



# IPCB

## Illinois Pollution Control Board

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September 9, 2021

Sylvia Garcia, Acting Director  
Department of Commerce and Economic Opportunity  
555 W. Monroe  
12th Floor  
Chicago, Illinois 60661

Re: Request for Economic Impact Study for Amendments to 35 Ill. Adm. Code Part 203: Major Stationary Sources Construction and Modification, 35 Ill. Adm. Code Part 204: Prevention of Significant Deterioration, and Part 232: Toxic Air Contaminants, Board Docket R22-17

Dear Acting Director Garcia:

I write to request that the Department of Economic Opportunity conduct an economic impact study of the rulemaking proposal cited above. On September 9, 2021, the Illinois Pollution Control Board accepted the rulemaking proposal. The Illinois Environmental Regulatory Group (IERG) proposes amendments to the Board's Nonattainment New Source Review regulations to be update them to remain consistent with the Clean Air Act as well as implementing federal regulations.

For the reasons below, we would appreciate your response to this request no later than October 31, 2021.

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) (2020).

Although there is no decision deadline in this rulemaking, the Board intends to proceed by scheduling hearings. 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 IERG's proposal. Under these circumstances, the Board respectfully asks that you complete your study no later than October 31, 2021. If I or my staff can provide any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,

The seal of the Illinois State Board of Pollution Control is circular with a yellow border. It features an eagle with wings spread, perched on a shield with the American flag. Below the eagle is a banner with the dates '1868' and '1818'. The text 'ILLINOIS STATE BOARD OF POLLUTION CONTROL' is written around the top inner edge, and 'AUG. 26<sup>TH</sup> 1918' is at the bottom.

*Barbara Flynn Currie*

Barbara Flynn Currie, Chair  
Pollution Control Board

cc: Don A. Brown, Clerk of the Board