

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR - 4 2002

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)	
)	
AMENDMENTS TO GENERAL)	PCB R02-10
PERMITTING PROVISIONS FOR)	(Rulemaking - Air)
PORTABLE EMISSION UNITS)	
AMENDMENTS TO)	
35 ILL. ADM. CODE PART 201)	

NOTICE

TO: Dorothy Gunn, Clerk
 Illinois Pollution Control Board
 State of Illinois Center
 100 W. Randolph Street, Suite 11-500
 Chicago, Illinois 60601

Stacy Meyers, Hearing Officer
 Illinois Pollution Control Board
 State of Illinois Center
 100 W. Randolph Street, Suite 11-500
 Chicago, Illinois 60601

Sam Lawton, Board Member
 Illinois Pollution Control Board
 State of Illinois Center
 100 W. Randolph Street, Suite 11-500
 Chicago, Illinois 60601

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the ADDENDUM TO TESTIMONY OF HARISH DESAI of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Date: April 2, 2002

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 

Rachel L. Doctors
Assistant Counsel
Division of Legal Counsel

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P.O. Box 19276
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THIS FILING IS SUBMITTED ON
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CLERK'S OFFICE

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
AMENDMENTS TO GENERAL)
PERMITTING PROVISIONS FOR)
PORTABLE EMISSION UNITS) PCB R02-10
AMENDMENTS TO) (Rulemaking–Air)
35 ILL. ADM. CODE PART 201)

Addendum to
Testimony of Harish Desai
Illinois Environmental Protection Agency

Technical Support for Proposed Amendments
to 35 Ill. Adm. Code Part 201
for Certain Portable Emission Units

April 2, 2002

As was testified to at the first hearing, held on March 20, 2002, the Illinois EPA has developed regulations for the permitting of portable emission units to streamline the permitting process for the owner or operator and the Agency. The proposed rule would apply to small portable emission units that change sites at least once per year, meet the applicability requirements for obtaining a lifetime operating permit, are mounted on a chassis or skids and are designed to be moveable, emit less than 25 tons per year of all criteria pollutants, and are not used as a thermal desorption or incinerator systems.

The Pollution Control Board raised two issues at that hearing. The first issue concerned the lack of specificity concerning how far in advance of changing the location of the emission unit that owners or operators are required to notify the Illinois EPA. The Illinois EPA is proposing that Section 201.170(b)(5) be amended as follows:

- 5) At least 3 days prior to moving the emission unit or units to a new site, the owner or operator shall notify the Agency by certified mail. The notification shall include the items listed below, unless the emission unit or units is exempt pursuant to subsection (d) of this Section. (underlined language to be added.)

The second issue concerned whether subsections b, c, or d of Section 201.170 should be amended to include a reference to Section 201.144. No, the Agency does not believe such an amendment is necessary. Section 201.144 requires owners or operators of "existing" emission units to obtain an operating permit prior to the operation of such units. The term "existing emission unit" is defined in Section 201.142 as an emission unit that was constructed or modified prior to April 14, 1972. Hence, if any owner or operator of an emission unit subject to Section 201.144 applied for a portable emission unit permit for that unit, such an application would instead reviewed under Sections 201.142 and 201.143, because the unit would be subject to the new emission unit rules. The "existing" emission unit becomes subject to the new emission unit rules pursuant to Sections 201.142 and 201.143 by virtue of its change in location.

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached Addendum to Testimony of Harish Desai upon the person to whom it is directed, by placing in an envelope addressed to:

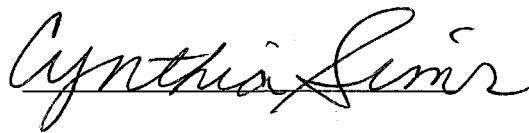
TO: Dorothy Gunn, Clerk
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100 W. Randolph Street, Suite 11-500
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Chicago, Illinois 60601

SEE ATTACHED SERVICE LIST

and mailing it by First Class Mail from Springfield, Illinois on April 2, 2002, with sufficient postage affixed.



SUBSCRIBED AND SWORN TO BEFORE ME

this 2nd day of April, 2002



Notary Public



SERVICE LIST
PBC R 02-10

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