

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)
)
AMENDMENTS TO) **R18-20**
35 ILL. ADM. CODE 225.233,) **(Rulemaking – Air)**
MULTI-POLLUTANT STANDARDS (MPS))

Public Comment of the Illinois Environmental Regulatory Group

The Illinois Environmental Regulatory Group (“IERG”) would like to thank the Illinois Pollution Control Board (“Board”) for the opportunity to submit a comment in support of the Illinois Environmental Protection Agency’s (“Illinois EPA”) proposed revisions to the Illinois Multi-Pollutant Standard (“MPS”) regulations, 35 Ill. Adm. Code § 225.233. IERG believes that the proposed revisions will provide regulatory flexibility important to Dynegy, a member of IERG and owner of 21 coal-fired electric generating units (“EGUs”) in Illinois.

Dynegy’s plants are responsible for significant employment and economic impacts in their communities. Dynegy supports approximately 1,020 well-paying jobs in Illinois, produces enough electricity to serve over 6 million homes, and serves as a major source of property tax revenue for the local governments and public schools in the communities where its plants are located. Illinois Use Tax payments for coal used at Dynegy’s Illinois plants have ranged from \$20 to \$30 million per year.

The regulatory landscape for power plants has changed significantly on both the federal and state levels since the MPS was first enacted in 2006. The State of Illinois chose to step ahead of the federal mercury rule effort when it adopted the MPS, expecting that similar federal rules would follow. Since that time, the federal regulatory landscape, Illinois owners and operators of EGUs, and the energy market have all changed dramatically. Since the promulgation of the original MPS, thirteen coal units have permanently shut down taking with them the associated jobs and community support. These unit retirements have resulted in substantial and permanent

emission reductions beyond those anticipated in the original MPS rule or required by the Regional Haze SIP. Since promulgation of the original MPS, the owners of these EGU's have also become subject to new non-MPS limitations (e.g. consent decree and permit limits) that will remain unchanged by this rulemaking and will continue to ensure local air quality is protected.

This rulemaking proposal provides Dynegy—and any future owners of units in the fleet—with regulatory flexibility, consistency, certainty, and clarity. IERG is generally supportive of efforts to reduce administrative burden, which benefits both the regulated community and the conservation of Board and Illinois EPA resources. IERG supports Illinois EPA's original proposal and urges the Board to adopt the proposal.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
REGULATORY GROUP

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