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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

ENVIRONMENTAL PROTECTION AGENCY

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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

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCYPART 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.].

SOURCE: Adopted at 10 Ill. Reg. 19968, effective November 14, 1986; emergency amendments at 13 Ill. Reg. 955, effective January 1, 1989 for a maximum of 150 days; amended at 13 Ill. Reg. 8867, effective May 30, 1989; amended at 22 Ill. Reg. 6652, effective March 31,

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1998; amended at 28 Ill. Reg. 1370, effective January 7, 2004; amended at 34 Ill. Reg. 19007, effective November 22, 2010; amended at 36 Ill. Reg. 6803, effective April 20, 2012; amended at 43 Ill. Reg. _____, effective _____.

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 a ~~by~~ check or money order payable to either the "Treasurer, State of Illinois," or the "Illinois Environmental Protection Agency". ~~The check or money order~~ and 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 ~~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 _____)