

Proposal Concerning the Control of Mercury Emissions from Coal-fired Electric Generating Units

The Illinois Pollution Control Board is a five-member panel that is empowered to adopt environmental rules for Illinois. When adopting rules, the Board considers the nature of the environmental issue to be addressed, as well as economic impact and technical feasibility of the proposed rule. In considering each of these, the Board develops a record, which includes the proposal, testimony, and public comments concerning the proposed rule.

In addition to the requirements of the Environmental Protection Act, the Board follows the Illinois Administrative Procedure Act, which requires three stages in a rulemaking: first notice, second notice, and final adoption. The Board issues a written opinion and order explaining its decision and setting forth the regulatory language when proceeding with each stage of rulemaking.

The Illinois Environmental Protection Agency, on March 14, 2006, filed proposed rules requiring Illinois coal-fired electrical generating units (EGUs) to reduce mercury emissions by an average of 90 percent by July 2009. This rulemaking is docketed as: In the Matter of: Proposed New 35 Ill. Adm. Code 225 Control of Emissions from Large Combustion Sources (Mercury), R06-25.

The Board initially accepted the proposal on March 16, 2006, for first notice and issued a second first notice on May 4, 2006. The first notice period began May 19, 2006, and expires on July 17, 2006.

In a rulemaking of statewide applicability, the Board conducts at least two public hearings. The first hearing was held in Springfield June 12-23, 2006. The second hearing in Chicago began on August 14, 2006, and will be continued day-to-day until business is complete or until August 25, 2006.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site (www.ipcb.state.il.us) 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 of the Board at the following address.

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