

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments
- 2) Code Citation: 35 Ill. Adm. Code 845
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
845.120	Amendment
845.500	Amendment
845.550	Amendment
845.740	Amendment
845.800	Amendment
- 4) Statutory Authority: Implementing Section 22.59(g), P.A. 101-171 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/22.59(g), P.A. 101-171 27; and 28].
- 5) A Complete Description of the Subjects and Issues Involved: This sub-docket explored four issues raised during the rulemaking process for 35 Ill. Adm. Code 845. Those four issues are: 1) historic, unconsolidated coal ash fill in the State; (2) the use of temporary storage piles of coal ash, including time and volume limits; (3) fugitive dust monitoring plans for areas surrounding CCR surface impoundments; and (4) the use of environmental justice screening tools.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period

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of at least 45 days after the date of publication in the *Illinois Register*. Public comments should refer to Docket R20-19(A) and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at <https://pcb.illinois.gov/>. Public comments may be addressed to:

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

(312) 814-3621
don.brown@illinois.gov

Interested persons may download copies of the Board's opinions and orders in R20-19(A) from the Board's Web site at <https://pcb.illinois.gov/> and may also request copies by calling the Clerk's office at 312-814-3620.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendments begins on the next page: