

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PERMIT BY RULE FOR BOILERS:)	R17-9
AMENDMENTS TO: 35 ILL. ADM. CODE)	(Rulemaking – Air)
PARTS 201 AND 211)	

NOTICE OF FILING

TO: Mr. John T. Therriault	Mr. Jason James
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)	(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 Board THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S MOTION FOR EXTENSION OF TIME TO FILE POST-HEARING COMMENTS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
REGULATORY GROUP,

Dated: December 7, 2016

By: /s/ Antonette R. Palumbo
Antonette R. Palumbo

Antonette R. Palumbo
Legal Counsel
Illinois Environmental Regulatory Group
215 East Adams Street
Springfield, Illinois 62701
(217) 522-2212
apalumbo@ierg.org

THIS FILING SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
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PERMIT BY RULE FOR BOILERS:) R17-9
AMENDMENTS TO: 35 ILL. ADM. CODE) (Rulemaking – Air)
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**THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S MOTION FOR
EXTENSION OF TIME TO FILE POST-HEARING COMMENTS**

NOW COMES the ILLINOIS ENVIRONMENTAL REGULATORY GROUP (“IERG”), by and through its attorney, Antonette R. Palumbo, and pursuant to 35 Ill. Adm. Code 101.522, hereby requests that the Illinois Pollution Control Board (“Board”) grant this Motion for Extension of Time to File Post-Hearing Comments for an additional one weeks until December 16, 2016, or such time as deemed proper by the Board.

IERG is an Illinois not-for-profit affiliated with the Illinois Chamber of Commerce. IERG consists of 48 member companies in a variety of major industries throughout the State of Illinois that are regulated by governmental agencies that promulgate, enforce, or administer environmental laws, rules, or regulations. One of IERG’s primary roles is to represent the interests of its members in rulemakings before the Board. Several of IERG’s members will seek permits-by-rule (“PBR”) as allowed by the regulations proposed in this proceeding.

The Board held hearings on this matter on October 26, and November 16, 2016. At the October 26 hearing, IERG questioned Agency representatives about the tuning requirements in the proposed PBR rule at Section 201.630. *See* Oct. 26 Tr. at 37-38. Specifically, IERG asked how the boiler tuning requirements for PBR aligned with tuning requirements in federal rules, such as NESHAP. *Id.* at 37, 40. The representatives from the Illinois EPA noted that requirements set forth in the proposed PBR regulations are slightly different than the NESHAP

requirements and are verbatim the NO_x RACT tuning requirements. *Id.* The NO_x RACT requirements are Illinois regulations.

IERG members who take advantage of a PBR for small boilers could potentially be subject to tuning requirements pursuant to the PBR rules, NO_x RACT (35 Ill. Adm. Code 217.166), and/or NESHAP (40 CFR Part 63 DDDDD). IERG believes that any promulgated regulation should seek to harmonize the tuning requirements, including the frequency and training requirements of the various applicable rules in order to ensure the rule is comprehensive and can be easily utilized while minimizing duplicative or unnecessary regulatory burdens. IERG is working with the Illinois EPA on drafting modified language for Section 201.630.

As such, IERG respectfully requests the Board grant this Motion for Extension of Time to allow IERG and the Agency to finalize a revised proposal that would harmonize the federal and state requirements for boiler tuning.

WHEREFORE, the ILLINOIS ENVIRONMENTAL REGULATORY GROUP moves the Illinois Pollution Control Board grant this Motion for Extension of Time to File Post-Hearing Comments for an additional one weeks until December 16, 2016, or such time as deemed proper by the Board.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
REGULATORY GROUP

By: /s/ Antonette R. Palumbo
Antonette R. Palumbo

Dated: December 7, 2016
Antonette R. Palumbo
Legal Counsel
Illinois Environmental Regulatory Group
215 East Adams Street
Springfield, Illinois 62701
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CERTIFICATE OF SERVICE

I, Antonette R. Palumbo, the undersigned, hereby certify that I have served THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S MOTION FOR EXTENSION OF TIME TO FILE POST-HEARING COMMENTS upon:

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

Rachel L. Doctors
Assistant Counsel
Illinois Environmental Protection Agency
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Springfield, IL 62706

Jason James
Hearing Officer
Illinois Pollution Control Board
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Matt Dunn
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Springfield, IL 62706

Illinois Department of Natural Resources
Gabe Grosboll
Office of General Counsel
One Natural Resources Way
Springfield, IL 62702

via electronic mail on December 7, 2016.

By: /s/ Antonette R. Palumbo
Antonette R. Palumbo