

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

CO-CHAIR:
REP. BRENT HASSERT

EXECUTIVE DIRECTOR:
VICKI THOMAS



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SEN. DAN RUTHERFORD
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REP. TOM HOLBROOK
REP. DAVID R. LEITCH
REP. LARRY McKEON
REP. DAVID MILLER
REP. ROSEMARY MULLIGAN

December 13, 2005

Tanner Girard, Acting Chairman
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

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CLERK'S OFFICE

DEC 20 2005

STATE OF ILLINOIS
Pollution Control Board

Re: Effluent Standards (35 Ill. Adm. Code 304)
29 Ill. Reg. 6200 - 5/6/05

Dear Acting Chairman Girard:

This is to notify you that JCAR considered the above referenced rulemaking at its 12/13/05 meeting.

The Committee has voted an Objection to the rulemaking. The Committee's Certification and Statement of Objection are enclosed.

If we can be of any assistance to your agency in responding to the Objection, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Thomas".

Vicki Thomas
Executive Director

VT:DCrm

SECOND NOTICE CHANGES

Agency: Pollution Control Board

Rulemaking: Effluent Standards (35 Ill. Adm. Code 304; 29 Ill. Reg. 6200)

Changes:

1. In lines 141, 144 and 147, delete "will" and restore "~~shall~~".
2. In line 191, after "g)" add "Monthly Average Permit Limits" and before "Except" add "1)".
3. In lines 197 and 200, change the subsection labels to "A)" and "B)".
4. In line 204, change "3)" to "2)".
5. In lines 207 and 210, change "the effective date of this Section" to "January 15, 2006".
6. In line 211, change "and (g)(2)" to "(A) and (B)".

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

CERTIFICATION OF OBJECTION

I, Vicki Thomas, Executive Director of the Joint Committee on Administrative Rules, being first duly sworn on oath, depose and state that, pursuant to Sections 5-110 of the Illinois Administrative Procedure Act, the Joint Committee on Administrative Rules, at its meeting on December 13, 2005, voted an Objection to the Pollution Control Board's rulemaking titled Effluent Standards (35 Ill. Adm. Code 304), published in the 5/6/05 Illinois Register.

A statement of the Joint Committee's specific Objection accompanies this certification.

Failure to respond within 90 days after receipt of this Certification of Objection will constitute withdrawal of the proposed rulemaking in its entirety. The agency's response will be placed on the Committee's agenda for further consideration.

A handwritten signature in cursive script, reading "Vicki Thomas".

Vicki Thomas, Executive Director

Subscribed and sworn to before me this 13th day of December, 2005.

A handwritten signature in cursive script, reading "Rita Messinger".

Notary Public

Attachments: Statement of Objection
Agreements

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION
TO PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

Heading of the Part: Effluent Standards

Code Citation: 35 Ill. Adm. Code 304

Section Numbers: 304.123

Date Originally Published in the Illinois Register: 5/6/05
29 Ill. Reg. 6200

At its meeting on December 13, 2005, the Joint Committee on Administrative Rules objected to the Pollution Control Board's rulemaking titled Effluent Standards (35 Ill. Adm. Code 304; 25 Ill. Reg. 6200) because the rulemaking imposes an undue economic and regulatory burden on the affected wastewater treatment facilities by requiring those facilities to meet interim standards for phosphorus discharges. The EPA has committed to the USEPA to have numeric standards in place for nutrients, but not until in 2008. This additional time should allow affected entities more time to prepare for any costs associated with these standards.

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

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