

1 AN ACT in relation to clean air.

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

4 Section 1. Short title. This Act may be cited as the
5 Illinois Clean Air Standards Act.

6 Section 3. Findings and purpose.

7 (a) The General Assembly finds and declares that:

8 (1) Having safe, clean, breathable air is a
9 fundamental right of every citizen of Illinois. While
10 significant improvements in air quality have been made,
11 air pollution continues to degrade the atmosphere and
12 cause preventable discomfort, sickness, and death in this
13 State. It is an important function of State and federal
14 governments to take appropriate steps to improve air
15 quality in areas that suffer from pollution.

16 (2) Among the major contributors to air pollution
17 in Illinois are coal-fired electric generating plants.

18 (3) The federal government has imposed stricter
19 emission limitations on coal-fired electric generating
20 plants, designed to reduce emissions of 2 of the most
21 important air pollutants, sulfur dioxide and nitrogen
22 oxides.

23 (4) It is in the best interest of the health and
24 safety of the people of Illinois that the operators of
25 coal-fired electric generating plants in Illinois be
26 encouraged to begin meeting those stricter standards as
27 quickly as possible.

28 (b) It is the purpose of this Act to improve and protect
29 air quality in this State by incorporating into State law
30 certain stricter emission standards for coal-fired electric
31 generating plants that are similar to the new federal

1 standards.

2 Section 5. Definitions. For the purposes of this Act:

3 "Board" means the Pollution Control Board.

4 "Generating unit" means any coal-fired electricity
5 generating facility with a nameplate capacity of 15 megawatts
6 or greater used primarily to generate electricity for sale.

7 Section 10. Air emissions standards for coal-fired
8 generating units.

9 (a) Beginning January 1, 2006, notwithstanding any other
10 requirements applicable to such units, emissions of air
11 pollutants from coal-fired electric generating units with
12 nameplate capacity greater than or equal to 340 megawatts
13 shall not exceed the following:

14 (1) Sulfur dioxide emissions shall not exceed 3.0
15 pounds per megawatt hour and total annual sulfur dioxide
16 emissions shall not exceed 3.0 pounds multiplied by the
17 average annual megawatt hours generated by the units in
18 the calendar years 1996 through 1998.

19 (2) Nitrogen oxide emissions shall not exceed 1.5
20 pounds multiplied by the average annual megawatt hours
21 generated by the units in the calendar years 1996 through
22 1998.

23 (b) Beginning January 1, 2006, notwithstanding any other
24 requirements applicable to such units, total emissions from
25 coal-fired electric generating units with a nameplate
26 capacity of less than 340 megawatts shall not exceed a
27 statewide emissions cap based on the following:

28 (1) Total annual sulfur dioxide emissions shall not
29 exceed 3.0 pounds per megawatt hour multiplied by the
30 average annual megawatt hours generated by such units in
31 the calendar years 1996 through 1999.

32 (2) Total annual nitrogen oxide emissions shall not

1 exceed 1.5 pounds per megawatt hour multiplied by the
2 average annual megawatt hours generated by such units in
3 the calendar years 1996 through 1999.

4 Section 15. Rules. Not later than one year after the
5 effective date of this Act, the Pollution Control Board shall
6 promulgate rules to achieve the emissions reduction
7 requirements specified in Section 10. The rules shall
8 include implementation of the emission reduction objectives
9 specified in subsections (a) and (b) of Section 10 through an
10 emission cap and trading mechanism. The rules shall achieve
11 the objectives in a manner that the Board determines will
12 allocate required emission reductions equitably, taking into
13 account emission reductions achieved prior to the effective
14 date of the requirements under Section 10 and other relevant
15 factors.