

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Air Quality Standards
- 2) Code Citation: 35 Ill. Adm. Code 243
- 3) Section Number: 243.108 Proposed Action: Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 10, and 27
- 5) A Complete Description of the Subjects and Issues Involved: The following briefly describes the subjects and issues involved in this rulemaking. A comprehensive description is contained in the Board's opinion and order of November 20, 2014, proposing amendments in docket R15-4 for public comment, which opinion and order is available from the address below. As is explained in that opinion, the Board will receive public comment on the proposed amendments for 45 days from the date they appear in the *Illinois Register* before proceeding to adopt amendments based on this proposal.

The R15-4 proceeding relates to the Illinois ambient air quality requirements in 35 Ill. Adm. Code 243 of the Illinois air pollution control rules. These amendments would update the Illinois ambient air quality requirements to correspond with amendments to the federal National Ambient Air Quality Standards (NAAQSs) that the United States Environmental Protection Agency (USEPA) adopted during the period January 1, 2014 through June 30, 2014. The Federal NAAQS are codified at 40 C.F.R. 50. During this period, USEPA designated four new equivalent methods as follows:

June 18, 2014 (79 Fed. Reg. 34734)	USEPA designated one new equivalent method for Nitrogen oxides (NOX), two new equivalent methods for ozone (O3), and one new equivalent method for lead (Pb) in ambient air.
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USEPA subsequently designated two new reference methods and two new equivalent methods as follows:

November 4, 2014 (79 Fed. Reg. 65392)	USEPA designated one new reference method for fine particulates (PM2.5), one new reference method for coarse particulates (PM10-2.5), one new equivalent method for ozone (O3), and one new equivalent method for carbon monoxide (CO) in ambient air.
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The Board has decided to add the November 4, 2014 USEPA action to this rulemaking for the purpose of administrative economy.



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A table that appears in the Board's opinion and order of November 20, 2014 in docket R15-4 contain deviations from the literal text of the federal actions underlying these amendments. Persons interested in the details of those corrections and amendments should refer to the November 20, 2014 opinion and order in docket R15-4.

Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)].
- 11) Are there any other rulemakings pending on this Part? No
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R15-4 and be addressed to:

John T. Therriault, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago IL 60601

The Board will conduct one public hearing on the proposed amendments because they will ultimately result in submission to the United States Environmental Protection Agency of an amendment to the state implementation plan (SIP). Section 110(a)(2) of

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the Federal Clean Air Act (42 U.S.C. § 7410(a)(2) (2006)) requires reasonable notice and hearing before a state undertakes an amendment to the SIP. The public hearing will occur by videoconference between the Board's offices in Chicago and Springfield at the following time and locations:

1:30 p.m., January 8, 2015
Room 11-512
James R. Thompson Center
100 W. Randolph St.
Chicago

And

Sangamo Building
Illinois Pollution Control Board Hearing Room
1021 North Grand Avenue
Springfield

Please direct inquiries to the following person and reference docket R15-4:

Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

Request copies of the Board's opinion and order at 312/814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that emit pollutants that could potentially affect ambient air quality in any area of Illinois. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)].

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- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including emissions monitoring, annual reports, and maintenance of operating records. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)].
- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)].
- 14) Regulatory Agenda on which this rulemaking was summarized: 38 Ill. Reg. 13977; 13990-92 (July 7, 2014)

The full text of the Proposed Amendment begins on the next page:

1ST NOTICE VERSION

JCAR350243-1423289r01

1 TITLE 35: ENVIRONMENTAL PROTECTION
2 SUBTITLE B: AIR POLLUTION
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER I: AIR QUALITY STANDARDS AND EPISODES

5
6 PART 243
7 AIR QUALITY STANDARDS

8
9 SUBPART A: GENERAL PROVISIONS

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11 Section
12 243.101 Definitions
13 243.102 Scope
14 243.103 Applicability
15 243.104 Nondegradation (Repealed)
16 243.105 Air Quality Monitoring Data Influenced by Exceptional Events
17 243.106 Monitoring (Repealed)
18 243.107 Reference Conditions
19 243.108 Incorporations by Reference

