CO-CHAIR:
  SEN. MAGGIE CROTTY

CO-CHAIR:
  REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:
  VICKI THOMAS

SEN. J. BRADLEY BURZYNSKI
SEN. RANDALL HULTGREN
SEN. MATTIE HUNTER
SEN. DAN RUTHERFORD
SEN. IRA SILVERSTEIN
REP. JOHN FRITCHEY
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217/785-2254

July 14, 2009

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JUL 16 2009

STATE OF ILLINOIS
Pollution Control Board

Tanner Girard, Chairman
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Dear Chairman Girard:

This is to notify you that JCAR considered the following proposed rulemakings at its 7/14/09 meeting:

Permits and General Provisions (35 Ill. Adm. Code 201)   R07-19
32 Ill. Reg. 17035 - 10/31/08

Definitions and General Provisions (35 Ill. Adm. Code 211)
32 Ill. Reg. 17055 – 10/31/08

Nitrogen Oxides Emission (35 Ill. Adm. Code 217)
32 Ill. Reg. 17075 – 10/31/08

Water Use Designations and Site-Specific Water Quality Standards (35 Ill. Adm. Code 303)
33 Ill. Reg. 3898 – 3/6/09    R09-11

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the "Agreements" attached to the certification. Based on these agreements, as well as the other responses you have provided the Committee during the review of these rulemakings, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

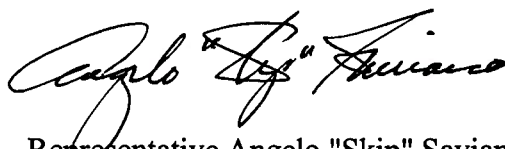These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,


Senator Maggie Crotty
Co-Chairman

Representative Angelo "Skip" Saviano
Co-Chairman

SMC:RBH:DC:rm
cc:     Tim Fox
        Maire Tipsord
Enc.

# JOINT COMMITTEE ON ADMINISTRATIVE RULES
### ILLINOIS GENERAL ASSEMBLY

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## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## CERTIFICATION OF NO OBJECTION
## TO PROPOSED RULEMAKING

**RECEIVED**
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**JUL 16 2009**

STATE OF ILLINOIS
Pollution Control Board

This is to certify that the Joint Committee on Administrative Rules, at its 7/14/09 meeting, considered Permits and General Provisions (35 Ill. Adm. Code 201), proposed by the Pollution Control Board and published in the 10/31/08 issue of the Illinois Register.  After consideration, and based upon the agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

July 14, 2009

_____
Vicki Thomas
Executive Director

Attachments: None

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

CERTIFICATION OF NO OBJECTION
TO PROPOSED RULEMAKING

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**JUL 1 6 2009**

STATE OF ILLINOIS
Pollution Control Board

This is to certify that the Joint Committee on Administrative Rules, at its 7/14/09 meeting, considered Definitions and General Provisions (35 Ill. Adm. Code 211), proposed by the Pollution Control Board and published in the 10/31/08 issue of the Illinois Register. After consideration, and based upon the agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

July 14, 2009

Vicki Thomas
Executive Director

Attachments: None

# *JOINT COMMITTEE ON ADMINISTRATIVE RULES*
### ILLINOIS GENERAL ASSEMBLY

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## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## CERTIFICATION OF NO OBJECTION
## TO PROPOSED RULEMAKING

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**JUL 16 2009**

**STATE OF ILLINOIS**
**Pollution Control Board**

This is to certify that the Joint Committee on Administrative Rules, at its 7/14/09 meeting, considered Nitrogen Oxides Emission (35 Ill. Adm. Code 217), proposed by the Pollution Control Board and published in the 10/31/08 issue of the Illinois Register. After consideration, and based upon the agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

