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OCT 31 2017

STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

October 26, 2017

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 41, Issue 44 of the Illinois Register, dated 11/3/2017.

ADOPTED RULES

Definitions and General Provisions	
35 Ill. Adm. Code 211	13389
Point of Contact: Mike McCambridge	
Air Quality Standards	
35 Ill. Adm. Code 243	13413
Point of Contact: Mike McCambridge	

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information	
Point of Contact: Mike McCambridge	13463

PROPOSED RULES

Control of Emissions from Large Combustion Sources	
35 Ill. Adm. Code 225	13299
Point of Contact: Nancy Hoepfner	

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Air Quality Standards
- 2) Code Citation: 35 Ill. Adm. Code 243
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
243.101	Amendment
243.105	Amendment
243.108	Amendment
243.120	Amendment
243.Table A	Repealed
- 4) Statutory Authority: 415 ILCS 5/7.2, 10, and 27.
- 5) Effective date of amendment: OCT 23 2017
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) Statement of availability: The adopted amendments, a copy of the Board's opinion and order adopted October 19, 2017 in docket R17-10, and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) Notice of proposal published in the Illinois Register: 41 Ill. Reg. 10422; August 11, 2017
- 10) Has JCAR issued a Statement of Objections to these rules? 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).
- 11) Differences between the proposal and the final version: The differences between the amendment adopted on October 19, 2017 in docket R17-1 and those proposed by the Board in an opinion and order dated July 26, 2017 are limited to minor corrections that have no substantive effect. The Board listed the changes in a document entitled, "Identical-in-Substance Rulemaking Addendum (Final) to the October 19, 2017 Opinion and Order of the Board" (IIS-RA(P)) that the Board added to docket R17-10.
- 12) Have all the changes agreed upon by the board and JCAR been made as indicated in the agreements issued by JCAR? Section 10(H) of the Environmental Protection Act [415

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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 JCAR.

- 13) Will this rulemaking replace an emergency amendment currently in effect? No
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and purpose of amendment: 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 October 19, 2017, adopting amendments in docket R17-10, which opinion and order is available from the address below.

The R17-10 proceeding relates to the Illinois ambient air quality requirements in 35 Ill. Adm. Code 243 of the Illinois air pollution control rules. This amendment 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 July 1, 2016 through December 31, 2016. The Board added USEPA actions of March 20, 2017; May 11, 2017; and June 16, 2017 for the purpose of administrative economy. The Federal NAAQS are codified at 40 C.F.R. 50. During this period, USEPA amended implementation of its NAAQSs as follows:

July 13, 2016 (81 Fed. Reg. 45284)	USEPA designated one federal reference method (FRM) for sulfur dioxide (SO ₂) and four new federal equivalent methods (FEMs) for particulate matter (PM) in ambient air: two for fine PM (PM _{2.5}), one for total PM (PM ₁₀), and one for coarse PM (PM _{10-2.5}).
August 11, 2016 (81 Fed. Reg. 53006)	USEPA adopted a technical correction to an equation used for calculating compliance with the NAAQS for PM _{2.5} in ambient air.
August 24, 2016 (81 Fed. Reg. 58010)	USEPA adopted implementation rules for the 2012 primary annual NAAQS for PM _{2.5} .
September 29, 2016 (81 Fed. Reg. 68823)	USEPA withdrew the direct final rule of August 11, 2016.

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October 3, 2016 (81 Fed. Reg. 68216)	USEPA revised the requirements for handling monitoring data influenced by exceptional events.
October 18, 2016 81 Fed. Reg. 71906)	USEPA retained the 2008 primary and secondary three-month average NAAQS for lead without revision.
March 20, 2017 (82 Fed. Reg. 14325)	USEPA adopted a technical correction to an equation used for calculating compliance with the NAAQS for PM _{2.5} in ambient air.
May 11, 2017 (82 Fed. Reg. 21995)	USEPA designated one new federal equivalent method (FEM) for nitrogen dioxide (NO ₂) in ambient air.
June 16, 2017	USEPA issued an updated version of its <i>List of Designated Reference and Equivalent Methods (List of Designated Methods)</i> .

The Board deviated from the literal text of the USEPA amendment by using incorporation by reference rather than listing the designated methods. The Board further updated incorporations by reference to *Code of Federal Regulations* provisions to the latest version available.

