

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

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CO-CHAIR:
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EXECUTIVE DIRECTOR:
VICKI THOMAS



700 STRATTON BUILDING
SPRINGFIELD, ILLINOIS 62706
217/785-2254

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February 14, 2006

RECEIVED
CLERK'S OFFICE

FEB 22 2005

STATE OF ILLINOIS
Pollution Control Board

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

ORIGINAL

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

Dear Chairman Girard:

The above cited rulemaking was originally considered by the Joint Committee at its December 13, 2005 meeting. At that time, the Committee voted to object to the Pollution Control Board's rulemaking titled Effluent Standards (35 Ill. Adm. Code 304; 29 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.

On 1/27/06, we received the agency's response to this Objection. The Department's response was considered at the 2/14/06 meeting. At that time, the Committee determined that the response did not remedy the Joint Committee's Objection. Therefore, pursuant to the requirements of Section 220.1300 of JCAR's operating rules, the Committee directed that a Notice of Failure to Remedy the Objection be published in the next available issue of the *Illinois Register*.

We have enclosed a copy of this notice. Please contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vicki Thomas".

Vicki Thomas
Executive Director

VT:DC:rm

cc: John Knittle
Erin Conley

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

NOTICE OF FAILURE TO REMEDY

POLLUTION CONTROL BOARD

- 1) Heading of Part: Effluent Standards
- 2) Code Citation: 35 Ill. Adm. Code 304
- 3) Section Numbers: 304.123 Action: Amend
- 4) Notice of Proposal published in Illinois Register: 29 Ill. Reg. 6200 - 5/6/05
- 5) Date JCAR issued Statement of Objection: 12/13/05
- 6) Summary of Action taken by the Agency: PCB disagreed that the rulemaking would impose an undue economic burden on the regulated community.
- 7) JCAR Action: Because PCB's response does not remedy JCAR's Objection, at its February 14, 2006 meeting JCAR voted to publish a Notice of Failure to Remedy.