

ILLINOIS POLLUTION CONTROL BOARD

January 19, 2017

IN THE MATTER OF: )  
NATIONAL AMBIENT AIR QUALITY ) R17-1  
STANDARDS, USEPA AMENDMENTS ) (Identical-in-Substance Rulemaking - Air)  
(January 1, 2016 through June 30, 2016 and )  
July 13, 2016) )

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by J.A. Burke):

The United States Environmental Protection Agency (USEPA) took three actions related to the National Ambient Air Quality Standards (NAAQS) during the update period of this docket, on January 26, 2016, April 28, 2016, and June 17, 2016. The Board includes a later action on July 18, 2016 for administrative efficiency. Section 10(H) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/10(H) (2014) requires the Board to adopt ambient air quality standards that are identical in substance to the NAAQS adopted by USEPA. The Board today proposes such amendments to Illinois regulations (35 Ill. Adm. Code 243).

The Board will cause the adopted amendments to be filed with the Office of the Secretary of State and published in the *Illinois Register*.

The Board expects to file the adopted rules no later than the statutory due date of January 26, 2017.

**SUMMARY OF ADOPTED AMENDMENTS**

**Federal Regulations Implemented**

USEPA took three actions that affect implementation of the federal NAAQS during the first half of 2016 and require amendments to Illinois regulations.

**January 26, 2016 (81 Fed. Reg. 4294)**

USEPA designated one new federal equivalent method (FEM) for particulates (PM<sub>10</sub>) in ambient air.

**April 28, 2016 (81 Fed. Reg. 25397)**

USEPA designated one new federal reference method (FRM) for PM<sub>10</sub>, one new FRM for coarse particulates (PM<sub>10-2.5</sub>), one new FRM for fine particulates (PM<sub>2.5</sub>), one new FRM for ozone (O<sub>3</sub>), and two new FEMs for PM<sub>2.5</sub> in ambient air.

**June 17, 2016**

USEPA issued an updated version of its *List of Designated Reference and Equivalent Methods (List of Designated Methods)*.

**July 13, 2016 (81 Fed. Reg. 45284)**

USEPA designated one new FRM for PM<sub>10</sub>, one new FRM for sulfur dioxide (SO<sub>2</sub>), two new FEMs for PM<sub>2.5</sub>, one new FEM for PM<sub>10</sub>, and one new FEM for PM<sub>10-2.5</sub> in ambient air.

**PUBLIC COMMENTS AND PUBLIC HEARING**

The Board adopted a proposal for public comment in this matter on October 27, 2016. A notice of Proposed Amendment appeared in the November 14, 2016 issue of the *Illinois Register*, at 40 Ill. Reg. 15319. The Board held a public hearing on December 7, 2016 by videoconference between Chicago and Springfield for the purpose of satisfying the federal public hearing requirement for State Implementation Plan revisions. *See* 42 U.S.C. § 7410(a) (2014). A Notice of Public Information on Proposed Amendment also appeared in the October 28, 2016 issue of the *Register*, at 40 Ill. Reg. 14780. The Notice of Public Information provided supplemental public notice of the December 7, 2016 hearing.

The public comment period ended on December 29, 2016. No person presented testimony at the public hearing. The Board received no comments on the proposed amendment during the public comment period. Rather, the Board received a document entitled “JCAR’s First Notice Version for use in creating Second Notice Changes” for Part 243. This document suggested no revisions to the text of the proposed amendments. For this reason, the Board did not revise the text of the proposed amendments in response. The Board added the document into the record of this proceeding.

**DISCUSSION****Federal Actions in This Rulemaking**

The four USEPA actions that required corresponding amendments to the Illinois regulations are summarized below.

**January 26, 2016 (81 Fed. Reg. 4294)**

USEPA designated the following FEM for PM<sub>10</sub> in ambient air:

PM<sub>10</sub>: Automated Equivalent Method EQPM-1215-226 “Met One Instruments, Inc. E-BAM + Beta Attenuation Mass Monitor – PM<sub>10</sub> FEM Configuration.”

The June 17, 2016 update to the *List of Designated Methods* included this FEM. Incorporation by reference to the June 17, 2016 version of the *List of Designated Methods* will incorporate this FEM into the Illinois rules.

**April 28, 2016 (81 Fed. Reg. 25397)**

USEPA designated the following four new FRMs for PM<sub>10</sub>, PM<sub>10-2.5</sub>, PM<sub>2.5</sub>, and O<sub>3</sub> and two new FEMs for PM<sub>2.5</sub> in ambient air:

PM<sub>10</sub>: Manual Reference Method RFPS-0216-231, “Met One Instruments, Inc. E-FRM.”

PM<sub>10-2.5</sub>: Manual Reference Method RFPS-0216-232, “Met One Instruments, Inc. E-FRM-PM<sub>10</sub> and E-FRM-PM<sub>2.5</sub> Sampler Pair.”

