

**RULEMAKING ADDENDUM**  
**TO THE SECOND FIRST-NOTICE OPINION AND ORDER OF THE BOARD**  
Proposed Amendments to 35 Ill. Adm. Code 225

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS FOR STATIONARY  
SOURCES

PART 225  
CONTROL OF EMISSIONS FROM LARGE COMBUSTION SOURCES

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AUTHORITY: Implementing and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27].

SOURCE: Adopted in R06-25 at 31 Ill. Reg. 129, effective December 21, 2006; amended in R06-26 at 31 Ill. Reg. 12864, effective August 31, 2007; amended in R09-10 at 33 Ill. Reg. 10427, effective June 26, 2009; amended in R15-21 at 39 Ill. Reg. 16225, effective December 7, 2015; amended in R18-20 at 43 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART B: CONTROL OF MERCURY EMISSIONS FROM COAL-FIRED ELECTRIC  
GENERATING UNITS

**Section 225.233 Multi-Pollutant Standards (MPS)**

- a) General-
- 1) As an alternative to compliance with the emissions standards of Section 225.230(a), the owner of eligible EGUs may elect for those EGUs to demonstrate compliance pursuant to this Section, which establishes control requirements and standards for emissions of NO<sub>x</sub> and SO<sub>2</sub>, as well as for emissions of mercury.
  - 2) For the purpose of this Section, the following requirements apply:
    - A) An eligible EGU is an EGU that is located in Illinois and which commenced commercial operation on or before December 31, 2004; and
    - B) Ownership of an eligible EGU is determined based on direct ownership, by the holding of a majority interest in a company that owns the EGU or EGUs, or by the common ownership of the company that owns the EGU, whether through a parent-subsidiary relationship, as a sister corporation, or as an affiliated corporation with the same parent corporation, provided that the owner has the right or authority to submit a CAAPP application on behalf of the EGU.
  - 3) The owner of one or more EGUs electing to demonstrate compliance with this Subpart B pursuant to this Section must submit an application for a CAAPP permit modification to the Agency, as provided in Section 225.220, that includes the information specified in subsection (b) ~~of this Section~~ and which clearly states the owner's election to demonstrate compliance pursuant to this Section 225.233.
    - A) If the owner of one or more EGUs elects to demonstrate compliance with this Subpart pursuant to this Section, then all EGUs it owns in Illinois as of July 1, 2006, as defined in subsection (a)(2)(B) ~~of this Section~~, must be thereafter subject to the standards and control requirements of this Section, except as

provided in subsection (a)(3)(B). Such EGUs must be referred to as a Multi-Pollutant Standard (MPS) Group.

- B) Notwithstanding the foregoing, the owner may exclude from an MPS Group any EGU scheduled for permanent shutdown that the owner so designates in its CAAPP application required to be submitted pursuant to subsection (a)(3) ~~of this Section~~, with compliance for such units to be achieved by means of Section 225.235.

4) Notwithstanding any contrary provision in this subsection (a), on and after January 1, 2019:

A) The following EGUs shall be merged into a new MPS Group: Baldwin Units 1, 2, and 3; Coffeen Units 1 and 2; Duck Creek Unit 1; E.D. Edwards Units 2 and 3; Havana Unit 9; Hennepin Units 1 and 2; Joppa Units 1, 2, 3, 4, 5, and 6; and Newton Unit 1. If one or more of the above EGUs are transferred to a different owner, such EGU or EGUs will become a separate MPS Group on and after the date of transfer. For purposes of this Section, "transfer" means sale, conveyance, transfer, or other change in ownership of an EGU; and

B) No other EGUs except for those listed in subsection (a)(4)(A) of this Section are subject to the requirements of this Section.

- 54) When an EGU is subject to the requirements of this Section, the requirements apply to all owners or operators of the EGU.

b) Notice of Intent-

The owner of one or more EGUs that intends to comply with this Subpart B by means of this Section must notify the Agency of its intention by December 31, 2007. The following information must accompany the notification:

- 1) The identification of each EGU that will be complying with this Subpart B by means of the multi-pollutant standards contained in this Section, with evidence that the owner has identified all EGUs that it owned in Illinois as of July 1, 2006 and which commenced commercial operation on or before December 31, 2004;
- 2) If an EGU identified in subsection (b)(1) ~~of this Section~~ is also owned or operated by a person different than the owner submitting the notice of intent, a demonstration that the submitter has the right to commit the EGU or authorization from the responsible official for the EGU accepting the application;

- 3) The Base Emission Rates for the EGUs, with copies of supporting data and calculations;
  - 4) A summary of the current control devices installed and operating on each EGU and identification of the additional control devices that will likely be needed for the each EGU to comply with emission control requirements of this Section, including identification of each EGU in the MPS group that will be addressed by subsection (c)(1)(B) ~~of this Section~~, with information showing that the eligibility criteria for this subsection (b) are satisfied; and
  - 5) Identification of each EGU that is scheduled for permanent shut down, as provided by Section 225.235, which will not be part of the MPS Group and which will not be demonstrating compliance with this Subpart B pursuant to this Section.
- c) Control Technology Requirements for Emissions of Mercury:
- 1) Requirements for EGUs in an MPS Group:
    - A) For each EGU in an MPS Group other than an EGU that is addressed by subsection (c)(1)(B) ~~of this Section~~ for the period beginning July 1, 2009 (or December 31, 2009 for an EGU for which an SO<sub>2</sub> scrubber or fabric filter is being installed to be in operation by December 31, 2009), and ending on December 31, 2014 (or such earlier date that the EGU is subject to the mercury emission standard in subsection (d)(1) ~~of this Section~~) the owner or operator of the EGU must install, to the extent not already installed, and properly operate and maintain one of the following emission control devices:
      - i) A Halogenated Activated Carbon Injection System, complying with the sorbent injection requirements of subsection (c)(2) ~~of this Section~~, except as may be otherwise provided by subsection (c)(4) ~~of this Section~~, and followed by a Cold-Side Electrostatic Precipitator or Fabric Filter; or
      - ii) If the boiler fires bituminous coal, a Selective Catalytic Reduction (SCR) System and an SO<sub>2</sub> Scrubber.
    - B) An owner of an EGU in an MPS Group has two options under this subsection (c). For an MPS Group that contains EGUs smaller than 90 gross MW in capacity, the owner may designate any such EGUs to be not subject to subsection (c)(1)(A) ~~of this Section~~. Or, for an MPS Group that contains EGUs with gross MW capacity of

