



ILLINOIS POLLUTION CONTROL BOARD

January 20, 2015

By Hand Delivery

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WEB SITE

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Adam Pollet, Director
Department of Commerce and Economic Opportunity
JRTC 100 W. Randolph St., Suite 400, 3rd Floor
Chicago, Illinois 60601

Re: Request for Economic Impact Study for: **Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848 (R15-19)**

Dear Director Pollet:

On December 22, 2014, the Illinois Environmental Protection Agency (Agency) filed a rulemaking proposal to amend Part 848 of the Board's rules governing the management of used and waste tires. In its proposal, the Agency states that the proposed amendments are intended to protect the State's residents from the threats resulting from the mismanagement of used tires, "while simultaneously minimizing impacts on markets and businesses that diminish those threats by transforming used and waste tires into marketable commodities." The Agency also states that some provisions of the proposal, "are being submitted for the purpose of complying with Public Act 98-656," which prescribed a statutory deadline for the passage of the proposed rules.

I write to request that the Department of Commerce and Economic Opportunity conduct an economic impact study concerning this proposal. The Board would appreciate your response to this request no later than Monday, February 16, 2015.

Since 1998, Section 27(b) of the Environmental Protection Act has required 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 of small businesses with 100 or less employees, and the State's overall economy, and

- (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) (2012).

The first hearing in this matter is tentatively scheduled for the first full week of March 2015. Therefore, 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 Monday, February 16, 2015. If I or my staff can provide any additional information, please let me know.

Thank you in advance for your prompt response.

Sincerely,



Deanna Glosser, Ph.D., Chairman
Pollution Control Board

cc: John T. Therriault, Clerk of the Board