

ILLINOIS POLLUTION CONTROL BOARD
October 27, 2016

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))

Proposed Rule. Proposal for Public Comment.

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 proposed amendments to be published in the *Illinois Register* and will receive public comments for 45 days after publication. The Board will also conduct a public hearing on December 7, 2016. The Board will then adopt the final rules. The Board requests comment on aspects of the rules.

The Board expects to adopt final rules no later than January 26, 2017.

SUMMARY OF PROPOSED 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 (PM₁₀) in ambient air.

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

USEPA designated one new federal reference method (FRM) for PM₁₀, one new FRM for coarse particulates (PM_{10-2.5}), one new FRM for fine particulates (PM_{2.5}), one new FRM for ozone (O₃), and two new FEMs for PM_{2.5} 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 PM₁₀, one new FRM for sulfur dioxide (SO₂), two new FEMs for PM_{2.5}, one new FEM for PM₁₀, and one new FEM for PM_{10-2.5} in ambient air.

TIMETABLE TO COMPLETE RULEMAKING

The Board will complete this rulemaking no later than January 26, 2017 (one year after the earliest USEPA action included in the docket). The Board proposes the following schedule:

Final Adoption:	January 26, 2017
Board order proposing amendments:	October 27, 2016
Submission for <i>Illinois Register</i> publication:	October 31, 2016
Estimated <i>Illinois Register</i> publication date:	November 10, 2016
Date of public hearing:	December 7, 2016
Estimated end of 45-day public comment period:	December 27, 2016
Board order adopting amendments:	January 19, 2017
Estimated filing and effective date:	January 26, 2017
Estimated <i>Illinois Register</i> publication date:	February 10, 2017

PUBLIC COMMENTS

The Board invites public comment on the proposed amendments. The Board will receive public comments until at least 45 days after a notice of these proposed amendments appears in the *Illinois Register*.

PUBLIC HEARING & RULEMAKING RECORD

The Board expects that the Illinois Environmental Protection Agency (Agency) will submit the present amendments to USEPA to be included in the Illinois state implementation plan (SIP) pursuant to section 110 of the federal Clean Air Act (42 U.S.C. § 7410(a) (2014)) and the implementing USEPA regulations. See 40 C.F.R. 51.102 and appendix V (2016).

The Board scheduled a public hearing to allow the public to comment on the proposed amendments and the anticipated SIP revision. The Board will conduct that hearing by videoconference between the Board's offices in Chicago and Springfield, as follows:

1:30 p.m., Thursday, December 7, 2016

James R. Thompson Center
Illinois Pollution Control Board Hearing Room
100 West Randolph Street, Room 11-512

Chicago
 and
 Sangamo Building
 Illinois Pollution Control Board Hearing Room
 1021 North Grand Avenue East (north entrance)
 Springfield

The record in this docket will include all documents pertaining to this proceeding. All documents in the record are publicly available as provided in 2 Ill. Adm. Code 2175. The documents are also freely available online at the Board's webpage: www.ipcb.state.il.us.

The record will not include a copy of the following documents, which are publicly available from other sources:

- *Federal Register* notices;
- Federal statutes and regulations; and
- Illinois statutes and regulations.

The Board submitted a Notice of Public Information on Proposed Rules for publication in the *Illinois Register* on October 28, 2016. In that Notice, the Board describes the hearing date and time and sets forth information to obtain documents and participate in this proceeding. Direct any questions to:

Michael McCambridge, Staff Attorney
 Pollution Control Board
 100 West Randolph Street, Room 11-500
 Chicago, Illinois 60601
 312-814-6924
michael.mccambridge@illinois.gov

Interested persons may request documents from or submit documents to:

John T. Therriault, Clerk of the Board
 Pollution Control Board
 100 West Randolph Street, Room 11-500
 Chicago, Illinois 60601
 312-814-3629
john.therriault@illinois.gov

After the hearing and public comment period, the Board promptly will issue an order adopting final rule amendments. The Board will then file the amendments with the Office of the Secretary of State, and a Notice of Adopted Amendments will appear in the *Illinois Register*. Any Agency submission of the associated SIP revision to USEPA would follow that Notice.

The Board has determined that the foregoing will satisfy the federal requirements for SIP revision, as set forth in 33 U.S.C. § 7410(a) (2013) and 40 C.F.R. 51.102, as to subjects included in this proceeding.

DISCUSSION

Federal Actions in This Rulemaking

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

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

USEPA designated the following FEM for PM₁₀ in ambient air:

PM₁₀: Automated Equivalent Method EQPM-1215-226 “Met One Instruments, Inc. E-BAM + Beta Attenuation Mass Monitor – PM₁₀ 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 PM₁₀, PM_{10-2.5}, PM_{2.5}, and O₃ and two new FEMs for PM_{2.5} in ambient air:

PM₁₀: Manual Reference Method RFPS-0216-231, “Met One Instruments, Inc. E-FRM.”

PM_{10-2.5}: Manual Reference Method RFPS-0216-232, “Met One Instruments, Inc. E-FRM-PM₁₀ and E-FRM-PM_{2.5} Sampler Pair.”

PM_{2.5}: Manual Reference Method RFPS-0216-235, “Met One Instruments, Inc. E-FRM.”

Manual Equivalent Method EQPS-0316-233, “URG-MASS100 Single PM_{2.5} Sampler.”

Manual Equivalent Method EQPS-0316-234, “URG-MASS300 Sequential PM_{2.5} Sampler.”

O₃: 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 PM₁₀ and SO₂ and four new FEMs for PM_{2.5}, PM₁₀, and PM_{10-2.5} in ambient air:

SO₂: Automated Reference Method RFSA-0616-237, “Sutron Model 6020 Sulfur Dioxide Fluorescent Analyzer.”

PM_{2.5}: 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.”

PM₁₀: Automated Equivalent Method EQPM-0516-239, “Teledyne Advanced Pollution Instrumentation Model T640 PM mass monitor with 640X option.”

PM_{10-2.5}: Automated Equivalent Method EQPM-0516-236, “Teledyne Advanced Pollution Instrumentation Model T640 PM mass monitor.”

The Board must update 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 requests comments on the updated incorporations by reference to include the USEPA methods designations within the Illinois rules.

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(P)) 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(P) in the docket for this rulemaking, available on the Board’s website.

The Board updates 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.

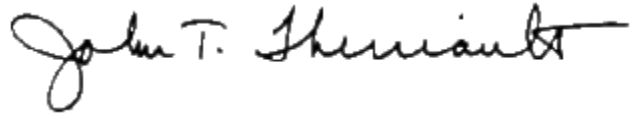
Table 1 in the IIS-RA(P) in docket R17-1 describes the sole deviation from the literal text of the USEPA actions.

ORDER

The Board directs the Clerk to provide notice in the *Illinois Register* of the appended proposed amendments to the Illinois ambient air quality regulations at 35 Ill. Adm. Code 243.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on October 27, 2016, by a vote of 5-0.

A handwritten signature in black ink, reading "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, 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

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

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). 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 PM₁₀ 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_{2.5} 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_{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)-(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 PM₁₀ 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 _____)