less than 115 MW, the owner may designate any such EGUs to be not subject to subsection (c)(1)(A) ~~of this Section~~, provided that the aggregate gross MW capacity of the designated EGUs does not exceed 4% of the total gross MW capacity of the MPS Group. For any EGU subject to one of these two options, unless the EGU is subject to the emission standards in subsection (d)(2) ~~of this Section~~, beginning on January 1, 2013, and continuing until such date that the owner or operator of the EGU commits to comply with the mercury emission standard in subsection (d)(2) ~~of this Section~~, the owner or operator of the EGU must install and properly operate and maintain a Halogenated Activated Carbon Injection System that complies with the sorbent injection requirements of subsection (c)(2) ~~of this Section~~, except as may be otherwise provided by subsection (c)(4) ~~of this Section~~, and followed by either a Cold-Side Electrostatic Precipitator or Fabric Filter. The use of a properly installed, operated, and maintained Halogenated Activated Carbon Injection System that meets the sorbent injection requirements of subsection (c)(2) ~~of this Section~~ is defined as the "principal control technique."

- 2) For each EGU for which injection of halogenated activated carbon is required by subsection (c)(1) ~~of this Section~~, the owner or operator of the EGU must inject halogenated activated carbon in an optimum manner, which, except as provided in subsection (c)(4) ~~of this Section~~, is defined as all of the following:
  - A) The use of an injection system designed for effective absorption of mercury, considering the configuration of the EGU and its ductwork;
  - B) The injection of halogenated activated carbon manufactured by Alstom, Norit, or Sorbent Technologies, Calgon Carbon's FLUEPAC CF Plus, or Calgon Carbon's FLUEPAC MC Plus, or the injection of any other halogenated activated carbon or sorbent that the owner or operator of the EGU has demonstrated to have similar or better effectiveness for control of mercury emissions; and
  - C) The injection of sorbent at the following minimum rates, as applicable:
    - i) For an EGU firing subbituminous coal, 5.0 lbs per million actual cubic feet or, for any cyclone-fired EGU that will install a scrubber and baghouse by December 31, 2012, and which already meets an emission rate of 0.020 lbs mercury/GWh gross electrical output or at least 75 percent

reduction of input mercury, 2.5 lbs per million actual cubic feet;

- ii) For an EGU firing bituminous coal, 10.0 lbs per million actual cubic feet for any cyclone-fired EGU that will install a scrubber and baghouse by December 31, 2012, and which already meets an emission rate of 0.020 lb mercury/GWh gross electrical output or at least 75 percent reduction of input mercury, 5.0 lbs per million actual cubic feet;
  - iii) For an EGU firing a blend of subbituminous and bituminous coal, a rate that is the weighted average of the above rates, based on the blend of coal being fired; or
  - iv) A rate or rates set lower by the Agency, in writing, than the rate specified in any of subsections (c)(2)(C)(i), (c)(2)(C)(ii), or (c)(2)(C)(iii) ~~of this Section~~ on a unit-specific basis, provided that the owner or operator of the EGU has demonstrated that such rate or rates are needed so that carbon injection will not increase particulate matter emissions or opacity so as to threaten noncompliance with applicable requirements for particulate matter or opacity.
- D) For the purposes of subsection (c)(2)(C) ~~of this Section~~, the flue gas flow rate shall be the gas flow rate in the stack for all units except for those equipped with activated carbon injection prior to a hot-side electrostatic precipitator; for units equipped with activated carbon injection prior to a hot-side electrostatic precipitator, the flue gas flow rate shall be the gas flow rate at the inlet to the hot-side electrostatic precipitator, which shall be determined as the stack flow rate adjusted through the use of Charles' Law for the differences in gas temperatures in the stack and at the inlet to the electrostatic precipitator ( $V_{esp} = V_{stack} \times T_{esp}/T_{stack}$ , where V = gas flow rate in acf and T = gas temperature in Kelvin or Rankine).
- 3) The owner or operator of an EGU that seeks to operate an EGU with an activated carbon injection rate or rates that are set on a unit-specific basis pursuant to subsection (c)(2)(C)(iv) ~~of this Section~~ must submit an application to the Agency proposing such rate or rates, and must meet the requirements of subsections (c)(3)(A) and (c)(3)(B) ~~of this Section~~, subject to the limitations of subsections (c)(3)(C) and (c)(3)(D) ~~of this Section~~:
- A) The application must be submitted as an application for a new or revised federally enforceable operating permit for the EGU, and it must include a summary of relevant mercury emission data for the EGU, the unit-specific injection rate or rates that are proposed, and



