

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED NEW 35 ILL. ADM. CODE)
PART 223 STANDARDS AND)
LIMITATIONS FOR ORGANIC)
MATERIAL EMISSIONS FOR AREA)
SOURCES)
)

R08 - 017
(Rulemaking – Air)

NOTICE

TO:

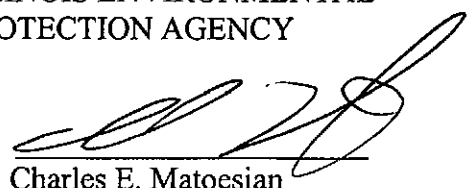
John Therriault, Assistant Clerk
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the FIRST NOTICE COMMENTS OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By:



Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: December 16, 2008

1021 North Grand Avenue East
Springfield, Illinois 62794-9276
217.782.5544
217.782.9143 (TDD)

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FIRST NOTICE COMMENTS OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA" or "Agency"), by its attorney, Charles E. Matoesian, and hereby submits comments in the above rulemaking proceeding. The Illinois EPA appreciates the Illinois Pollution Control Board's ("Board" or "IPCB") efforts in this rulemaking to add to 35 Ill. Adm. Code, new Part 223. The Illinois EPA believes the proposed addition of Part 223 will reduce volatile organic material emissions ("VOM") in Illinois. The Agency also thanks the Board for this opportunity to present comments.

After reading the Board's Opinion and Order of October 16, 2008, and reviewing the June 4, 2008, hearing transcript along with various filings, the Agency maintains that the VOM limits to categories omitted by the Board as additional categories added by the 2006 OTC model rule are both technically feasible and economically reasonable. The Agency also maintains that it provided adequate support to demonstrate technical and economic feasibility. The inclusion of these categories in the Agency's initial filing reflected consultation with affected industry associations and the goal of consistency with on-the-books measures in other regions of the U.S. In fact, the affected industry

associations generally supported the rulemaking in testimony before the Board in this proceeding.

However, to prevent further delay in adoption of R 08-17, the Agency will not be submitting further technical support for these categories. The final rule, as amended by the Board, will still achieve the majority of the anticipated VOM reductions from the categories included in the Board First Notice Draft.

CONCLUSION

The Illinois EPA thanks the Board for the opportunity to participate in this rulemaking proceeding and encourages the Board to proceed expeditiously towards the adoption of a second notice opinion and order adding Part 223.

Respectfully submitted,

By: 

Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

Dated: December 16, 2008

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STATE OF ILLINOIS)
)
COUNTY OF SANGAMON) SS

CERTIFICATE OF SERVICE


I, the undersigned, an attorney, state that I have electronically served the attached FIRST NOTICE COMMENTS OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY upon the following person:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

and mailing it by first class mail from Springfield, Illinois, with sufficient postage affixed to the following persons:

SEE ATTACHED SERVICE LIST

ILLINIOS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: December 16, 2008

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SERVICE LIST

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