

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
AMENDMENTS TO) R18-20
35 ILL. ADM. CODE 225.233,) (Rulemaking – Air)
MULTI-POLLUTANT STANDARDS (MPS))

NOTICE

TO: Don Brown
Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St., Suite 11-500
Chicago, IL 60601-3218

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the AGENCY ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS OF PROPOSED RULEMAKING and STATE MANDATES ACT QUESTIONNAIRE, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gina Roccaforte
Gina Roccaforte
Assistant Counsel
Division of Legal Counsel

DATED: January 2, 2018

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**Agency Analysis of Economic and
Budgetary Effects of Proposed Rulemaking**

Agency: Illinois Pollution Control Board

Part/Title: Control of Emissions from Large Combustion Sources
(35 Ill. Adm. Code Part 225)

Illinois Register Citation: 41 Ill. Reg. 13299 (November 3, 2017)

Please attempt to provide as dollar-specific responses as possible and feel free to add any relevant explanation.

1. Anticipated effect on State expenditures and revenues.
 - (a) Current cost to the agency for this program/activity. Negligible
 - (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect. No change in costs
 - (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity. No additional funding necessary
 - (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect. No change anticipated
 - (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? No

2. Economic effect on persons affected by the rulemaking:
 - (a) Indicate the economic effect and specify the persons affected:

Positive X Negative No effect

Persons affected: Dynegy, Inc.

Dollar amount per person:
Indeterminate. The rulemaking provides operational flexibility to the company in operating its fleet of electrical generation units. This flexibility may lead to an economic benefit if the company can operate its fleet in a manner that is beneficial when compared to current operations.

Total statewide cost:
No additional costs anticipated.

- (b) If an economic effect is predicted, please briefly describe how the effect will occur.
Operational flexibility for the affected sources could result in economic benefit for the owner of those sources.
- (c) Will the rulemaking have an indirect effect that may result in increased administrative costs? Will there be any change in requirements such as filing, documentation, reporting or completion of forms?
No increase in administrative costs is anticipated. Any change in administrative cost would likely be a decrease in costs.

STATE MANDATES ACT QUESTIONNAIRE

Agency: Pollution Control Board

Heading of the Part: Control of Emissions from Large Combustion Sources

Administrative Code Citation: 35 Ill. Adm. Code 225

Signature of Agency Head:

1. Does this rulemaking affect any of the following:

Municipality	<u>NO</u>	Other Unit of Local Govt.	<u>NO</u>
County	<u>NO</u>	School District	<u>NO</u>
Township	<u>NO</u>	Community College District	<u>NO</u>

2. Does this rule require any of the above entities to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues?

Yes _____ No X Number of units affected _____

If yes, please estimate the amount of additional expenditures necessitated by this rulemaking per unit of government: \$ _____

NOTE: If the dollar amount, or total number of units affected is unknown, please outline and attach to this form an explanation of the steps taken by the agency to determine the approximate expense of the rulemaking, and the number of units affected.

If no, please explain why the rule does not necessitate such additional expenditures.
The proposed rulemaking does not affect any of the units of government above.

3. Were any alternatives that do not necessitate additional expenditures considered?
Yes _____ No X

If yes, please list these alternatives and explain why they were rejected.

4. What are the policy objectives of the rulemaking? (Please be specific)
The proposed rulemaking amends 35 Ill. Adm. Code 225 to join two groups of pollution sources, now under single ownership, into a single group for purposes of regulation. The amendments also change the basis for measurement of emissions from emission rate-based limits to limits based on total mass of emissions.

5. Please explain why the policy objectives of this rule cannot be achieved in the absence of the rule or through a rule that does not create a State Mandate.
The proposed rulemaking does not create a State Mandate.

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