

ILLINOIS POLLUTION CONTROL BOARD
October 3, 2014



ORIGINAL

IN THE MATTER OF:)
)
WATER QUALITY STANDARDS AND) R08-9 (D)
EFFLUENT LIMITATIONS FOR THE) (Rulemaking - Water)
CHICAGO AREA WATERWAY SYSTEM)
AND LOWER DES PLAINES RIVER)
PROPOSED AMENDMENTS TO 35 ILL.)
ADM. CODE 301, 302, 303, and 304)

HEARING OFFICER ORDER

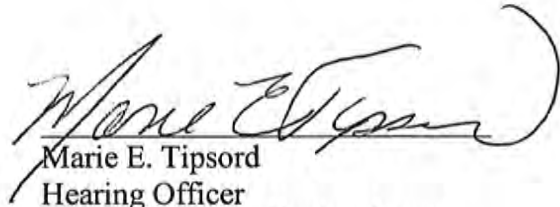
On September 18, 2014, the Board proceeded to first notice in Subdocket D proposing water quality standards for the Chicago Area Waterways System (CAWS) and the Lower Des Plaines River (LDPR) that are necessary to meet the aquatic life uses for those waterways.

On December 17, 2013, the Board held a hearing in Subdocket D, which also fulfilled the requirements of Section 27(b) of the Environmental Protection Act (415 ILCS 5/27(b) (2012)) for Subdocket C. Section 27(b) of the Act requires the Board to request the Department of Commerce and Economic Opportunity (DCEO) to conduct an economic impact study on certain proposed rules prior to adoption of those rules. If DCEO chooses to conduct the economic impact study, DCEO has 30 to 45 days after such request to produce a study of the economic impact of the proposed rules. The Board must then make the economic impact study, or DCEO's explanation for not conducting the study, available to the public at least 20 days before a public hearing on the economic impact of the proposed rules.

In accordance with Section 27(b) of the Act, the Board requested, by letter dated November 16, 2007, that DCEO conduct an economic impact study for the above-referenced rulemakings. The Board received no response and no one testified on DCEO's decision.

The first notice period under Section 5-40 of the Illinois Administrative Procedure Act (5 ILCS 100/5-40 (2012)) will begin on October 3, 2014, and expire on November 17, 2014. The Board will accept comments until November 21, 2014. The Board will allow for responsive comments to be filed by December 12, 2014. The mailbox rule does not apply to these filings.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Marie E. Tipsord", written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(312) 814-4925
tipsorm@ipcb.state.il.us