



## OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

December 28, 2020

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 45, Issue 1 of the Illinois Register, dated 1/4/2021.

### **ADOPTED RULES**

Air Quality Standards	
35 Ill. Adm. Code 243	337
Point of Contact: Shannon Bilbruck	

### **REGULATORY AGENDA**

Definitions and General Provisions	
35 Ill. Adm. Code 211	560
Point of Contact: Shannon Bilbruck	

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

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

JANUARY 2021 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)

- 1) Rulemaking: Docket number R21-9

- A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] requires the Board to adopt rules that are identical-in-substance to exempt from regulation those volatile organic compounds that the United States Environmental Protection Agency (USEPA) has determined are exempt from regulation for ozone due to negligible photochemical reactivity. The Illinois definition of volatile organic material (VOM) lists the federally excluded volatile organic compounds.

USEPA codified the compounds determined by to be exempt from regulation as 40 C.F.R. § 51.100(s). 57 Fed. Reg. 3945 (Feb. 3, 1992). This codified definition includes all the compounds and classes of compounds excluded by USEPA. The Illinois definition of VOM, codified at 35 Ill. Adm. Code 211.7150, corresponds with USEPA's definition.

The Board reserved docket number R21-9 to accommodate any amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may adopt between July 1, 2020 and December 31, 2020. To date, the Board has found no USEPA amendments to the definition of VOM during this period that require Board action.

By about mid-February 2021, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois definition of VOM using the identical-in-substance procedure or dismiss docket R21-9, as appropriate.

Section 9.1(e) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, July 1, 2020, the due date for Board adoption of amendments in docket R21-9 would be July 1, 2021.

To meet a due date of July 1, 2021, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late March 2021. This would allow the Board to accept public

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