

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 )  
AMENDMENTS TO 35 ILL. ADM. CODE ) R 23-18(A)  
PARTS 201, 202, AND 212 ) (Rulemaking – Air)

**NOTICE OF FILING**

TO: Mr. Don A. Brown,	Timothy Fox
Clerk of the Board	Chloe Salk
Illinois Pollution Control Board	Hearing Officers
100 West Randolph Street,	Illinois Pollution Control Board
Suite 11-500	60 East Van Buren Street, Suite 630
Chicago, Illinois 60601	Chicago, Illinois 60605

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board, **AMERICAN PETROLEUM INSTITUTE'S INITIAL RESPONSE TO ILLINOIS EPA'S COMMENT**, copies of which, are hereby served upon you.

Respectfully submitted,  
AMERICAN PETROLEUM INSTITUTE,

By: /s/ Alec Messina  
One of its Attorneys

Dated: December 1, 2023

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R2023-018(A)

**CERTIFICATE OF SERVICE**

I, the undersigned, on oath state the following: That I have served the attached **INITIAL RESPONSE TO ILLINOIS EPA'S COMMENT**, via electronic mail upon:

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That my email address is [Alec.Messina@heplerbroom.com](mailto:Alec.Messina@heplerbroom.com)

That the number of pages in the email transmission is 5.

That the email transmission took place before 5:00 p.m. on December 1, 2023.

Date: December 1, 2023

/s/ Alec Messina  
Alec Messina

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD****IN THE MATTER OF:****AMENDMENTS TO 35 ILL. ADM. CODE  
PARTS 201, 202, AND 212**)  
)  
)  
)  
)**R 23-18(A)  
(Rulemaking – Air)****API'S INITIAL RESPONSE TO ILLINOIS EPA'S COMMENT**

NOW COMES Petitioner, the AMERICAN PETROLEUM INSTITUTE ("API"), by and through its undersigned attorney, pursuant to 35 Ill. Adm. Code 101.500, hereby submits to the Illinois Pollution Control Board ("Board") its Initial Response to the Illinois Environmental Protection Agency's ("Illinois EPA") Comment, stating as follows:

1. On August 7, 2023, API filed its Proposal in this sub-docket rulemaking.
2. The First Hearing in this sub-docket was held on September 27, 2023, at which API's witness presented testimony in support of API's Proposal.
3. On October 23, 2023, Illinois EPA filed a comment in this sub-docket.
4. In its filing, Illinois EPA included numerous comments as to each of the five regulatory proposals and requested that the Board solicit additional information from each of the rulemaking proponents.
5. On November 1, 2023, the Second Hearing in this sub-docket was held. At the Second Hearing, the Hearing Officer set December 1, 2023 as the deadline for filing initial responses to Illinois EPA's Comment.
6. After the Second Hearing, API has held, and continues to hold, discussions with its impacted members regarding responding to Illinois EPA's requests for information.
7. API also requested a meeting with Illinois EPA to discuss its requests for information as to API. That meeting is currently scheduled for December 6, 2023.

8. API will have a better sense of what information it intends to provide in response to Illinois EPA's Comment after the meeting with Illinois EPA and any subsequent follow-up discussions with Illinois EPA.

9. API reserves the right to file a supplemental Response to Illinois EPA's Comment.

WHEREFORE, for the above and foregoing reasons, the American Petroleum Institute hereby respectfully submits its Initial Response to the Illinois Environmental Protection Agency's Comment.

Respectfully submitted,

AMERICAN PETROLEUM INSTITUTE,

Dated: December 1, 2023

By: /s/ Alec Messina  
One of Its Attorneys

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