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Governor

Jack Lavin
Director

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STATE OF ILLINOIS
Pollution Control Board

January 19, 2005

J. Philip Novak, Chairman
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

**RE: DCEO Determination on Request for Economic Impact Study of Setback Zone for the City of Marquette Heights Community Water Supply, New 35 Ill Adm. Code 618
Rulemaking Docket R05-09**

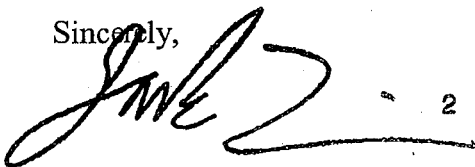
Dear Chairman Novak:

Thank you very much for your December 9, 2004 letter requesting a determination as to whether the Department of Commerce and Economic Opportunity (DCEO) intends to conduct an economic impact study of the proposed rule in the above-referenced docket.

DCEO has reviewed the Illinois Environmental Protection Agency's proposed rule establishing a 1,000-foot setback zone to protect groundwater wells in the City of Marquette Heights, (new 35 Ill. Adm. Code 618). Based on this review, and in light of continued fiscal constraints, DCEO will not be conducting a study of the economic impact of the proposed rules pursuant to 415 ILCS 5/27(b).

Thank you for soliciting DCEO's input in this matter.

Sincerely,



Jack Lavin, Director
Department of Commerce and Economic Opportunity

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