

ILLINOIS POLLUTION CONTROL BOARD
February 2, 1989

IN THE MATTER OF:)
UST UPDATE, USEPA REGULATIONS) R88-27
(SEPTEMBER 23, 1988))

PROPOSAL FOR PUBLIC COMMENT

PROPOSED ORDER OF THE BOARD (by J. Anderson):

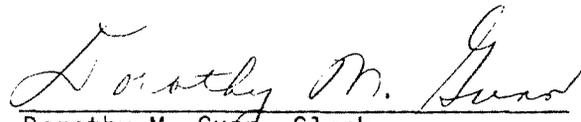
Pursuant to Section 22.4(e) of the Environmental Protection Act (Act), the Board proposes to amend the UST underground storage tank regulations.

Section 22.4 of the Act governs adoption of regulations establishing the RCRA program in Illinois. Section 22.4(e) provides for quick adoption of regulations which are "identical in substance" to federal regulations. Section 22.4(e) provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by the Joint Committee on Administrative Rules (JCAR). The federal UST rules are found at 40 CFR 280. This rulemaking updates Illinois' UST rules to correspond with major federal amendments which appeared at 53 Fed. Reg. 37082, September 23, 1988.

This Order is supported by a proposed Opinion adopted this same day. The Board will receive public comment on the proposal for a period of 45 days following publication in the Illinois Register. Because of its length, the text of the proposal will not be published in the Environmental Register, or appear in the Opinion volumes. The complete text of the proposed rules follows.

IT IS SO ORDERED

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Order was adopted on the 204 day of February, 1989, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board