

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:	)	
	)	
NATIONAL AMBIENT AIR QUALITY	)	R19-14
STANDARDS, USEPA AMENDMENTS	)	(Identical-in-Substance
(July 1, 2018 through December 31, 2018)	)	Rulemaking – Air)
	)	
NATIONAL AMBIENT AIR QUALITY	)	R20-3
STANDARDS, USEPA AMENDMENTS	)	(Identical-in-Substance
(January 1, 2019 through June 30, 2019)	)	Rulemaking – Air)
	)	
NATIONAL AMBIENT AIR QUALITY	)	R20-11
STANDARDS, USEPA AMENDMENTS	)	(Identical-in-Substance
(July 1, 2019 through December 31, 2019)	)	Rulemaking – Air) (Consolidated)

**NOTICE**

To: Michael J. McCambridge  
Hearing Officer  
Illinois Pollution Control Board  
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Joint Committee on Administrative Rules  
Wm.G Stratton Office Building  
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Springfield, Illinois 62706-4700  
[JonathanE@ilga.gov](mailto:JonathanE@ilga.gov)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the ILLNOIS ENVIRONMENTAL PROTECTION AGENCY’S COMMENTS REGARDING THE ILLINOIS POLLUTION CONTROL BOARD’S IDENTICAL IN SUBSTANCE RULEMAKING, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/ Annet Godiksen  
Annet Godiksen  
Assistant Counsel  
Division of Legal Counsel

DATED: July 8, 2020

1021 N. Grand Ave. East  
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Springfield, IL 62794-9276  
(217) 782-5544

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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY’S COMMENTS REGARDING  
THE ILLINOIS POLLUTION CONTROL BOARD’S IDENTICAL IN SUBSTANCE  
RULEMAKING**

The Illinois Environmental Protection Agency (“Agency” or “Illinois EPA”) submits these comments for the above-titled matter to the Illinois Pollution Control Board (“Board”). The Board invited public comment on its proposed amendments in this rulemaking. The Illinois EPA’s comments are as follows:

1. Do USEPA area designations relating to O<sub>3</sub> NAAQS have any impact on the effect of any of the O<sub>3</sub> NAAQS?
2. Do USEPA’s area designations for the 2012 NAAQS for PM<sub>2.5</sub> have any effect on the 1987 or 1997 NAAQS?

Unfortunately, the Illinois EPA does not understand what the Board is asking in its Questions one (1) and two (2) and requests clarification. To help clarify both questions, the Agency requests that the Board provide examples of the issues it is addressing or the potential scenarios it is considering. The Agency will attempt to respond to the clarified questions prior to hearing, if possible.

3. Does the Board appropriately remove the 1997 and 2006 primary annual average NAAQS for PM<sub>2.5</sub> from the Illinois rules?

To the extent the Board is asking whether the Agency agrees that the specified standards no longer apply in Illinois, yes.

4. Does the Board appropriately limit applicability of the 1971 primary annual average and 24-hour NAAQS for SO<sub>2</sub> from the Illinois rules?

The Illinois EPA agrees that the specified standard currently only applies in Macon County. The Agency also agrees with the edit to the Board Note in Section 243.122(a) proposed in the email exchange between the Joint Committee on Administrative Rules (“JCAR”) and the Board dated June 4, 2020.

5. Did the Board appropriately add the new FRMs and FEM into the Illinois rules?

Yes.

6. Did the Board appropriately effect the JCAR-requested corrections and revisions?

If the Board is referencing the clarifying edits to the Board Notes for Section 243.120(b) and Section 243.126(a), the Agency has no objections.

7. The Illinois EPA would like to note that there appears to be an error in the Opinion and Order. On page three (3) in the discussion of the May 28, 2019, Federal Register changes, the Board stated that the USEPA redesignated the Metro-East area from “‘unclassifiable/attainment’ to ‘attainment.’” The USEPA redesignated the Metro-East area from nonattainment to attainment for the 1997 primary and secondary annual NAAQS for PM<sub>2.5</sub>. This error, however, does not change the intended effect as stated in the Board’s Opinion and Order.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/ Annet Godiksen  
Assistant Counsel

DATED: July 8, 2020  
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**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, affirm that I have served the attached ILLNOIS ENVIRONMENTAL PROTECTION AGENCY’S COMMENTS REGARDING THE ILLINOIS POLLUTION CONTROL BOARD’S IDENTICAL IN SUBSTANCE RULEMAKING upon the person to whom it is directed, by the following means:

By emailing the comments, numbering 6 pages, from [annet.godiksen@illinois.gov](mailto:annet.godiksen@illinois.gov), on July 8, 2020, by 6:00 PM to the following persons:

<p>To: Michael J. McCambridge Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Suite 11-500 Chicago, Illinois 60601-3218 <a href="mailto:Michael.McCambridge@illinois.gov">Michael.McCambridge@illinois.gov</a></p> <p>Alec Davis Illinois Environmental Regulatory Group 215 East Adams Street Springfield, Illinois 62701 <a href="mailto:Adavis@ierg.org">Adavis@ierg.org</a></p>	<p>Division Chief of Environmental Enforcement Office of the Illinois Attorney General 100 West Randolph Street Suite 1200 Chicago Illinois 60601 <a href="mailto:enviro@atg.state.il.us">enviro@atg.state.il.us</a> <a href="mailto:mdunn@atg.state.il.us">mdunn@atg.state.il.us</a></p> <p>Jonathon C. Eastvold Joint Committee on Administrative Rules Wm.G Stratton Office Building Room 700 Springfield, Illinois 62706-4700 <a href="mailto:JonathanE@ilga.gov">JonathanE@ilga.gov</a></p>
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ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/ Annet Godiksen  
Annet Godiksen  
Assistant Counsel  
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