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WOOLARD**
117TH DISTRICT
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DISTRICT OFFICE

WILLIAMSON COUNTY
AIRPORT
10400 TERMINAL DR.
MARION, IL 62959
(618) 997-1171
(618) 438-4117
FAX: (618) 997-9148

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2060-L STRATTON BUILDING
SPRINGFIELD, IL 62706
217/782-1051
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STATE OF ILLINOIS
Pollution Control Board

November 16, 2000

Illinois Environmental Protection Agency (IEPA)
Illinois Pollution control Board
Proposed NOx SIP Call Rulemaking
Docket RO1-9

RO1-9
P.C.#12

The Honorable Thomas Skinner, Director
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
Springfield, IL 62794-9039

Dear Director Skinner:

The Illinois Pollution control Board (PCB), under unnecessary expedited review, is considering Rulemaking your Agency proposed that would negatively impact economic development in Illinois while at the same time inhibit (or even prevent) newer, cleaner sources of electricity from being installed. (These PCB considerations may be concluded by as early as mid-November 00.) As described in detail on the attachments, the IEPA's proposed Rules would favor the incumbent Electric Generating Units (EGUs) while penalizing the cleaner sources trying to bring significant jobs to South Central Illinois where the need is so great.

The vast majority of the incumbent EGUs import their fuel from outside our State thereby further reducing jobs in Illinois. The incumbents' air emissions are significantly higher than new units; thereby doing little to actually reduce NOx emission. Those operations should not be subsidized at the expense of new, startup companies trying to locate in our State.

As you are aware, the Federal Environmental Protection Agency has essentially 'granted' each State NOx allowances to be used during the summer 'Ozone' season equivalent to about 0.15 pounds of NOx for every million Btu (0.15 lb/mmBtu) used to generate electricity. The Illinois General Assembly provided that all available allowances should allocate on a pro rata basis to all EGUs; less a 5% per year set aside for new sources. Unfortunately, when the legislation was enacted, the new, base-load coal plants were not apparent to the General Assembly.

Many public, private, and non-profit organizations (including the American Lung Association) have submitted extensive, detailed written and oral testimony challenging your proposed Rule. However, to make this matter simple, consider the following simple revisions that are consistent with the Federal Implementation Plan (FIP) for NOx (Ozone) reductions:

- The yearly 5% new source set aside shall be maintained and not reduced in future years as you propose.

- 'New Sources' become EGU after their first year of operation and are allocated NOx allowances on a pro rata 0.15 lb/mmBtu basis along with all 'old' EGU.
- Implement American Lung Association and other testimony avocation granting allowances on the functionally equivalent output basis of 1.5 pounds per kW-Hour of electrical output instead of 0.15 lb/mmBtu input. (This would simultaneously incent new, cleaner units.)

These simple changes to the proposed IEPA rules will result in lower net emissions, promote environmental responsibility, create a more level playing field for new industry to compete, and result in increased economic development opportunities in our State.

Please let me know what you think the next step should be? If helpful, I would be available to facilitate a meeting among the stakeholders to discuss this further. Thanks for your consideration.

Sincerely,

Larry Woolard
State Representative
117th District

CC: Honorable George Ryan
Catherine Glenn, Esq.
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, IL 60601
Joseph Darguzas