that the definition of “Deodorant” that applied before July 1, 2009, can be struck as obsolete.

143. In Section 223.203, “Deodorant Body Spray” is defined separately based on whether the product is manufactured on and after July 1, 2009, or before that date. The Board specifically requests comment on whether the definition that applied before July 1, 2009, should be struck as obsolete or otherwise revised. If so, the Board requests proposed language updating or revising it.

**RESPONSE:** The Agency agrees that the definition of “Deodorant Body Spray” that applied before July 1, 2009, can be struck as obsolete.

144. In Section 223.203, “Hair Spray” is defined separately based on whether the product is manufactured on and after July 1, 2009, or before that date. The Board specifically requests comment on whether the definition that applied before July 1, 2009, should be struck as obsolete or otherwise revised. If so, the Board requests proposed language updating or revising it.

**RESPONSE:** The Agency agrees that all the definition of “Hair Spray” that applied before July 1, 2009, can be struck as obsolete.

145. In Section 223.203, the definition of “Hair Styling Gel” refers to a product manufactured before July 1, 2009. The Board specifically requests comment on whether this definition should be struck as obsolete or otherwise revised. If so, the Board requests proposed language updating or revising it.

**RESPONSE:** The Agency agrees that the definition of “Hair Styling Gel” that refers to a product manufactured before July 1, 2009, can be struck as obsolete.

146. Section 223.260(a) separately refers to products manufactured before July 1, 2009, and July 1, 2010. The Board specifically requests comment on whether this subsection should be struck as obsolete.

**RESPONSE:** The Agency agrees that the subsection that refers to products manufactured before July 1, 2009, and July 1, 2010, can be struck as obsolete.

### **Part 225**

147. Section 225.140(h)(1) incorporates by reference ASTM D388-77 (approved February 25, 1977), D388-90 (approved March 30, 1990), D388-91a (approved April 15, 1991), D388-95 (approved January 15, 1995), D388-98a (approved September 10, 1998), or D388-99 (approved September 10, 1999, reapproved in 2004), Classification of Coals by Rank. The Board specifically requests comment on whether this incorporation should be updated with one or more recent versions of this or another method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D388-23 - Standard Classification of Coals by Rank.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

148. Section 225.140(h)(2) incorporates by reference ASTM Method “D3173-03.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests



proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D3173/D3173M-17a - Standard Test Method for Moisture in the Analysis Sample of Coal and Coke.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

149. Section 225.140(h)(3) incorporates by reference ASTM Method “D3684-01.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** This ASTM standard has been withdrawn, and no replacement was made by ASTM. This reference can be deleted as other standards are provided in Sections 225.202, 225.265(a)(2)(C), 225.565(a)(1).

150. Section 225.140(h)(4) incorporates by reference ASTM Method “D4840-99.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D4840-99(2018)e1 - Standard Guide for Sample Chain-of-Custody Procedures.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

151. Section 225.140(h)(5) incorporates by reference ASTM Method “D5865-04.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D5865/D5865M-19 - Standard Test Method for Gross Calorific Value of Coal and Coke.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

152. Section 225.140(h)(6) incorporates by reference ASTM Method “D6414-01.” The Board specifically requests comment on whether this incorporation should be updated with a more

recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D6414-23 - Standard Test Methods for Total Mercury in Coal and Coal Combustion Residues by Acid Extraction or Wet Oxidation/Cold Vapor Atomic Absorption.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

153. Section 225.140(h)(7) incorporates by reference ASTM Method “D6722-01.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D6722-19 - Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by Direct Combustion Analysis.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

154. Section 225.140(h)(8) incorporates by reference ASTM Method “D6784-02.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D6784-24 - Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method).” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

155. Section 225.140(h)(9) incorporates by reference ASTM Method “D6911-03.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The most recent version of this ASTM standard is ASTM D6911-15 – “Standard Guide for Packaging and Shipping Environmental Samples for Laboratory Analysis.” This

standard was withdrawn in 2024, and no replacement was made by ASTM. However, there are no other standards provided in Section 225 Exhibit D para 7.2.8. The Agency can provide the more recent version to the Board if it decides to update the reference.

