

JUN 03 2005

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO)
EXEMPTIONS FROM STATE)
PERMITTING REQUIREMENTS)
(35 ILL. ADM. CODE 201.146))

STATE OF ILLINOIS
Pollution Control Board
R 05-19
(Rulemaking – Air)

NOTICE

TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

Amy Antonioli, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have filed with the Office of the Pollution Control Board the ANSWERS TO QUESTIONS RAISED AT THE APRIL 12, 2005 HEARING CONCERNING THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S AND THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S PROPOSED AMENDMENTS TO 35 ILL. ADM. CODE 201.146 on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Date: June 1, 2005

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

1021 North Grand Avenue East
P.O. Box 19276
Spring field, IL 62794-9276
217/782-5544

THIS FILING IS SUBMITTED ON
RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD JUN 03 2005

IN THE MATTER OF:)
)
 PROPOSED AMENDMENTS TO) R05-19
 EXEMPTIONS FROM STATE) (Rulemaking – Air)
 PERMITTING REQUIREMENTS)
 (35 ILL. ADM. CODE 201.146))

STATE OF ILLINOIS
Pollution Control Board

**ANSWERS TO QUESTIONS RAISED AT THE APRIL 12, 2005
 HEARING CONCERNING THE ILLINOIS ENVIRONMENTAL PROTECTION
 AGENCY'S AND THE ILLINOIS ENVIRONMENTAL REGULATORY
 GROUP'S PROPOSED AMENDMENTS TO 35 ILL. ADM. CODE 201.146**

1. On page 41 of the transcript, the question was asked whether there are minor sources which have never been inspected.

The Illinois EPA objects to this request based on relevance. This rulemaking does not pertain to, or revise, the Illinois EPA compliance system. Rather, it merely allows additional exemptions to permitted sources. 35 Ill. Admin. Code § 201.146 recognizes that there are certain categories of emission units that do not require state construction or operating permits. This rulemaking merely adds four additional exemptions to 201.146. However, without waiving said objection some minor sources have not been inspected.

2. On Page 57 of the transcript, the question was asked whether any of these sources which might partake of an exemption a source of mercury?

Sources with Lifetime State Operating permits do not have measurable mercury emissions. For purposes of the Clean Air Act Permit Program established under Section 39.5 of the Illinois Environmental Protection Act, no source has been identified to be a major source of mercury in the State of Illinois.

3. On page 58 of the transcript, the Agency was asked to update the figures for the Summary of Permitting Actions filed as Exhibit 1 of Ms. Hodge's prefled testimony.

These numbers are:

**Summary of Permitting Actions
 by Illinois Environmental Protection Agency, Bureau of Air
 (2003 and 2004)**

2003			
Type	Operating Permits	Total Construction Permits	Construction Permit for Increase < 1.0 Ton

FESOP	527	51	41
State	5,588	327	219
Title V	745	396	261
2004			
Type	Operating Permits	Total Construction Permits	Construction Permit for Increase < 1.0 Ton
FESOP	574	58	46
State	5,620	369	247
Title V	725	356	235

4. On page 82 of the transcript, the question was asked what the deadline is for the Illinois EPA to propose to US EPA, State Implementation plans for the 8-hour ozone National Ambient Air Quality Standard (NAAQS) and the PM 2.5 NAAQS?

The Illinois EPA objects to this request based on relevance. However, without waiving said objection regarding the 8-hour ozone National Ambient Air Quality Standard (NAAQS), USEPA established air quality designations and classifications in a Federal Register dated April 30, 2004 (69 FR 84, p. 23858). In this rulemaking USEPA promulgated attainment/nonattainment designations for all areas of the country. The effective date of the designations was June 15, 2004. The Clean Air Act requires that states submit State Implementation Plans (SIPs) that provide for attainment within 3 years of the designation of an area as nonattainment. Illinois SIP is therefore due 3 years after the effective date of the designations, or June 15, 2007.

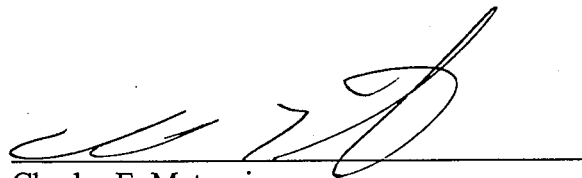
The Illinois EPA objects to this request based on relevance. However, without waiving said objection regarding the PM2.5 NAAQS, USEPA established air quality designations in a Federal Register dated January 5, 2005(70 FR 3, p. 944). The effective date of the designations was April 15, 2005. The Clean Air Act requires that states submit State Implementation Plans (SIPs) that provide for attainment within 3 years of the designation of an area as nonattainment. Illinois SIP is therefore due 3 years after the effective date of the designations, or April 15, 2008.

5. On page 111 of the transcript, the question was asked what are the number of sources which pay the minimum operating permit site fee of \$200?

The Illinois EPA objects to this request based on relevance. However, without waiving said objection, the number of permitted sources that pay the minimum operating permit site fee (\$200) is 4,958.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY



Charles E. Matoesian

DATED: _____
1021 North Grand Avenue East
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STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

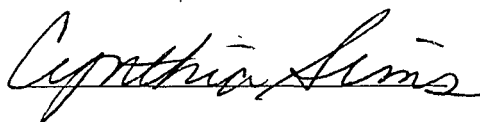
PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Answers to Questions Raised at the April 12, 2005 Hearing Concerning the Illinois Environmental Protection Agency's and the Illinois Environmental Regulatory Group's Proposed Amendments to 35 Ill. Adm. Code 201.146 upon the person to whom it is directed, by placing it in an envelope addressed to:

TO: Dorothy Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601	Amy Antonioli, Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601
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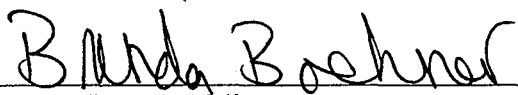
SEE ATTACHED SERVICE LIST

and mailing it by First Class Mail from Springfield, Illinois on June 1, 2005, with sufficient postage affixed.



SUBSCRIBED AND SWORN TO BEFORE ME

this 1st day of June, 2005



Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER

SERVICE LIST R 05-19

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