detailed information to support the proposed injection rate or rates;  
and

- B) This application must be submitted no later than the date that activated carbon must first be injected. For example, the owner or operator of an EGU that must inject activated carbon pursuant to subsection (c)(1)(A) ~~of this subsection~~ must apply for unit-specific injection rate or rates by July 1, 2009. Thereafter, the owner or operator of the EGU may supplement its application; and
  - C) Any decision of the Agency denying a permit or granting a permit with conditions that set a lower injection rate or rates may be appealed to the Board pursuant to Section 39 of the Act; and
  - D) The owner or operator of an EGU may operate at the injection rate or rates proposed in its application until a final decision is made on the application, including a final decision on any appeal to the Board.
- 4) During any evaluation of the effectiveness of a listed sorbent, an alternative sorbent, or other technique to control mercury emissions, the owner or operator of an EGU need not comply with the requirements of subsection (c)(2) ~~of this Section~~ for any system needed to carry out the evaluation, as further provided as follows:
- A) The owner or operator of the EGU must conduct the evaluation in accordance with a formal evaluation program submitted to the Agency at least 30 days prior to commencement of the evaluation;
  - B) The duration and scope of the evaluation may not exceed the duration and scope reasonably needed to complete the desired evaluation of the alternative control technique, as initially addressed by the owner or operator in a support document submitted with the evaluation program;
  - C) The owner or operator of the EGU must submit a report to the Agency no later than 30 days after the conclusion of the evaluation that describes the evaluation conducted and which provides the results of the evaluation; and
  - D) If the evaluation of the alternative control technique shows less effective control of mercury emissions from the EGU than was achieved with the principal control technique, the owner or operator of the EGU must resume use of the principal control technique. If the evaluation of the alternative control technique shows comparable effectiveness to the principal control technique, the owner or operator of the EGU may either continue to use the alternative control technique in a manner that is at least as effective

as the principal control technique, or it may resume use of the principal control technique. If the evaluation of the alternative control technique shows more effective control of mercury emissions than the control technique, the owner or operator of the EGU must continue to use the alternative control technique in a manner that is more effective than the principal control technique, so long as it continues to be subject to this subsection (c).

- 5) In addition to complying with the applicable recordkeeping and monitoring requirements in Sections 225.240 through 225.290, the owner or operator of an EGU that elects to comply with this Subpart B by means of this Section must also comply with the following additional requirements:
  - A) For the first 36 months that injection of sorbent is required, it must maintain records of the usage of sorbent, the flue gas flow rate from the EGU (and, if the unit is equipped with activated carbon injection prior to a hot-side electrostatic precipitator, flue gas temperature at the inlet of the hot-side electrostatic precipitator and in the stack), and the sorbent feed rate, in pounds per million actual cubic feet of flue gas, on a weekly average;
  - B) After the first 36 months that injection of sorbent is required, it must monitor activated sorbent feed rate to the EGU, gas flow rate in the stack, and, if the unit is equipped with activated carbon injection prior to a hot-side electrostatic precipitator, flue gas temperature at the inlet of the hot-side electrostatic precipitator and in the stack. It must automatically record this data and the sorbent carbon feed rate, in pounds per million actual cubic feet of flue gas, on an hourly average; and
  - C) If a blend of bituminous and subbituminous coal is fired in the EGU, it must keep records of the amount of each type of coal burned and the required injection rate for injection of activated carbon, on a weekly basis.
- 6) Until June 30, 2012, as an alternative to the CEMS or excepted monitoring system (sorbent trap system) monitoring, recordkeeping, and reporting requirements in Sections 225.240 through 225.290, the owner or operator of an EGU may elect to comply with the emissions testing, monitoring, recordkeeping, and reporting requirements in Section 225.239(c), (d), (e), (f)(1) and (2), (h)(2), (i)(3) and (4), and (j)(1).
- 7) In addition to complying with the applicable reporting requirements in Sections 225.240 through 225.290, the owner or operator of an EGU that elects to comply with this Subpart B by means of this Section must also

submit quarterly reports for the recordkeeping and monitoring conducted pursuant to subsection (c)(5) of this Section.

- d) Emission Standards for Mercury~~=~~
- 1) For each EGU in an MPS Group that is not addressed by subsection (c)(1)(B) ~~of this Section~~, beginning January 1, 2015 (or such earlier date when the owner or operator of the EGU notifies the Agency that it will comply with these standards) and continuing thereafter, the owner or operator of the EGU must comply with one of the following standards on a rolling 12-month basis:
    - A) An emission standard of 0.0080 lb mercury/GWh gross electrical output; or
    - B) A minimum 90-percent reduction of input mercury.
  - 2) For each EGU in an MPS Group that has been addressed under subsection (c)(1)(B) ~~of this Section~~, beginning on the date when the owner or operator of the EGU notifies the Agency that it will comply with these standards and continuing thereafter, the owner or operator of the EGU must comply with one of the following standards on a rolling 12-month basis:
    - A) An emission standard of 0.0080 lb mercury/GWh gross electrical output; or
    - B) A minimum 90-percent reduction of input mercury.
  - 3) Compliance with the mercury emission standard or reduction requirement of this subsection (d) must be calculated in accordance with Section 225.230(a) or (d), or Section 225.232 until December 31, 2013.
  - 4) Until June 30, 2012, as an alternative to demonstrating compliance with the emissions standards in this subsection (d), the owner or operator of an EGU may elect to comply with the emissions testing requirements in Section 225.239(a)(4), (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Subpart.
- e) Emission Standards for NO<sub>x</sub> and SO<sub>2</sub>~~=~~
- 1) NO<sub>x</sub> Emission Standards~~=~~
    - A) Beginning in calendar year 2012 and continuing through calendar year 2018~~in each calendar thereafter~~, for the EGUs in each MPS Group, the owner and operator of the EGUs must comply with an

overall ~~NO<sub>x</sub>~~ annual emission rate of no more than 0.11 lb/million Btu or an emission rate equivalent to 52 percent of the Base Annual Rate of NO<sub>x</sub> emissions, whichever is more stringent.