156. Section 225.140(h)(10) incorporates by reference ASTM Method “D7036-04.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D7036-16 - Standard Practice for Competence of Air Emission Testing Bodies.” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

### **Part 229**

157. Section 229.104(b) incorporates by reference “Revised Statistical Definitions for Metropolitan Areas . . . (June 30, 1993).” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of those definitions or revised with different definitions. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “Revised Delineations of Metropolitan Statistical Areas, Micropolitan Statistical Areas, and Combined Statistical Areas, and Guidance on Uses of the Delineations of These Areas: OMB BULLETIN NO. 23-01 dated July 21, 2023. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

158. Section 229.140(h) incorporates by reference ASTM Method “D6784-02.” The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that method or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the ASTM standard: “ASTM D6784-24 - Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method).” It does not appear that updating this ASTM standard will result in any substantive change for subject sources. The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

**Part 240**

159. Section 240.107 incorporates by reference a Society of Automotive Engineers test procedure dated February 1996. The Board specifically requests comment on whether this incorporation should be updated with a more recent version of that procedure or revised with a different method. If so, the Board requests proposed language updating or revising this incorporation. If so, please also provide a copy of the publication required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The Agency does not object to the Board updating references to the most recent version of the “Society of Automotive Engineers test procedure SAE J1667: J1667\_201802 - Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel-Powered Vehicles: J1667\_201802 (Feb 2018).” The Agency will provide the Board with copies of the newer version if the Board advises that it intends to update this incorporation by reference.

160. Section 240.151 provides that Subpart D “is effective through January 31, 2012.” The Board specifically requests comment on whether that Subpart should be struck as obsolete or otherwise revised. If so, the Board requests language that would revise it.

**RESPONSE:** The Agency agrees that Subpart can be struck as obsolete.

161. Section 240.151 refers to vehicles identified in Section 13C-25(d) of the Vehicle Emissions Inspection Law of 2005, which is a blank subsection. The Board specifically requests comment on whether to update this reference and requests proposed language that would update it.

**RESPONSE:** The Agency agrees that Subpart D can be struck as obsolete.

162. Section 240.171 provides that Subpart F “is effective through January 31, 2012.” The Board specifically requests comment on whether that Subpart should be struck as obsolete or otherwise revised. If so, the Board requests language that would revise it.

**RESPONSE:** The Agency agrees that Subpart F can be struck as obsolete.

**Part 244**

163. Section 244.121(b) refers to reports “by either telephone or telemetry.” The Board specifically requests comment on whether this reference should be revised to include different or additional means of reporting and, if so, requests proposed language revising it.

**RESPONSE:** The Agency recommends that the term “telemetry” be deleted as obsolete. Other notification methods could be added (such as email or mail or fax) to provide for alternate modes of communication/notification.

164. Section 244.143(a)(2) refers to the “Cook County Department of Environmental Control.” The Board specifically requests comment on whether this name should be updated or revised and requests proposed language revising it.

**RESPONSE:** The Agency does not object to the Board updating the name “Cook County Department of Environmental Control” to the most recent name. The updated name is " The Cook County Department of Environment and Sustainability."

165. Section 244.143(a)(3) refers the “Chicago Department of Environmental Control.” The Board specifically requests comment on whether this name should be updated or revised and requests proposed language revising it.

**RESPONSE:** The Agency does not object to the Board updating the name “Chicago Department of Environmental Control” to the most recent name. The updated name is "Chicago Office of Sustainability."

### **Part 245**

166. Section 245.120(b) refers to ASTM Standard D1391-57. The Board specifically requests comment on whether this reference should be updated or revised. If so, the Board requests language that would accomplish this. In addition, the Board specifically requests comment on whether this or any updated materials should be incorporated by reference at Section 245.101 and, if so, requests any copy of updated materials required by Section 5-75 of the Illinois Administrative Procedure Act.

**RESPONSE:** The most recent version of this ASTM standard is ASTM D1391 (1978): “Standard Method for Measurement of Odor in Atmospheres (Dilution Method).” This standard has been withdrawn and no replacement was made by ASTM. However, there are no other standards provided in Section 245.120(b). The Agency therefore does not advise revising or removing the reference.

### **Part 249**

167. Section 249.120 entitled “Sunset Provisions” provides that the Part 249 will not apply after January 25, 2023. The Board specifically requests comment on whether it should repeal the Part or revise it. If so, the Board requests proposed language of any suggested revision.

**RESPONSE:** The Agency does not object to the Board repealing Part 249 as per the sunset clause.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

By: /s/ Dana Vetterhoffer  
Dana Vetterhoffer  
Division of Legal Counsel

Dated: September 26, 2024  
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**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, state the following:

I have electronically served the attached ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S COMMENTS upon the following persons:

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My e-mail address is [dana.vetterhoffer@illinois.gov](mailto:dana.vetterhoffer@illinois.gov). The number of pages in the e-mail transmission is 47. The e-mail transmission took place before 4:30 p.m.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

By: /s/ Dana Vetterhoffer  
Dana Vetterhoffer  
Division of Legal Counsel

Dated: September 26, 2024  
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