

ILLINOIS POLLUTION CONTROL BOARD  
November 21, 2024

IN THE MATTER OF: )  
)  
NATIONAL AMBIENT AIR QUALITY ) R25-7  
STANDARDS (NAAQS), USEPA ) (Identical-in-Substance Rulemaking - Air)  
AMENDMENTS (January 1, 2024, through )  
June 30, 2024) )

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by B.F. Currie):

The Board today adopts amendments to the Illinois ambient air quality standards, responding to United States Environmental Protection Agency (USEPA) actions during the first half of 2024.

This is an identical-in-substance (IIS) rulemaking under Sections 7.2 and 10(H) of the Illinois Environmental Protection Act (Act) (415 ILCS 5/7.2 and 10(H) (2022)). Section 10(H) requires the Board to adopt standards that are identical in substance to the National Ambient Air Quality Standards (NAAQS) adopted by USEPA under section 109 of the Clean Air Act (CAA) (42 U.S.C. § 7409 (2024)).

Section 10(H) of the Act and Section 1-5(c)(1) of the Administrative Procedure Act (APA) (5 ILCS 100/5-1-5(c)(1) (2022)) further provide that Title VII of the Act (415 ILCS 5/Tit. VII (2022)) and Section 5-35 of the APA (5 ILCS 100/5-35 (2022)) do not apply to IIS rulemaking. Accordingly, the Board does not adopt a “First Notice” proposal and then a “Second Notice” proposal for review by the Joint Committee on Administrative Rules (JCAR). However, Section 7.2 of the Act requires the Board to consider comments from USEPA, the Illinois Environmental Protection Agency (Agency), the Attorney General, and the public before adopting IIS rules.

The Board today revises the Illinois ambient air quality standards based on USEPA actions during the first half of 2024. USEPA took two actions during this period. The first action modified the NAAQS standard for primary annual PM<sub>2.5</sub>. The second action updates one incorporation by reference to incorporate one new federal equivalent method (FEM) into the Illinois rules.

The Board adopted a proposal for public comment on September 5, 2024. A Notice of Proposed Amendments appeared in the *Illinois Register* on September 20, 2024 at 48 Ill. Reg. 13877. The 45-day public comment period ended November 4, 2024.

Notice of the public hearing was published in the following publications: the *Chicago Sun Times* on September 21, 2024; the *Belleville News Democrat* on September 22, 2024; the *Rockford Register Star* on September 22, 2024; the *State Journal Register* on September 22,

2024; the *Mount Vernon Morning Sentinel* on September 22, 2024; the *Metropolis Planet* on September 26, 2024; the *Peoria Journal Star* on September 22, 2024; the *News-Gazette* on September 21, 2024; the *Galena Gazette* on September 25, 2024; the *Moline Dispatch* on September 24, 2024 and the *LaSalle News Tribune* on September 21, 2024. The Board held a public hearing on the proposed amendments on November 7, 2024. No public comments were made during the hearing.

## **SUMMARY OF PROPOSED AMENDMENTS**

### **Federal Actions Implemented**

#### **March 6, 2024 (89 Fed. Reg. 16202)**

USEPA revised the NAAQS standard for primary annual PM<sub>2.5</sub> from 12.0 µg/m<sup>3</sup> to 9.0 µg/m<sup>3</sup>, which is 3.0 micrograms per cubic meter lower than the current annual standard. The USEPA retained the current standards for primary 24-hour PM<sub>2.5</sub> (35 µg/m<sup>3</sup>), secondary annual PM<sub>2.5</sub> (35 µg/m<sup>3</sup>), and secondary 24-hour PM<sub>2.5</sub> (15 µg/m<sup>3</sup>). USEPA set the stronger standard due to human health effects associated with long and short-term exposures to PM<sub>2.5</sub> in ambient air.

#### **June 12, 2024 (89 Fed. Reg. 49874)**

USEPA designated a new *Federal Equivalent Method* for measuring concentrations of ozone (O<sub>3</sub>) in ambient air on June 12, 2024, and modified existing method designations in its *List of Designated Reference and Equivalent Methods* (List) on June 15, 2024. The Board's rules incorporate the December 15, 2023 version of the List by reference. Updating the incorporation by reference to the June 15, 2024 List incorporates the new FEM for measuring concentrations of ozone (O<sub>3</sub>) noticed in the June 12, 2024 *Federal Register*.

### **Requests for Comments**

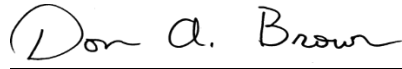
The Board requested that interested persons review this opinion and order and submit comments on the proposed amendment. The Board did not receive any comments on this proposal.

## **ORDER**

The Board directs the Clerk to file the adopted amendments with the Office of the Secretary of State and provide notice in the *Illinois Register* of the appended adopted amendments to the Illinois ambient air quality regulations at 35 Ill. Adm. Code 243.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 21, 2024, by a vote of 4-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk  
Illinois Pollution Control Board