

ILLINOIS POLLUTION CONTROL BOARD



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October 18, 2007

Jack Lavin, Director

Department of Commerce and Economic Opportunity
620 East Adams Street, S-6
Springfield, Illinois 62704

RECEIVED
CLERK'S OFFICE

OCT 18 2007

STATE OF ILLINOIS
Pollution Control Board

Re: Request for Economic Impact Study for: **Abbott Laboratories' Proposed Site Specific Amendment to Applicability Section of Organic Material Emission Standards and Limitations for the Chicago Area; Subpart T: Pharmaceutical Manufacturing (35 Ill. Adm. Code 218.480(b)) (R08-8)**

Dear Director Lavin:

On October 4, 2007, the Board accepted a proposal for hearing in Abbott Laboratories' Proposed Site Specific Amendment to Applicability Section of Organic Material Emission Standards and Limitations for the Chicago Area; Subpart T: Pharmaceutical Manufacturing (35 Ill. Adm. Code 218.480(b)) (R08-8). I am writing to request that your Department conduct an economic impact study concerning this site-specific proposal. The rulemaking is based on a proposal filed by Abbott Laboratories to amend the Board's air regulations. The Board is in the process of scheduling hearings in this rulemaking.

Abbott Laboratories proposed these site-specific amendments for its pharmaceutical manufacturing facility located in Libertyville Township, Lake County. 35 Ill. Adm. Code 218.480(b) contains certain exemptions that are only applicable to Abbott's air suspension coater/dryer, fluid bed dryers, tunnel dryers, and Accelacotas. Abbott is proposing to amend these site-specific exemptions by "capping" and lowering the overall emissions allowable under the exemptions from its tunnel dryers numbered #1, #2, #3 and #4, and fluid bed dryers numbered #1, #2 and #3, and calculating the amount of exempted emissions from the dryers based on the actual combined emissions from the dryers. Abbott believes that, if adopted, the proposed amendment would reduce the overall allowable emissions from these units while increasing Abbott's operational flexibility, by allowing it to make preferential use of the more efficient fluid bed dryers.

In response to Abbott's request, the Board accepted the proposal for hearing, and first notice publication, but did not comment on the merits of the Abbott proposal. As Abbott would like a decision on the request as soon as possible, the Board is in the process of scheduling a hearing in the near future.

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Since 1998, Section 27 (b) of the Environmental Protection Act has required the Board to:

1) "request that the Department of Commerce and Economic Opportunity (formerly the Department of Commerce and Community Affairs) 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 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 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) (2004).

If I, or my staff, can provide you with any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,

G. Tanner Girard
Acting Chairman
Pollution Control Board

cc: Warren Ribley, DCEO
John T. Therriault, Assistant Clerk of the Board