



OFFICE OF THE SECRETARY OF STATE

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October 21, 2011

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STATE OF ILLINOIS
Pollution Control Board

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

Dear JOHN THERRIAULT ASSISTANT CLERK

Your rules Listed below met our codification standards and have been published in Volume 35, Issue 44 of the Illinois Register, dated 10/28/2011.

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

Notice of Public Information
Point of Contact: Mike McCambridge 17488 R11-14

PROPOSED RULES

Mobile Sources
35 Ill. Adm. Code 240 17178 R12-12
Point of Contact: Nancy Miller

RCRA and UIC Permit Programs
35 Ill. Adm. Code 702 17190 R11-14
Point of Contact: Mike McCambridge

UIC Permit Program
35 Ill. Adm. Code 704 17215 R11-14
Point of Contact: Mike McCambridge

Procedures for Permit Issuance
35 Ill. Adm. Code 705 17256 R11-14
Point of Contact: Mike McCambridge

Underground Injection Control Operating Requirements
35 Ill. Adm. Code 730 17264 R11-14
Point of Contact: Mike McCambridge

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

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

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NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENT

Section 13(c) of the Environmental Protection Act (Act) [415 ILCS 5/13(c)] requires the Board to adopt regulations that are "identical in substance" to U.S. Environmental Protection Agency (USEPA) underground injection control (UIC) rules adopted pursuant to Section 1421 of the Safe Drinking Water Act (SDWA), 42 USC § 300h (2006). These rules are contained in 35 Ill. Adm. Code 730 and 738. (Parts 702, 704, 705, and 730 are to be amended in docket R11-14.)

Section 7.2(a) of the Act 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) allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

On October 6, 2011, the Pollution Control Board adopted an order that adopted a proposal for public comment, set forth reasons for delay, and extended the deadline for completion of rulemaking action in the UIC update docket R11-14. In that order, the Board stated as follows:

REASONS FOR DELAY

Under Section 7.2 of the Act (415 ILCS 5/7.2(b) (2004)), the Board must complete this rulemaking within one year of December 10, 2010, the date of the earliest set of federal amendments considered in this docket. USEPA adopted the earliest federal amendments that required Board attention on December 10, 2010, so that the deadline for Board adoption of these amendments is December 10, 2011. Meeting that deadline would have required Board adoption of this proposal for public comment by September 1, 2011, so that this proceeding could have progressed to final adoption according to the following schedule:

Due date:	December 10, 2011
Proposal adopted date:	September 1, 2011
Publication submission deadline:	September 12, 2011
<i>Illinois Register</i> publication date:	September 23, 2011
End of 45-day public comment period:	November 7, 2011
Adoption date:	November 17, 2011
Possible filing and effective date:	November 28, 2011
Possible <i>Illinois Register</i> publication date:	December 9, 2011

Unfortunately, delays in final adoption of RCRA Subtitle C Update, USEPA Amendments (January 1, 2010 through June 30, 2010), R11-2 and RCRA Subtitle C Update, USEPA Amendments, R11-16 (Aug. 18, 2011) (cons.) and the extent of minor revisions found necessary in the text of the USEPA amendments

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that underlie this proceeding have delayed this proposal for public comment until today.

The Board presently projects the following the following timetable for progress towards completion of the present amendments:

Due date:	January 26, 2012
Proposal adopted date:	October 6, 2011
Publication submission deadline:	October 18, 2011
<i>Illinois Register</i> publication date:	October 29, 2011
End of 45-day public comment period:	December 12, 2011
Adoption date:	January 5, 2012
Possible filing and effective date:	January 17, 2012
Possible <i>Illinois Register</i> publication date:	January 28, 2012

The above are reasonable projections of the dates for progress towards adoption of the amendments included in this proposal. Should the Board gain publication of the Notices of Proposed Amendments in this matter in the October 22, 2011 issue of the *Illinois Register*, the Board might be able to adopt rules on December 15, 2011, and file them before December 19, 2011. Conversely, should delay occur through some presently unforeseen circumstance, a Board vote to adopt amendments based on this proposal, and filing of the adopted amendments with the Office of the Secretary of State, could occur later.

Direct inquiries as follows, referencing consolidated docket R11-14:

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Illinois Pollution Control Board
312-814-6924 or mccambm@ipcb.state.il.us