

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
AMENDMENTS TO 35 ILL. ADM. CODE )  
PART 214, SULFUR LIMITATIONS, PART ) R 15-21  
217, NITROGEN OXIDES EMISSIONS, ) (Rulemaking-Air)  
AND PART 225, CONTROL OF EMISSIONS )  
FROM LARGE COMBUSTION SOURCES )

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Daniel L. Robertson
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601

Please take notice that on the 24th day of July 2015, I have filed with the Office of the Clerk of the Pollution Control Board the Pre-filed Questions on behalf of Sierra Club and Environmental Law & Policy Center. Copies of the documents are attached hereto and served upon the persons listed on the attached service list.

Respectfully submitted,

By: /s/ Faith Bugel

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**SIERRA CLUB'S AND ENVIRONMENTAL LAW AND POLICY CENTER'S  
PRE-FILED QUESTIONS**

1. IEPA Modeling, Culpability Spreadsheets: "Lemont Nonattainment Area," and "Pekin Nonattainment Area" (December 11, 2014).
  - a. IEPA's modeling contained in its spreadsheet "Lemont Nonattainment Area," includes modeling of emission sources for which a 90% to more than 99% reduction in SO<sub>2</sub> from current allowables would be required to be consistent with the modeling results.<sup>1</sup>
    - i. How does IEPA project that those sources will achieve a 90% to more than 99% reduction in SO<sub>2</sub>?
    - ii. Does IEPA expect those sources to achieve that merely through the use of low-sulfur fuels per Sections 214.121-122, 214.161-162, 214.201, 214.301, and 214.421?
  - b. The modeled emission rate for NRG/Midwest Generation Will County is lower than its current permit limit for SO<sub>2</sub>.
    - i. Does the modeled emission rate assume any emission reductions from Will County Unit 4?
    - ii. Is the modeled emission rate higher than the actual emission rate that Will County Unit 4 is achieving in recent months?
    - iii. What is IEPA's basis for IEPA's requiring a 90-99+% reduction of hundreds of sources in the Lemont nonattainment area but no reduction from Will County 4, one of the largest sources of SO<sub>2</sub> in the nonattainment area? Can IEPA explain how that is equitable?
    - iv. How did IEPA select the amount by which the affected sources will be required to reduce their emissions?

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<sup>1</sup> See the testimony of Ranajit (Ron) Sahu submitted on July 24, 2015, Table C, for the comparison of modeled emissions to current allowables.

- c. Under existing state law, Will County Unit 4 would be required to install flue gas desulfurization technology to control sulfur dioxide emissions. This proposed rule-making would eliminate that requirement. Given that Will County Unit 4 will not have to reduce its actual emissions under this proposed rule-making (see testimony of Ron Sahu), did IEPA determine how much higher Will County Unit 4's emissions would be under this proposed rule-making than the already existing law? If IEPA did not determine how much higher emissions would be, why not?
- d. How will IEPA respond if errors are discovered in IEPA's modeling during the attainment demonstration proceeding that follows this rule making?
  - i. Is there an avenue by which this rule could be reopened if errors in the modeling are discovered?
- e. Did IEPA account for SO<sub>2</sub> exceedances as a result of startup, shutdown, or malfunction in its modeling?
  - i. If not, why not?
  - ii. If not, is this consistent with permits that allow excess emissions (or an affirmative defense for excess emissions) during startup, malfunction or breakdown?

2. Section 214.603

- a. How are the SO<sub>2</sub> emissions reductions required by the Section 214.603 emission limit for the Powerton plant going to be achieved?
- b. Does IEPA know of additional pollution control installation projects planned for Powerton?
- c. If so, what are they?
- d. If so, does IEPA know of the emissions reductions projected for those pollution control projects?
- e. If so, what are they?
- f. How did IEPA select the amount by which the sources subject to Section 214.603 are required to reduce their emissions?

3. Enforceability

- a. For sources where SO<sub>2</sub> emissions reductions from current actual emissions or current allowable emissions were modeled, if those sources do not have emissions limits specified in Section 214.603, will those sources be receiving a permit with an enforceable limit expressed in lbs/hour of SO<sub>2</sub>?
- b. If so, how will that permit limit compare to the modeled limit?
- c. If not, why not?
- d. And if not, how will the modeled limit for those sources be enforceable?
- e. If those sources do not have CEMS for SO<sub>2</sub>, how will IEPA verify that the modeled emissions rates required to achieve attainment have been met?

4. In response to IPCB questions, IEPA stated “Variation in emissions at the Powerton unit, based on the unit type and the control equipment used, can make compliance with an hourly limit difficult.” Illinois Environmental Protection Agency’s Responses to Board’s Pre-Filed Questions, at 10 (July 7, 2015).

- a. Is the referred to control equipment DSI? Where any additional “control equipment” considered in this statement?
- b. How does the use of DSI create the need for a thirty-day average for Powerton?
- c. If use of DSI at Powerton creates the need for an averaging period longer than one hour, is there a reason that an averaging period longer than one hour but shorter than thirty days could not be used?

DATED: July 24, 2015.

Respectfully submitted,

By: /s/ Faith Bugel

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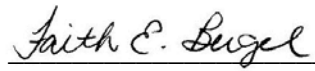


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Dated: July 24, 2015



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