Tables appear in the IIS-RA(F) that the Board added to docket R17-10 that list the revisions to the text of the corresponding federal rule and the amendment that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the Identical-in-Substance Rulemaking Addendum (Final) in docket R17-10.

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 JCAR.

- 16) Information and questions regarding these adopted amendments shall be directed to:
Please reference consolidated docket R17-10 and direct inquiries to the following person:

Michael J. McCambridge

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

312-814-6924
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Request copies of the Board's opinion and order of October 19, 2017 at 312-814-3620.
Alternatively, you may obtain a copy of the Board's opinion and order from the Internet
at <http://www.ipcb.state.il.us>.

The full text of the adopted amendments begins on the next page:

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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
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 <u>(Repealed)</u>

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;

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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. 1121, effective January 23, 2017; amended in R17-01 at 41 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 243.101 Definitions

For the purposes of this Part, terms listed below will have the meanings attributed to them in this Section. As used in this Part, all terms not defined in this Section will have the meaning given them by the Act; the CAA, incorporated by reference in Section 243.108; or 35 Ill. Adm. Code 201.102.

“Act” means the Environmental Protection Act [415 ILCS 5].

“Agency” means the Illinois Environmental Protection Agency.

“Ambient air” means that portion of the atmosphere, external to buildings, to which the general public has access.

“Clean Air Act” or “CAA” means the federal Clean Air Act (42 USC 7401 et seq, as amended), incorporated by reference in Section 243.108.

“Exceedance of a NAAQS” means one occurrence of a measured or modeled concentration that exceeds the specified concentration level of that such NAAQS for the averaging period specified by the standard.

“Exceptional event” means an event and its resulting emissions that fulfills all of the following criteria:

The event affects air quality in such a way that there exists a clear causal relationship between the specific event and the monitored exceedance or violation;

The event is not reasonably controllable or preventable;

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The event is caused by human activity that is unlikely to recur at a particular location or a natural event; and

The event is determined by USEPA in accordance with 40 CFR 50.14 to be an exceptional event.

An “exceptional event” does not include any of the following:

Air pollution relating to source noncompliance;

Stagnation of air masses ~~or~~ and meteorological inversions;

A meteorological event involving high temperatures or lack of precipitation (i.e., severe, extreme or exceptional drought).; ~~or~~

~~Air pollution relating to source noncompliance.~~

BOARD NOTE: Stagnation of air masses, meteorological inversions, and meteorological events involving high temperatures or lack of precipitation do not directly cause pollutant emissions and are not exceptional events. However, conditions involving high temperatures or lack of precipitation may promote occurrences of particular types of exceptional events, such as wildfires or high wind events, which do directly cause emissions.

“Federal equivalent method” or “FEM” means a method for measuring the concentration of an air pollutant in the ambient air that USEPA has designated as an equivalent method pursuant to 40 CFR 53 and which is included in the List of Designated Methods, including later updates, as incorporated by reference in Section 243.108; the term “federal equivalent method” does not include a method for which USEPA has cancelled or superseded an equivalent method designation in accordance with 40 CFR 53.11 or 53.16, as reflected in the incorporation by reference in Section 243.108.

BOARD NOTE: Derived from 40 CFR 50.1(f) (definition of “equivalent method”), 50.11(d)(2) (parenthetical definition of “FEM”), and 53.1 (definition of “federal equivalent method”). The clause “including later updates” in this definition is intended to exclude methods canceled by USEPA pursuant to 40 CFR 53.11 or 53.16 for which the cancellation is included in the updates to List of Designated Methods incorporated by reference in Section 243.108. A federal designation of an FEM becomes effective upon publication of a notice in the Federal Register. A federal cancellation of an FEM becomes effective upon deletion from the listing of FEMs.

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“Federal land manager” means the Secretary of the department with authority over the federal Class I area (or the Secretary’s designee).

BOARD NOTE: See 40 CFR 50.1(r) and 51.301 (2016) (definitions of “federal land manager”). There are no federal Class I areas in or immediately abutting Illinois. See subpart D of 40 CFR 81 (2016).

“Federal reference method” or “FRM” means a method of sampling and analyzing the ambient air for an air pollutant that USEPA has specified as a reference method in an appendix to 40 CFR 50, incorporated by reference in Section 243.108, or a method that USEPA has designated as a reference method pursuant to 40 CFR 53 and which is included in List of Designated Methods, including later updates, incorporated by reference in Section 243.108; the term “federal reference method” does not include a method for which USEPA has cancelled or superseded a reference method designation in accordance with 40 CFR 53.11 or 53.16, as reflected in the incorporation by reference in Section 243.108.

