



# ILLINOIS POLLUTION CONTROL BOARD

GOVERNOR

~~Rod Blagojevich~~

CHAIRMAN

G. Tanner Girard, Ph.D.

March 17, 2011

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

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CLERK'S OFFICE

MAR 17 2011

STATE OF ILLINOIS  
Pollution Control Board

Re: Request for Economic Impact Study for: **Reasonably Available Control Technology (RACT) for Volatile Organic Material Emissions from Group II and Group IV Consumer & Commercial Products: Amendments to 35 Ill. Adm. Code 211, 218, and 219, (R11-23)**

Dear Director Ribley:

On March 17, 2011, the Board accepted for hearing a proposal in Reasonably Available Control Technology (RACT) for Volatile Organic Material Emissions from Group II and Group IV Consumer & Commercial Products: Amendments to 35 Ill. Adm. Code 211, 218, and 219, (R11-23). The Illinois Environmental Protection Agency filed this rulemaking with the Board on March 7, 2011 under authorities including the "fast-track" rulemaking provisions at Section 28.5 of the Environmental Protection Act. Generally, the Agency proposes to amend recently-promulgated volatile organic material (VOM) regulations in response to comments from the United States Environmental Protection Agency. I write to request that your Department conduct an economic impact study concerning this proposal.

Section 27(b) of the Environmental Protection Act requires that the Board:

- (1) request that the Department of Commerce and Economic Opportunity 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 in cost based on the size of the facility and the percentage of company

SPRINGFIELD OFFICE

1021 North Grand Ave. East  
P.O. Box 19274  
Springfield, IL  
62794-9274  
217-524-8500  
FAX 217-524-8508

CHICAGO OFFICE

James R. Thompson Center  
100 West Randolph  
Suite 11-500  
Chicago, IL 60601  
312-814-3620  
FAX 312-814-3669  
TTY 312-814-6032

WEB SITE

[www.ipcb.state.il.us](http://www.ipcb.state.il.us)



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revenues expected to be used to implement the proposed rules;  
and

- (2) conduct at least one public hearing on the economic impact of those new 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) (2008).

The Board intends to proceed promptly with this rulemaking as required by Section 28.5 of the Act, and asks that you determine whether DCEO will conduct an economic impact study on the proposal and respond no later than Wednesday, April 6, 2011. 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: John T. Therriault, Assistant Clerk of the Board