PM<sub>2.5</sub>: Manual Reference Method RFPS-0216-235, “Met One Instruments, Inc. E-FRM.”

Manual Equivalent Method EQPS-0316-233, “URG-MASS100 Single PM<sub>2.5</sub> Sampler.”

Manual Equivalent Method EQPS-0316-234, “URG-MASS300 Sequential PM<sub>2.5</sub> Sampler.”

O<sub>3</sub>: Manual Reference Method RFOA-0216-230 “Teledyne Advanced Pollution Instrumentation, Model 265E or T265 Chemiluminescence Ozone Analyzer.”

The June 17, 2016 update to the *List of Designated Methods* included these FEMs. Incorporation by reference to the June 17, 2016 version of the *List of Designated Methods* will incorporate these FEMs into the Illinois rules.

**June 17, 2016**

USEPA issued an updated version of its *List of Designated Reference and Equivalent Methods (List of Designated Methods)*. The update included the one new FRM in the January 26, 2016 *Federal Register* notice and the four new FEMs and two FEMs included in the April 28, 2016 *Federal Register* notice.

**July 13, 2016 (81 Fed. Reg. 45284)**

USEPA designated the following two new FRMs for PM<sub>10</sub> and SO<sub>2</sub> and four new FEMs for PM<sub>2.5</sub>, PM<sub>10</sub>, and PM<sub>10-2.5</sub> in ambient air:

SO<sub>2</sub>: Automated Reference Method RFSA-0616-237, “Sutron Model 6020 Sulfur Dioxide Fluorescent Analyzer.”

PM<sub>2.5</sub>: Automated Equivalent Method EQPM-0516-236, “Teledyne Advanced Pollution Instrumentation Model T640 PM mass monitor.”

Automated Equivalent Method EQPM-0516-238, “Teledyne Advanced Pollution Instrumentation Model T640 PM mass monitor with 640X option.”

PM<sub>10</sub>: Automated Equivalent Method EQPM-0516-239, “Teledyne Advanced Pollution Instrumentation Model T640 PM mass monitor with 640X option.”

PM<sub>10-2.5</sub>: Automated Equivalent Method EQPM-0516-236, “Teledyne Advanced Pollution Instrumentation Model T640 PM mass monitor.”

The Board updated the incorporation by reference in 35 Ill. Adm. Code 243.108 of the *List of Designated Methods* to include the July 18, 2016 *Federal Register* notice.

The Board requested comments on the updated incorporations by reference to include the USEPA methods designations within the Illinois rules. The Board received no comments in response.

### **Revisions**

In an identical-in-substance proceeding, the Board must adopt the verbatim text of federal regulations except for (1) changes needed for compliance with the Illinois Administrative Code; (2) technical changes that do not change the scope or meaning of the regulations; and (3) typographical and grammatical errors. In addition, the Board must not adopt USEPA rules that are not applicable to Illinois or “things which are outside the Board’s normal functions.” *See* 415 ILCS 5/7.2(a), (a)(1), (a)(2), and (a)(7) (2014). Thus, the Board made only minor, non-substantive deviations from the federal text described below.

The Identical-in-Substance Rulemaking Addendum (Proposed) (IIS-RA(F)) fully lists the differences between the text of the USEPA amendments and the Board’s language in this rulemaking. The Board included the IIS-RA(F) in the docket for this rulemaking, available on the Board’s website.

The Board updated citations to the 2016 edition of the Code of Federal Regulations, the most recent edition available. References to later amendments using their appropriate Federal Register citation are added where necessary.

Table 1 in the IIS-RA(F) in docket R17-1 describes the sole deviation from the literal text of the USEPA actions.

### **IIS Rulemaking Addendum**

The IIS-RA (F) fully lists the differences between the text of the USEPA amendments and the Board’s language in this rulemaking. Entries in the tables briefly explain the differences. The first table lists deviations from the text of federal rules. The second table lists corrections and clarifications to rules not prompted by USEPA amendments, but which the Board finds are needed.

The Board included the IIS-RA (F) in the docket for this rulemaking, available on the Board’s website. The Board directs interested persons to the IIS-RA (F) for information about deviations from the federal text and amendments not directly derived from current federal amendments.

As the Board received no suggestions for revision of the text of the proposed amendments, and the Board has made no such revisions to the text, the IIS-RA(F) is identical to the Identical-in-Substance-Rulemaking Addendum (Proposed) previously entered into the record. Tables 1 and 2 are the only items in the IIS-RA(F).

**ORDER**

The Board directs the Clerk to file the appended adopted amendments to the Illinois ambient air quality regulations at 35 Ill. Adm. Code 243 with the Office of the Secretary of State and cause them to be published in the *Illinois Register*.

