

Board Adopts Final Rules Updating Illinois' Nonhazardous Solid Waste Landfill Regulations

The Board, on June 16, 2011, adopted final amendments to its waste disposal regulations in Parts 807, 810 and 811. The Illinois Environmental Protection Agency (IEPA) filed the rulemaking proposal on July 27, 2009 that is docketed as In the Matter of: Financial Assurance Instruments – Renewal and Terms: Amendments to 35 Ill. Adm. Code 807.Subpart F and Appendix A, 810.104, 811.Subparts C, G and Appendix A (R10-09).

The rules update specific segments of the Board's non-hazardous solid waste landfill regulations relating to financial assurance. The purpose of financial assurance rules is to establish requirements for performance bonds and other securities insuring closure and post-closure care and corrective action at non-hazardous waste landfill sites. The IEPA sought to update the Board's rules to correspond with the hazardous waste financial assurance standards derived from the federal Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste regulations and the Board's other financial assurance programs.

The Joint Committee on Administrative Rules, on May 10, 2011, issued a certificate of no objection to the Board's proposal.

Additionally, the Board proposed for first-notice additional amendments to its waste disposal regulations in a rulemaking docketed as In the Matter of: Financial Assurance Instruments – Renewal and Terms: Amendments to 35 Ill. Adm. Code 807.Subpart F and Appendix A, 810.104, 811.Subparts C, G and Appendix A (R10-09A). These amendments in subdocket A were raised by the IEPA following the Board's second-notice opinion and order in R10-09. The IEPA wanted the Board to update the rules to correspond with the hazardous waste financial assurance standards derived from the federal Resource Conservation and Recovery Act (RCRA) Subtitle C (42 U.S.C. 6921 *et seq.* (2007)) hazardous waste regulations and the Board's other financial assurance programs.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone 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, R10-09(A), should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

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].

For more information contact Daniel Robertson at 312-814-6931 or email at robertsd@ipcb.state.il.us.