

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
SECTION 27 PROPOSED RULES FOR) R07-19
NITROGEN OXIDE (NO_x) EMISSIONS) (Rulemaking – Air)
FROM STATIONARY RECIPROCATING)
INTERNAL COMBUSTION ENGINES AND)
TURBINES: AMENDMENTS TO 35 ILL.)
ADM. CODE PARTS 211 AND 217)

NOTICE OF FILING

TO: Mr. John Therriault Mr. Tim Fox
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 Control Board **THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S RESPONSE TO THE ILLINOIS EPA'S MOTION FOR EXPEDITED REVIEW**, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
REGULATORY GROUP,

By: /s/ N. LaDonna Driver
N. LaDonna Driver

Dated: March 30, 2009

N. LaDonna Driver
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

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

CERTIFICATE OF SERVICE

I, N. LaDonna Driver, the undersigned, hereby certify that I have served the attached **THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S RESPONSE TO THE ILLINOIS EPA'S MOTION FOR EXPEDITED REVIEW** upon:

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

via electronic filing and by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on March 30, 2009; and upon:

Mr. Tim Fox
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Rachel L. Doctors, Esq.
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Renee Cipriano, Esq.
Kathleen C. Bassi, Esq.
Joshua R. More, Esq.
Schiff Hardin, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6473

via electronic mail on March 30, 2009.

/s/ N. LaDonna Driver
N. LaDonna Driver

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**THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP'S
RESPONSE TO THE ILLINOIS EPA'S MOTION FOR EXPEDITED REVIEW**

NOW COMES the Illinois Environmental Regulatory Group ("IERG"), by one of its attorneys, N. LaDonna Driver of HODGE DWYER & DRIVER, and Alec M. Davis of IERG, and pursuant to 35 Ill. Admin. Code § 101.500(d), hereby responds to the Illinois Environmental Protection Agency's ("Illinois EPA") Motion to Expedite Review, filed with the Illinois Pollution Control Board ("Board") on March 19, 2009. In support of the Response, IERG states as follows:

1. Following hearings in April and May of last year, the Board adopted the proposed rule for First Notice on September 16, 2008.
2. Illinois EPA filed comments on February 5, 2009, that included language agreed to by all parties, with one exception. IERG is in agreement with the parties on all proposed revisions, except for the replacement unit language at proposed Section 217.390(a)(2)(A).
3. IERG explained its position on the replacement unit concept, and provided alternative language to use as the second sentence for that provision, in its comment filed on February 6, 2009.

4. On March 19, 2009, Illinois EPA filed a Motion for Expedited Review, asking the Board to proceed to Second Notice as expeditiously as possible. See Motion for Expedited Review at par. 23.

5. In light of there being only one sentence at issue in this proceeding, IERG has no objection to Illinois EPA's request to move expeditiously to Second Notice. IERG commits to quickly provide whatever additional information the Board may require regarding the replacement unit issue that IERG and Illinois EPA have addressed in comments concerning proposed Section 217.390(a)(2)(A).

WHEREFORE, for the reasons set forth above, IERG does not object to the Illinois EPA's Motion for Expedited Review.

Respectfully submitted,

By: /s/ N. LaDonna Driver
N. LaDonna Driver

Dated: March 30, 2009

N. LaDonna Driver
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
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General Counsel
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