



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

John J. Kim, Director
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794

Dear Director Kim:

The U.S. Environmental Protection Agency received the Illinois Environmental Protection Agency's (IEPA) request dated February 1, 2021 to exclude ozone measurements at the Northbrook Water Plant on June 18 and 19, 2020 from use for certain regulatory decisions, pursuant to the Exceptional Events Rule. These measurements have regulatory significance in determining whether the Chicago-Naperville, IL-IN-WI Nonattainment Area has attained the 2008 ozone NAAQS. After careful consideration, EPA does not concur with IEPA's request.

EPA's response to IEPA's request is governed by the "Treatment of Data Influenced by Exceptional Events" rule. *See* 81 FR 68216 (Oct. 3, 2016). Based on the weight of evidence, EPA has determined that IEPA has not adequately demonstrated that these measurements satisfy the requirements to be considered an exceptional event referred to in 40 CFR 50.14(a)(2) and (b)(1). These data will remain flagged as "informational" and be used in regulatory determinations related to the 2008 and 2015 ozone NAAQS. The basis for our decision is set forth in the enclosed technical support document.

EPA's decision to nonconcur with IEPA's request is a preliminary step in the regulatory process for actions that may rely on the dataset containing this data. It does not constitute final agency action. This letter and accompanying technical support document will be included in the record to support future regulatory decisions. Those rulemakings will constitute final agency actions and will be subject to judicial review.

EPA will continue to work with IEPA and the other Region 5 states to achieve our shared air quality goals.

If you have any questions regarding this letter or wish to discuss this matter further, please feel free to contact me or John Mooney, Director of the Air and Radiation Division, at 312-886-6043.

Sincerely,

Cheryl L. Newton
Acting Regional Administrator

Enclosure