

ILLINOIS POLLUTION CONTROL BOARD  
March 11, 1992

IN THE MATTER OF: )  
 )  
STAGE II GASOLINE VAPOR RECOVERY ) R91-30  
RULES: AMENDMENTS TO 35 ILL. ADM. ) (Rulemaking)  
CODE PARTS 215, 218, AND 219. )

ORDER OF THE BOARD (by R. C. Flemal):

On February 6, 1992, the Board accepted this proposed rulemaking for hearing. Section 27 of the Act requires the Board, within 60 days of accepting a proposal for hearing, to determine whether an economic impact study ("EcIS") should be conducted. That Section further allows a 21 day comment period for any person to request the Board to determine that an EcIS be prepared or not prepared. The 21 days expired on February 27, 1992.

In this proceeding, the Board received written comments from the Illinois Environmental Protection Agency (Agency), filed on January 22, 1992 with the proposal, and from the Department of Energy and Natural Resources ("Department"), filed on February 18, 1992. Both commenters request that the Board determine that an EcIS not be prepared. The Agency and the Department state that both agencies worked together to identify affected facilities and determine the economic impact of the proposed rules. The cost information gathered by the agencies was submitted with the proposal as Agency Exhibit 6 to the proposal. The Agency and the Department believe that preparation of an EcIS would duplicate the efforts the Department has already expended.

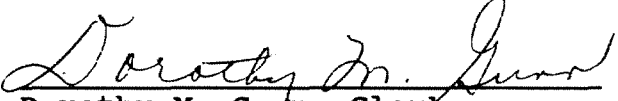
After consideration of the above comments and the proposed rulemaking, the Board presently believes that the presentation of economic information at hearing and in comments in this proceeding should be sufficient for the Board's consideration of the economic impact of the proposed rule. The Board therefore finds that the preparation of an EcIS need not be conducted in this matter at this time.

The Board further notes that Section 27 of the Act also provides for the Board to change its determination that an EcIS need not be prepared under specific circumstances:

. . . any time prior to the close of the record during the rulemaking proceeding, the Board may determine that an economic impact study be prepared, if the proposal has been substantially modified or if information in the record indicates that an economic impact study would be advisable.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 11<sup>th</sup> day of March, 1992 by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board