

# SB1312



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB1312

Introduced 2/9/2007, by Sen. James F. Clayborne, Jr.

#### 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.

LRB095 08831 CMK 29017 b

A BILL FOR

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

1 control strategy permit, provided that the Board may not impose  
2 any condition or requirement more stringent than required by  
3 the Clean Air Act or for compliance with this Act or other  
4 Board regulations thereunder. The Agency shall promptly adopt  
5 any necessary procedures for the administration of such permit  
6 programs. The burden of establishing that any procedure,  
7 condition or requirement imposed by the Agency in or for the  
8 issuance of a permit is more stringent than required by  
9 applicable law shall be upon the permit applicant.

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