

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONS 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 13 2005

REPLY TO THE ATTENTION OF:

R-19J

Douglas P. Scott, Director
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Dear Mr. Scott:

I am writing concerning Illinois' efforts to implement a regional strategy, known as the NO_x State Implementation Plan (SIP) Call, which is intended to reduce smog across the eastern United States by reducing emissions of nitrogen oxides (NO_x). The NO_x SIP Call will protect the health of over one hundred million Americans living in Illinois and the eastern United States from harmful levels of air pollution because reducing NO_x emissions will prevent thousands of smog-related illnesses each year, including aggravated cases of childhood asthma.

In October 1998, the Environmental Protection Agency (EPA) issued the NO_x SIP Call rule. See 63 FR 57356. As a result of various challenges filed in the D.C. Circuit Court of Appeals (Court), EPA divided this rule into Phases I and II. The requirements that the Court upheld were included in Phase I, while the requirements the Court vacated or remanded to EPA were included in Phase II, and were addressed in our April 21, 2004, rule. See 70 FR 5159. On April 1, 2005, the SIP revisions covering Phase II, which are also known as "Phase II" SIPs, became due to EPA. (This should not be confused with the SIP for the Clean Air Interstate Rule which is due to EPA on September 11, 2006.)

The EPA appreciates the progress made by Illinois to meet air pollution improvement goals, and its efforts in implementing Phase I of the NO_x SIP Call. At this time, however, Illinois has not submitted a Phase II SIP to address the additional NO_x emissions reductions required by Phase II.

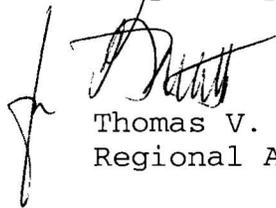
When a State does not submit a plan to EPA that meets the requirements of Phase II of the NO_x SIP Call, including adopted rules, the Clean Air Act authorizes EPA to make a finding of failure to submit a plan. Through this letter, I am informing

you that we will be making such a finding for Illinois. We will be formally publishing this finding in the Federal Register shortly, which will indicate that Illinois did not submit a complete, fully-adopted SIP in response to Phase II of the NOx SIP Call. We are taking this action to fulfill our responsibility to ensure that all States subject to Phase II of the NOx SIP Call are moving forward to reduce NOx emissions that cause smog in downwind States.

Please be assured that my Office recognizes the efforts of the Illinois Environmental Protection Agency, Bureau of Air to complete plan development and submittal and understands the time requirements needed to make a complete submission. We also look forward to continuing to work with you, and assisting you in completing and submitting a SIP revision that the Agency can approve to reduce smog-forming NOx. By doing this, Illinois will avoid the need for a Federal Implementation Plan to implement the SIP Call.

Again, thank you for your continued efforts in working with EPA to implement the NOx SIP Call, and to complete Phase II. Illinois' actions will enable the full realization of the public health benefits from this ground-breaking strategy, and result in cleaner air for the citizens of Illinois and other States in the eastern United States.

Very truly yours,



Thomas V. Skinner
Regional Administrator

cc: Laurel Kroack, Chief
Bureau of Air

Standard bcc's: official file copy
originator's file copy
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ARD:APB:CPS: John Paskevicz, July 25, 2005

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