

ILLINOIS POLLUTION CONTROL BOARD

February 19, 2009

IN THE MATTER OF:)
)
RCRA SUBTITLE D UPDATE, USEPA) R09-15
REGULATIONS (July 1, 2008 through) (Identical-in-Substance Rulemaking -
December 31, 2008)) Water)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by G.T. Girard):

Section 22.40(a) of the Environmental Protection Act (Act) (415 ILCS 5/22.40(a) (2006)) 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 (2006). Specifically, Section 22.40(a) relates to municipal solid waste landfill (MSWLF) regulations that USEPA adopted to implement Subtitle D of the Resource Conservation and Recovery Act of 1976 (42 U.S.C §§ 6941-6949 (2005); RCRA Subtitle D). USEPA has codified the federal MSWLF rules as 40 C.F.R. 258.

The Board reserved this docket for USEPA amendments during the period between July 1, 2008 through December 31, 2008. During that time period, USEPA did not amend 40 C.F.R. 258. Therefore, no action is necessary, and the Board dismisses this docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 19, 2009, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board