



ILLINOIS POLLUTION CONTROL BOARD

GOVERNOR

Pat Quinn



CHAIRMAN

Deanna Glosser, Ph.D.



MEMBERS

Jennifer Burke

Jerome O'Leary

Carrie Zalewski



SPRINGFIELD OFFICE

1021 N. Grand Ave. East
P.O. Box 19274
Springfield, IL
62794-9274

Main: 217-524-8500
FAX: 217-524-8508



CHICAGO OFFICE

James R. Thompson Center
100 West Randolph
Suite 11-500
Chicago, IL
60601-3233

Main: 312-814-3620
FAX: 312-814-3669
TDD: 312-814-6032



WEB SITE

www.ipcb.state.il.us

November 21, 2013

By Hand Delivery

Adam Pollet, Director
Department of Commerce and Economic Opportunity
100 W. Randolph St.
Chicago, Illinois 60601

RECEIVED
CLERK'S OFFICE

NOV 21 2013

STATE OF ILLINOIS
Pollution Control Board

Re: Request for Economic Impact Study for: Standards and Limitations
for Certain Sources of Lead; Proposed 35 Ill. Adm. Code 226 (R14-19)

Dear Director Pollet:

On November 15, 2013, the Illinois Environmental Protection Agency (Agency) filed a rulemaking proposal to add Part 226 to the Board's air pollution regulations. The Agency stated that it proposes

a regulation . . . to control lead emissions from sources in two areas of Illinois that currently do not meet the lead National Ambient Air Quality Standards (NAAQS). This proposed rulemaking is intended to meet certain obligations of the State of Illinois under the federal Clean Air Act, 42 U.S.C. § 7401 *et seq.* Specifically, the rulemaking is intended to satisfy Illinois' obligation to submit a State Implementation Plan to address requirements under Section 172 of the Clean Air Act (42 U.S.C. § 7502) and 40 C.F.R. § 51.117 for sources of lead emissions in areas designated as nonattainment with respect to the lead NAAQS.

I write to request that the Department of Commerce and Economic Opportunity conduct an economic impact study concerning this proposal. For reasons explained below, the Board would appreciate your response to this request no later than Tuesday, December 17, 2013.

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 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 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) (2010).

This rulemaking is a Clean Air Act fast-track rulemaking pursuant to Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5 (2012)), therefore, the Board must proceed on an expedient timeline set out by Section 28.5 of the Act. The first hearing in this matter is tentatively scheduled for the first full week of January. Under these circumstances, the Board respectfully asks that you determine whether the Department of Commerce and Economic Opportunity will conduct an economic impact study on the proposal and respond no later than Tuesday, December 17, 2013. If I or my staff can provide any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,



Deanna Glosser, Ph.D., Chairman
Pollution Control Board

cc: John T. Therriault, Clerk of the Board