POLLUTION CONTROL BOARD

JULY 2025 REGULATORY AGENDA

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

1) Rulemaking: Docket number R26-8

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 R26-8 to accommodate any amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may adopt between January 1, 2025, and June 30, 2025. To date, the Board has found no USEPA amendments to the definition of VOM during this period that require Board action.

By about mid-August 2025, 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 R26-8, 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, January 1, 2025, the due date for Board adoption of amendments in docket R26-8 would be January 1, 2026.

To meet a due date of January 1, 2026, the Board would propose amendments and publish a Notice of Proposed Amendments to in th**RECEIVED**

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