



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS )
)
COUNTY OF SANGAMON ) SS
)

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served electronically the attached RESPONSE TO POST-HEARING COMMENTS of the Illinois Environmental Protection Agency upon the following persons:

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

Timothy Fox, Hearing Officer
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

Katherine D. Hodge
N. LaDonna Driver
Hodge Dwyer Zeman
3150 Roland Ave.
PO Box 5776
Springfield, IL 62705-5776

Kathleen C. Bassi
Renee Cipriano
Joshua R. More
Stephen J. Bonebrake
Schiff Hardin, LLP
6600 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606-6473

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

Rachel L. Doctors
Assistant Counsel
Air Regulatory Unit
Division of Legal Counsel

Dated: June 23, 2008

1021 North Grand Avenue East
Springfield, Illinois 62794-9276
(217) 782-5544

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**IN THE MATTER OF:** )  
 )  
**SECTION 27 PROPOSED RULES FOR** )  
**NITROGEN OXIDE (NO<sub>x</sub>) EMISSIONS** ) **R07-19**  
**FROM STATIONARY RECIPROCATING** ) **(Rulemaking – Air)**  
**INTERNAL COMBUSTION ENGINES AND** )  
**TURBINES: AMENDMENTS TO 35 ILL.** )  
**ADM. CODE PARTS 211 AND 217** )

**RESPONSE TO POST-HEARING COMMENTS**

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by its attorneys, and hereby submits its response to post-hearing comments in the above rulemaking proceeding.

The Illinois EPA engaged in extensive outreach on this proposal and held regular meetings with representatives of the affected sources in the previous years. The Illinois EPA, Illinois Municipal Electric Agency (“IMEA”), and Illinois Environmental Regulatory Group (“IERG”) witnesses testified and provided evidence at the first hearing that was held in Edwardsville on April 9, 2008. At the second hearing that was held in Chicago on May 7, 2008, the Pipeline Consortium provided testimony. On June 9, the Illinois EPA, IERG and IMEA filed Post-Hearing Comments. IERG’s commented that the Illinois EPA’s TSD does not accurately reflect the costs of implementing the proposed rule because not every RICE or turbine was listed. At hearing the Illinois EPA testified that its emissions inventory is not perfect and that for the most part the cost figures only included those units that the Illinois EPA believed would be required to control NO<sub>x</sub> emissions (pp. 24-26, Transcript dated April 9, 2008).

The Illinois EPA has reviewed Exhibit 1 provided by IERG in its comments on the proposed rule for nitrogen oxide emissions from reciprocating internal combustion engines (RICE) and turbines. There were 35 RICE and 78 turbines that IERG member companies believe are units that should have been included in the list of units affected by the proposal. The

list of affected units in the Attachment A of the Amended Technical Support Document (Dated December 20, 2007) included only those units that the Illinois EPA believed would require NO<sub>x</sub> controls after considering the 2004 NO<sub>x</sub> emissions and the low-usage compliance options (limits of eight million bhp-hrs for RICE and 20,000 MW-hrs for turbines) and exemptions provided by the proposed regulations. Based on the facility reported NO<sub>x</sub> emission data, the Illinois EPA believes that out of the 35 RICE identified, two RICE will qualify for the landfill gas usage exemption, and 30 will qualify for eight million bhp-hrs limit option. The Illinois EPA was not able to find the facility reported NO<sub>x</sub> emissions from the three RICE at U.S. Steel Corporation because these emissions were reported as part of their associated processes. However, the most recent permit application submitted by the U.S. Steel Corporation includes one 3,500 horse power emergency generator that is limited to emit 19.9 tons of NO<sub>x</sub> per year and one RICE of 880 horse power that will have a non-selective catalytic reduction system installed to control NO<sub>x</sub> emissions.

Out of the 78 turbines identified by IERG, 24 turbines are already retrofitted with NO<sub>x</sub> controls, 11 turbines will qualify for landfill gas exemption, and 43 turbines, mostly used as peaking units at power plants, will qualify for the 20,000 MW-hrs limit compliance option.

The Illinois EPA believes that the units that are retrofitted with controls are in compliance with the proposed regulations and other units will use one of the compliance options to avoid having to retrofit NO<sub>x</sub> controls. Therefore, the Illinois EPA believes that there will not be any additional cost of controlling NO<sub>x</sub> emissions to the sources except for some administrative cost of recordkeeping and reporting.

Further, the Illinois EPA would note that it engaged in extensive out reach during the development of the rule and IERG had multiple opportunities to present this information either before the proposal was filed with the Board or at either the first or second hearing. Hence, the

Illinois EPA does not believe that additional hearings would be necessary before the Board can proceed to First Notice.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/ Rachel L. Doctors  
Rachel L. Doctors  
Assistant Counsel  
Air Regulatory Unit  
Division of Legal Counsel

DATED: June 23, 2008

1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217.782.5544  
217.782.9807 (Fax)