

Board Sends Amendments to Update Air Pollution Control Rules to Second Notice

The Illinois Pollution Control Board, on March 2, 2006, adopted an opinion and order sending to second notice amendments designed to clarify, correct, streamline, and update numerous provisions of the Board's air pollution control rules. The proposed amendments are contained in the consolidated rulemaking dockets R04-20, captioned In the Matter of: Clean-Up Part III Amendments To 35 Ill. Adm. Code Parts 211, 218, and 219, and R04-12, captioned In the Matter of: Technical Corrections to Formulas in 35 Ill. Adm. Code 214 "Sulfur Limitations". Since first-notice publication of the proposed amendments in the *Illinois Register*, the Board received five public comments. At second notice, the Board made several changes to the first-notice proposal. The Joint Committee on Administrative Rules will now consider the amendments proposed for second notice.

By way of background, the Illinois Environmental Protection Agency (IEPA) originally filed the proposal to amend the Board's air pollution control rules on definitions and on volatile organic material (VOM) emissions standards and limitations for the Chicago and Metro East ozone areas. The Board docketed IEPA's proposal as R04-20. Among other things, the amendments adopted by the Board at first and second notice would allow additional protocols for measuring the VOM "capture efficiency" (CE) of various emission control equipment. The proposed changes are designed to increase regulatory flexibility, consistent with United States Environmental Protection Agency requirements. At second notice, the Board further clarified the use of CE protocols in connection with enforcement cases and establishing emission credits. The Board initiated docket R04-12 to correct typographical errors in formulas that appear to have occurred during re-codification of the Illinois Administrative code. The Board at second notice corrected several errors and inconsistencies in the first-notice language of Part 214.

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 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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