- B) Beginning in the 2012 ozone season and continuing through the 2018~~in each ozone season thereafter~~, for the EGUs in each MPS Group, the owner and operator of the EGUs must comply with an overall NO<sub>x</sub> seasonal emission rate of no more than 0.11 lb/million Btu or an emission rate equivalent to 80 percent of the Base Seasonal Rate of NO<sub>x</sub> emissions, whichever is more stringent.
- C) Except as otherwise provided in subsections (f), (g), and (h) beginning in calendar year 2019 and continuing in each calendar year thereafter, the owner and operator of the EGUs in an MPS Group must not cause or allow to be discharged into the atmosphere combined annual NO<sub>x</sub> emissions in excess of 22,469 tons from all EGUs.
- D) Except as otherwise provided in subsection (f), (g), and (h) beginning in the year 2019 and continuing in each year thereafter, from May 1 to September 30 the owner and operator of the EGUs in an MPS Group must not cause or allow to be discharged into the atmosphere combined NO<sub>x</sub> emissions in excess of 11,500 tons from all EGUs.
- E) On and after January 1, 2019, the owner and operator of any of Baldwin Units 1 and 2, Coffeen Units 1 and 2, Duck Creek Unit 1, E.D. Edwards Unit 3, and Havana Unit 9 must comply with the following:
- i) Operate each existing selective catalytic reduction (SCR) control system on each EGU in accordance with good operating practices and at all times when the unit it serves is in operation, provided that such operation of the SCR control system is consistent with the technological limitations, manufacturers' specifications, and good engineering and maintenance practices for the SCR control system. During any such period in which the SCR is not operational, the owner and operator must minimize emissions to the extent reasonably practicable. All NO<sub>x</sub> emissions from each EGU, regardless of whether the SCR is operational or non-operational, must be included in determining compliance with the emission standards set forth under subsections (e)(1)(C), (e)(1)(D), and (f)(1), (g)(1), and (h)(1) as applicable.

- ii) From May 1 through September 30, comply with a combined NO<sub>x</sub> average emission rate of no more than 0.10 lb/mmBtu. Averaging is only allowed among EGUs in the same MPS Group.

2) SO<sub>2</sub> Emission Standards-

- A) Beginning in calendar year 2013 and continuing in calendar year 2014, for the EGUs in each MPS Group, the owner and operator of the EGUs must comply with an overall SO<sub>2</sub> annual emission rate of 0.33 lb/million Btu or a rate equivalent to 44 percent of the Base Rate of SO<sub>2</sub> emissions, whichever is more stringent.
- B) Beginning in calendar year 2015 and continuing through calendar year 2018~~in each calendar year thereafter~~, for the EGUs in each MPS Group~~ing~~, the owner and operator of the EGUs must comply with an overall annual emission rate for SO<sub>2</sub> of 0.25 lbs/million Btu or a rate equivalent to 35 percent of the Base Rate of SO<sub>2</sub> emissions, whichever is more stringent.
- C) Except as otherwise provided in subsection (f), (g), and (h) beginning in calendar year 2019 and continuing in each calendar year thereafter, the owner and operator of the EGUs in an MPS Group must not cause or allow to be discharged into the atmosphere combined annual SO<sub>2</sub> emissions in excess of 44,920 tons from all EGUs.
- D) Beginning in calendar year 2019 and continuing in each calendar year thereafter, the owner and operator of Joppa Units 1, 2, 3, 4, 5, and 6 must not cause or allow to be discharged into the atmosphere combined annual SO<sub>2</sub> emissions in excess of 19,860 tons from such EGUs.

3) ~~Ameren MPS Group Multi-Pollutant Standard~~

- A) ~~Notwithstanding the provisions of subsections (e)(1) and (2) of this Section, this subsection (e)(3) applies to the Ameren MPS Group as described in the notice of intent submitted by Ameren Energy Resources in accordance with subsection (b) of this Section.~~
- B) ~~NO<sub>x</sub> Emission Standards-~~
  - i) ~~Beginning in the 2010 ozone season and continuing in each ozone season thereafter, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall NO<sub>x</sub> seasonal emission rate of no~~

more than 0.11 lb/million Btu.

- ii) Beginning in calendar year 2010 and continuing in calendar year 2011, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall NO<sub>x</sub> annual emission rate of no more than 0.14 lb/million Btu.
- iii) Beginning in calendar year 2012 and continuing in each calendar year thereafter, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall NO<sub>x</sub> annual emission rate of no more than 0.11 lb/million Btu.

