

Proposals To Amend Petroleum Leaking Underground Storage Tanks

The Illinois Pollution Control Board is considering two proposals to amend the Board's petroleum leaking underground storage tank rules. On January 13, 2004, the Illinois Environmental Protection Agency filed two rulemaking proposals entitled Proposed Amendments To: Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732), R04-22 and Proposed Amendments To Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 734), R04-23. On January 22, 2004, the Board accepted these rulemakings for hearing and consolidated the two proposals for hearing.

Public Act 92-0554, effective June 24, 2002, prompted the proposed amendments to Part 732 to set forth corrective action measures that must be taken in response to a leak and procedures for seeking payment from the Underground Storage Tank Fund (UST Fund). Additionally, proposed amendments prompted by Public Act 92-0735, effective July 25, 2002, would allow a Licensed Professional Geologist to certify certain information. The Illinois Environmental Protection Agency is also proposing amendments to streamline the process for obtaining payment from the UST Fund.

The proposed new Part 734, which would apply to releases reported after June 24, 2002, is identical to Part 732 except for changes enacted in Public Act 92-0554. Those exceptions include different corrective action requirements and increased caps on the total amount owners and operations can be paid from the UST Fund.

Two public hearings will be scheduled in this matter. Written comments should contain the rulemaking title and docket number (R04-22 and R04-23) and should be sent to the Clerk's Office at the following address:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

For more information contact Marie Tipsord at (312) 814-4925 or email at tipsordm@ipcb.state.il.us