

ILLINOIS POLLUTION CONTROL BOARD

August 20, 2009

IN THE MATTER OF: )  
)  
UST UPDATE, USEPA REGULATIONS ) R10-5  
(January 1, 2009 through June 30, 2009) ) (Identical-in-Substance Rulemaking -  
) Land)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by G.T. Girard):

Section 22.4(d) of the Environmental Protection Act (415 ILCS 5/22.4(d) (2006)) requires the Board to adopt regulations that are “identical in substance” to regulations of the United States Environmental Protection Agency (USEPA). 415 ILCS 5/7.2 (2006). Specifically, Section 22.4(d) relates to underground storage tank (UST) regulations promulgated by the USEPA pursuant to Section 9003 of the federal Resource Conservation and Recovery Act of 1976 (RCRA) (42 U.S.C. §§ 6991b (2005)) to implement Subtitle I of RCRA (42 U.S.C. §§ 6991 *et seq.* (2005)), with certain limitations. USEPA has codified its UST regulations at 40 C.F.R. 281 through 283.

The Board reserved this docket for any UST amendments adopted by USEPA between January 1, 2009 through June 30, 2009. During that time period, USEPA did not amend its UST regulations in a way that will require Board action. Therefore, no action is necessary, and the Board dismisses this docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 20, 2009, by a vote of 5-0.



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John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board