

ILLINOIS POLLUTION CONTROL BOARD  
December 14, 1978

R78-18

RESOLUTION AND ORDER OF THE BOARD (by Mr. Young):

Public Act 80-1299 (Ch. 111 1/2 Illinois Revised Statutes, Paragraph 1009.1) amended the Environmental Protection Act requiring the Board to adopt rules which are in substance identical with federal regulations promulgated by the Administrator of the United States Environmental Protection Agency to implement the provisions of Section 111 of the federal Clean Air Act (42 USC 7411) relating to standards of performance for new stationary sources and Section 112 of the Clean Air Act (42 USC 7412) relating to the establishment of national emission standards for hazardous air pollutants.

Sec. 9.1(c) of the Environmental Protection Act as now amended provides that in the adoption of regulations to implement Sections 111 and 112 of the federal Clean Air Act the provisions and requirements of Title VII of the Environmental Protection Act and Section 5 of the Illinois Administrative Procedure Act shall not apply.

Pursuant to the foregoing, the Board hereby adopts Part IX: New Source Performance Standards of Chapter 2: Air Pollution, of the Board's Rules and Regulations, which shall be Subparts D through BB, Subpart DD, Subpart HH, and Appendices A through C of Part 60 of Title 40 of the Code of Federal Regulations as of this date and Subpart A of said Part, insofar as Subpart A is applicable to new sources of air contaminants located in Illinois, as the new source performance standards in Illinois.

The adoption of this Part IX of Chapter 2 voids the applicability of all Chapter 2, Part II, regulations for those facilities which are subject to the requirements of this new Part IX. Any facilities not subject to this new Part IX will continue to meet the requirements of Part II of Chapter 2.


The Board hereby adopts Part X: Emission Standards for Hazardous Air Pollutants of Chapter 2: Air Pollution, of the Board's Rules and Regulations, which shall be Subparts B through F and Appendices A and B of Part 61 of Title 40 of the Code of Federal Regulations as of this date and Subpart A of said Part, insofar as Subpart A is applicable in Illinois, as the emission standards for hazardous air pollutants in Illinois.

The adoption of this Part X of Chapter 2 supersedes the applicability of Chapter 2, Part VI, regulations for asbestos.

The provisions of Title IX: Variances, of the Environmental Protection Act, are not applicable to the new Parts IX and X of Chapter 2. Pursuant to Sec. 9.1(c) of the Act, Parts IX and X will be filed with the Secretary of State within 60 days of this Resolution and Order.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Resolution and Order were adopted on the 14<sup>th</sup> day of December, 1978 by a vote of 3-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board