



ILLINOIS POLLUTION CONTROL BOARD

June 30, 2015

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STATE OF ILLINOIS
Pollution Control Board

Jim Schultz, Director
Department of Commerce and Economic Opportunity
100 W. Randolph St.
Suite 3-400
Chicago, Illinois 60601



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Re: Request for Economic Impact Study for: Water Pollution: Proposed Amendments to 35 Ill. Adm. Code Part 309
Board Docket R15-24

Dear Director Schultz:

I am writing to request that the Department of Commerce and Economic Opportunity conduct an economic impact study concerning the above rulemaking proposal. On June 1, 2015, the Illinois Environmental Protection Agency (Agency) filed a proposal to amend parts of the Board's water pollution regulations. The Agency states that the proposed amendments update requirements for renewal of National Pollutant Discharge Elimination (NPDES) permits to track federal regulations, and streamline and clarify rules for operating permits for wastewater sources not required to have an NPDES permit. The Agency filed the proposal pursuant to Sections 13, 27, and 28 of the Environmental Protection Act (Act) and Sections 102.200 and 102.202 of the Board's procedural rules. 415 ILCS 5/13, 27, 28 (2014); 35 Ill. Adm. Code 102.200, 102.202.

For reasons explained below, we would appreciate your response to this request no later than Monday, August 3, 2015.

Section 27(b) of the Environmental Protection Act requires 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) (2012).

Although there is no decision deadline in this rulemaking, the Board intends to proceed promptly and has scheduled hearings for this matter on August 25, 2015 and September 24, 2015. 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 Monday, August 3, 2015. 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