

d) The owner or operator shall provide a detailed showing that the proposed emission limitations constitute LAER. Such demonstration shall include:

- 1) A description of the manner in which the proposed emission limitation was selected, including a detailed listing of information resources.
- 2) Alternative emission limitations, and
- 3) Such other reasonable information as the Agency may request as necessary to determine whether the proposed emission limitation is LAER.

(Source: Amended at 12 Ill. Reg. 6118, effective March 22, 1988)

Section 203.302 Maintenance of Reasonable Further Progress and Emission Offsets

- a) The owner or operator of a new major source or major modification shall provide emission offsets equal to or greater than the allowable emissions from the source or the net increase in emissions from the modification sufficient to allow the Agency to determine that the source or modification will not interfere with reasonable further progress as set forth in Section 173 of the Clean Air Act.
- b) The Agency shall allow the use of all or some portion of the available growth margin to satisfy subsection (a) if the owner or operator can evidence that the possible sources of emission offsets were investigated and none were available at that time.

(Source: Amended at 12 Ill. Reg. 6118, effective March 28, 1988)

Section 203.303 Baseline and Emission Offsets Determination

- a) An emission offset must be obtained from a source in operation prior to the permit application for the new or modified source. Emission offsets must be effective prior to start-up of the new or modified source.
- b) The emission offsets provided:
 - 1) Must be of the same pollutant and further be of a type with approximately the same qualitative significance for public health and welfare as that attributed to the increase from a particular change;
 - 2) Must, in the case of a shutdown, have occurred since April 24, 1979 or the date the area is designated by the USEPA as a nonattainment area for the pollutant, whichever is more recent, and the shutdown source is being replaced by a similar new source; and must, in the case of a fuel combustion source, be based on the type of fuel being burned at the time

the permit application is filed, and, if offset is to be produced by a future switch to a cleaner fuel, be accompanied by evidence that long-term supplies of the clean fuel are available and a commitment to a specified alternative control measure which would achieve the same degree of emission reduction if return of the dirtier fuel is proposed;

- 3) Must, in the case of a shutdown of a source or permanent curtailment of production or operating hours occurring on or after the date a permit application is filed for a new or modified source, have been made known to the affected work force;
- 4) Must, in the case of a past shutdown of a source or permanent curtailment of production or operating hours, have occurred since April 24, 1979, or the date the area is designated a nonattainment area for the pollutant, whichever is more recent, and the proposed new or modified source must be a replacement for the shutdown or curtailment;
- 5) Must be enforceable by permit;
- 6) Must not have been previously relied on, as demonstrated by the Agency, in issuing any permit pursuant to 35 Ill. Adm. Code 201.142 or 201.143 or this Part, or for demonstrating attainment or reasonable further progress.

c) The baselines for determining emission offsets are as follows:

- 1) Except as provided in subsection (2), the baseline for determining the extent to which emission reductions are creditable as offsets shall be the actual emissions of the source from which the offset is to be obtained, to the extent they are within any applicable emissions limitations of this Chapter or the Act or any applicable standards adopted by USEPA pursuant to Section 111 and 112 of the Clean Air Act, and made applicable in Illinois pursuant to Section 9.1 of the Environmental Protection Act.
- 2) If the demonstration of reasonable further progress and attainment of ambient air quality standards approved by USEPA pursuant to Section 110(a)(2) or 110(a)(3) of the Clean Air Act is based on the applicable emission limitations of this Chapter or the Act or any applicable standards adopted by USEPA pursuant to Section 111 and 112 of the Clean Air Act and made applicable in Illinois pursuant to Section 9.1 of the Environmental Protection Act for sources within an area, and the source from which the offset is to be obtained is subject to such limitations, the baseline for offsets shall be the lesser of such limitation or the potential to emit of the source.