⊖) ~~SO<sub>2</sub> Emission Standards~~

- i) ~~Beginning in calendar year 2010 and continuing in each calendar year through 2013, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall SO<sub>2</sub> annual emission rate of 0.50 lb/million Btu.~~
- ii) ~~In calendar year 2014, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall SO<sub>2</sub> annual emission rate of 0.43 lb/million Btu.~~
- iii) ~~Beginning in calendar year 2015 and continuing in calendar year 2016, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall SO<sub>2</sub> annual emission rate of 0.25 lb/million Btu.~~
- iv) ~~Beginning in calendar year 2017 and continuing in each calendar year thereafter, for the EGUs in the Ameren MPS Group, the owner and operator of the EGUs must comply with an overall SO<sub>2</sub> annual emission rate of 0.23 lb /million Btu.~~

- 4) ~~Compliance with the NO<sub>x</sub> and SO<sub>2</sub> emission standards must be demonstrated in accordance with Sections 225.310, 225.410, and 225.510. The owner or operator of EGUs must complete the demonstration of compliance before March 1 of the following year for annual standards and before November 1 for seasonal standards, by which date a compliance report must be submitted to the Agency.~~

f) Transfer of EGUs in an MPS Group

- 1) If EGUs in an MPS Group are transferred to a different owner:
  - A) For the MPS Group from which EGUs are transferred: The combined emissions limitations for the MPS Group set forth in this Section, as applicable, must be adjusted by subtracting from those limitations the applicable allocation amounts set forth in Columns A, B, and C in subsection (f)(2) that are attributable to the transferred EGUs. The owner and operator of the MPS Group must comply with the adjusted emissions limitations beginning with the year in which the transfer occurs.
  - B) For a new MPS Group consisting of the acquired EGUs:
    - i) The owner and operator of the EGUs in an MPS Group must not cause or allow to be discharged into the atmosphere combined annual NO<sub>x</sub> emissions in excess of the applicable annual NO<sub>x</sub> limitation from all EGUs. The applicable annual NO<sub>x</sub> limitation shall be the sum of the allocation amounts attributable to all EGUs in the MPS Group set forth in Column A of subsection (f)(2).
    - ii) From May 1 through September 30, the owner and operator of the EGUs in an MPS Group must not cause or allow to be discharged into the atmosphere combined NO<sub>x</sub> emissions in excess of the applicable seasonal NO<sub>x</sub> limitation from all EGUs. The applicable seasonal NO<sub>x</sub> limitation shall be the sum of the allocation amounts attributable to all EGUs in the MPS Group set forth in Column B of subsection (f)(2).
    - iii) The owner and operator of the EGUs in an MPS Group must not cause or allow to be discharged into the atmosphere combined annual SO<sub>2</sub> emissions in excess of the applicable annual SO<sub>2</sub> limitation from all EGUs. The applicable annual SO<sub>2</sub> limitation shall be the sum of the unit allocation amounts attributable to all EGUs in the MPS Group set forth in Column C of subsection (f)(2).
    - iv) Notwithstanding subsections (f)(1)(B)(i) through (iii), if all the EGUs set forth under subsection (a)(4)(A) are transferred to the same owner on the same date, the owner and operator of the EGUs in the new MPS Group must comply with the emission limitations under subsection (e); the allocation amounts in subsection (f)(2) shall not apply.
  - C) The owner and operator of the EGUs as of the last day of the

applicable compliance period must demonstrate compliance with the emission standards of this Section for the entire applicable compliance period. In determining compliance, such owner and operator must include in their calculations emissions from the EGUs for the entire applicable compliance period; the prior owner and operator shall not include in their calculations emissions from the EGUs for the applicable compliance period.

D) Nothing in this subsection (f) shall be construed to relieve owners and operators of EGUs in an MPS Group from any of the other requirements set forth in this Section, including the mercury standards under subsection (d).

2) Allocation Amounts in the Event of Transfer of EGUs

		<u>Column A</u> <u>NO<sub>x</sub></u> <u>Allocation</u> <u>Amount</u> <u>(TPY) in the</u> <u>Event of</u> <u>Transfer</u>	<u>Column B.</u> <u>NO<sub>x</sub></u> <u>Allocation</u> <u>Amount (May</u> <u>1 through Sept</u> <u>30 Tons) in</u> <u>the Event of</u> <u>Transfer</u>	<u>Column C.</u> <u>SO<sub>2</sub></u> <u>Allocation</u> <u>Amount</u> <u>(TPY) in</u> <u>the Event</u> <u>of Transfer</u>
<u>A)</u>	<u>Baldwin</u>	<u>5,400</u>	<u>2,700</u>	<u>4,900</u>
<u>B)</u>	<u>Havana</u>	<u>1,620</u>	<u>810</u>	<u>1,225</u>
<u>C)</u>	<u>Hennepin</u>	<u>1,350</u>	<u>675</u>	<u>4,900</u>
<u>D)</u>	<u>Coffeen</u>	<u>1,800</u>	<u>900</u>	<u>200</u>
<u>E)</u>	<u>Duck Creek</u>	<u>1,260</u>	<u>630</u>	<u>200</u>
<u>F)</u>	<u>Edwards</u>	<u>2,700</u>	<u>1,350</u>	<u>8,200</u>
<u>G)</u>	<u>Joppa</u>	<u>4,680</u>	<u>2,340</u>	<u>14,700</u>
<u>H)</u>	<u>Newton</u>	<u>2,430</u>	<u>1,215</u>	<u>8,200</u>

3) If EGUs in an MPS Group are transferred to a different owner:

A) The transferring owner must notify the Agency's Bureau of Air, Compliance Section, in writing within seven days after the date of transfer. The notification must include the following information:



