

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

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July 8, 2003

RECEIVED
CLERK'S OFFICE

SEP 02 2003

Thomas E. Johnson, Chairman
Pollution Control Board
1717 Philo Road, Suite 25
Urbana, Illinois 61802

STATE OF ILLINOIS
Pollution Control Board

R03-8

Dear Chairman Johnson:

This is to notify you that JCAR considered the following proposed rulemaking at its 8/12/03 meeting:

General Provisions (35 Ill. Adm. Code 900)
27 Ill. Reg. 1889 - 2/7/03

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the "Agreements" attached to the certification. Based on these agreements, as well as the other responses you have provided the Committee during the review of this rulemaking, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

The rulemaking may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to this rulemaking does not necessarily constitute approval, expressed or implied, of the substance of the rulemaking.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maggie Crotty".

Senator Maggie Crotty
Co-Chairman

A handwritten signature in cursive script, appearing to read "Brent Hassert".

Representative Brent Hassert
Co-Chairman

SMC:RBH:DC:rm

cc: William Murphy
Enc.

SECOND NOTICE CHANGES

Agency: Pollution Control Board

Rulemaking: General Provisions (35 Ill. Adm. Code 900; 27 Ill. Reg. 1889)

Changes:

1. In line 15, strike "OLD RULE NUMBERS REFERENCED" and add "Old Rule Numbers Referenced".
2. In line 18, change "(Ill. Rev. Stat. 1985, ch. 111½, pars. 1025 and 1027)" to "[415 ILCS 5/25 and 27]".
3. In line 29, strike "hereinafter"
4. In line 30, change "are" to "are~~shall be~~".
5. In line 31, change "must" to "must~~shall~~".
6. In line 32, change "S1.1" to "S1.1~~§1.1~~"
7. In line 33, change "Terminology" to "Terminology:-".
8. In line 36, underscore "910".
9. In line 38, delete "ten" and the parentheses.
10. Underscore line 50 and delete the quotation marks.
11. Change line 51 to "without contributions from the noise source or sources of interest.".
12. In lines 53, 76, 83, 125, 148, 188, 196, 262, 268, and 366, delete the quotation marks.
13. Change line 64 to "Background ambient sound level~~Sound Level~~: means the ambient the A-weighted sound level, measured in accordance".
14. In line 65, after "specified in" add "35 Ill. Adm. Code 910." and strike "Section 900.103, which is exceeded 90 percent of".
15. Strike lines 66 through 68.

16. After line 68, reinstate the existing definition "Bus: every motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation."
17. In lines 70 and 83, strike "Sound Level" and add "sound level".
18. In lines 72 and 117, underscore "2001".
19. In line 83, add "see" after the colon to reflect text on file and underscore "in decibels".
20. In line 92, strike "u" and add " μ ".
21. After line 92, add "Discrete tone: a sound wave whose instantaneous sound pressure varies essentially as a simple sinusoidal function of time.".
22. In line 109, change "is be" to "is shall not be".
23. In line 131, add a comma after "i.e.".
24. In line 137, delete the redundant period and hyphenate "frequency weighted".
25. After line 142, add "Highly impulsive sound: either a single pressure peak or a single burst (multiple pressure peaks) for a duration usually less than one second. Examples of highly impulsive sound sources are drop forge hammer and explosive blasting.".
26. After line 146, reinstate and strike "Impulsive sound: either a single pressure peak or a single burst (multiple pressure peaks) for a duration usually less than one second. Examples of impulsive sound sources are a drop forge hammer and explosive blasting."
27. After the stricken definition of "Impulsive sound", reinstate "IHRA: International Hot Rod Association or its successor body."
28. In line 150, change "period of observation" to "measurement period".
29. After line 152, add "LBCS: the Land-Based Classification Standards that designate land use activities by means of functional numeric codes.".
30. Change lines 154 through 157 to: " L_{eq} ~~Leq~~: equivalent continuous sound pressure in decibels: ~~10 ten~~ times the logarithm to the base ~~10 ten~~ of the ratio of a time-mean-square sound pressure, during the specified time period, to the square of reference sound pressure. The reference sound pressure is 20 micronewtons per square meter or equivalent continuous frequency-weighted sound pressure.".
31. In lines 159 and 161, change "Leq" to " L_{eq} ".

