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February 20, 2025

Kristin Richards, Director
Department of Commerce and Economic Opportunity
555 West Monroe Street, 12th Floor
Chicago, Illinois 60661

Re: Request for Economic Impact Study of Placement of Limestone Residual Materials: Proposed 35 Ill. Adm. Code 706 (Board Docket R25-21).

Dear Director Richards:

I write to request that the Department of Commerce and Economic Opportunity (DCEO) conduct an economic impact study of the rulemaking proposal cited above. On February 20, 2025, the Illinois Pollution Control Board accepted the proposal. In it, the City of Aurora and Holcim – ACM Management, Inc. proposed that the Board adopt rules under Section 22.63 of the Environmental Protection Act – adopted in Public Act 103-333 – to provide for placing limestone residual materials generated from the treatment of drinking water by a municipal utility in an underground limestone mine.

For the reasons below, we would appreciate your response to this request no later than Monday, April 7, 2025.

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) (2022).

Although there is no statutory decision deadline applicable to this rulemaking, the Board is scheduling public hearings. The Board would like to combine the hearing required by Section 27(b) with a hearing on the substantive merits of the proposal. Under these circumstances, the Board respectfully asks that you complete your economic impact study no later than Monday, April 7, 2025. 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
Garrett Carter; General Counsel, DCEO
Isabel C. Vélez Diaz; Deputy Director, DCEO

