

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
AMENDMENTS TO 35 ILL. ADM. CODE) R15-21
PART 214, SULFUR LIMITATIONS, PART) (Rulemaking-Air)
217, NITROGEN OXIDES EMISSIONS,)
AND PART 225, CONTROL OF EMISSIONS)
FROM LARGE COMBUSTION SOURCES)

NOTICE

To: John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S COMMENTS REGARDING THE FIRST NOTICE VERSION OF THE PROPOSED RULE, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Dana Vetterhoffer
Assistant Counsel

DATED: July 2, 2015
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S COMMENTS
REGARDING THE FIRST NOTICE VERSION OF THE PROPOSED RULE**

The Illinois Environmental Protection Agency ("Illinois EPA" or "Agency"), by its attorney, offers the following comments regarding the First Notice version of the proposed rule ("First Notice Version"), published in the *Illinois Register* on May 22, 2015.

In addition to those already identified in the attachment to the Hearing Officer Order, dated June 25, 2015, ("Hearing Officer Order") the Agency believes the following inadvertent errors occurred when the Agency's proposed rule was converted into the First Notice Version. The Agency recommends that the errors be corrected in the Second Notice version.

Part 214

Section 214.122

In subsection (b)(1)(B), the Agency originally proposed changing the period at the end of the subparagraph to a semicolon, as the Agency's proposal added additional subparagraphs to subsection (b). This amendment does not appear in the First Notice Version.

Section 214.161

Subsections (c)(5), (c)(6), and (c)(7) do not belong in subsection (c); they regard a different exception than set forth in subsection (c) and should be removed. This error was

addressed in the attachment to the Hearing Officer Order, but since such Order described the subparagraph numbers differently, the Agency wished to clarify.

Section 214.305

In subsection (d)(4)(D), “within 30 days of receipt after a request by the Agency” should instead read “within 30 days after receipt of a request by the Agency.”

Section 214.603

In subsection (c)(5), the Agency proposed an emission limitation of 13.36 lb/hr. The First Notice Version instead sets forth a limit of 13.3 lb/hr. The Agency assumes this was a transcriptional error, and requests that it be corrected.

Section 214.604

In subsection (d), “must comply with the following for each those unit” should instead read “must comply with the following for that unit.”

Part 225

Section 225.265

In subsection (a), the Agency originally proposed inserting a comma after the proposed added text (“or that has permanently ceased combusting coal”) to set the exception apart from the rest of the paragraph and to clarify that the phrase “must fulfill the following requirements” applies to the entire preceding paragraph. The First Notice Version does not contain the comma. The Agency recommends that it be reinserted for clarity.

Section 225.296

In subsection (b), the first sentence regarding the deadline for Will County 3 to cease combustion of coal is new text, but is not underlined in the First Notice Version.

Also in subsection (b), in the third sentence (beginning “Owners or operators of the other specified EGUs”), the phrase “of the other” is underlined as new text; “of” is part of the existing text and should not be underlined.

Section 225.298

In subsection (a), the Agency’s original proposal renumbered the subparagraphs, consistent with its proposed deletion of (a)(1). This change does not appear in the First Notice Version. Subparagraph (a)(3) should be renumbered as (a)(2).

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Dana Vetterhoffer
Assistant Counsel

DATED: July 2, 2015

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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, affirm that I have served the attached ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S COMMENTS REGARDING THE FIRST NOTICE VERSION OF THE PROPOSED RULE upon the following person(s) by e-mailing it to the e-mail address(es) indicated below:

Daniel Robertson, Hearing Officer
Illinois Pollution Control Board
daniel.robertson@illinois.gov

I affirm that my e-mail address is dana.vetterhoffer@illinois.gov; the number of pages in the e-mail transmission is 6; and the e-mail transmission took place today before 5:00 p.m.

I also affirm that I am mailing the attached by first-class mail from Springfield, Illinois, with sufficient postage affixed, to the following persons:

SEE ATTACHED SERVICE LIST

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Dana Vetterhoffer
Assistant Counsel

DATED: July 2, 2015

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P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

Service List R15-21

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