



OFFICE OF THE SECRETARY OF STATE

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December 30, 2015

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STATE OF ILLINOIS
Pollution Control Board

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 40, Issue 2 of the Illinois Register, dated 1/8/2016.

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Notice of Public Information

Point of Contact: Mike McCambridge

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

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ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

Section 22.4(a) of the Environmental Protection Act (Act) [415 ILCS 5/22.4(a)] requires the Board to adopt regulations that are “identical in substance” to U.S. Environmental Protection Agency (USEPA) hazardous waste rules adopted to implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (2008)). These rules are contained in 35 Ill. Adm. Code 701 through 705, 720 through 728, 733, and 739.

Section 7.2(a) of the Act [415 ILCS 5/7.2(a)] requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) [415 ILCS 5/7.2(b)] allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

By an order dated December 22, 2015, the Board set forth reasons for delay and extended the deadline for final action on the amendments from January 13, 2016 to June 30, 2016. That order stated in significant part as follows:

EXTENSION OF DEADLINE

The Board requires additional time to develop a proposal for public comment in this matter. The Board notes two primary reasons for an extended deadline. First, the volume and complexity of the underlying USEPA amendments was significant, taking considerable effort. The Board anticipates that the opinion and order proposing the amendments will exceed 1,000 pages in length affects numerous sections of existing Board rules. Second, USEPA submitted a number of comments on existing rules based on USEPA’s periodic review for federal authorization of the Illinois RCRA Subtitle C regulations. Examining the differences between USEPA and Illinois texts and formulating responses to USEPA’s observations took considerable effort.

For the foregoing reasons, the Board finds that delay was unavoidable and an extension of the one-year deadline is necessary. The Board will adhere to the following schedule:

Due date: **June 30, 2016**

Date of Board vote to propose amendments: March 3, 2016

FILED
INDEX DEPARTMENT

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IN THE OFFICE OF
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ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION

Submission for <i>Illinois Register</i> publication:	March 14, 2016
Probable <i>Illinois Register</i> publication date:	March 25, 2016
Probable End of 45-day public comment period:	May 9, 2016
Date of Board vote to adopt amendments:	May 19, 2016
End of 30-day hold period for USEPA review:	June 20, 2016
Probable filing and effective date:	June 27, 2016
Probable <i>Illinois Register</i> publication date:	July 8, 2016

At present, the Board hopes to assemble the necessary proposal for public comment more rapidly than the times projected above—perhaps as early as January 2016. This would allow the Board to complete the rulemaking activities early as May 2016. However, to accommodate the unanticipated possibility for further delay, the Board extends the deadline for final action until June 30, 2016.

The Board hereby extends the deadline for completion of this rulemaking under Section 7.2(b) of the Act (415 ILCS 5/7.2(b) (2014)). The Board also directs staff to cause publication of a Notice of Public Information on Proposed Rules in the *Illinois Register*, based on this order, which sets forth reasons for delay and extends the due date for this proceeding.

Direct inquiries as follows, referencing consolidated docket R16-7:

Michael J. McCambridge, Staff Attorney
Illinois Pollution Control Board
312-814-6924 or mccambm@ipcb.state.il.us