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From: Tim Fox
To: jim_kantola@ici.com
Date: 7/29/2008 10:36:00 AM
Subject: Re: consumer and commercial products rule

PC#5 STATE OF ILLINOIS
Pollution Control Board

In this docket, the Board has not adopted a proposal for first notice and has not proceeded to final adoption of any rules.

If you have questions about the substance of the proposal by the Illinois Environmental Protection Agency, you should contact the IEPA. The proposal was filed on behalf of the IEPA by Charles Matoesian, Assistant Counsel, who can be reached through 217-782-5544.

To ensure that your questions and remarks about the proposed rule are included in the record of this proceeding, I will print a copy of our e-mail correspondence and file it with our Clerk as a public comment in this rulemaking docket R 08-17.

Tim Fox, IPCB

>>> <jim_kantola@ici.com> 7/29/2008 9:17 AM >>>
Hi Tim,

Thanks for the quick response.

The pdf. file would open for a second then shut down completely. So I am not able to see the hearing files.

Did the Board 'adopt' the rules on the 25th or is there another step before the rules are officially adopted?
What about the sell through provision for the consumer products and architectural coatings? Why require a date or date code on the container if there is no sell through?

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"Tim Fox"
<FoxT@ipcb.state.il.us>
To
Jim Kantola/US/DECR/ICI@ICI
07/29/2008 09:51 AM cc
Subject
Re: consumer and commercial products rule

The Board has already held two hearings on the Illinois EPA's proposal, but

the Board has not yet adopted a first-notice opinion and order based on that proposal.

More information on this rulemaking is available on the Board's Web site at

<http://www.ipcb.state.il.us/Cool/External/CaseView2.asp?referer=coolsearch&case=13386>

>>> <jim_kantola@ici.com> 7/29/2008 7:08 AM >>>

Just wanted to know when is the Board hearing date? Will the rule still be implemented on 1/1/09? I did not see a 'sell through' period in the rule. Does that mean that all retailers have to clear their shelves of non-compliant products on 12/31/08? The rule also states that companies have to submit information about their date code 12 months in advance of the effective date. The rule has not been finalized yet and we are only 5 months away from implementation. Where is the 12 month window to submit date code information? Every consumer product rule in the US and Canada exempt clear sealers. I did not see that exemption in the IL rule, Why?

Thanks,

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