July 14, 2009

Vicki Thomas
Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

**Agency:**   Pollution Control Board

**Rulemaking:**  Nitrogen Oxides Emission (35 Ill. Adm. Code 217; 32 Ill. Reg. 17075)

**Changes:**

1.  In line 220, before "On" add "a)".

2.  In line 221, change "(de)"to "(a)(4e)".

3.  In line 223, after "(a)" add "(1)".

4.  In line 224, strike "(b)" and add "(a)(2)".

5.  In line 225, change "(c)" to "(a)(3)".

6.  In line 227, strike "a)" and add "1)".

7.  In line 230, strike "1)" and add "A)".

8.  In line 233, strike "2)" and add "B)".

9.  In lines 237-245, change the subsection labels to "C)", "D)", "E)" and "F)".

10.  In line 248, strike "b)" and add "2)".

11.  In line 249, change "(b)(1) or (b)(2) " to "(a)(2)(A) or (a)(2)(B)".

12.  In line 251, change "1)" to "A)".

13.  In line 255, change "2)" to "B)" and change "(a)(2)" to "(a)(1)(B)".

14.  In line 262, strike "c)" and add "3)" and change "For" to "Operates, for".

15.  In line 263, change "(c)(1) or (c)(2)" to "(a)(3)(A) or (a)(3)(B)".

16.  In line 266, change "(d)" to "(a)(4)".

17.  In lines 267-268, change "(c)(1) or (c)(2)" to "(a)(3)(A) or (a)(3)(B)".

18.     In line 270, change "1)" to "A) ".

19.     In line 273, change "(a) or (b)" to "(a)(1) or (a)(2)".

20.     In line 276, change "2)" to "B)".

21.     In line 278, change "(a) or (b)" to "(a)(1) or (a)(2)".

22.     In lines 280-281, change "(c)(2)(A) and (c)(2)(B)" to "(a)(3)(B)(i) and (a)(3)(B)(ii)".

23.     In line 286, change "A)" to "i)".

24.     In line 288, change "B)" to "ii)".

25.     In line 290, change "d)" to "4)".

26.     In line 294, strike "1)" and add "A)".

27.     In line 297, strike "A)" and add "i)".

28.     In line 301, strike "B)" and add "ii)".

29.     In line 309, strike "2)" and add "B)".

30.     In line 313, change "e)" to "b)".

31.     In line 316, change "(c)" to "(a)(3)".

32.     In line 317, change "(a) or (b)" to "(a)(1) or (a)(2)".

33.     In line 319, delete "subsections (a) through (e) of" and after "217.394" add "(a) through (e)".

34.     In line 322, change "Section 217.388(a) or (b)" to "subsection (a)(1) or (a)(2) of this Section".

35.     In line 325, change "(a) or (b)" to "(a)(1) or (a)(2)" and  change "(c)" to "(a)(3)".

36.     In line 330, change "(a) or (b)" to "(a)(1) or (a)(2)".

37.     In line 337, after ""elapsed)" add a comma.

38.     In lines 339, 341 and 343, change "(c)" to "(a)(3)".

39. In line 367, change "$\underline{(1)}$" to "$\underline{(2)}$".

40. In line 384, delete the period.

41. In lines 386 and 416, change "$\underline{which}$" to "$\underline{that}$".

42. In line 387, change "$\underline{(c)}$" to "$\underline{(a)(3)}$" and change "$\underline{operates}$" to "$\underline{operate}$".

43. In line 392, delete "subsection $\underline{(a)\ through\ (e)\ of}$" and after "$\underline{217.394}$" add "$\underline{(a)\ through}$ $\underline{(e)}$".

44. In lines 394-395, delete "$\underline{subsections\ (a)\ through\ (d)\ of}$" and after "$\underline{217.396}$" add "$\underline{(a)}$ $\underline{through\ (d)}$".

45. In line 410, strike "as" and add "$\underline{of}$".

46. In line 435, after "$\underline{2008}$" delete the comma.

47. In line 438, after "$\underline{2010}$" delete the comma.

48. In line 442, after "$\underline{2008}$" and "$\underline{2010}$" delete the commas.

49. In line 471, change "$\underline{(c)}$" to "$\underline{(a)(3)}$".

50. In line 474, change "$\underline{of}$" to "$\underline{after}$".

51. In the table following line 524, in the $C_{d(all)}$ item, after "(a)" add "$\underline{(1)}$".

52. In lines 557, after "(a)" add "$\underline{(1)}$".

53. In line 580, after "$\underline{(a)}$" add "$\underline{(1)}$".

54. In line 583, change "$\underline{(c)}$" to "$\underline{(a)(3)}$".

55. In line 605, change subscript "i" to subscript "j" twice.

56. In the table after line 611:

    Change "$\underline{flow}Flow_{i;}$" to "$\underline{flow_j}Flow_i$".

    Strike "$Cd_i$" and add "$\underline{Cd_j}$ " and after "(a)" add "$\underline{(1)}$".

57. In line 645, change "$\underline{limitations}$" to "$\underline{limitation}$".

58. In line 654, change "(c)(2)" to "(a)(3)(B)"

59. In line 661, change "which" to "that" and change "of" to "with".

60. In line 665, change "(a)" to "(a)(1)".

61. In line 667, change "(b)" to "(a)(2)".

62. In lines 671 and 679, change "(a)" to "(a)(1)" and "(c)" to "(a)(3)".

63. In lines 673 and 681, change "(b)" to "(a)(2)".

64. In line 703, strike "(b)" and add "(a)(2)".

65. In line 788, after "75" add a comma.

66. In lines 798 and 815, change "(c)" to "(a)(3)".

67. In line 835, change "(d)" to "(a)(4)".

68. In line 844, strike "(b)" and add "(a)(2)".

69. In line 858, delete "subsections" and reinstate "subsection".

70. In lines 884, after "(a)" add "(1)".

71. In line 885, strike "(b)" and add "(a)(2)".

72. In line 929, change "(c)" to "(a)(3)".

73. In line 931, change "(c)(1)" to "(a)(3)(A)".

74. In line 934, change "(c)(2)" to "(a)(3)(B)".

75. In lines 941, 942 and 943, change the semicolons to commas.

76. In line 944, after "(a)" add "(1)".

*7/21/09*