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March 20, 2025

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

Re: Request for Economic Impact Study of Standards for Universal Waste Management (35 Ill. Adm. Code Parts 703, 720, 721, 724, 725, 728, and 733) (Board Docket R25-22).

Dear Director Richards:

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 March 20, 2025, the Illinois Pollution Control Board accepted the proposal. In it, the Illinois Environmental Protection Agency (IEPA) proposes to implement Public Act 103-887, effective January 1, 2025, which amends the Environmental Protection Act and requires the Pollution Control Board to adopt rules adding “paint and paint-related waste” (PPRW) to the list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes.

For the reasons below, we would appreciate your response to this request no later than Wednesday, April 30, 2025.

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) (2022).

Under Section 22.23e((b)(1) of the Environmental Protection Act, the Board is required to adopt rules within 180 days of receiving IEPA's proposal, which sets a deadline of August 30, 2025. 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 the proposal. Under these circumstances, the Board respectfully asks that you complete your economic impact study no later than Wednesday, April 30, 2025. 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

Barbara Flynn Currie, Chair
Pollution Control Board

cc: Don A. Brown, Clerk of the Board
Garrett Carter; General Counsel, DCEO
Isabel C. Vélez Diaz; Deputy Director, DCEO

