

ILLINOIS POLLUTION CONTROL BOARD
March 26, 1992

IN THE MATTER OF:)
)
EXPANSION OF APPLICABILITY OF)
REASONABLY AVAILABLE CONTROL)
TECHNOLOGY FOR OZONE TO GOOSE) R91-28
LAKE AND AUX SABLE TOWNSHIPS IN) (Rulemaking)
GRUNDY COUNTY, ILLINOIS, AND)
OSWEGO TOWNSHIP IN KENDALL COUNTY)
ILLINOIS: AMENDMENTS TO 35 ILL.)
ADM. CODE PARTS 215 AND 218)

ORDER OF THE BOARD (by R. C. Flemal):

On February 18, 1992, the Illinois Environmental Protection Agency (Agency) filed this proposal for rulemaking. The proposal is intended to expand the geographical applicability of reasonably available control technology (RACT) regulations to certain stationary sources of volatile organic material (VOM) in Goose Lake and Aux Sable Townships in Grundy County, Illinois, and to Oswego Township in Kendall County, Illinois.

On February 27, 1992, the Board accepted this proposed rulemaking for hearing. Section 27 of the Act requires the Board, within 60 days of accepting a proposal for hearing, to determine whether an economic impact study ("EcIS") should be conducted. That Section further allows a 21 day comment period for any person to request the Board to determine that an EcIS be prepared or not prepared. The 21 days expired on March 17, 1992.

In this proceeding, the Board received written comments from the Illinois Environmental Protection Agency (Agency), filed on February 18, 1992 with the proposal. The Agency requests that the Board determine that an EcIS not be prepared. The Agency states that it has identified the sources that would be affected by the expansion of the applicability of Part 218. The Agency further states that the Board did not require an EcIS for R91-7, the proceeding by which the Board adopted Part 218.

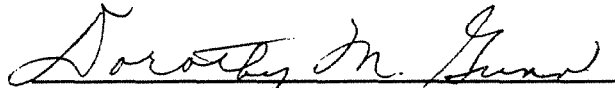
After consideration of the above comments and the proposed rulemaking, the Board presently believes that the presentation of economic information at hearing and in comments in this proceeding should be sufficient for the Board's consideration of the economic impact of the proposed rule. The Board therefore finds that the preparation of an EcIS need not be conducted in this matter at this time.

The Board further notes that Section 27 of the Act also provides for the Board to change its determination that an EcIS need not be prepared under specific circumstances:

. . . any time prior to the close of the record during the rulemaking proceeding, the Board may determine that an economic impact study be prepared, if the proposal has been substantially modified or if information in the record indicates that an economic impact study would be advisable.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 26th day of March, 1992 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board