



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2385

Introduced 2/10/2023, by Sen. Javier L. Cervantes

SYNOPSIS AS INTRODUCED:

415 ILCS 5/9.19 new

Amends the Environmental Protection Act. Defines terms. Provides that, within one year after the amendatory Act's effective date, the Environmental Protection Agency shall cite specified federal resources, informed by satellite and community data when available, when determining the placement of air monitoring devices at truck-attracting facilities. Requires truck-attracting facilities to continuously monitor onsite emissions for diesel particulate matter and nitrogen oxides. Allows local authorities to employ mobile air monitoring in vehicles dedicated for that purpose or in fleet vehicles in the course of conducting regular business. Requires the Agency to conduct truck counting on a representative sample of local roads where trucks enter or exit a commercial freight trucking facility each year.

LRB103 28213 CPF 54592 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by
5 adding Section 9.19 as follows:

6 (415 ILCS 5/9.19 new)

7 Sec. 9.19. Monitoring commercial freight trucking
8 facilities.

9 (a) In this Section:

10 "Continuous emissions monitor" means a monitor that is not
11 switched on and off and consistently collects data 24 hours a
12 day, 7 days a week unless paused for repair, calibration, or
13 servicing.

14 "Local authority" means a State or sub-State entity with
15 the authority to enable mobile monitoring as a complement to
16 stationary and meteorological monitoring.

17 "Meteorological monitoring" means monitoring for
18 meteorological data such as wind speed and direction.

19 "Truck-attracting facility" means a property, including,
20 but not limited to, parking areas and driving lanes, for
21 trucks, trailers, or passenger vehicles. "Truck-attracting
22 facility" includes:

23 (1) warehouses, distribution centers, and intermodal

1 facilities on the property, including, but not limited to,
2 a main building and accessory building;

3 (2) entry and exit points for vehicles' accessory
4 maintenance or security buildings; and

5 (3) fueling or charging infrastructure for vehicles.

6 "Truck count" means a manual or automated account of the
7 number of medium-duty and heavy-duty vehicles that pass
8 through a defined area in a designated amount of time.

9 (b) Within one year after the effective date of this
10 amendatory Act of the 103rd General Assembly, the Agency shall
11 cite Federal Reference Methods and Federal Equivalent Methods
12 established under Part 53 of Title 40 of the Code of Federal
13 Regulations, informed by satellite and community data when
14 available, when determining the placement of air monitoring
15 devices at truck-attracting facilities.

16 (c) A truck-attracting facility must continuously monitor
17 onsite emissions for diesel particulate matter and nitrogen
18 oxides. Monitoring must be conducted using at least 4
19 continuous fence line monitors spaced as far apart as possible
20 around the perimeter of the truck-attracting facility.

21 (d) In addition to stationary monitoring otherwise imposed
22 by law, a local authority may employ mobile air monitoring in
23 vehicles dedicated for that purpose or in fleet vehicles in
24 the course of conducting regular business.

25 (e) A truck-attracting facility may include meteorological
26 monitoring alongside one or more continuous emissions

1 monitors.

2 (f) Each year, the Agency shall conduct truck counting on
3 a representative sample of local roads where trucks enter or
4 exit a truck-attracting facility. Where possible, the truck
5 counts must include the class and age of the truck.