



ILLINOIS POLLUTION CONTROL BOARD

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~~Rod R. Blumgard~~

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MAR 17 2011

STATE OF ILLINOIS
Pollution Control Board

March 17, 2011

Warren Ribley, Director
Department of Commerce and Economic Opportunity
620 East Adams Street, S-6
Springfield, Illinois 62704

Re: Request for Economic Impact Study for: Underground Storage Tanks (35 Ill. Adm. Code 731) and Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732 and 734), (R11-22)

Dear Director Ribley:

On March 17, 2011, the Board accepted for hearing a proposal in Underground Storage Tanks (35 Ill. Adm. Code 731) and Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732 and 734), (R11-22). The Illinois Environmental Protection Agency filed this rulemaking with the Board on February 18, 2011. Generally, the Agency proposes to amend the Board's underground storage tank regulations to reflect statutory amendments adopted in Public Act 96-908. I write to request that your Department conduct an economic impact study concerning this proposal.

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

- (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) (2008).

The Board is in the process of scheduling hearings in this rulemaking. Although there is no decision deadline in this rulemaking, the Board presently intends to complete hearings in June and asks that you respond to this request as soon as you conveniently can. 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,



G. Tanner Girard
Acting Chairman
Pollution Control Board

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