



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1385

Introduced 2/9/2005, by Rep. Thomas Holbrook

SYNOPSIS AS INTRODUCED:

415 ILCS 5/9.3

from Ch. 111 1/2, par. 1009.3

Amends the Environmental Protection Act. Makes a technical change to a Section concerning alternative control strategies.

LRB094 09553 RSP 39804 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by
5 changing Section 9.3 as follows:

6 (415 ILCS 5/9.3) (from Ch. 111 1/2, par. 1009.3)

7 Sec. 9.3. Alternative control strategies.

8 (a) The ~~The~~ General Assembly finds that control strategies,
9 including emission limitations, alternative but
10 environmentally equivalent to those required by Board
11 regulations or the terms of this Act, can assure equivalent
12 protection of the environment and that the use of such
13 alternative control strategies can encourage technological
14 innovation, reduce the likelihood of shutdown of older sources,
15 and can result in decreased costs of compliance and increased
16 availability of resources for use in productive capital
17 investments.

18 (b) (Blank.)

19 (c) On or before December 31, 1982, the Board shall adopt
20 regulations establishing a permit program pursuant to Section
21 39.1 in accordance with Title VII of this Act.

22 (d) Board rules pursuant to this Section 9.3 shall set
23 forth reasonable requirements for issuance of an alternative
24 control strategy permit, provided that the Board may not impose
25 any condition or requirement more stringent than required by
26 the Clean Air Act or for compliance with this Act or other
27 Board regulations thereunder. The Agency shall promptly adopt
28 any necessary procedures for the administration of such permit
29 programs. The burden of establishing that any procedure,
30 condition or requirement imposed by the Agency in or for the
31 issuance of a permit is more stringent than required by
32 applicable law shall be upon the permit applicant.

1 (Source: P.A. 92-574, eff. 6-26-02.)