20
21 SUBPART B: STANDARDS AND MEASUREMENT METHODS

22
23 Section
24 243.120 PM₁₀ and PM_{2.5}
25 243.121 Particulates (Repealed)
26 243.122 Sulfur Oxides (Sulfur Dioxide)
27 243.123 Carbon Monoxide
28 243.124 Nitrogen Oxides (Nitrogen Dioxide as Indicator)
29 243.125 Ozone
30 243.126 Lead
31
32 243.APPENDIX A Rule into Section Table (Repealed)
33 243.APPENDIX B Section into Rule Table (Repealed)
34 243.APPENDIX C Past Compliance Dates (Repealed)
35 243.TABLE A Schedule of Exceptional Event Flagging and Documentation Submission
36 for New or Revised NAAQS

37
38 AUTHORITY: Implementing Sections 7.2 and 10 and authorized by Section 27 of the
39 Environmental Protection Act [415 ILCS 5/7.2, 10, and 27].

40
41 SOURCE: Adopted as Chapter 2: Air Pollution, Part III: Air Quality Standards, in R71-23,
42 filed and effective April 14, 1972; amended in R80-11, at 6 Ill. Reg. 5804, effective April 22,
43 1982; amended in R82-12, at 7 Ill. Reg. 9906, effective August 18, 1983; codified at 7 Ill. Reg.

44 13630; amended in R91-35 at 16 Ill. Reg. 8185, effective May 15, 1992; amended in R09-19 at
45 35 Ill. Reg. 18857, effective October 25, 2011; amended in R13-11 at 37 Ill. Reg. 12882,
46 effective July 29, 2013; amended in R14-6 at 37 Ill. Reg. 19848, effective November 27, 2013;
47 amended in R14-16 at 38 Ill. Reg. 12900, effective June 9, 2014; amended in R15-4 at 39 Ill.
48 Reg. _____, effective _____.

49
50 **SUBPART A: GENERAL PROVISIONS**

51
52 **Section 243.108 Incorporations by Reference**

53
54 The following materials are incorporated by reference. These incorporations do not include any
55 later amendments or editions:

56
57 Government Printing Office (GPO), 732 Capitol Street NW, Washington, DC
58 20401 (telephone: 202-512-1800 or 866-512-1800; website: www.gpo.gov).

59 The following documents incorporated by reference are available from this
60 source:

61
62 Appendix A-1 to 40 CFR 50 (2013) (Reference Measurement Principle
63 and Calibration Procedure for the Measurement of Sulfur Dioxide in the
64 Atmosphere (Ultraviolet Fluorescence Method)), referenced in Section
65 243.122.

66
67 Appendix A-2 to 40 CFR 50 (2013) (Reference Method for the
68 Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline
69 Method)), referenced in Section 243.122.

70
71 Appendix B to 40 CFR 50 (2013) (Reference Method for the
72 Determination of Suspended Particulate Matter in the Atmosphere (High-
73 Volume Method)), referenced in appendix G to 40 CFR 50 (see below).

74
75 Appendix C to 40 CFR 50 (2013) (Reference Measurement Principle and
76 Calibration Procedure for the Measurement of Carbon Monoxide in the
77 Atmosphere (Non-Dispersive Infrared Photometry)), referenced in Section
78 243.123.

79
80 Appendix D to 40 CFR 50 (2013) (Reference Measurement Principle and
81 Calibration Procedure for the Measurement of Ozone in the Atmosphere),
82 referenced in Section 243.125.

83
84 Appendix F to 40 CFR 50 (2013) (Reference Measurement Principle and
85 Calibration Procedure for the Measurement of Nitrogen Dioxide in the

86 Atmosphere (Gas Phase Chemiluminescence)), referenced in Section
87 243.124.

88
89 Appendix G to 40 CFR 50 (2013), as amended at 78 Fed. Reg. 40000
90 (July 3, 2013) (Reference Method for the Determination of Lead in
91 Suspended Particulate Matter Collected from Ambient Air), referenced in
92 Section 243.126.

