

Illinois Pollution Control Board Proposes Amendments to Its Procedural Rules And Underground Storage Tank Regulations

The Illinois Pollution Control Board, on April 19, 2007, sent to first notice proposed amendments to its procedural rules and underground storage tank (UST) regulations. The proposed amendments, which are contained in docket Proposed Amendments to the Board's Procedural Rules and Underground Storage Tank Regulations to Reflect P.A. 94-0274, P.A. 94-0276, And P.A. 94-0824 (35 Ill. Adm. Code 101.202, 732.103, 732.702, 734.115, 734.710) (R07-17), are intended to make the Board's regulations consistent with recent amendments to the Environmental Protection Act (Act) (415 ILCS 5/1 *et seq.* (2004)).

The Board proposes amending the definition of "owner" in Sections 732.103 and 734.115 of its UST regulations to reflect the statutory amendment enacted by P.A. 94-0274, which changed definitions with regard to certain activities taken by the Illinois Environmental Protection Agency (IEPA) in its UST program.

The Board proposes amending its regulations regarding no further remediation (NFR) letters to reflect the statutory amendment enacted by P.A. 92-0276, which provides that the Act's subsection addressing the significance of the IEPA's issuance of an NFR letter "does not apply to off-site contamination related to the occurrence that has not been remediated due to the denial of access to the off-site property."

Additionally, as required by P.A. 94-0824, the Board proposes amending the definition of "pollution control facility" in Section 101.202 (35 Ill. Adm. Code 101.202) of its procedural rules to include a sixteenth exception to that definition.

The Board will hold two hearings on this proposal.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office:

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