- i) Name and address of the transferring owner and operator;
  - ii) List of the EGUs transferred;
  - iii) For the remaining EGUs in the MPS Group, calculations pursuant to subsection (f)(1)(A) demonstrating the adjusted combined annual NO<sub>x</sub> emissions limitation, the adjusted combined NO<sub>x</sub> emissions limitation from May 1 through September 30, and the adjusted combined annual SO<sub>2</sub> emissions limitation that are applicable to the MPS Group;
  - iv) Name and address of the new owner and operator; and
  - v) Date of transfer.
- B) The acquiring owner must notify the Agency's Bureau of Air, Compliance Section, in writing within seven days after the date of transfer. The notification must include the following information:
- i) Name and address of the acquiring owner and operator;
  - ii) Name and address of the transferring owner and operator;
  - iii) List of the EGUs acquired;
  - iv) Calculations pursuant to subsection (f)(1)(B) demonstrating the combined annual NO<sub>x</sub> emissions limitation, the combined NO<sub>x</sub> emissions limitation from May 1 through September 30, and the combined annual SO<sub>2</sub> emissions limitation that are applicable to the acquiring owner and operator's MPS Group; and
  - v) Date of transfer.
- g) Permanent Shutdown of EGUs in an MPS Group
- 1) If one or more EGUs in an MPS Group are permanently shut down:
    - A) Such EGU or EGUs are no longer part of an MPS Group and no longer subject to the requirements of this Section.
    - B) The combined emissions limitations for the MPS Group set forth in this Section, as applicable, must be adjusted by subtracting from those limitations the applicable allocation amounts set forth in Columns A, B, and C in subsection (g)(2) that are attributable to the shutdown EGU or EGUs. The owner and operator of the MPS

Group must comply with the adjusted emissions limitations, beginning with the compliance period or periods during which the permanent shutdown occurs. For the purposes of this Section, “permanent shutdown” occurs on the date the owner or operator of the EGUs submits a written request to the Agency to modify its operating permit to reflect the shutdown of the EGU or EGUs, or to withdraw the permit for the source.

C) Nothing in this subsection (g) shall be construed to relieve owners and operators of EGUs in an MPS Group from any of the other requirements set forth in this Section, including the mercury standards under subsection (d).

2) Allocation Amounts in the Event of Shutdown of EGUs

	<u>Column A.</u> <u>NO<sub>x</sub></u> <u>Allocation</u> <u>Amount</u> <u>(TPY) for</u> <u>Shutdown</u>	<u>Column B.</u> <u>NO<sub>x</sub></u> <u>Allocation</u> <u>Amount (May</u> <u>1 through Sept 30</u> <u>Tons) for</u> <u>Shutdown</u>	<u>Column C.</u> <u>SO<sub>2</sub></u> <u>Allocation</u> <u>Amount</u> <u>(TPY) for</u> <u>Shutdown</u>
A) <u>Baldwin 1</u>	<u>1,850</u>	<u>920</u>	<u>1,680</u>
B) <u>Baldwin 2</u>	<u>1,710</u>	<u>860</u>	<u>1,560</u>
C) <u>Baldwin 3</u>	<u>1,840</u>	<u>920</u>	<u>1,660</u>
D) <u>Havana 9</u>	<u>1,620</u>	<u>800</u>	<u>1,225</u>
E) <u>Hennepin 1</u>	<u>320</u>	<u>160</u>	<u>1,180</u>
F) <u>Hennepin 2</u>	<u>1,030</u>	<u>500</u>	<u>3,720</u>
G) <u>Coffeen 1</u>	<u>670</u>	<u>340</u>	<u>80</u>
H) <u>Coffeen 2</u>	<u>1,130</u>	<u>560</u>	<u>120</u>
I) <u>Duck Creek 1</u>	<u>1,260</u>	<u>640</u>	<u>200</u>
J) <u>Edwards 2</u>	<u>1,130</u>	<u>560</u>	<u>3,440</u>
K) <u>Edwards 3</u>	<u>1,570</u>	<u>780</u>	<u>4,760</u>

<u>L) Joppa 1</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>M) Joppa2</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>N) Joppa 3</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>O) Joppa 4</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>P) Joppa 5</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>Q) Joppa 6</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>R) Newton 1</u>	<u>2,430</u>	<u>1,220</u>	<u>8,200</u>

3) If one or more EGUs in an MPS Group are permanently shut down, the owner must notify the Agency's Bureau of Air, Compliance Section, in writing within seven days after the date of shutdown. Such notification must include the following information:

A) Name and address of the owner and operator;

B) List of the EGUs permanently shut down;

C) For the remaining EGUs in the MPS Group, calculations pursuant to subsection (g)(1)(B) demonstrating the adjusted combined annual NO<sub>x</sub> emissions limitation, the adjusted combined NO<sub>x</sub> emissions limitation from May 1 through September 30, and the adjusted combined annual SO<sub>2</sub> emissions limitation that are applicable to the MPS Group; and

D) Date of permanent shutdown.

h) Temporary shutdown of EGUs in an MPS Group

1) If one or more EGUs in an MPS Group are temporarily shut down over an entire compliance period or periods:

A) The combined emissions limitations for the MPS Group set forth in this Section, as applicable must be adjusted by subtracting from those limitations the applicable allocation amounts set forth in Columns A, B, and C in subsection (h)(2) that are attributable to the temporary shutdown EGU or EGUs.

B) The owner and operator of the MPS Group must comply with the adjusted emissions limitations, beginning with the compliance

period or periods during which the temporary shutdown occurs. The adjusted emissions limitations will no longer apply, if the EGU or EGUs resume operation.

- C) Nothing in this subsection (h) shall be construed to relieve owners and operators of EGUs in an MPS Group from any of the other requirements set forth in this Section, including the mercury standards under subsection (d).

