



ILLINOIS POLLUTION CONTROL BOARD

February 19, 2009
RECEIVED
CLERK'S OFFICE
FEB 19 2009
STATE OF ILLINOIS
Pollution Control Board

GOVERNOR
XXXXXXXXXXXXXXXXXX

CHAIRMAN
G. Tanner Girard, Ph.D.

John Knittle
Department of Commerce and Economic Opportunity
620 East Adams Street, S-6
Springfield, Illinois 62704

Re: Request for Economic Impact Study for: City of Galva Site Specific Water Quality Standard for Boron Discharges to Edwards River and Mud Creek: 35 Ill. Adm. Code 303.347 (R09-11)

Dear Mr. Knittle:

On February 5, 2009, the Board accepted a site specific rule proposal for hearing in City of Galva Site Specific Water Quality Standard for Boron Discharges to Edwards River and Mud Creek: 35 Ill. Adm. Code 303.347 (R09-11). I am writing to request that your Department conduct an economic impact study concerning this proposal. This rulemaking proposal (Prop.), filed with the Board by the City of Galva, seeks to establish a 3.0 milligram per liter (mg/L) alternative boron standard to the generally applicable 1.0 mg/L boron water quality standard in 35 Ill. Adm. Code 302.208(g). As explained below, the Board has scheduled hearing for March 31, 2009. Accordingly, we would appreciate your response to this request no later than March 6, 2009.

Galva's proposed alternative standard for boron would apply to certain segments of an unnamed tributary to the South Branch of the Edwards River, the South Branch of the Edwards River, and the Mud Creek Run. These segments receive discharges from the two Sewage Treatment Plant (STPs) operated by the City. The City's Northeast STP discharges into the South Branch Edwards River, and its Southwest STP discharges into Mud Run Creek.

Galva's proposal (Prop) relates that it has investigated various compliance options, including treatment of its effluent to remove excess boron or obtaining alternative drinking water sources from neighboring cities of Kewanee and Galesburg. Galva's proposal summarized its options available to Galva, and their associated upfront costs, as follows:

- a. Ion Exchange Treatment - \$2,016,410
- b. Potable Water Ion Exchange Treatment - \$2,099,784
- c. Potable Water Reverse Osmosis Treatment - \$6,905,955
- d. Drill New Drinking Water Well - Initial search \$100,000, not including drilling.

SPRINGFIELD OFFICE

1021 North Grand Ave. East
P.O. Box 19274
Springfield, IL
62794-9274
217-524-8500
FAX 217-524-8508

CHICAGO OFFICE

James R. Thompson Center
100 West Randolph
Suite 11-500
Chicago, IL 60601
312-814-3620
FAX 312-814-3669
TTY 312-814-6032

WEB SITE

www.ipcb.state.il.us



- e. Drinking Water from City of Kewanee - Not possible.
- f. Drinking Water from City of Galesburg - \$13,600,000. Prop. at 23.

Galva states that it is a rural community without resources to deal with these costs, except by “record level” user rate increases. *Id.*

Since 1998, Section 27 (b) of the Environmental Protection Act has required the Board to:

- 1) request that the Department of Commerce and Economic Opportunity (formerly the Department of Commerce and Community Affairs) 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 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 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) (2006).

There is no decision deadline in this rulemaking, but the Board intends to proceed expeditiously. The Board has scheduled a hearing on this proposal for March 31, 2009, and due to budget constraints does not intend to hold another hearing. Under these circumstances, the Board asks that you respond to this request as soon as you conveniently can, but in any event no later than March 6, 2009; this would allow the Board to give the public the 20-day notice required by Section 27(b) of the Act. If I, or my staff, can provide you with any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,

A handwritten signature in cursive script that reads "G. Tanner Girard".

G. Tanner Girard
Acting Chairman
Pollution Control Board

cc: Warren Ribley, DCEO
John T. Therriault, Assistant Clerk of the Board