BOARD NOTE: Derived from 40 CFR 50.1(f) (definition of “reference method”) and 53.1 (definition of “federal reference method”). The clause “including later updates” in this definition is intended to include methods canceled by USEPA pursuant to 40 CFR 53.11 or 53.16 for which the cancellation is included in the updates to List of Designated Methods incorporated by reference in Section 243.108. A federal designation of an FRM becomes effective upon publication of a notice in the Federal Register. A federal cancellation of an FRM becomes effective upon deletion from the listing of FRMs or from an appendix to 40 CFR 50.

“High wind dust event” is an event that includes the high-speed wind and the dust that the wind entrains and transports to a monitoring site.

“High wind threshold” is the minimum wind speed capable of causing particulate matter emissions from natural undisturbed lands in the area affected by a high wind dust event.

“Micrograms per cubic meter” or “ $\mu\text{g}/\text{m}^3$ ” means one millionth (10^{-6}) of a gram of a contaminant per cubic meter of ambient air, as measured and determined by the methods prescribed for that contaminant.

BOARD NOTE: The Board added this definition and that for “milligrams per liter” (~~immediately below~~).

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“Milligrams per cubic meter” or “mg/m³” means one thousandth (10⁻³) of a gram of a contaminant per cubic meter of ambient air, as measured and determined by the methods prescribed for that contaminant.

“National Ambient Air Quality Standard” or “NAAQS” means a standard established by USEPA that applies for outdoor air throughout the United States. BOARD NOTE: The Board added this definition, derived from the definition in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), EPA 175-B-97-001, at p. 30. USEPA has codified the NAAQS at 40 CFR 50.

BOARD NOTE: The Board added this definition based on the definition in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), document number EPA 175-B-97-001, USEPA, Office of Communications, Education, and Public Affairs, at p. 30.

“Natural event” means an event and its resulting emissions, which may recur at the same location, in which human activity plays little or no direct causal role. For purposes of this definition, anthropogenic sources that are reasonably controlled are not human activity that plays a direct causal role in causing emissions.

“Parts per billion” or “ppb” means the ratio of the parts of a specified contaminant to a billion parts of air by weight (1:10⁻⁹), as measured and determined by the methods prescribed for that contaminant.

BOARD NOTE: The Board added this definition and that for “parts per million;”, derived from the parentheticals in 40 CFR 50.4(a) and (b) and 50.17(a) and the definition of “parts per billion (ppb)/parts per million (ppm)” in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), EPA 175-B-97-001, at p. 34.

“Parts per million” or “ppm” means the ratio of the parts of a specified contaminant to a million parts of air by weight (1:10⁻⁶), as measured and determined by the methods prescribed for that contaminant.

BOARD NOTE: The Board added this definition, derived from the parentheticals in 40 CFR 50.4(a) and (b) and 50.17(a) and the definition of “parts per billion (ppb)/parts per million (ppm)” in “Terms of Environment: Glossary, Abbreviations, and Acronyms” (December 1997), EPA 175-B-97-001, at p. 34.

“PM₁₀” means particulate matter that has an aerodynamic diameter less than or equal to a nominal 10 micrometers (μm).

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BOARD NOTE: The Board added this definition, derived from the parenthetical definition in 40 CFR 50.6(c).

“PM_{2.5}” means particulate matter that has an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (µm).

BOARD NOTE: The Board added this definition, derived from the parenthetical definition in 40 CFR 50.7(a).

“Prescribed fire” is any fire intentionally ignited by management actions in accordance with applicable laws, policies, and regulations to meet specific land or resource management objectives.

“Traceable” means that a local standard has been compared and certified either directly or via not more than one intermediate standard, to a primary standard, such as a National Bureau of Standards Standard Reference Material (NBS SRM), or a USEPA/NBS-approved Certified Reference Material (CRM).

“USEPA” means the United States Environmental Protection Agency.

BOARD NOTE: Derived from 40 CFR 50.1(c). The Board has used “USEPA” in text where USEPA has used “Administrator;”, where action by USEPA is clearly contemplated. Otherwise, the Board has retained the term “Agency” as defined in this Section.