2) Allocation amounts in the event of temporary shutdown of EGUs:

	<u>Column A.</u> <u>NO<sub>x</sub></u> <u>Allocation</u> <u>Amount</u> <u>(TPY) for</u> <u>Temporary</u> <u>Shutdown</u>	<u>Column B.</u> <u>NO<sub>x</sub></u> <u>Allocation</u> <u>Amount (May</u> <u>1 through Sept 30</u> <u>Tons) for</u> <u>Temporary</u> <u>Shutdown</u>	<u>Column C.</u> <u>SO<sub>2</sub></u> <u>Allocation</u> <u>Amount</u> <u>(TPY) for</u> <u>Temporary of</u> <u>Shutdown</u>
<u>A) Baldwin 1</u>	<u>1,850</u>	<u>920</u>	<u>1,680</u>
<u>B) Baldwin 2</u>	<u>1,710</u>	<u>860</u>	<u>1,560</u>
<u>C) Baldwin 3</u>	<u>1,840</u>	<u>920</u>	<u>1,660</u>
<u>D) Havana 9</u>	<u>1,620</u>	<u>800</u>	<u>1,225</u>
<u>E) Hennepin 1</u>	<u>320</u>	<u>160</u>	<u>1,180</u>
<u>F) Hennepin 2</u>	<u>1,030</u>	<u>500</u>	<u>3,720</u>
<u>G) Coffeen 1</u>	<u>670</u>	<u>340</u>	<u>80</u>
<u>H) Coffeen 2</u>	<u>1,130</u>	<u>560</u>	<u>120</u>
<u>I) Duck Creek 1</u>	<u>1,260</u>	<u>640</u>	<u>200</u>
<u>J) Edwards 2</u>	<u>1,130</u>	<u>560</u>	<u>3,440</u>
<u>K) Edwards 3</u>	<u>1,570</u>	<u>780</u>	<u>4,760</u>
<u>L) Joppa 1</u>	<u>780</u>	<u>390</u>	<u>2,450</u>

<u>M) Joppa2</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>N) Joppa 3</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>O) Joppa 4</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>P) Joppa 5</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>Q) Joppa 6</u>	<u>780</u>	<u>390</u>	<u>2,450</u>
<u>R) Newton 1</u>	<u>2,430</u>	<u>1,220</u>	<u>8,200</u>

3) If one or more EGUs in an MPS Group are temporarily shut down over an entire compliance period, the owner or operator must notify the Agency's Bureau of Air, Compliance Section in writing within seven days after the start date of shutdown. Such notification must include the following information:

- A) Name and address of the owner and operator;
- B) List of the EGUs temporarily shut down;
- C) For the remaining EGUs in the MPS Group, calculations pursuant to subsection (g)(1)(B) demonstrating the adjusted combined annual NO<sub>x</sub> emissions limitation, the adjusted combined NO<sub>x</sub> emissions limitation from May 1 through September 30, and the adjusted combined annual SO<sub>2</sub> emissions limitation that are applicable to the MPS Group during the temporary shutdown of one or more EGUs; and
- D) Start date and duration of temporary shutdown.

~~i)g)~~ Requirements for NO<sub>x</sub> and SO<sub>2</sub> Allowances.

- 1) The owner or operator of EGUs in an MPS Group must not sell or trade to any person or otherwise exchange with or give to any person NO<sub>x</sub> allowances allocated to the EGUs in the MPS Group for vintage years 2012 and beyond that would otherwise be available for sale, trade, or exchange as a result of actions taken to comply with the standards in subsection (e) ~~of this Section~~. Such allowances that are not retired for compliance must be surrendered to the Agency on an annual basis, beginning in calendar year 2013. This provision does not apply to the use, sale, exchange, gift, or trade of allowances among the EGUs in an MPS Group.

- 2) The owners or operators of EGUs in an MPS Group must not sell or trade to any person or otherwise exchange with or give to any person SO<sub>2</sub> allowances allocated to the EGUs in the MPS Group for vintage years 2013 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the standards in subsection (e) ~~of this Section~~. Such allowances that are not retired for compliance, or otherwise surrendered pursuant to a consent decree to which the State of Illinois is a party, must be surrendered to the Agency on an annual basis, beginning in calendar year 2014. This provision does not apply to the use, sale, exchange, gift, or trade of allowances among the EGUs in an MPS Group.
- 3) The provisions of this subsection ~~(i)(f)~~ do not restrict or inhibit the sale or trading of allowances that become available from one or more EGUs in a MPS Group as a result of holding allowances that represent over-compliance with the NO<sub>x</sub> or SO<sub>2</sub> standard in subsection (e) ~~of this Section~~, once such a standard becomes effective, whether such over-compliance results from control equipment, fuel changes, changes in the method of operation, unit shut downs, or other reasons.
- 4) For purposes of this subsection ~~(i)(f)~~, NO<sub>x</sub> and SO<sub>2</sub> allowances mean allowances necessary for compliance with Sections 225.310, 225.410, or 225.510, 40 CFR 72, or Subparts AA and AAAA of 40 CFR 96, or any future federal NO<sub>x</sub> or SO<sub>2</sub> emissions trading programs that modify or replace these programs. This Section does not prohibit the owner or operator of EGUs in an MPS Group from purchasing or otherwise obtaining allowances from other sources as allowed by law for purposes of complying with federal or state requirements, except as specifically set forth in this Section.
- 5) By March 1, 2010, and continuing each year thereafter, the owner or operator of EGUs in an MPS Group must submit a report to the Agency that demonstrates compliance with the requirements of this subsection ~~(i)(f)~~ for the previous calendar year, and which includes identification of any allowances that have been surrendered to the USEPA or to the Agency and any allowances that were sold, gifted, used, exchanged, or traded because they became available due to over-compliance. All allowances that are required to be surrendered must be surrendered by August 31, unless USEPA has not yet deducted the allowances from the previous year. A final report will be submitted to the Agency by August 31 of each year, verifying that the actions described in the initial report have taken place or, if such actions have not taken place, an explanation of all changes that have occurred and the reasons for such changes. If USEPA has not deducted the allowances from the previous year by August 31, the final report will be due, and all allowances required to be surrendered must be surrendered, within 30 days after such deduction occurs.

