

The Board Adopts for First Notice a Proposal to Amend Underground Storage Tank Regulations

On September 22, 2011, the Board adopted for first notice a proposal to amend the Board's underground storage tank (UST) regulations. On February 18, 2011, the Illinois Environmental Protection Agency (IEPA) filed the original rulemaking proposal, which is docketed as In the Matter of: Underground Storage Tanks (35 Ill. Adm. Code 731) and Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732 and 734), R11-22. The IEPA filed the proposal pursuant to Public Act 96-908 (P.A. 96-908), which was signed into law and became effective on June 8, 2010.

The IEPA stated that P.A. 96-908 amended and added provisions to Title XVI of the Environmental Protection Act, which addresses USTs. The IEPA stated that is sought to update Part 731 of the Board's regulations "to clarify the application of Part 734 to owners and operators subject to Title XVI. . . ." The IEPA proposed repealing Part 732 "because it no longer has any application after the enactment of P.A. 96-908." The IEPA also sought to amend Part 734 to reflect statutory amendments adopted in P.A. 96-908.

The Board held two public hearings in this rulemaking: the first on May 10, 2011, in Springfield, and the second on June 16, 2011, in Chicago.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which any person may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R11-22, should be indicated on the public comment.

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601.

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

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 from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act (5 ILCS 140/6 (2010)).

For more information contact Tim Fox at (312) 814-6085 or email at foxt@ipcb.state.il.us.