“Wildfire” is any fire started by an unplanned ignition caused by lightning; volcanoes; other acts of nature; unauthorized activity; or accidental, human-caused actions, or a prescribed fire that has developed into a wildfire. A wildfire that predominantly occurs on wildland is a natural event.

“Wildland” means an area in which human activity and development are essentially non-existent, except for roads, railroads, power lines, and similar transportation facilities. Structures, if any, are widely scattered.

BOARD NOTE: Derived from 40 CFR 50.1 ~~(2016)~~(2012), except as otherwise more specifically indicated.

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

Section 243.105 Air Quality Monitoring Data Influenced by Exceptional Events

- a) The federal regulations at 40 CFR 50.14 provide that a state, federal land manager, or federal agency can seek USEPA determination that exceedances or

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violations of an NAAQS are directly due to an exceptional event, so that the State can exclude affected ambient air quality monitoring data from a compliance determination. An exceptional event is a natural event or the result of human activity that is unlikely to recur and which is not reasonably controllable or preventable that meets specified criteria. The federal rule provides that a fireworks display, a prescribed fire, a wildfire, a high wind dust event, a stratospheric intrusion, or an aggregate of events on the same day can be an exceptional event.Requirements:

- 1) — ~~The Agency may request USEPA to exclude from use in determinations data showing an exceedance of an NAAQS that is directly due to an exceptional event. The Agency must demonstrate to USEPA that the event caused a specific air pollution concentration at a particular air quality monitoring location.~~
 - 2) — ~~A demonstration to justify data exclusion may include any reliable and accurate data, but must demonstrate a clear causal relationship between the measured exceedance of an NAAQS and the event in accordance with subsection (c)(3)(D).~~
- b) The Agency must use the applicable procedures of 40 CFR 50.14 to obtain a USEPA determination of an exceptional event and exclusion of affected ambient air quality monitoring data if the Agency determines that the data are influenced by an exceptional event and should be excluded from a compliance determinaton. Determinations by USEPA. USEPA has stated the criteria for making a determination to exclude data as follow:
- 1) — ~~Exceptional Events. USEPA has stated that it will exclude data from use in determinations of exceedance of an NAAQS when the Agency has demonstrated that an exceptional event caused a specific air pollution concentration in excess of one or more NAAQS at a particular air quality monitoring location, and the Agency otherwise satisfies the requirements of 40 CFR 50.14.~~
 - 2) — ~~Fireworks Displays. USEPA has stated that it will exclude data from use in determinations of exceedance of an NAAQS when the Agency has demonstrated that emissions from fireworks displays caused a specific air pollution concentration in excess of one or more NAAQS at a particular air quality monitoring location, and the State otherwise satisfies the requirements of 40 CFR 50.14. USEPA has stated that these data will be treated in the same manner as exceptional events under this Section,~~

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~~provided the Agency has demonstrated that the use of fireworks is significantly integral to traditional national, ethnic, or other cultural events, including, but not limited to July Fourth celebrations, which satisfy the requirements of 40 CFR 50.14.~~

- 3) ~~Prescribed Fires. USEPA has stated that it will exclude data from use in determinations of exceedance of an NAAQS when the Agency has demonstrated that emissions from prescribed fires caused a specific air pollution concentration in excess of one or more NAAQS at a particular air quality monitoring location, and the Agency otherwise satisfies the requirements of 40 CFR 50.14, provided that the emissions are from prescribed fires that USEPA determines meets the definition of “exceptional event” in Section 243.101, and provided that the Agency has certified to USEPA that the State has adopted and is implementing a Smoke Management Program (SMP) or the State has ensured that the burner employed basic smoke management practices. If an exceptional event occurs using the basic smoke management practices approach, the Agency must undertake a review of the State’s approach to ensure public health is being protected and must include consideration of development of an SMP.~~

BOARD NOTE: ~~In each of corresponding 40 CFR 50.14(b)(1), (b)(2), and (b)(3), USEPA stated “EPA shall exclude data from use in determinations of exceedances and NAAQS violations.” In the first person, “shall” is used more to express present intent or to commit to future action. The Board has changed “EPA shall” to “USEPA has stated that it will.” Further, the Board has relied on the defined term “exceedance of an NAAQS.”~~

- c) Ambient air quality monitoring data excluded by a USEPA determination pursuant to 40 CFR 50.14 is excluded from use for compliance determination under this Part, Schedules and Procedures.

