

1 AN ACT concerning environmental protection.

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
5 by adding Section 28.6 as follows:

6 (415 ILCS 5/28.6 new)

7 Sec. 28.6. Legislative findings and declarations.

8 (1) The General Assembly finds and declares that
9 air pollution from fossil fuel-fired electric generating
10 plants creates a significant risk to human health and the
11 environment, that older plants have significantly higher
12 emissions because they are not required to comply with
13 the requirements of the Clean Air Act imposed on new
14 plants, and that these risks can be significantly reduced
15 by requiring the plants to reduce their emissions to the
16 more stringent levels required of new electric generating
17 plants. New fossil fuel-fired electric generating plants
18 can generate electricity at emission levels under 3
19 pounds of sulfur dioxide per megawatt hour, 1.5 pounds of
20 nitrogen oxides per megawatt hour, and with substantially
21 reduced mercury emissions.

22 (2) The Board shall, on its own motion, in order to
23 protect and preserve the environment while safeguarding
24 health, propose rules to ensure that each fossil
25 fuel-fired electric generating unit minimizes pollution
26 to levels that are technologically feasible through
27 modernization and application of pollution controls.

28 (3) By December 31, 2002, consistent with the best
29 available control technology, the Board shall promulgate
30 a final rule that establishes a schedule of limits on the
31 quantity of sulfur dioxide, nitrogen oxides, and mercury

1 that each fossil fuel-fired electric generating facility
2 shall be permitted to emit per megawatt hour in each year
3 beginning in the calendar year 2007.

4 (4) By December 31, 2002, consistent with the best
5 available control technology, the Board shall promulgate
6 a final rule that establishes a cap on aggregate
7 emissions of sulfur dioxide, nitrogen oxides, mercury,
8 and carbon dioxide that all fossil fuel-fired electric
9 generating facilities in the State shall be permitted to
10 emit each calendar year.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.