93
94 Appendix H to 40 CFR 50 (2013) (Interpretation of the 1-Hour Primary
95 and Secondary National Ambient Air Quality Standards for Ozone),
96 referenced in Section 243.125.

97
98 Appendix I to 40 CFR 50 (2013) (Interpretation of the 8-Hour Primary and
99 Secondary National Ambient Air Quality Standards for Ozone),
100 referenced in Section 243.125.

101
102 Appendix J to 40 CFR 50 (2013) (Reference Method for the
103 Determination of Particulate Matter as PM₁₀ in the Atmosphere),
104 referenced in Section 243.120.

105
106 Appendix K to 40 CFR 50 (2013) (Interpretation of the Primary and
107 Secondary National Ambient Air Quality Standards for Particulate
108 Matter), referenced in Section 243.120.

109
110 Appendix L to 40 CFR 50 (2013) (Reference Method for the
111 Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere),
112 referenced in Section 243.120.

113
114 Appendix N to 40 CFR 50 (2013), as amended at 78 Fed. Reg. 47191
115 (August 5, 2013) (Interpretation of the Primary and Secondary National
116 Ambient Air Quality Standards for Particulate Matter), referenced in
117 Section 243.120.

118
119 Appendix O to 40 CFR 50 (2013) (Reference Method for the
120 Determination of Coarse Particulate Matter as PM_{10-2.5} in the
121 Atmosphere), referenced in appendix Q to 40 CFR 50 and for use in
122 federally required monitoring by the NCore system pursuant to 40 CFR
123 58.

124
125 Appendix P to 40 CFR 50 (2013) (Interpretation of the Primary and
126 Secondary National Ambient Air Quality Standards for Ozone),
127 referenced in Section 243.125.

128

129 Appendix Q to 40 CFR 50 (2013) (Reference Method for the
130 Determination of Lead in Particulate Matter as PM₁₀ Collected from
131 Ambient Air), referenced in appendix R to 40 CFR 50.
132

133 Appendix R to 40 CFR 50 (2013) (Interpretation of the National Ambient
134 Air Quality Standards for Lead), referenced in Section 243.126.
135

136 Appendix S to 40 CFR 50 (2013) (Interpretation of the Primary National
137 Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen
138 Dioxide)), referenced in Section 243.124.
139

140 Appendix T to 40 CFR 50 (2013) (Interpretation of the Primary National
141 Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide)),
142 referenced in Section 243.122.
143

144 Clean Air Act, 42 USC 7401 et seq. (2011) (for definitions of terms only),
145 referenced in Section 243.102.
146

147 BOARD NOTE: Segments of the Code of Federal Regulations and the United
148 States Code are available for free download as PDF documents from the GPO
149 FDsys website: <http://www.gpo.gov/fdsys/>.
150

151 USEPA, National Exposure Research Laboratory, Human Exposure &
152 Atmospheric Sciences Division (MD-D205-03), Research Triangle Park, NC
153 27711. The following documents incorporated by reference are available from
154 this source:
155

156 "List of Designated Reference and Equivalent Methods" (June 18,
157 2014)~~(December 17, 2013)~~ (referred to as the "List of Designated
158 Methods" and referenced in Sections 243.101, 243.120, 243.122, 243.123,
159 243.124, 243.125, and 243.126.
160

161 This incorporation by reference ~~does not include~~ includes USEPA
162 methods designations included in the following Federal Register notice:
163 approvals that occurred after December 17, 2013.
164

165 79 Fed. Reg. 65392 (Nov. 4, 2014) (designation of two new FRMs
166 and two new FEMs).
167

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

172

173

(Source: Amended at 39 Ill. Reg. _____, effective _____)

