

# ILLINOIS POLLUTION CONTROL BOARD

April 13, 2010

**ORIGINAL**

**GOVERNOR**

~~Rod E. Blagojevich~~

**CHAIRMAN**

G. Tanner Girard, Ph.D.

Warren Ribley, Director  
Department of Commerce and Economic Opportunity  
500 East Monroe Street  
Springfield, Illinois 62701

Re: Request for Economic Impact Study for: Amendments to 35 Ill. Adm. Code 217, Nitrogen Oxides Emissions, R11-24.

Dear Director Ribley:

I am writing to request that your Department conduct an economic impact study concerning the above proposal. On April 4, 2011, the Illinois Environmental Protection Agency filed a proposal under the general rulemaking provisions of Sections 27 and 28 of the Environmental Protection Act (415 ILCS 5/27, 28 (2008)) and the Board's procedural rules at 35 Ill. Adm. Code 102.202. Generally, the proposed amendments would modify the date for compliance with the requirements of various Subparts of 35 Ill. Adm. Code Part 217, Nitrogen Oxides Emissions, which contain provisions relating to the control of nitrogen oxides emissions from various source categories, including emission units within these source categories such as industrial boilers, process heaters, glass melting furnaces, cement kilns, lime kilns, furnaces used in steel making and aluminum melting, and fossil fuel-fired stationary boilers. The sole provisions to be amended are 35 Ill. Adm. Code Part 217 Subparts D, E, F, G, H, I, M and Appendix H. The Board adopted the proposal for first notice without comments on the merits on April 7, 2011.

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

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reduced and the variability of company revenues expected to be used to implement the proposed rules; and

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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.

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