

ILLINOIS POLLUTION CONTROL BOARD  
February 4, 2021

IN THE MATTER OF: )  
 )  
RCRA SUBTITLE D UPDATE, USEPA ) R21-12  
REGULATIONS (July 1, 2020 through ) (Identical-in-Substance Rulemaking -  
December 31, 2020) ) Water)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by J. Van Wie):

Section 22.40(a) of the Environmental Protection Act (Act) (415 ILCS 5/22.40(a) (2018)) requires the Board to adopt regulations that are “identical in substance” to regulations of the United States Environmental Protection Agency (USEPA) to implement Subtitle D of the Resource Conservation and Recovery Act of 1976 (42 U.S.C §§ 6941-6949 (2018); RCRA Subtitle D) relating to municipal solid waste landfills (MSWLFs). 415 ILCS 5/7.2 (2018). USEPA has codified the federal MSWLF rules as 40 C.F.R. 258.

The Board reserved this docket for USEPA amendments during the period between July 1, 2020 through December 31, 2020. During that period, USEPA did not act regarding its MSWLF regulations in any way that would require Board action. The only USEPA amendment to 40 C.F.R. 258 occurred on August 28, 2020 (85 Fed. Reg. 53176) and related exclusively to a landfill facility in Arizona. That amendment affected no facilities in Illinois. Therefore, the Board dismisses this docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 4, 2021, by a vote of 4-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board