



ILLINOIS POLLUTION CONTROL BOARD

July 18, 2013

 ORIGINAL

GOVERNOR

Pat Quinn

Adam Pollet, Director
Department of Commerce and Economic Opportunity
James R. Thompson Center
100 W. Randolph, Suite 400, 3rd Floor
Chicago, Illinois

MEMBERS

Jennifer Burke

Deanna Glosser

Jerome O'Leary

Carrie Zalewski

Re: Request for Economic Impact Study on: Procedural Rules for Alternative Effluent Limitations Under Section 316(a) of the Clean Water Act: Proposed New 35 Ill. Adm. Code Part 106, Subpart K and Amended Section 304.141(c)
Board Docket R13-20

Dear Director Pollet:

I am writing to request that your Department conduct an economic impact study concerning the above rulemaking proposal. On June 20, 2013, the Illinois Environmental Protection Agency (IEPA) filed the proposal to adopt a new Subpart K of 35 Ill. Adm. Code 106 of the Board's rules. Specifically, the proposal will provide procedural rules for establishing alternative thermal effluent limitations under Section 316(a) of the Clean Water Act and 35 Ill. Adm. Code 304.141. The proposal will also update Section 304.141 of the Board's regulations to include a cross-reference to the new Subpart K and to update language to reflect the United States Environmental Protection Agency delegation of permitting authority to IEPA. IEPA filed the proposal under Sections 13, 26, and 28 of the Environmental Protection Act (Act) (415 ILCS 5/10, 27, 28 (2010)) and Section 102.202 of the Board's procedural rules (35 Ill. Adm. Code 102.202).

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Section 27(b) of the Act requires, among other things, that the Board do the following:

- (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

WEB SITE

www.ipcb.state.il.us

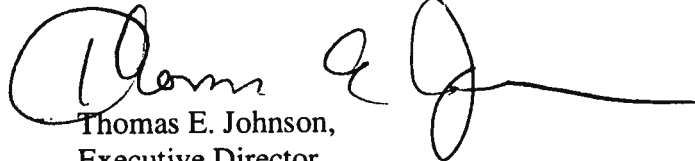
Mr. Pollet
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facility and the percentage of company revenues expected to be used to implement the proposed rules; and

- (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).

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,

A handwritten signature in black ink, appearing to read 'Thomas E. Johnson', with a long horizontal flourish extending to the right.

Thomas E. Johnson,
Executive Director
Pollution Control Board

cc: John T. Therriault, Clerk