32. In line 162, change "e.g. Leg" to "e.g., L_{eq} ".
33. After line 162, add "Measurement period: the time interval during which acoustical data are obtained. The measurement period is determined by the characteristics of the noise being measured and must be at least 10 times as long as the response time of the instrumentation. The greater the variation in indicated sound level, the longer must be the observation time for a given expected precision of the measurement.".
34. After line 169, reinstate "Motor vehicle: every vehicle which is self-propelled and any combination of vehicles which are propelled or drawn by a vehicle which is self-propelled."
35. After line 173, reinstate and strike "Motorcycle racing: any racing event between two or more motorcycles."
36. In line 197, change "period of observation" to "measurement period" and change "+-" to "+/-".
37. In line 215, strike "Ill. Rev. Stat. 1981, ch. 95½, par. 1-146" and add "625 ILCS 5/1-146".
38. In line 216, delete "t+1".
39. Delete lines 218 through 223.
40. In line 278, after "by" add "the Land-Based Classification Standards (LBCS) Codes 1100 through 1340" and strike "Standard Land Use".
41. In line 279 strike "Coding Manual (SLUCM) Codes 110 through 190".
42. In line 280, after "by" add "LBCS Code 6222" and strike "SLUCM Code 6741".
43. In line 289, after "Manual" insert "(1969, United States Government Printing Office)" and strike the entire definition.
44. In line 295, change "A" to "a".
45. In line 296, do not underscore "air".
46. In line 297, do not underscore the period.
47. In line 299, change "Exposure" to lowercase.
48. In line 306, delete the redundant period.

49. In line 308, delete "ten" and the parentheses.
50. In line 310, change "uPa2-s" to "μPa²-s".
51. In lines 319 and 377 change "twenty (20)" to "20".
52. In line 331, delete "twenty" and delete the parentheses (not on file).
53. In line 333, do not underscore the period.
54. In line 336, change "un-weighted" to "unweighted".
55. In line 345, change "leveling" to "levelinglevelling".
56. In line 367, change "period of observation" to "measurement period".
57. In line 368, change "+-" to "+/-" and change "suing" to "using".
58. In line 386, change "pacal" to "pascal".
59. Underscore the sentence in lines 387 and 388.
60. In line 418, change "And." To "Adm.".
61. In lines 422, 423, 433, 434, 441, 458, 459, 480, 481, 490 and 501, change the stricken Section symbol to §.
62. In line 425, after "revisions" strike the comma.
63. In line 428, strike "Ill. Rev. Stat. 1985, ch. 127, par. 1001 et seq." and add "[5 ILCS 100].".
64. In line 431, underline "1)" and change "measurement" to "measurements".
65. In line 435, add the existing comma after "shall".
66. In line 436, strike "Leq" and add "L_{eq}".
67. In line 437, change "900₂-101" to "900.101".
68. Change line 438 to:

"time as follows: ~~of one hour~~."

- A) Except as specified in subsection (b)(1)(B) for steady sound, a reference time of at least 1 hour shall be used for all sound measurements and measurement procedures.
- B) For measurement of steady sound as defined in Section 101 of this Part, the reference time shall be at least 10 minutes.
- 2) All such measurements and measurement measurements procedures under subsection (b)(1)(B) of this Section".
69. In line 439, change "for the 1-hr Leq must correct," to "must shall correct".
70. In line 440, delete the comma.
71. In line 441, after "1971" strike an existing period.
72. In lines 445, 448, 451 and 453, move the period outside the closing quotation mark.
73. In line 445, change "of" to "for".
74. In lines 449 and 452, add a parenthesis after the labels.
75. After line 453, add:
- "E) ANSI S12.9-1993 (R1998) "American National Standard Quantities and Procedures for Description and Measurement of Environmental Sound – Part 3: Short-Term Measurements With an Observer Present."
76. In line 456, change "must be in" to "must shall be in substantial".
77. In line 465, underscore "must".
78. In line 466, change "be in" to "shall be in substantial".
79. Change lines 467 through 469 to "established by the U.S. Department of Transportation under 49 CFR 325 pursuant to Section 17 18 of the Federal Noise Control Act of 1972, 42 USC U.S.C. § 4901 et seq.".
80. In line 470, strike "Agency" and add "Board".
81. In line 481, change "1.13" to "1/13".
82. In line 486, strike "e)" and add "d)" and strike "at" and add "to".
83. In line 488, change "must be in" to "must shall be in substantial".
84. In lines 494 and 505, move the period to the end.