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Illinois Pollution Control Board

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September 17, 2021

Sylvia Garcia, Acting Director
Department of Commerce and Economic Opportunity
555 W. Monroe
12th Floor
Chicago, Illinois 60661

Re: Request for Economic Impact Study for Amendments to 35 Ill. Adm. Code Subtitle F: Public Water Supply, Board Docket R18-26

Dear Acting Director Garcia:

I write to request that the Department of Economic Opportunity conduct an economic impact study of the rulemaking proposal cited above. On February 8, 2018, the Illinois Pollution Control Board accepted the rulemaking proposal. The Illinois Environmental Protection Agency (IEPA) proposes non-substantive amendments to the Board's Public Water Supply regulations to ensure the rules are current, clear, and concise.

For the reasons below, we would appreciate your response to this request no later than November 1, 2021.

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

- (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) (2020).

Although there is no decision deadline in this rulemaking, the Board intends to proceed by scheduling hearings. In the interest of administrative economy, the Board would like to combine the hearing required by Section 27(b) with a hearing on the substantive merits of IEPA's proposal. Under these circumstances, the Board respectfully asks that you complete your study no later than November 1, 2021. If I or my staff can provide any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,

The seal of the Illinois Pollution Control Board is circular with a yellow border. It features an eagle with wings spread, perched on a shield with the American flag. Below the eagle is a banner with the dates '1868' and '1818'. The text 'ILLINOIS POLLUTION CONTROL BOARD' is written around the top inner edge, and 'AUG. 26TH 1918' is at the bottom. The signature 'Barbara Flynn Currie' is written in cursive across the seal.

Barbara Flynn Currie

Barbara Flynn Currie, Chair
Pollution Control Board

cc: Don A. Brown, Clerk of the Board