

U.S. EPA Disapproves of NOX Revision to Illinois' State Implementation Plan

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The U.S. Environmental Protection Agency recently published [a rule in the Federal Register](#) disapproving a revision of Illinois' State Implementation Plan (SIP) that governs the State's efforts to comply with the federal Clean Air Act.

The proposed revision provided for the determination and crediting of Nitrogen Oxides (NOX) emission reductions resulting from the voluntary application of NOX emission controls as NOX emission allowances that could be sold in a national NOX emission allowance trading system.

The U.S. EPA had the following general concerns regarding the proposed rule: (1) The rule would unacceptably grant NOX emission allowances for source closures; (2) the rule does not prevent crediting of facility-specific NOX emission reductions resulting from shifting of production and NOX emissions from one facility to another; (3) the rule establishes an emission baseline year (from which NOX emission allowances are earned through subsequent NOX emission reductions), 1995, that is too far in the past, prior to the State's adoption of the rule and prior to the baseline year used for other sources involved in EPA's NOX Budget Trading Program; (4) the rule unacceptably allows the use of 40 CFR part 60 emission monitoring requirements rather than 40 CFR part 75 monitoring requirements required of other sources involved in the NOX Budget Trading Program; and, (5) the rule contains other minor deficiencies. Together, these problems led U.S. EPA to disapprove of the rule as a revision to the Illinois SIP.

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