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STATE OF ILLINOIS
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/7.2(b)

In this Notice of Public Information under Section 7.2(b) of the Illinois Environmental Protection Act (Act), 415 ILCS 5/7.2(b) (2006), the Board explains why it has extended until April 16, 2008, the deadline for adoption and filing of rules in the following consolidated identical in substance rulemaking: RCRA Subtitle C Update, USEPA Amendments (January 1, 2006 through June 30, 2006) R07-5; RCRA Subtitle C Update, USEPA Amendments (July 1, 2006 through December 31, 2006) R07-14 (consolidated). The Board has not yet adopted a proposal for public comment in this rulemaking, so there has been no *Illinois Register* publication in this consolidated docket. The Board anticipates that it will adopt a proposal for public comment at its December 20, 2007 meeting, and that the proposal will be filed by December 31, 2007 with the Secretary of State's Index Department for publication in the January 11, 2008 *Illinois Register*. If these events timely occur and no additional delay is required to adequately respond to public comments, the Board anticipates adoption of final rules at its March 6, 2008 meeting. Because the Board holds adopted RCRA Subtitle C rulemakings for 30 days for USEPA review, the Board anticipates filing the adopted amendments with the Secretary of State's Index Department by April 14, 2008.

On January 26, 2007, the Board adopted an order to consolidate these identical in substance RCRA rulemakings. In that order the Board also found it necessary to extend the one-year period for completion of these amendments. The adoption deadline, based on the first federal action in docket R07-5, originally was April 4, 2007. The Board found that the statutory one-year period in this consolidated docket was insufficient for completion of the amendments.

The Board was unable to initiate this rulemaking earlier due to the unusually high demands on staff resources over the last several months as a result of a greatly increased volume of complex federal rulemaking, e.g. the very recently completed consolidated underground injection control, municipal solid waste landfill, and hazardous waste update docket, R06-16/R06-17/R06-18. Additionally, the consolidated rulemakings involves a large volume of text. While the consolidation of the rulemaking dockets added to the volume of the rulemaking, the Board found that the closely related subject matter in the two dockets would be best if handled at the same time, especially as there is some overlap in the provisions involved in the separate federal actions.

Copies of the Board's opinion and order in R07-5 may be obtained by calling the Clerk's office at 312-814-3620, or by downloading copies from the Board's Web site at www.ipcb.state.il.us.

For additional information contact Mike McCambridge at 312-814-6924; e-mail address mccambm@ipcb.state.il.us.

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