



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

January 24, 2023

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 47, Issue 4 of the Illinois Register, dated 1/27/2023.

ADOPTED RULES

Public Information (Repealer) 2 Ill. Adm. Code 3100 Point of Contact: Shannon Bilbruck	1334
General Program (Repealer) 35 Ill. Adm. Code 1500 Point of Contact: Shannon Bilbruck	1352
Drycleaner Environmental Response Trust Fund Program 35 Ill. Adm. Code 1501 Point of Contact: Shannon Bilbruck	1354

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: General Program
- 2) Code Citation: 35 Ill. Adm. Code 1500
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1500.10	Repealed
1500.20	Repealed
1500.30	Repealed
1500.40	Repealed
1500.50	Repealed
1500.55	Repealed
1500.60	Repealed
1500.70	Repealed
- 4) Statutory Authority: Implementing and authorized by the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135/20].
- 5) Effective Date of Rule: January 17, 2023
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted repealer is available on the Board's website (<https://pcb.illinois.gov/>) and are also on file and available for public inspection in the Board's Chicago office at the 60 E. Van Buren St., Suite 630, Chicago, Illinois 60605.
- 9) Notice of Proposal Published in Illinois Register: 46 Ill. Reg. 4575, March 18, 2022
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? None were requested
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No

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NOTICE OF ADOPTED REPEALER

- 15) Summary and Purpose of Rulemaking: Pursuant to the 2019 amendments to the Drycleaner Environmental Response Trust Fund Act (DERT Fund Act), 415 ILCS 135, as of July 1, 2020, the Illinois Environmental Protection Agency (IEPA) is responsible for the implementation of the DERT Fund Act and administration of the Drycleaner Environmental Response Trust Fund (DERT Fund), replacing the previous administrator - the Drycleaner Environmental Response Trust Fund Council. The Board today adopts rules for IEPA and the Board to follow in administration of the DERT Fund Act. In addition, the Board repeals the obsolete rules of the Drycleaner Environmental Response Trust Fund Council at 35 Ill. Adm. Code Part 1500 and 2 Ill. Adm. Code Part 3100.
- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Clerk's Office
Illinois Pollution Control Board
60 E Van Buren St., Suite 630
Chicago, IL 60605

312-814-3620

Copies of the Board's opinions and orders are available through the Clerk's Office On-Line (COOL) on the Board's website (<https://pcb.illinois.gov/>). You may also request copies of the Board's opinions and orders from the Clerk at the address listed above or by calling 312-814-3620. Please refer to docket number R21-19 in your request.

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NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Public Information
- 2) Code Citation: 2 Ill. Adm. Code 3100
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
3100.10	Repealed
3100.20	Repealed
3100.30	Repealed
3100.40	Repealed
3100.50	Repealed
3100.60	Repealed
3100.Appendix A	Repealed
3100.Appendix B	Repealed
3100.Illustration A	Repealed
3100.Illustration B	Repealed
3100.Illustration C	Repealed
3100.Illustration D	Repealed
3100.Illustration E	Repealed
3100.Illustration F	Repealed
- 4) Statutory Authority: Implementing the Freedom of Information Act [5 ILCS 140] and authorized by Section 20(a) of the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135/20(a)].
- 5) Effective Date of Rule: January 17, 2023
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted repealer is available on the Board's website (<https://pcb.illinois.gov/>) and are also on file and available for public inspection in the Board's Chicago office at the 60 E. Van Buren St., Suite 630, Chicago, Illinois 60605.
- 9) Notice of Proposal Published in Illinois Register: Pursuant to Section 5-15 of the Administrative Procedure Act [5 ILCS 100/5-15] these rules were not published as a proposed rule in the Illinois Register.
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No

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- 11) Differences between proposal and final version: Pursuant to Section 5-15 of the Administrative Procedure Act [5 ILCS 100/5-15] these rules were not published as a proposed rule in the Illinois Register.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? None were requested
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Pursuant to the 2019 amendments to the Drycleaner Environmental Response Trust Fund Act (DERT Fund Act), 415 ILCS 135, as of July 1, 2020, the Illinois Environmental Protection Agency (IEPA) is responsible for the implementation of the DERT Fund Act and administration of the Drycleaner Environmental Response Trust Fund (DERT Fund), replacing the previous administrator - the Drycleaner Environmental Response Trust Fund Council. The Board today adopts rules for IEPA and the Board to follow in administration of the DERT Fund Act. In addition, the Board repeals the obsolete rules of the Drycleaner Environmental Response Trust Fund Council at 35 Ill. Adm. Code Part 1500 and 2 Ill. Adm. Code Part 3100.
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NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Drycleaner Environmental Response Trust Fund Program
- 2) Code Citation: 35 Ill. Adm. Code 1501
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1501.100	New Section
1501.110	New Section
1501.120	New Section
1501.130	New Section
1501.150	New Section
1501.160	New Section
1501.170	New Section
1501.180	New Section
1501.190	New Section
1501.195	New Section
1501.200	New Section
1501.210	New Section
1501.220	New Section
1501.230	New Section
1501.300	New Section
1501.310	New Section
1501.320	New Section
1501.330	New Section
1501.340	New Section
1501.350	New Section
1501.360	New Section
1501.400	New Section
1501.410	New Section
1501.420	New Section
1501.430	New Section
1501.440	New Section
1501.450	New Section
- 4) Statutory Authority: Implementing and authorized by the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135] and Sections 27 & 28 of the Environmental Protection Act [415 ILCS 5/27 & 28].
- 5) Effective Date of Rule: January 17, 2023

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- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted rule is available on the Board's website (<https://pcb.illinois.gov/>) and are also on file and available for public inspection in the Board's Chicago office at the 60 E. Van Buren St., Suite 630, Chicago, Illinois 60605.
- 9) Notice of Proposal Published in Illinois Register: 46 Ill. Reg. 4621, March 18, 2022
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: At adoption, the Board makes a number of non-substantive changes proposed by JCAR
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Pursuant to the 2019 amendments to the Drycleaner Environmental Response Trust Fund Act (DERT Fund Act), 415 ILCS 135, as of July 1, 2020, the Illinois Environmental Protection Agency (IEPA) is responsible for the implementation of the DERT Fund Act and administration of the Drycleaner Environmental Response Trust Fund (DERT Fund), replacing the previous administrator - the Drycleaner Environmental Response Trust Fund Council. The Board today adopts rules for IEPA and the Board to follow in administration of the DERT Fund Act. In addition, the Board repeals the obsolete rules of the Drycleaner Environmental Response Trust Fund Council at 35 Ill. Adm. Code Part 1500 and 2 Ill. Adm. Code Part 3100.
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The full text of the adopted rule begins on the next page: