



ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

AUG - 4 2014

STATE OF ILLINOIS
Pollution Control Board

August 4, 2014

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

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

Re: Request for Economic Impact Study for: **Standards and Requirements for Potable Water Well Surveys and Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination: Proposed Amendments to 35 Ill. Adm. Code 1600 (R14-23)**

Dear Director Pollet:

On June 17, 2014, the Illinois Environmental Protection Agency (Agency) filed a rulemaking proposal to amend Part 1600 to the Board's Right to Know regulations. The Agency stated that it proposes to amend the rules to conform to recent statutory changes. Specifically, the Agency proposes to require notice to specified members of the public if

measured offsite soil gas contamination from the site where the release occurred poses a threat of exposure above the appropriate Tier I remediation objectives; or measured offsite groundwater contamination from volatile chemicals poses a threat of indoor inhalation exposure above the appropriate Tier I remediation objectives.

I write to request that the Department of Commerce and Economic Opportunity conduct an economic impact study concerning this proposal. For reasons explained below, we would appreciate your response to this request no later than Friday, September 19, 2014.

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).

Although there is no decision deadline in this rulemaking, the Board intends to proceed promptly and is now preparing to schedule hearings in this matter. In the interest of administrative economy, the Board would like to combine the hearing required by Section 27(b) with a hearing on the substantive merits of the Agency's proposal. 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 Friday, September 19, 2014. 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