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September 17, 2021

Sylvia Garcia, Acting Director
Department of Commerce and Economic Opportunity
100 W. Randolph St., Suite 3-400
Chicago, Illinois 60601

Re: Request for Economic Impact Study for Proposed Amendments to 35 Ill. Adm. Code Subtitle I: Atomic Radiation – PCB Docket R18-28.

Dear Acting Director Garcia:

I write to request that the Department of Commerce and Economic Opportunity (DCEO) conduct an economic impact study of the rulemaking proposal cited above. The Illinois Environmental Protection Agency (IEPA) filed a proposal to update the Board's environmental rules across multiple media and subject areas, including Part 501 of the Board's agriculture related water pollution rules. On February 8, 2018, the Illinois Pollution Control Board accepted the IEPA's rulemaking proposal for several subtitles of the Board's rules. On March 22, 2018, the Board split the IEPA's proposal into eight dockets – each one dedicated to considering non-substantive rule amendments within a different subtitle of the Board's rules. This docket – R18-28 – was opened on March 22, 2018 and addresses amendments only to the Board's Subtitle I atomic radiation regulations (35 Ill. Adm. Code 1000, 1010).

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 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) (2018).

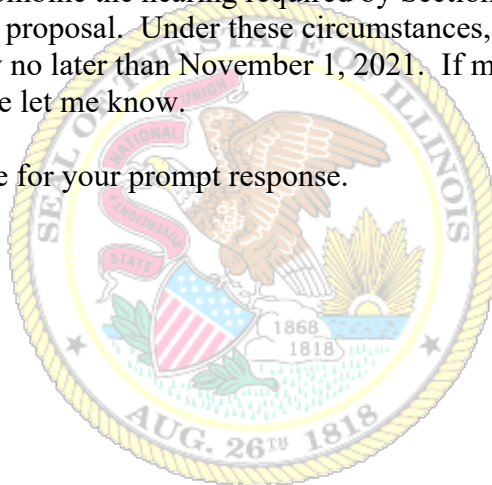
Although there is no decision deadline in this rulemaking, the Board is scheduling public hearings and would like to combine the hearing required by Section 27(b) with a hearing on the substantive merits of IEPA's proposal. Under these circumstances, the Board respectfully asks that you complete your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

Thank you in advance for your prompt response.

Sincerely,

Barbara Flynn Currie

Barbara Flynn Currie, Chair
Pollution Control Board



cc: Don A. Brown, Clerk of the Board