

ILLINOIS POLLUTION CONTROL BOARD

August 8, 2002

IN THE MATTER OF:)
)
UIC UPDATE, USEPA REGULATIONS) R03-5
(January 1, 2002 through June 30, 2002)) (Identical-in-Substance
) Rulemaking - Land)

Proposed Rule. Dismissal Order.

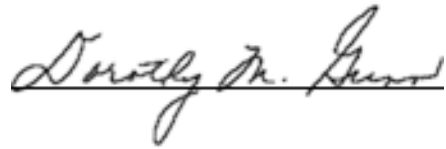
ORDER OF THE BOARD (by M.E. Tristano):

Section 13(c) of the Environmental Protection Act (Act) (415 ILCS 5/13(c) (2000)) 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 (2000). Specifically, Section 13(c) relates to underground injection control (UIC) regulations that USEPA adopted to implement provisions of the Safe Drinking Water Act (42 U.S.C. § 300h *et seq.* (1998)). USEPA has codified its UIC regulations at 40 C.F.R. 144 through 148. The Board reserved this docket for any UIC amendments adopted by USEPA between January 1, 2002 and June 30, 2002.

USEPA made two affirmative determinations during the period that actions were not necessary. On April 4, 2002 (67 Fed. Reg. 16262), USEPA determined not to list certain paint production wastes as hazardous and impose land disposal restrictions on them. On June 7, 2002 (67 Fed. Reg. 39584), USEPA determined no further regulatory action was necessary with regard to any Class V injection wells not included in the December 7, 1999 rules applicable to motor vehicle waste disposal wells and large-capacity cesspools. USEPA determined that existing regulations were adequate as to these Class V wells, which include shallow non-hazardous waste industrial disposal wells, large-capacity septic systems, agricultural and storm water drainage wells, and others. But, during that time period, USEPA did not amend its UIC regulations. Therefore, no action is necessary, and the Board dismisses this docket.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the above order was adopted on August 8, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board