ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENT

1) **Heading of the Part:** Procedures for Collection of Air Pollution Site Fees

2) **Code Citation:** 35 Ill. Adm. Code 251

3) **Section Number:** 251.210  
   **Proposed Action:** Amendment

4) **Statutory Authority:** Implementing and authorized by Section 9.6 of the Illinois Environmental Protection Act. [415 ILCS 5/9.6].

5) **A Complete Description of the Subjects and Issues Involved:** This rulemaking will amend Part 251 to allow electronic payment of certain air permitting fees. The Illinois EPA does not expect its proposed revisions to have any substantive impact upon regulated sources.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking:** None

7) **Will this rulemaking replace an emergency rule currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** No

11) **Statement of Statewide Policy Objective:** This proposed amendment establish procedures for allowing electronic payment of certain air permitting fees.

12) **Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:** The Illinois Environmental Protection Agency will accept written public comments on this proposal for a period of 45 days after the date of publication in the *Illinois Register*. Comments should reference the Procedures for Collection of Air Pollution Site Fees and be addressed to:

    Charles E. Matoesian  
    Assistant Counsel  
    Illinois Environmental Protection Agency  
    Division of Legal Counsel
ENVIROMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENT

1021 North Grand Avenue East
P.O. Box 19726
Springfield IL 62794-9276

217/782-5544
charles.matoesian@illinois.gov

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: This amendment will allow all sources which would include small businesses, municipalities, or not-for-profit corporations subject to certain air permitting requirements to pay their air permitting fees electronically.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Small Business Impact Analysis: The Agency did not prepare a small business impact analysis as this rulemaking will not have an adverse impact on small businesses.

15) Regulatory Agenda on which this rulemaking was summarized: January 2019

The full text of the Proposed Amendment begins on the next page:
ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 251
PROCEDURES FOR COLLECTION OF AIR POLLUTION SITE FEES

SUBPART A: INTRODUCTION

Section
251.101 Purpose
251.103 Definitions

SUBPART B: PROCEDURES FOR BILLING AND COLLECTION
OF AIR POLLUTION SITE FEES

Section
251.201 Amount of Air Pollution Site Fee
251.202 Withdrawal of Permits
251.203 Agency Billing Procedures
251.208 Time and Method of Payment
251.210 Form of Payment
251.212 Return of Site Fee (Repealed)
251.215 Prohibition Against Refund

SUBPART C: RESOLUTION OF DISPUTES

Section
251.301 Request for Reconsideration
251.305 Effect of Request for Reconsideration
251.308 Agency Response
251.310 Appeal of Final Agency Action

AUTHORITY: Implementing and authorized by Section 9.6 of the Environmental Protection Act [415 ILCS 9.6.].

ENVIRONMENTAL PROTECTION AGENCY

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SUBPART B: PROCEDURES FOR BILLING AND COLLECTION OF AIR POLLUTION SITE FEES

Section 251.210 Form of Payment

a) Payment shall be made through the Illinois E-Pay system or by check or money order payable to either the "Treasurer, State of Illinois," or the "Illinois Environmental Protection Agency". The check or money order shall be accompanied by the billing statement that includes the site name and identification number assigned by the Agency's Division of Air Pollution Control.

b) If paying by check or money order, payment shall be mailed to:

Illinois Environmental Protection Agency
Fiscal Services Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois  62794-9276

c) Payment shall not include any fees due to the Agency for any purpose other than the air pollution site fee.

(Source: Amended at 43 Ill. Reg. ______, effective ____________)