g) ~~Notwithstanding 35 Ill. Adm. Code 201.146(hhh), until an EGU has complied with the applicable emission standards of subsections (d) and (e) of this Section for 12 months, the owner or operator of the EGU must obtain a construction permit for any new or modified air pollution control equipment that it proposes to construct for control of emissions of mercury, NO<sub>x</sub>, or SO<sub>2</sub>.~~

j) Recordkeeping

On and after January 1, 2019, and continuing each year thereafter, the owner and operator of the EGUs in an MPS Group must keep and maintain all records necessary to demonstrate compliance with this Section, including but not limited to those listed in subsections (j)(1) and (j)(2). Copies of such records must be kept at the source and maintained for at least five years from the date the document is created and must be submitted by the owner and operator to the Agency within 30 days after receipt of a written request by the Agency.

- 1) All emissions monitoring information gathered in accordance with 40 CFR 75.
- 2) Copies of all reports and compliance certifications required under subsection (k) of this Section.

k) Reporting

- 1) Prior to January 1, 2019, compliance with the NO<sub>x</sub> and SO<sub>2</sub> emission standards must be demonstrated in accordance with Sections 225.310, 225.410, and 225.510. The owner or operator of EGUs must complete the demonstration of compliance before March 1 of the following year for annual standards and before November 1 for seasonal standards, by which date a compliance report must be submitted to the Agency.
- 2) On and after January 1, 2019, and continuing each year thereafter, the owner and operator of the EGUs in an MPS Group must demonstrate compliance with the applicable requirements set forth in this subsection (k)(2).
  - A) Beginning in 2020, and continuing each year thereafter, the owner and operator of EGUs in an MPS Group must submit to the Agency's Bureau of Air, Compliance Section, a report demonstrating compliance with the annual emissions standards under subsections (e)(1)(C), (e)(2)(C), (e)(2)(D), and (f)(1), as applicable, and with the requirements under subsection (e)(1)(E)(i), as applicable, on or before March 1 of each year. The compliance report must include the following for the preceding calendar year:

- i) Actual emissions of each pollutant, expressed in tons, for each individual EGU in the MPS Group.
- ii) Combined actual emissions of each pollutant, expressed in tons, for all EGUs in the MPS Group.
- iii) Combined actual emissions of SO<sub>2</sub>, expressed in tons, for all Joppa EGUs.
- iv) A statement indicating whether each existing SCR control system on Baldwin Units 1 and 2, Coffeen Units 1 and 2, Duck Creek Unit 1, E.D. Edwards Unit 3, and Havana Unit 9 was operated in accordance with good operating practices and at all times when the unit it serves was in operation, consistent with the technological limitations, manufacturers' specifications, and good engineering and maintenance practices for the SCR control system.
- v) A statement indicating whether the EGUs in an MPS Group were operated in compliance with the requirements of this Section.
- vi) A certification by a responsible official that states the following:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- B) By November 1 of each year, the owner and operator of EGUs in an MPS Group must submit to the Agency's Bureau of Air, Compliance Section, a report demonstrating compliance with the seasonal emissions standards under subsections (e)(1)(D), (e)(1)(E)(ii), and (f)(1), as applicable. The compliance report must include the following for the preceding May 1 through September 30:



- i) Actual emissions of NO<sub>x</sub>, expressed in tons, for each individual EGU in the MPS Group.
- ii) Combined actual emissions of NO<sub>x</sub>, expressed in tons, of all EGUs in the MPS Group.
- iii) NO<sub>x</sub> average emission rate (lbs/mmBtu) for each of Baldwin Units 1 and 2; Coffeen Units 1 and 2; Duck Creek Unit 1; E.D. Edwards Unit 3; and Havana Unit 9, as applicable.
- iv) Combined NO<sub>x</sub> average emission rate (lbs/mmBtu) for Baldwin Units 1 and 2; Coffeen Units 1 and 2; Duck Creek Unit 1; E.D. Edwards Unit 3; and Havana Unit 9, as applicable under subsection (e)(1)(E)(ii).
- v) A statement indicating whether the EGUs in an MPS Group were operated in compliance with the requirements of this Section.
- vi) A certification by a responsible official that states the following:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- 3) For each EGU in an MPS Group, the owner or operator must notify the Agency of deviations from any of the requirements of this Section within 30 days after discovery of the deviations. At a minimum, these notifications must include a description of the deviations, a discussion of the possible cause of the deviations, and a description of any corrective actions and preventative measures taken.
- 4) Within 30 days after the beginning of a period during which the SCR control system on any of Baldwin Unit 1, Baldwin Unit 2, Coffeen Unit 1, Coffeen Unit 2, Duck Creek Unit 1, E.D. Edwards Unit 3, or Havana Unit 9 is not operated when the EGU it serves is in operation, the owner and

operator must notify the Agency's Bureau of Air, Compliance Section, in writing. This notification must include, at a minimum, a description of why the SCR control system was not operated, the time frames during which the SCR control system was not operated, and the steps taken to minimize emissions during those time frames.

(Source: Amended at 42 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)