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Illinois Pollution Control Board

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August 11, 2022

Sylvia Garcia, Director
Department of Commerce and Economic Opportunity
555 West Monroe Street, 12th Floor
Chicago, Illinois 60661

Re: Request for Economic Impact Study for Proposed New 35 Ill. Adm. Code
820 General Construction or Demolition Debris Recovery Facilities – PCB
Docket R23-17.

Dear Director Garcia:

I write to request that the Department of Commerce and Economic Opportunity (DCEO) conduct an economic impact study of the rulemaking proposal cited above. On August 11, 2022, the Illinois Pollution Control Board accepted the proposal. In it, the Illinois Environmental Protection Agency (IEPA) proposes to implement Public Act 102-310, effective August 6, 2021, which amends the Environmental Protection Act and requires the Pollution Control Board to adopt rules for general construction or demolition debris recovery facilities.

For the reasons below, we would appreciate your response to this request no later than Monday, September 26, 2022.

Section 27(b) of the Environmental Protection Act requires the Board to:

- (1) request that the Department of Commerce and Economic Opportunity conduct a study of the economic impact of the proposed rules. The Department may within 30 to 45 days of such request produce a study of the economic impact of the proposed rules. At a minimum, the economic impact study shall address
 - (A) economic, environmental, and public health benefits that may be achieved through compliance with the proposed rules,
 - (B) the effects of the proposed rules on employment levels, commercial productivity, the economic

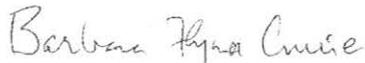
growth of small businesses with 100 or less employees, and the State's overall economy, and

- (C) the cost per unit of pollution reduced and the variability in cost based on the size of the facility and the percentage of company revenues expected to be used to implement the proposed rules; and
- (2) conduct at least one public hearing on the economic impact of those new rules. At least 20 days before the hearing, the Board shall notify the public of the hearing and make the economic impact study, or the Department of Commerce and Economic Opportunity's explanation for not producing an economic impact study, available to the public. Such public hearing may be held simultaneously or as a part of any Board hearing considering such new rules. 415 ILCS 5/27(b) (2020).

Under Section 22.38(n) of the Environmental Protection Act, the Board is required to adopt rules no later than one year after receiving IEPA's proposal, which sets a deadline of August 1, 2023. To meet this deadline, the Board is scheduling public hearings and would like to combine the hearing required by Section 27(b) with a hearing on the substantive merits of IEPA's proposal. Under these circumstances, the Board respectfully asks that you complete your economic impact study no later than Monday, September 26, 2022. If my staff or I can provide any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,



Barbara Flynn Currie, Chair
Pollution Control Board

cc: Don A. Brown, Clerk of the Board