



# ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS  
Pollution Control Board

May 28, 2015

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



ORIGINAL

Re: Request for Economic Impact Study for: Public Water Supplies:  
Proposed Amendments to 35 Ill. Adm. Code Parts 601, 602, and 603  
Board Docket R15-22

Dear Director Schultz:

I write to request that the Department of Commerce and Economic Opportunity conduct an economic impact study concerning the above rulemaking proposal. On May 8, 2015, the Illinois Environmental Protection Agency (Agency) filed a proposal to amend parts of the Board's regulations governing public water supplies. The Agency states that the amendments are intended to (1) update Parts 601 through 603 of the regulations; (2) consolidate the community water supply permitting rules in Parts 652 and 602; and (3) amend Part 603 to be consistent with recent amendments to the Public Water Supply Operations Act, 415 ILCS 45 (2012). The Agency filed the proposal pursuant to Sections 17, 27, and 28 of the Environmental Protection Act (Act) and Section 102.202 of the Board's procedural rules. 415 ILCS 5/17, 27, 28 (2012); 35 Ill. Adm. Code 102.202.

For reasons explained below, we would appreciate your response to this request no later than Friday, July 10, 2015.

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 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).

Although there is no decision deadline in this rulemaking, the Board intends to proceed promptly and has scheduled hearings for this matter on July 2, 2015 and August 17, 2015. 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 the Agency's proposal. 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 Friday, July 10, 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