



ILLINOIS POLLUTION CONTROL BOARD

GOVERNOR

Pat Quinn



CHAIRMAN

Thomas Holbrook



MEMBERS

Jennifer Burke

Deanna Glosser

Thomas E. Johnson

Carrie Zalewski



SPRINGFIELD OFFICE

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



CHICAGO OFFICE

James R. Thompson Center
100 West Randolph
Suite 11-500
Chicago, IL
60601-3233
FAX 312-814-3669
TTY 312-814-6032



WEB SITE

www.ipcb.state.il.us

November 17, 2011

Warren Ribley, Director
Department of Commerce and Economic Opportunity
500 E. Monroe IL-12
Springfield, Illinois 62701

Re: Request for Economic Impact Study for: **Proposed Amendments to Nonhazardous Special Waste Hauling and the Uniform Program: 35 Ill. Adm. Code 809, (R12-13)**

Dear Director Ribley:

On November 17, 2011, the Board accepted for hearing a proposal filed by the Illinois Environmental Protection Agency and docketed as Proposed Amendments to Nonhazardous Special Waste Hauling and the Uniform Program: 35 Ill. Adm. Code 809, (R12-13). The Agency indicated that Public Act 97-0220 became law July 28, 2011, and effectively abolished the Uniform Hazardous Materials Transportation and Permit Program (Uniform Program). In the Statement of Reasons filed with its proposal, the Agency stated that the "proposed amendments to Part 809 are necessary to remove all references to the Uniform Program from the Waste Hauling regulation." 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

RECEIVED
CLERK'S OFFICE

NOV 17 2011

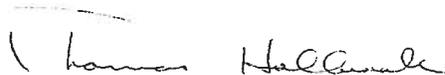
STATE OF ILLINOIS
Pollution Control Board

- (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).

The Board intends to proceed promptly with this rulemaking and asks that you determine whether DCEO will conduct an economic impact study on the proposal and respond no later than Friday, January 20, 2012. 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,



Thomas Holbrook
Chairman
Pollution Control Board

cc: John T. Therriault, Assistant Clerk of the Board