

ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

January 24, 2008

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

Re: Request for Economic Impact Study for: **Proposed New 35 Ill. Adm. Code Part 223 Standards and Limitations for Organic Material Emissions for Area Sources (R08-17)**

Dear Director Lavin:

On January 24, 2008, the Board accepted a proposal for hearing in Proposed New 35 Ill. Adm. Code Part 223 Standards and Limitations for Organic Material Emissions for Area Sources (R08-17). I am writing to request that your Department conduct an economic impact study concerning this proposal. This rulemaking, filed with the Board by the Illinois Environmental Protection Agency (Agency), proposes a new Part to address the control of volatile organic material (VOM) emissions from various consumer products, architectural and industrial maintenance products, and aerosol coatings.

The Board is in the process of scheduling initial hearings in this rulemaking, and expects to hold them within the next 90 days. Although there is no decision deadline in this rulemaking, the proposal suggests an effective date of January 1, 2009. So, the Board intends to proceed expeditiously with this rulemaking, and asks that you respond to this request as soon as you conveniently can.

This rulemaking addresses changes adopted by the United States Environmental Protection Agency (USEPA) on July 17, 1997, that revised the national ambient air quality standard (NAAQS) for ozone from 0.120 parts per million (ppm) to 0.080 ppm. In addition, USEPA increased the time period used as the basis for compliance with the NAAQS for ozone from one hour to eight hours.

In the statement of reasons that accompanied this rulemaking the Agency stated that, while many large sources of VOM in the state are already regulated, Illinois requires additional control measures to achieve compliance with the eight-hour ozone NAAQS by 2010 and to protect the health of the state's citizens. The Agency claimed that combined VOM emissions from consumer products, architectural and industrial maintenance coatings, and aerosol coating products "account for approximately 9.86% of all anthropogenic VOM emissions in the State of Illinois." The Agency stated that this proposed new rule would reduce VOM

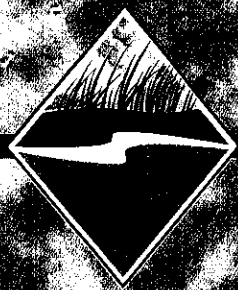
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emissions by approximately 28.5 tons per day and slightly more than 10,000 tons on an annual basis.

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).

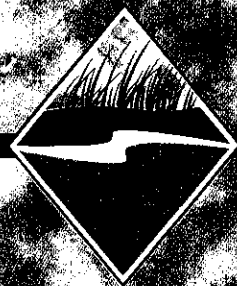
If I, or my staff, can provide you with any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,

G. Tanner Girard
Acting Chairman
Pollution Control Board

cc: Warren Ribley, DCEO



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John T. Therriault, Assistant Clerk of the Board

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