- 1) ~~Public Notification. The Agency or, where the Agency has delegated authority pursuant to Section 4(g) or (r) of the Act, the Agency’s delegatee, must notify the public promptly whenever an event occurs or is reasonably anticipated to occur that may result in the exceedance of an NAAQS.~~

- 2) ~~Flagging of Data.~~

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- A) — ~~The Agency must notify USEPA of the State's intent to exclude one or more measured exceedances of an NAAQS as being due to an exceptional event by placing a flag in the appropriate field for the data record of concern that has been submitted to the federal air quality system (AQS) database.~~
- B) — ~~Flags placed on data in accordance with this Section must be deemed informational only, and the data must not be excluded from determinations with respect to an exceedance of an NAAQS unless and until USEPA notifies the Agency of USEPA concurrence following the Agency's submittal of a demonstration pursuant to subsection (c)(3) by placing a concurrence flag in the appropriate field for the data record in the AQS database.~~
- C) — ~~Flags placed on data as being due to an exceptional event, together with an initial description of the event, must be submitted to USEPA not later than July 1 of the calendar year following the year in which the flagged measurement occurred, except as allowed under subsection (c)(2)(F).~~
- D) — ~~This subsection (c)(2)(D) corresponds with 40 CFR 50.14(c)(2)(iv), which USEPA has removed and marked "reserved." This statement maintains structural consistency with the federal regulations.~~
- E) — ~~This subsection (c)(2)(E) corresponds with 40 CFR 50.14(c)(2)(v), which USEPA has removed and marked "reserved." This statement maintains structural consistency with the federal regulations.~~
- F) — ~~Table A of this Part identifies the data submission process for a new or revised NAAQS. USEPA will apply this process to those data that will or may influence the initial designation of areas for any new or revised NAAQS.~~
- 3) — ~~Submission of demonstrations.~~
- A) — ~~Except as allowed under subsection (c)(2)(F), when the Agency has flagged data as being due to an exceptional event and is requesting exclusion of the affected measurement data, the Agency must, after notice and opportunity for public comment, submit a~~

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demonstration to USEPA to justify data exclusion not later than the sooner of three years following the end of the calendar quarter in which the flagged concentration was recorded or 12 months prior to the date that a regulatory decision must be made by USEPA. The Agency must submit to USEPA the public comments it received, along with its demonstration.

- B) ~~This subsection (c)(3)(B) corresponds with 40 CFR 50.14(b)(3)(ii), which USEPA has removed and marked "reserved." This statement maintains structural consistency with the federal regulations.~~
- C) ~~This subsection (c)(3)(C) corresponds with 40 CFR 50.14(b)(3)(iii), which USEPA has removed and marked "reserved." This statement maintains structural consistency with the federal regulations.~~
- D) ~~The demonstration to justify data exclusion must provide the following evidence:
 - i) ~~That the event satisfies the definition of "exceptional event" set forth in Section 243.101;~~
 - ii) ~~That there is a clear causal relationship between the measurement under consideration and the event that is claimed to have affected the air quality in the area;~~
 - iii) ~~That the event is associated with a measured concentration in excess of normal historical fluctuations, including background; and~~
 - iv) ~~That there would have been no exceedance or violation but for the event.~~~~
- E) ~~With the submission of the demonstration, the Agency must document that the public comment process was followed.~~

BOARD NOTE: Derived from 40 CFR 50.14 (2016)-(2012).

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

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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). The following documents incorporated by reference are available from this source:

Appendix A-1 to 40 CFR 50 (2016) (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) (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) (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) (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) (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) (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) (Reference Method for the Determination of Lead in Suspended Particulate Matter Collected from Ambient Air), referenced in Section 243.126.

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Appendix H to 40 CFR 50 (2016) (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) (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) (Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere), referenced in Section 243.120.

Appendix K to 40 CFR 50 (2016) (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) (Reference Method for the Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere), referenced in Section 243.120.

Appendix N to 40 CFR 50 (2016), as amended at 82 Fed. Reg. 14325 (Mar. 20, 2017) (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) (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 (2016) (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) (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 (2016) (Interpretation of the National Ambient Air Quality Standards for Lead), referenced in Section 243.126.

