**For First Notice, Board Proposes Amendments to Rules on Non-Attainment New Source Review**

On April 18, 2024, the Board proposed first-notice amendments to update its air pollution rules on permitting for the construction and modification of major stationary sources in non-attainment areas. The changes will make the Board's Non-Attainment New Source Review (NA NSR) permitting rules consistent with the federal Clean Air Act and the United States Environmental Protection Agency's underlying NA NSR permitting program. The Board also proposed related changes to its rules on Prevention of Significant Deterioration (PSD) permitting, as well as its rules on toxic air contaminants.

The Illinois Environmental Regulatory Group (IERG) initiated this rulemaking by filing a proposal with the Board. During the rulemaking, the Board held two public hearings and received numerous public comments. The Board considered all the testimony, evidence, and comments. As discussed in its first-notice opinion, the Board substantively modified several provisions of IERG's proposal, including those addressing effective dates, the definition of "regulated NSR pollutant", and the calculation of emission reductions for offsets. Ultimately, the Board proposed amendments to Parts 201, 202, 203, 204, and 232 of its air pollution rules (35 Ill. Adm. Code 201, 202, 203, 204, 232).

Publication of the Board's proposal in the *Illinois Register* will begin a period of at least 45 days during which anyone may file with the Board a public comment on the proposed amendments. The rulemaking is captioned <u>Amendments to 35 Ill. Adm. Code Part 203: Major Stationary Sources Construction and Modification, 35 Ill. Adm. Code Part 204: Prevention of Significant Deterioration, and Part 232: Toxic Air Contaminants</u>, docket R22-17. Here is a link to the Board's <u>first-notice opinion and order</u>, which includes the proposed rule text. For more information, please contact Hearing Officer Daniel Pauley at 312-814-6931 or daniel.pauley@illinois.gov.