

Board Adopts Drycleaning Facility Rules

On January 5, 2023, the Board issued a final order adopting rules that address licensing drycleaning facilities, overseeing their environmental insurance coverage, and administering State fund reimbursement for the costs of cleaning up drycleaning solvent releases. This rulemaking was initiated by the Illinois Environmental Protection Agency (IEPA) to address amendments to the Drycleaner Environmental Response Trust (DERT) Fund Act. These statutory amendments transferred oversight and implementation of the DERT Fund from the DERT Fund Council to IEPA.

After receiving IEPA's rulemaking proposal, the Board held public hearings, received public comment, and proposed rules for both first and second notice. At its December 13, 2022 meeting, the Joint Committee on Administrative Rules issued a certification of no objection on the rules. The Board's new rules appear at 35 Ill. Adm. Code 1501 and became effective on January 17, 2023. The Board also repealed DERT Fund Council rules at both 35 Ill. Adm. Code 1500 and 2 Ill. Adm. Code 3100. All these steps are designed to protect the environment and smoothly transition drycleaners to the new regulatory program.

This rulemaking is captioned [Drycleaner Environmental Response Trust Fund Act Proposal to Add 35 Ill. Adm. Code Part 1501, Repeal 35 Ill. Adm. Code Part 1500, and Repeal 2 Ill. Adm. Code Part 3100](#), docket R21-19. Here is a link to the Board's [final order](#), which includes the text of new Part 1501. And here is a link to the Board's [first-notice order](#), in which the Board opened sub-docket R21-19(A) to consider minimum continuing education and compliance program requirements. For more information, please contact Marie Tipsord at 312-814-4925 or marie.tipsord@illinois.gov.