IT IS SO ORDERED.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on January 19, 2017, by a vote of 5-0.

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

Don A. Brown, Assistant Clerk  
Illinois Pollution Control Board

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

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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 <sub>10</sub> and PM <sub>2.5</sub>
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
243.APPENDIX A	Rule into Section Table (Repealed)
243.APPENDIX B	Section into Rule Table (Repealed)
243.APPENDIX C	Past Compliance Dates (Repealed)
243.TABLE A	Schedule for Flagging and Documentation Submission for Data Influenced by Exceptional Events for Use in Initial Area Designations

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

SOURCE: Adopted as Chapter 2: Air Pollution, Part III: Air Quality Standards, in R71-23, filed and effective April 14, 1972; amended in R80-11, at 6 Ill. Reg. 5804, effective April 22, 1982; amended in R82-12, at 7 Ill. Reg. 9906, effective August 18, 1983; codified at 7 Ill. Reg. 13630; amended in R91-35 at 16 Ill. Reg. 8185, effective May 15, 1992; amended in R09-19 at 35 Ill. Reg. 18857, effective October 25, 2011; amended in R13-11 at 37 Ill. Reg. 12882, effective July 29, 2013; amended in R14-6 at 37 Ill. Reg. 19848, effective November 27, 2013; amended in R14-16 at 38 Ill. Reg. 12900, effective June 9, 2014; amended in R15-4 at 39 Ill. Reg. 5434, effective March 24, 2015; amended in R16-2 at 40 Ill. Reg. 4906, effective March 3, 2016; amended in R17-1 at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

**Section 243.108 Incorporations by Reference**

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

Government Printing Office (GPO), 732 Capitol Street NW, Washington, DC 20401 (telephone: 202-512-1800 or 866-512-1800; website: [www.gpo.gov](http://www.gpo.gov)). The following documents incorporated by reference are available from this source:

Appendix A-1 to 40 CFR 50 ~~(2016)~~~~(2015)~~ (Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method)), referenced in Section 243.122.

Appendix A-2 to 40 CFR 50 ~~(2016)~~~~(2015)~~ (Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method)), referenced in Section 243.122.

Appendix B to 40 CFR 50 ~~(2016)~~~~(2015)~~ (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).

Appendix C to 40 CFR 50 ~~(2016)~~~~(2015)~~ (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 ~~(2016)~~~~(2015)~~, as amended at 80 Fed. Reg. 65453 (Oct. 26, 2015) (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 ~~(2016)~~~~(2015)~~ (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 ~~(2016)~~~~(2015)~~ (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 ~~(2016)~~~~(2015)~~ (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 ~~(2016)-(2015)~~ (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 ~~(2016)-(2015)~~ (Reference Method for the Determination of Particulate Matter as PM<sub>10</sub> in the Atmosphere), referenced in Section 243.120.

Appendix K to 40 CFR 50 ~~(2016)-(2015)~~ (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 ~~(2016)-(2015)~~ (Reference Method for the Determination of Fine Particulate Matter as PM<sub>2.5</sub> in the Atmosphere), referenced in Section 243.120.

Appendix N to 40 CFR 50 ~~(2016)-(2015)~~ (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Particulate Matter), referenced in Section 243.120.

Appendix O to 40 CFR 50 ~~(2016)-(2015)~~ (Reference Method for the Determination of Coarse Particulate Matter as PM<sub>10-2.5</sub> 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 ~~(2016)-(2015)~~ (Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.

Appendix Q to 40 CFR 50 ~~(2016)-(2015)~~ (Reference Method for the Determination of Lead in Particulate Matter as PM<sub>10</sub> Collected from Ambient Air), referenced in appendix R to 40 CFR 50.

Appendix R to 40 CFR 50 ~~(2016)-(2015)~~ (Interpretation of the National Ambient Air Quality Standards for Lead), referenced in Section 243.126.

Appendix S to 40 CFR 50 ~~(2016)-(2015)~~ (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 ~~(2016)-(2015)~~ (Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide)), referenced in Section 243.122.

Appendix U to 40 CFR 50 ~~(2016)-(2015)~~, as added at 80 Fed. Reg. 65453 (Oct. 26, 2015) (Interpretation of the Primary National Ambient Air Quality Standards for Ozone), referenced in Section 243.125.



Clean Air Act, 42 USC 7401 et seq. (2013) (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/>.

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

“List of Designated Reference and Equivalent Methods” (June 17, 2016) ~~(December 18, 2015)~~ (referred to as the “List of Designated Methods” and referenced in Sections 243.101, 243.120, 243.122, 243.123, 243.124, 243.125, and 243.126.

This incorporation by reference includes the following ~~does not include~~ USEPA methods designations that occurred after June 17, 2016: ~~December 18, 2015.~~

81 Fed. Reg. 45284 (July 13, 2016).

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

(Source: Amended at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)