



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

November 22, 2010

POLLUTION CONTROL BOARD
JOHN THERRIAULT ASSISTANT CLERK
100 W RANDOLPH ST, STE 11-500
CHICAGO, IL 60601

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STATE OF ILLINOIS
Pollution Control Board

Dear JOHN THERRIAULT ASSISTANT CLERK

Your rules Listed below met our codification standards and have been published in Volume 34, Issue 48 of the Illinois Register, dated 11/29/2010.

ADOPTED RULES

- RCRA Permit Program
 - 35 Ill. Adm. Code 703 18505
 - Point of Contact: Mike McCambridge

- Hazardous Waste Management System: General
 - 35 Ill. Adm. Code 720 18535
 - Point of Contact: Mike McCambridge

- Identification and Listing of Hazardous Waste
 - 35 Ill. Adm. Code 721 18611
 - Point of Contact: Mike McCambridge

- Standards Applicable to Generators of Hazardous Waste
 - 35 Ill. Adm. Code 722 18817
 - Point of Contact: Mike McCambridge

- Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
 - 35 Ill. Adm. Code 724 18873
 - Point of Contact: Mike McCambridge

- Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
 - 35 Ill. Adm. Code 725 18890
 - Point of Contact: Mike McCambridge

OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER

Index Department - Administrative Code Division - 111 East Monroe Springfield, IL 62756



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Notice of Public Information

Point of Contact: Mike McCambridge

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If you have any questions, you may contact the Administrative Code Division at
(217) 782 - 7017.

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

Section 17.5 of the Environmental Protection Act (Act) [415 ILCS 5/17.5] requires the Board to adopt regulations that are "identical in substance" to rules adopted by the United States Environmental Protection Agency (USEPA) to implement Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a) (2006)). The USEPA National Primary Drinking Water Regulations (NPDWRs) implement Sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal SDWA (42 U.S.C. §§ 300g-1(a), 300g-3(c), 300g-6(a), and 300j-4(a) (2006)). The federal SDWA regulations are found at 40 C.F.R. 141 through 143.

Section 7.2(a) of the Act [415 ILCS 5/7.2(a)] requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) [415 ILCS 5/7.2(b)] allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

By an order dated November 4, 2010, the Board set forth reasons for delay and extended the deadline for final action on the amendments from November 15, 2010 to December 30, 2010. This was the second such extension of the deadline by the Board. By an order dated June 17, 2009, the Board previously set forth reasons for delay and extended the deadline for final action on the amendments from June 29, 2010 to November 15, 2010. The November 4, 2010 order stated in pertinent part as follows:

REASONS FOR DELAY AND EXTENSION OF DUE DATE

The Board has been as yet unable to complete a rulemaking proposal for public comment based on the USEPA actions. Section 7.2 of the Act (415 ILCS 5/7.2(b) (2008)) further provides that the Board can enter an order finding that compliance with the statutory due date for final action was not possible and stating the reasons.

The Board finds that meeting the November 15, 2010 deadline for final action was not possible. The Board states the reasons for delay as follows:

The publication of the Notice of Proposed Amendments was delayed for a few weeks for two reasons. First, the Board encountered a greater than usual number of minor corrections and clarifications were needed in the base text of the rules. This involved a thorough review of all of the analytical methods available from USEPA and of many available from other sources. Making the corrections further required itemized documentation of

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

the changes into tables that spanned more than 100 pages of the opinion and order. Further, concurrent work on the final opinion and order in another identical-in-substance rulemaking, RCRA Subtitle C Update, USEPA Amendments (July 1, 2008 through December 31, 2008 and June 15, 2010), R09-16 and RCRA Subtitle C Update, USEPA Amendments (January 1, 2009 through June 30, 2009), R10-4 (Oct. 7, 2010) (consolidated), slowed work on submitting the proposed amendments to the Office of the Secretary of State.

For the foregoing reasons, the Board extends the rule completion deadline from November 15, 2010 until December 30, 2010 pursuant to Section 7.2(b) of the Act (415 ILCS 5/7.2(b) (2008)).

TIMETABLE FOR COMPLETION OF THIS RULEMAKING

Completing the amendments before December 30, 2010 will require the Board to progress to final adoption according to the following schedule:

Extended Due date:	December 30, 2010
Date Board voted to propose amendments:	August 5, 2010
Submitted for <i>Illinois Register</i> publication:	September 20, 2010
<i>Illinois Register</i> publication date:	October 8, 2010
End of 45-day public comment period:	November 22, 2010
Likely date of Board vote to adopt amendments:	December 2, 2010
Probable filing and effective date:	December 13, 2010
Probable <i>Illinois Register</i> publication date:	December 23, 2010

Direct inquiries as follows, referencing consolidated docket R10-1/R10-17/R11-6:

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Illinois Pollution Control Board
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