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER I: AIR QUALITY STANDARDS AND EPISODES

PART 243
AIR QUALITY STANDARDS

SUBPART A: GENERAL PROVISIONS

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

SUBPART B: STANDARDS AND MEASUREMENT METHODS

Section	
243.120	PM ₁₀ and PM _{2.5}
243.121	Particulates (Repealed)
243.122	Sulfur Oxides (Sulfur Dioxide)
243.123	Carbon Monoxide
243.124	Nitrogen Oxides (Nitrogen Dioxide as Indicator)
243.125	Ozone
243.126	Lead
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243.APPENDIX B	Section into Rule Table (Repealed)
243.APPENDIX C	Past Compliance Dates (Repealed)
243.TABLE A	Schedule of Exceptional Event Flagging and Documentation Submission for New or Revised NAAQS

AUTHORITY: Implementing Sections 7.2 and 10 and authorized by Section 27 of the

RECEIVED
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DEC 11 2014
STATE OF ILLINOIS
Pollution Control Board

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Environmental Protection Act [415 ILCS 5/7.2, 10, and 27].

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Appendix A-2 to 40 CFR 50 (2013) (Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method)), referenced in Section 243.122.

Appendix B to 40 CFR 50 (2013) (Reference Method for the Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method)), referenced in appendix G to 40 CFR 50 (see below).

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Appendix C to 40 CFR 50 (2013) (Reference Measurement Principle and Calibration Procedure for the Measurement of Carbon Monoxide in the Atmosphere (Non-Dispersive Infrared Photometry)), referenced in Section 243.123.

Appendix D to 40 CFR 50 (2013) (Reference Measurement Principle and Calibration Procedure for the Measurement of Ozone in the Atmosphere), referenced in Section 243.125.

Appendix F to 40 CFR 50 (2013) (Reference Measurement Principle and Calibration Procedure for the Measurement of Nitrogen Dioxide in the Atmosphere (Gas Phase Chemiluminescence)), referenced in Section 243.124.

Appendix G to 40 CFR 50 (2013), as amended at 78 Fed. Reg. 40000 (July 3, 2013) (Reference Method for the Determination of Lead in Suspended Particulate Matter Collected from Ambient Air), referenced in Section 243.126.

Appendix H to 40 CFR 50 (2013) (Interpretation of the 1-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix I to 40 CFR 50 (2013) (Interpretation of the 8-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix J to 40 CFR 50 (2013) (Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere), referenced in Section 243.120.

Appendix K to 40 CFR 50 (2013) (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Particulate Matter), referenced in Section 243.120.

Appendix L to 40 CFR 50 (2013) (Reference Method for the Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere), referenced in Section 243.120.

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Appendix O to 40 CFR 50 (2013) (Reference Method for the Determination of Coarse Particulate Matter as PM_{10-2.5} in the Atmosphere), referenced in appendix Q to 40 CFR 50 and for use in federally required monitoring by the NCore system pursuant to 40 CFR 58.

Appendix P to 40 CFR 50 (2013) (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix Q to 40 CFR 50 (2013) (Reference Method for the Determination of Lead in Particulate Matter as PM₁₀ Collected from Ambient Air), referenced in appendix R to 40 CFR 50.

Appendix R to 40 CFR 50 (2013) (Interpretation of the National Ambient Air Quality Standards for Lead), referenced in Section 243.126.

Appendix S to 40 CFR 50 (2013) (Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen Dioxide)), referenced in Section 243.124.

Appendix T to 40 CFR 50 (2013) (Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide)), referenced in Section 243.122.

Clean Air Act, 42 USC 7401 et seq. (2011) (for definitions of terms only), referenced in Section 243.102.

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

Document comparison by Workshare Compare on Monday, December 08, 2014
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Input:	
Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2014\12Dec2014\35-243-Agency(issue50).docx
Description	35-243-Agency(issue50)
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Description	35-243-JCARr01(issue50)
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	8
Deletions	14
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	22