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Appendix S to 40 CFR 50 (2016) (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) (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) (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 16, 2017) (June 17, 2016) (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 USEPA methods designations that occurred after June 17, 2016:~~

~~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 _____)

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SUBPART B: STANDARDS AND MEASUREMENT METHODS

Section 243.120 PM₁₀ and PM_{2.5}

- a) 1987 Primary and Secondary 24-Hour NAAQS for PM₁₀.
- 1) The level of the 1987 primary and secondary 24-hour NAAQS for PM₁₀ is 150 µg/m³, 24-hour average concentration. The 1987 primary and secondary NAAQS for PM₁₀ is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³, as determined in accordance with appendix K to 40 CFR 50, incorporated by reference in Section 243.108, is equal to or less than one.
 - 2) This subsection (a)(2) corresponds with 40 CFR 50.6(b), a provision marked “reserved” by USEPA. This statement maintains structural consistency with the corresponding federal regulation.
 - 3) For the purpose of determining attainment of the 1987 primary and secondary 24-hour NAAQS for PM₁₀, particulate matter must be measured in the ambient air as PM₁₀ by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix J to 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108.

BOARD NOTE: This subsection (a) is derived from 40 CFR 50.6 (2016) (2015). USEPA adopted 1997 primary NAAQS for PM₁₀ at 62 Fed. Reg. 38652 (July 18, 1997). As a result of a judicial vacatur, USEPA later removed the transitional provision relative to the 1987 NAAQS at 65 Fed. Reg. 80776 (Dec. 22, 2000) and the 1997 NAAQS at 69 Fed. Reg. 45595 (July 30, 2004). Thus, the 1987 primary and secondary NAAQS for PM₁₀ are included in this subsection (a).

- b) 1997 Primary and Secondary Annual Average and 24-Hour NAAQS for PM_{2.5}.
- 1) The 1997 primary and secondary annual average NAAQS for PM_{2.5} is 15.0 µg/m³, annual arithmetic mean concentration, and the 1997 primary

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and secondary 24-hour NAAQS for PM_{2.5} is 65 µg/m³, 24-hour average concentration, measured in the ambient air as PM_{2.5} by a method that fulfills either of the following requirements:

- A) An FRM based on appendix L of 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108.
- 2) The 1997 primary and secondary annual average NAAQS for PM_{2.5} is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 15.0 µg/m³.
 - 3) The 1997 primary and secondary 24-hour NAAQS for PM_{2.5} is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 65 µg/m³.
 - 4) The primary annual PM_{2.5} NAAQS in this subsection (b) does not apply in any area of Illinois except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County. The primary NAAQS for PM_{2.5} in this subsection (b) will no longer apply in any area of Illinois after USEPA has redesignated that area as attainment for that standard. The 1997 secondary annual NAAQS for PM_{2.5} and the 1997 24-hour PM_{2.5} NAAQS in this subsection (b) remain applicable.

BOARD NOTE: USEPA has codified the area designations for Illinois in 40 CFR 81.314. All areas of Illinois were designated attainment or unclassifiable/attainment except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County.

BOARD NOTE: This subsection (b) is derived from 40 CFR 50.7 (2016) and 40 CFR 50.13(d), as added at 82 Fed. Reg. 14325 (Mar. 20, 2017)-(2015). The Board added the revocation clause of 40 CFR 50.13(d) as both this subsections (b)(4) and (c)(4), even though USEPA did not add the text to corresponding 40 CFR 50.7. The 2006 primary and secondary annual average and 24 hour NAAQS for PM_{2.5} differs from the 1997 standards in that the 24-hour average

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~~concentration required by the 2006 standard is substantially lower (more stringent) than that for the 1997 standard. The Board has retained the 1997 standard in this subsection (b) because USEPA has retained the 1997 standard in 40 CFR 50.6.~~

- c) 2006 Primary and Secondary Annual Average and 24-Hour NAAQS for PM_{2.5}.
- 1) The 2006 primary and secondary annual average NAAQS for PM_{2.5} is 15.0 µg/m³, annual arithmetic mean concentration, and the 2006 primary and secondary 24-hour NAAQS for PM_{2.5} is 35 µg/m³, 24-hour average concentration, measured in the ambient air as PM_{2.5} by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix L of 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in the List of Designated Methods, incorporated by reference in Section 243.108.
 - 2) The 2006 primary and secondary annual average NAAQS for PM_{2.5} is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 15.0 µg/m³.
 - 3) The 2006 primary and secondary 24-hour NAAQS for PM_{2.5} is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 35 µg/m³.
 - 4) The primary annual PM_{2.5} NAAQS in this subsection (c) does not apply in any area of Illinois except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County. The primary annual PM_{2.5} NAAQS in this subsection (c) will no longer apply in any area of Illinois after USEPA has redesignated that area as attainment for that standard. The secondary annual PM_{2.5} NAAQS in this subsection (c) remains applicable.

