

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
REGISTRATION OF SMALLER SOURCES	)	R12-10
(ROSS): NEW 35 ILL. ADM. CODE 201.175	)	(Rulemaking-Air)
	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Timothy Fox, Esq.
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street	100 W. Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA U.S. MAIL)</b>

**(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 **COMMENTS OF THE ILLINOIS ENVIRONMENTAL REGULATORY GRUOP**, copies of which are herewith served upon you.

Respectfully submitted,

By: /s/ Alec M. Davis  
Alec M. Davis

Dated: November 15, 2011

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

**CERTIFICATE OF SERVICE**

I, Alec M. Davis, the undersigned, hereby certify that I have served the attached

Comments of the Illinois Environmental Regulatory Group upon:

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

via electronic mail on November 15, 2011; and upon:

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69 West Washington Street, Suite 1800  
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by depositing said documents in the United States Mail, postage prepaid, in Springfield,  
Illinois on November 15, 2011.

/s/ Alec M. Davis

Alec M. Davis

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**COMMENTS OF THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**

NOW COMES the ILLINOIS ENVIRONMENTAL REGULATORY GROUP (“IERG”), by and through its attorney, Alec M. Davis, and hereby submits the following comments in the above-described matter.

IERG would like to thank the Illinois Environmental Protection Agency (“Agency”) for its continued willingness to work with the regulated community to craft a program that satisfies the legislative requirements of Section 9.14 of the Illinois Environmental Protection Act (415 ILCS 5/9.14), and accomplishes the dual goals of easing the regulatory burden on smaller sources and reducing the number of sources that the Agency is required to permit. IERG understands that the Agency will be filing additional comments with new language either later today or early tomorrow, is satisfied that the language filed by the Agency later today or tomorrow reflects the outcome of the continuing dialog between the Agency and various stakeholders throughout this process, and encourages the Board to adopt the proposal as reflected in the comments filed by the Agency later today or tomorrow.

IERG believes that these changes proposed by the Agency are critical, in that the changes 1) are necessary to ensure conformity with the underlying statutory authority for the program, 2) ease the transition from registered source to permitted source should changes occur at the facility, and 3) clarify the obligations of both the Agency and the sources subject to these rules.

Further, as with any new program, IERG believes that it is possible, even likely, that the Agency and various stakeholders will need to review the rules in the future, after they have been implemented, to ensure that they have met the intent of the General Assembly, and whether there are additional changes that can be made to ease the regulatory burden on smaller sources even further and to reduce the permitting workload of the Agency. IERG looks forward to these discussions.

IERG thanks the Board for its consideration of these comments.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
REGULATORY GROUP

Dated: November 15, 2011

By: /s/ Alec M. Davis  
Alec M. Davis

Alec M. Davis  
General Counsel  
ILLINOIS ENVIRONMENTAL  
REGULATORY GROUP  
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