

Pollution Control Board Adopts for Second Notice a Proposal to Amend the Compliance Date for Controlling Nitrogen Oxide Emissions

On July 21, 2011, the Illinois Pollution Control Board adopted for second notice a proposal to modify the date of compliance with the requirements of various Subparts of 35 Ill. Adm. Code Part 217, Nitrogen Oxides (NO_x) Emissions. Additionally, the Board denied The Environmental Regulatory Group's (IERG) motion to reconsider its May 19, 2011 decision denying IERG's emergency rulemaking proposal. The rulemaking is docketed as In the Matter of: Nitrogen Oxides Emissions, Amendments to 35 Ill. Adm. Code 217 and In the Matter of: Illinois Environmental Regulatory Group's Emergency Rulemaking, Nitrogen Oxides Emissions: Amendments to 35 Ill. Adm. Code Part 217U (R11-24 and R11-26 consolidated).

The Illinois Environmental Protection Agency (IEPA) originally filed R11-24 on April 4, 2011. On April 22, 2011, IERG filed an emergency rulemaking proposing identical changes to those present in R11-24. On May 19, 2011, the Board denied the motion for emergency rule and on the Board's own motion consolidated R11-26 with R11-24.

Specifically, the proposal would extend the compliance date for control of NO_x emissions from various source categories from January 1, 2012 to January 1, 2015. The proposed new compliance date would apply to emissions from source categories such as industrial boilers, process heaters, glass melting furnaces, cement kilns, lime kilns, furnaces used in steel making and aluminum melting, and fossil fuel-fired stations. The IEPA states that extending the compliance date for the requirements under Subparts D, E, F, G, H, I, and M of Part 217 would "satisfy Illinois'" obligation to submit a State Implementation Plan (SIP) to address the requirements under Sections 172 and 182 of the federal Clean Air Act for major sources of NO_x in areas designated as nonattainment with respect to National Ambient Air Quality Standards (NAAQS).

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 from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

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