BOARD NOTE: USEPA has codified the area designations for Illinois in 40 CFR 81.314. All areas of Illinois were designated attainment or

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unclassifiable/attainment except Madison, Monroe, and St. Clair Counties and the Baldwin Village area of Randolph County.

BOARD NOTE: The primary and secondary annual average NAAQS for PM_{2.5} in this subsection (c) is the 1997 primary annual average NAAQS for PM_{2.5}. USEPA retained the standard and included it with the 2006 standard in corresponding 40 CFR 50.13. See 71 Fed. Reg. 61144, 61176 (Oct. 17, 2006). This subsection (c) is derived from 40 CFR 50.13 (2016)-(2015).

- d) 2012 Primary Annual Average and 24-Hour NAAQS for PM_{2.5}
- 1) The 2012 primary annual average NAAQS for PM_{2.5} is 12.0 µg/m³ annual arithmetic mean concentration, and the 2012 primary 24-hour NAAQS for PM_{2.5} is 35 µg/m³ 24-hour average concentration, measured in the ambient air as PM_{2.5} by a method that fulfills either of the following requirements:
 - A) An FRM based on appendix L of 40 CFR 50, incorporated by reference in Section 243.108, and designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108; or
 - B) An FEM designated by USEPA and listed in List of Designated Methods, incorporated by reference in Section 243.108.
 - 2) The 2012 primary annual NAAQS for PM_{2.5} is met when the annual arithmetic mean concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 12.0 µg/m³.
 - 3) The 2012 primary 24-hour NAAQS for PM_{2.5} is met when the 98th percentile 24-hour concentration, as determined in accordance with appendix N of 40 CFR 50, incorporated by reference in Section 243.108, is less than or equal to 35 µg/m³.

BOARD NOTE: This subsection (d) is derived from 40 CFR 50.18 (2016) ~~(2015)~~.

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

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Section 243. TABLE A Schedule for Flagging and Documentation Submission for Data Influenced by Exceptional Events for Use in Initial Area Designations (Repealed)

Exceptional events/regulatory action	Exceptional events deadline schedule ^d
Flagging and initial event description deadline for data years one, two, and three. ^a	If State initial designation recommendations for a new or revised NAAQS are due August through January, then the flagging and initial event description deadline will be the July 1 prior to the recommendation deadline. If State recommendations for a new or revised NAAQS are due February through July, then the flagging and initial event description deadline will be the January 1 prior to the recommendation deadline.
Exceptional events demonstration submittal deadline for data years one, two, and three. ^a	No later than the date that State recommendations are due to USEPA.
Flagging, initial event description and exceptional events demonstration submittal deadline for data year four ^b and, where applicable, data year five. ^c	By the last day of the month that is one year and seven months after promulgation of a new or revised NAAQS, unless either option a or b applies. a. If USEPA follows a three-year designation schedule, the deadline is two years and seven months after promulgation of a new or revised NAAQS. b. If USEPA notifies the State that it intends to complete the initial area designations process according to a schedule between two and three years, the deadline is five months prior to the date specified for final designations decisions in such USEPA notification.

^a Where data years one, two, and three are those years expected to be considered in State recommendations.

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~~^bWhere data year four is the additional year of data that USEPA may consider when making it makes final area designations for a new or revised NAAQS under the standard designations schedule.~~

~~^cWhere data year five is the additional year of data that USEPA may consider when making it makes final area designations for a new or revised NAAQS under an extended designations schedule.~~

~~^dThe date by which air agencies must certify their ambient air quality monitoring data in AQS is annually on May 1 of the year following the year of data collection, as specified in 40 CFR 58.15(a)(2). In some cases, however, the State may choose to certify a prior year's data in advance of May 1 of the following year, particularly if USEPA has indicated its intent to promulgate final designations in the first eight months of the calendar year. Exceptional Data flagging, initial event description and exceptional events demonstration deadlines for "early certified" data will follow the deadlines for "year four" and "year five" data.~~

~~BOARD NOTE: Derived from table 1 to 40 CFR 50.14(c).~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)