

ILLINOIS POLLUTION CONTROL BOARD  
October 22, 2010

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OCT 22 2010  
STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
WATER QUALITY STANDARDS AND ) R08-9 (A)  
EFFLUENT LIMITATIONS FOR THE ) (Rulemaking - Water)  
CHICAGO AREA WATERWAY SYSTEM )  
AND LOWER DES PLAINES RIVER )  
PROPOSED AMENDMENTS TO 35 ILL. )  
ADM. CODE 301, 302, 303, and 304 )

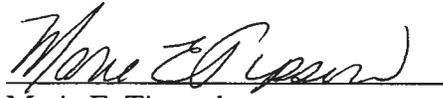
**HEARING OFFICER ORDER**

On August 5, 2010, the Board proceeded to first notice in Subdocket A dealing with the issues related to recreational use designations. On October 19 and 20, 2010, the Board held hearings in Subdocket B and to fulfill the requirements of Section 27(b) of the Environmental Protection Act (415 ILCS 5/27(b) (2008)) for Subdocket A. Section 27(b) of the Act requires the Board to request the Department of Commerce and Economic Opportunity to conduct an economic impact study on certain proposed rules prior to adoption of those rules. If DCEO chooses to conduct the economic impact study, DCEO has 30 to 45 days after such request to produce a study of the economic impact of the proposed rules. The Board must then make the economic impact study, or DCEO's explanation for not conducting the study, available to the public at least 20 days before a public hearing on the economic impact of the proposed rules.

In accordance with Section 27(b) of the Act, the Board requested, by letter dated August 11, 2010, that DCEO conduct an economic impact study for the above-referenced rulemakings. The Board received a response to that letter on September 27, 2010 indicating that no EcIs would be conducted. No one testified on DCEO's decision.

The first notice period under Section 5-40 of the Illinois Administrative Procedure Act (5 ILCS 100/5-40 (2008)) has expired. The Board will accept comments until November 30, 2010, in Subdocket A. The mailbox rule does not apply and all comments must be filed by 4:30 p.m. on November 30, 2010 in order to be considered by the Board before proceeding in the rulemaking.

IT IS SO ORDERED.

A handwritten signature in cursive script, appearing to read "Marie E. Tipsord", is written over a horizontal line.

Marie E. Tipsord  
Hearing Officer  
Illinois Pollution Control Board  
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