

ILLINOIS POLLUTION CONTROL BOARD  
March 22, 2018

IN THE MATTER OF: )  
)  
AMENDMENTS TO 35 ILL. ADM. CODE ) R18-24  
SUBTITLE D: MINE RELATED WATER ) (Rulemaking - Water)  
POLLUTION )

ORDER OF THE BOARD (by C.M. Santos and B.K. Carter)

Based on Executive Order 2016-13, the Illinois Environmental Protection Agency (IEPA) filed a proposal on January 10, 2018 to update the Board's rules. The Executive Order requires each State agency under the jurisdiction of the Governor to review its regulations to determine which of them are outdated, repetitive, confusing, unnecessary, or harmful to the economy.

In response to Executive Order 2016-13, IEPA reviewed Board regulations to identify provisions to revise or repeal. IEPA proposes to amend regulations that it believes are obsolete, duplicative, or otherwise unnecessary. IEPA considers its proposed amendments to be non-substantive. On February 8, 2018, the Board accepted IEPA's proposal in rulemaking docket R18-21.

Independent of IEPA's proposal, the Board has been reviewing its own regulations to identify provisions that may warrant revision or repeal under Executive Order 2016-13. To avoid duplication, the Board today in separate orders opens eight additional rulemaking dockets—each one limited to a subtitle of the Board's rules. Docket R18-21, opened on February 8, 2018 with IEPA's proposal, will address only Subtitle B air pollution regulations. IEPA's proposals to amend other subtitles will be considered in the corresponding dockets.

The Board opens this docket, R18-24, in which the Board will consider amendments only to its Subtitle D mine related water pollution regulations (35 Ill. Adm. Code 401-406), both those amendments originally proposed by IEPA and any others that may stem from the Board's own review. The Board incorporates IEPA's proposal into the record of this docket. The Board expects that it will next proceed to a proposal for public comment. If a participant believes that any part of the proposal is substantive, the Board will have the opportunity to address that concern at hearing and in later orders.

In each of the eight dockets opened today and docket R18-21, the Board will proceed expeditiously with its review, although all dockets may not follow the same schedule. To make these rulemakings as efficient as possible, the Board expects to coordinate hearings and conduct them by videoconference. Persons interested in Subtitle D are encouraged to contact the Clerk's Office to be added to the R18-24 notice list.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 22, 2018, by a vote of 5-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive, flowing style.

Don A. Brown, Clerk  
Illinois Pollution Control Board