



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/6/2004, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

415 ILCS 5/9.3

from Ch. 111 1/2, par. 1009.3

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

LRB093 16832 BDD 42484 b

1 AN ACT concerning environmental protection.

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 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 ensure ~~assure~~
12 equivalent protection of the environment and that the use of
13 such alternative control strategies can encourage
14 technological innovation, can reduce the likelihood of
15 shutdown of older sources, and can result in decreased costs of
16 compliance and increased availability of resources for use in
17 productive capital 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.)