

Board Dismisses Proposed Amendments to Air Regulations Regarding Prevention of Significant Deterioration of Air Quality Permits

On August 4, 2006, the Illinois Pollution Control Board granted a motion by the Illinois Environmental Protection Agency (IEPA) to withdraw its rulemaking proposal docketed as In the Matter of: Amendments to 35 Ill. Adm. Code 201 (New Section 201.501 PSD Construction Permits) (R06-27). This proposal, filed by the IEPA on June 20, 2006, would have added a section to the air regulations that eliminates an automatic 30-day stay of the effectiveness of prevention of significant deterioration of air quality (PSD) permits. The IEPA asserts that following the filing of this proposed rulemaking it had occasion to discuss the proposal with the United States Environmental Protection Agency, and, as a result, has concluded that at this time, the interests of its PSD program would be best served by a withdrawal of the rulemaking.

The PSD program applies in areas in the country that are deemed to be in attainment or unclassifiable with respect to national ambient air quality standards (NAAQS). The program involves a preconstruction permitting process in which an applicant for a major new source or modification must submit a permit application prior to commencing construction that demonstrates that emissions from the proposed facility will not cause or contribute to an exceedance of any applicable NAAQS or air quality increment, and that the proposed facility will employ the Best Available Control Technology for all pollutants for which the source is major.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office:

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