



# IPCB

## Illinois Pollution Control Board

May 5, 2020

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

Re: Request for Economic Impact Study for Rulemaking For Cross Connection Control Device Inspectors Of Public Water Supplies 35 Ill. Adm. Code 604.1520, Board Docket R20-20

Dear Acting Director Guthrie:

I write to request that the Department of Economic Opportunity conduct an economic impact study of the rulemaking proposal cited above. On April 16, 2020, the Illinois Pollution Control Board adopted an emergency rule under the Illinois Administrative Procedure Act (5 ILCS 100/5-45) (2018)). The Illinois Environmental Protection Agency (IEPA) filed an emergency rulemaking proposal with the Board. The emergency rule will extend the renewal period for cross connection control device inspectors (CCCDI). Under the general rule the renewal period is May 1, 2020 until June 30, 2020. 35 Ill. Adm. Code 604.1510. The emergency rule changes that period to August 31 to October 30. Prop. 35 Ill. Adm. Code 604.1520. The Board may propose a general rule.

For the reasons below, we would appreciate your response to this request no later than June 22, 2020.

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

- (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) (2018).

Although the Board may not proceed with a proposed rule, if the Board does so, the rule must be adopted by September 14, 2020. 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 June 22, 2020. If my staff or I can provide any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,

*Barbara Flynn Currie*

Barbara Flynn Currie, Chair  
Pollution Control Board

cc: Don A. Brown, Clerk of the Board

