

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
5 by 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
16 of compliance and increased availability of resources for use
17 in productive capital investments.

18 (b) (Blank.)

19 (c) On or before December 31, 1982, the Board shall
20 adopt regulations establishing a permit program pursuant to
21 Section 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
25 impose any condition or requirement more stringent than
26 required by the Clean Air Act or for compliance with this Act
27 or other Board regulations thereunder. The Agency shall
28 promptly adopt any necessary procedures for the
29 administration of such permit programs. The burden of
30 establishing that any procedure, condition or requirement
31 imposed by the Agency in or for the issuance of a permit is

1 more stringent than required by applicable law shall be upon
2 the permit applicant.

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