

The Board Adopts First Notice Proposal to Amend Its Air Rules

The Pollution Control Board, on June 17, 2010, adopted a first notice proposal to amend the Board's air rules. The Board authorized first-notice publication of the proposal without commenting on the proposal's merits. On April 20, 2010, the Illinois Environmental Protection Agency (IEPA) filed the proposal which is docketed as In the Matter of: 10-Year Federally Enforceable State Operating Permits (FESOP): Amendments to 35 Ill. Adm. Code 201.162 (R10-21).

In the Statement of Reason accompanying the proposal, the IEPA states that this proposal would extend from five-years to 10-years the maximum term that the IEPA could issue a Federally Enforceable State Operating Permit (FESOP). The sole provision of the air rules to be amended is Section 201.162.

The IEPA explains that the amendments are "expected to reduce administrative costs of the permitting process for both the affected sources and the Illinois EPA." The IEPA states that FESOP sources are located throughout the state, and that the proposed rules will affect approximately 800 sources that have applied for or obtained FESOPs. The IEPA explains that it has averaged 61 new FESOP applications each year since the year 2000, and 66 FESOP renewal applications each year over the last ten years. If the proposal is adopted the IEPA may choose to issue a FESOP for a term shorter than ten years for situations in which the source may have been out of compliance.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R10-12, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629

The Board has scheduled hearing on the proposal as follows:

Thursday, July 8, 2010 at 12:00 noon

Wednesday, July 21, 2010 at 1:00 p.m.

JAMES R. THOMPSON CENTER
Room 11-512
100 W. Randolph—Room 11-512
Chicago, IL 60601

IEPA OFFICE BUILDING
Room 1244N, First Floor
1021 N. Grand Avenue East
Springfield, IL 62794

A June 9, 2010 hearing officer order establishes procedures and deadlines for the pre-filing of testimony and comments.

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 for \$.75 per page from the Clerk's office

For more information contact Kathleen Crowley at (312)-814-6929 or email at crowlek@ipcb.state.il.us.