

ILLINOIS POLLUTION CONTROL BOARD
October 16, 1997

IN THE MATTER OF:)
)
AMENDMENTS TO GENERAL) R98-13
PERMITTING PROVISIONS TO REQUIRE) (Rulemaking - Air)
PERPETUAL PERMITS FOR CERTAIN)
SOURCES: AMENDMENTS TO 35 ILL.)
ADM. CODE 201)

ORDER OF THE BOARD (by M. McFawn):

On October 10, 1997, the Board received a proposal for amendments to the Board's air permitting rules (35 Ill. Adm. Code 201) filed by the Illinois Environmental Protection Agency (Agency). The proposed rules would amend the air permit system to establish a "perpetual" air pollution permit program. Sources affected are those that emit 25 tons or more per year and that are not subject to Section 39.5 of the Environmental Protection Act (Act), 415 ILCS 5/39.5 (CAAPP permit program), and are not required to have a federally enforceable State operating permit (FESOP). The proposal indicates that the proposed rules are required under amendments to the Act contained in P.A. 90-367, effective August 10, 1997. Pursuant to P.A. 90-367, the Board is required to revise its rules to reflect the amendments to the Act before July 1, 1998.

The Board finds that the petition meets the minimum requirements of 35 Ill. Adm. Code 102.160(a) and accordingly accepts the matter for hearing.

With its proposal, the Agency filed a "Motion for Expedited Hearings." The motion is hereby granted. The hearing officer assigned to this matter is directed to consult with counsel for the Agency and to set hearings as required pursuant to Title VII of the Act (415 ILCS 5/26 *et seq.*) at the earliest available mutually agreeable dates.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 16th day of October 1997, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board