

The Board Accepts Proposal to Amend Underground Storage Tank Regulations

On March 17, 2011, the Board accepted for hearing a proposal to amend the Board's underground storage tank (UST) regulations. On February 18, 2011, the Illinois Environmental Protection Agency (IEPA) filed the 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 states that P.A. 96-908 amended and added provisions to Title XVI of the Environmental Protection Act (ACT), which addresses USTs. The IEPA states that it seeks to update Part 731 "to clarify the application of Part 734 to owners and operators subject to Title XVI . . ." The IEPA proposes repealing Part 732 "because it no longer has any application after the enactment of P.A. 96-908." The IEPA also seeks to amend Part 734 to reflect statutory amendments adopted in P.A. 96-908.

The Board directed the hearing officer to schedule and proceed to hearing. After conducting hearings on this proposal, the Board will determine whether to proceed to first notice.

Public comments must be filed with the Clerk of the Board. The docket number for this rulemaking, R11-22, should be indicated on the public comment. 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 Tim fox at (312) 814-6085 or email at foxt@ipcb.state.il.us.