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From: [McCambridge, Michael](#)
To: [Brown, Don](#)
Cc: [Tipsord, Marie](#); [Fox, Tim](#); [McGill, Richard](#)
Subject: FW: JCAR corrections
Date: Wednesday, June 5, 2019 11:59:04 AM

Please add this e-mail chain to the following two reserved dockets:

The R19-14 NAAQS update for the second half of 2018 and

The R20-8 RCRA Subtitle C update for the first half of 2019.

From: McCambridge, Michael
Sent: Tuesday, May 28, 2019 2:16 PM
To: McGill, Richard <Richard.McGill@illinois.gov>
Subject: RE: JCAR corrections

Responses below in red.

From: McGill, Richard
Sent: Tuesday, May 28, 2019 9:24 AM
To: McCambridge, Michael <Michael.McCambridge@illinois.gov>
Subject: JCAR corrections

Good morning, Mike:

JCAR staff discovered “errors” in Part 243 (R19-6) and Part 723 (R17-14), as documented in separate JCAR letters I left for you. Here are COOL links to those letters:

1. <https://pcb.illinois.gov/documents/dsweb/Get/Document-100556>

35 Ill. Adm. Code 720.120(b) Board note: JCAR is correct that the language would better appear as “both this subsection (b)(4) and subsection (c)(4).” However, removing the 1997 NAAQS as a result of today’s redesignation of the Metro East area as attainment, removal of subsection (b) in its entirety may be possible.

35 Ill. Adm. Code 243.126(a): The Board can correct “75 Fed Reg. 71033, 71042” to “75 Fed. Reg. 71033, 71042” in the R20-3 NAAQS update for the first half of 2019.

35 Ill Adm. Code 126(a) Board note: There are 26 derivation statements in Part 243. Of these, 13 do not use an auxiliary verb. Of the 13 that use an auxiliary verb, all use the present tense; none use the past tense. The present tense is appropriate because it relates to the present status of each provision, not merely to a past Board action in adopting it.

It may be possible to eliminate the present-tense auxiliary verbs, so that all statements appear as “derived from.” This will not resolve the present-tense in other Parts of IIS rules (30 present-tense auxiliary verbs out of 282 statements in Part 611, three out of 33 in Part 702, 50 out of 133 statements in Part 703, 12 out of 92 statements in Part 704, 15 out of 42 in Part 705, and 92 out of 100 in Part 727). More appear in Parts 307, 310, 810, and 811.

2. <https://pcb.illinois.gov/documents/dsweb/Get/Document-100555>

35 Ill. Adm. Code 723.120(a)(6)(A): JCAR is correct that the cross-reference is incorrect. The Board observes that the error originates in corresponding 40C.F.R. § 263.20(a)(6)(i). The Board has already noted the error for correction to subsection (a)(6)(A) in a future IIS rulemaking.

As an extra reminder to address these the next time the respective Parts are open (unless expedited correction is warranted), I put these JCAR letters in the “**Rule Basket**” folder, located on the Shared Chicago Everyone drive.

Thanks

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