

## **Board Proposes Second-Notice Amendments to Non-Attainment New Source Review Rules and Other Air Pollution Rules**

On March 6, 2025, the Board issued an opinion and order proposing second-notice amendments to its air pollution rules on permitting for the construction and modification of major stationary sources in non-attainment areas. The amendments will update 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. As proposed, the Project Emissions Accounting or "PEA" Rule will be incorporated into the Board's permitting rules on NA NSR and Prevention of Significant Deterioration or "PSD."

The Illinois Environmental Regulatory Group filed the rulemaking proposal that initiated this proceeding. The Board has since held two public hearings and received 28 public comments. As discussed in its second-notice opinion, the Board considered all the testimony, evidence, and comments received in arriving at its proposed amendments. 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). After issuing its second-notice opinion and order, the Board submitted the proposed amendments to the Joint Committee on Administrative Rules (JCAR) for its review. The proposed amendments are on the agenda for JCAR's April 8, 2025 meeting.

The rulemaking is captioned 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, docket R22-17. Here is the link to the Board's [second-notice opinion and order](#), which includes the text of the proposed amendments. For more information, please contact Daniel Pauley at 312-814-6931 or [daniel.pauley@illinois.gov](mailto:daniel.pauley@illinois.gov).