

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
NITROGEN OXIDES EMISSIONS,)	
AMENDMENTS TO 35 ILL. ADM.)	R11-24
CODE 217)	
)	
IN THE MATTER OF:)	
)	
ILLINOIS ENVIRONMENTAL)	
REGULATORY GROUP'S EMERGENCY))	R11-26
RULEMAKING, NITROGEN OXIDES)	(Rulemaking – Air)
EMISSIONS: AMENDMENTS TO 35 ILL.)	(Cons.)
ADM. CODE PART 217)	

NOTICE OF FILING

TO: Mr. John T. Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)

(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 the **COMMENTS OF THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**, copies of which are herewith served upon you.

Respectfully submitted,

By: /s/ Alec M. Davis
Alec M. Davis

Dated: July 15, 2011

Alec M. Davis
General Counsel
Illinois Environmental Regulatory Group
215 East Adams Street
Springfield, Illinois 62701
(217) 522-5512

THIS FILING SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, Alec M. Davis, the undersigned, hereby certify that I have served the attached

COMMENTS OF THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP

upon:

Mr. John T. Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Kathleen C. Bassi
Schiff Hardin, LLP
6600 Willis Tower
233 South Wacker Drive
Chicago, IL 60606-6473

via electronic mail on July 15, 2011; and upon:

Gerald T. Karr, Assistant Attorney General
Matthew J. Dunn
Office of the Attorney General
69 West Washington Street, Suite 1800
Chicago, IL 60602

Gina Roccaforte, Assistant Counsel
Illinois Environmental
Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Katherine D. Hodge
Monica T. Rios
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3150 Roland Avenue
P.O. Box 5776
Springfield, IL 62705-5776

Virginia Yang
Deputy Legal Counsel
Illinois Department of
Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on July 15, 2011.

/s/ Alec M. Davis
Alec M. Davis

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COMMENTS OF THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP

NOW COMES the ILLINOIS ENVIRONMENTAL REGULATORY GROUP (“IERG”), by and through its attorney, Alec M. Davis, and hereby submits the following comments in the above-described matter.

IERG encourages the Illinois Pollution Control Board (“Board”) to take action to finalize the proposed amendments in this matter as expeditiously as possible. As described by IERG in filings and testimony, any relief from the economic impact and potential liability stemming from the now unnecessary Illinois NO_x RACT Rules requires both that the compliance dates contained in the Rules be extended, and that the extension be effective as immediately as possible.

IERG would like to thank the Illinois Environmental Protection Agency (“Agency”) for its willingness to work with the regulated community to provide relief in the form of a compliance date extension. IERG is satisfied that the Agency is cognizant that future Board rulemakings will be required to satisfy any future NO_x RACT requirement that may flow from future ozone or particulate matter National Ambient Air Quality Standards, and looks forward to

the opportunity to again work with the Agency to ensure that those rules satisfy the federal requirements while being both economically and technologically reasonable.

Further, IERG encourages the Board to grant the relief sought by ExxonMobil, in extending its compliance date beyond that requested by the Agency in its proposal. However, IERG would suggest that if the Board requires additional information or time to consider ExxonMobil's request, it not delay this matter further, but instead take it up in ExxonMobil's pending variance proceeding.

IERG thanks the Board for its consideration of these comments.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
REGULATORY GROUP

Dated: July 15, 2011

By: /s/ Alec M. Davis
Alec M. Davis

Alec M. Davis
General Counsel
ILLINOIS ENVIRONMENTAL
REGULATORY GROUP
215 East Adams Street
Springfield, Illinois 62701
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