

POLLUTION CONTROL BOARD

JULY 2019 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR) Permits: Proposed New 35 Ill. Adm. Code 204; Amendments to 35 Ill. Adm. Code Parts 101, 105, 203, 211 and 215.
- 1) Rulemaking: Docket number R19-01.
- A) Description: Public Act 99-463, effective January 1, 2016, amends the Environmental Protection Act, by providing that the Pollution Control Board must adopt regulations establishing permit programs for Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR) permits meeting the applicable requirements of specified provisions of the Clean Air Act.
- B) Statutory Authority: Implementing and authorized by Sections 9.1, 10, 27, and 28 of the Environmental Protection Act [415 ILCS 5/9.1, 10, 27, 28].
- C) Scheduled meeting/hearing dates: Hearings have not been scheduled at the time this regulatory agenda was filed.
- D) Date Agency anticipates First Notice: A Notice of Proposed Amendments may be published in the *Illinois Register* within the next 12 months.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule would apply to sources seeking the specified air permits.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking to:
- Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov
- G) Related Rulemaking and other pertinent information: None

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- b) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)
- 1) Rulemaking: Docket number R20-4
- A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] requires the Board to adopt rules that are identical-in-substance to exempt from regulation those volatile organic compounds that the United States Environmental Protection Agency (USEPA) has determined are exempt from regulation for ozone due to negligible photochemical reactivity. The Illinois definition of volatile organic material (VOM) lists the federally excluded volatile organic compounds.
- USEPA codified the compounds determined by to be exempt from regulation as 40 C.F.R. 51.100(s). 57 Fed. Reg. 3945 (Feb. 3, 1992). This codified definition includes all the compounds and classes of compounds excluded by USEPA. The Illinois definition of VOM, codified at 35 Ill. Adm. Code 211.7150, corresponds with USEPA's definition.
- The Board reserved docket number R20-4 to accommodate any amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may adopt between January 1, 2019 and June 30, 2019. By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois definition of VOM using the identical-in-substance procedure or dismiss docket R20-4, as appropriate.
- Section 9.1(e) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2019, the due date for Board adoption of amendments in docket R20-4 would be January 1, 2020.

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To meet a due date of January 1, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-4.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 9.1(e), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 9.1(e) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board will then schedule and conduct at least one public hearing, as required by Section 110(a) of the federal Clean Air Act (42 USC 7410(a)) for amendment of the Illinois ozone SIP.
- D) Date Agency anticipates First Notice: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of a chemical compound that is the subject of a proposed

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exemption or proposed deletion from the USEPA list of exempted compounds.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-4, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-4, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 211 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

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c) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 243)1) Rulemaking: Docket number R20-3

- A) Description: Section 10(H) to the Environmental Protection Act [415 ILCS 5/10(H)] requires the Board to adopt ambient air quality standards that are identical-in-substance to the National Ambient Air Quality Standards (NAAQS) adopted by the United States Environmental Protection Agency (USEPA) pursuant to section 109 of the federal Clean Air Act (42 USC 7409).

USEPA codified the primary and secondary NAAQS at 40 CFR 50, including provisions relative to methods for monitoring ambient air quality for the several contaminants (particulate matter, nitrogen oxides, sulfur oxides, ozone, carbon monoxide, and lead). Various other federal regulations relate to aspects of the NAAQS, such as 40 CFR 53 prescribing the procedure for approval of equivalent and reference methods and 40 CFR 81 designating air quality monitoring regions and setting forth their attainment/non-attainment status.

The Board reserved docket number R20-3 to accommodate any amendments to the federal NAAQS that USEPA may adopt between January 1, 2019 and June 30, 2019.

The Board is presently aware of one pertinent federal action during this update period:

March 29, 2019 (84 Fed Reg. 11793): USEPA designated a new federal equivalent method (FEM) for monitoring ozone in ambient air.

By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois ambient air quality standards using the identical-in-substance procedure or dismiss this docket R20-3, as appropriate.

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Section 10(H) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. USEPA adopted an amendment that will require Board action on March 29, 2019, the due date for Board adoption of amendments in docket R19-16 is March 29, 2020.

To meet a due date of March 29, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by mid-January 2020. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-3.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 10(H), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 10(H) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board may then schedule and conduct at least one public hearing, if required by Section 110(a) of the federal Clean Air Act (42 USC 7418) for amendment of the Illinois SIP for any air contaminant, should the Board deem such authorized and required.
- D) Date Agency anticipates First Notice: Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

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To meet a due date of February 22, 2020, the Board will propose amendments and publish a Notice of Proposed Amendments in the *Illinois Register* before mid-January 2020. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of an air contaminant or precursor to an air contaminant that is the subject of an NAAQS.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-3, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-3, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 243 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

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Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

d) Part (Heading and Code Citation): Water Quality Standards (35 Ill. Adm. Code 302)

1) Rulemaking: Docket Number R18-32

- A) Description: On May 21, 2018, the Board received a third-party proposal to make amendments to the Board's General Use water quality standard for chloride. The rulemaking proposed amending Section 302.208(g) of the Board's water pollution regulations (35 Ill. Adm. Code 302.208(g)) and add a new Section 302.214. On June 21, 2018, the Board accepted the petition for hearing without submitting the amendments to the *Illinois Register* for first notice publication.

On March 14, 2019, the proponent filed an amended proposal. The proponent proposes new chloride water quality standards for General Use Waters and the Chicago Area Waterway System and Lower Des Plaines River (CAWS/LDPR) by adding new 35 Ill. Adm. Code 302.214 and 302.407(g)(2). The rulemaking is intended to address waterways that are affected by chloride from winter road salting practices in exceedance of the current standard by recognizing new findings that show chloride is less toxic to aquatic life at colder temperatures, which the proponent argues justifies a relaxed chloride standard during the colder months.

The amended proposal considers that the mathematical relationship between chloride toxicity and hardness and sulfate derived by the United States Environmental Protection Agency in 2009 is suitable for both warm or cold temperatures. The amended proposal also derives a mathematical relationship between temperature and chloride toxicity from data where tests were conducted at varying temperatures. Finally, the amended proposal uses the mathematical relationships to recommend acute and chronic chloride water quality standards in an equation form that is based

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upon three site-specific variables: stream temperature, hardness, and sulfate. The proposed standard would apply anywhere and anytime throughout Illinois based on the site-specific conditions.

- B) Statutory Authority: Implementing Section 13 and authorized by Sections 11(b) and 27 of the Environmental Protection Act (415 ILCS 5/13, 11(b), and 27).
- C) Scheduled meeting/hearing dates: The Board intends to hold at least two more hearings during the public comment period.
- D) Date Agency anticipates first notice: The Board may consider this rulemaking for first notice publication in the *Illinois Register* in the Winter of 2019-2020.
- E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking may have an effect any small business, small municipality, or not-for-profit corporation that engages in de-icing practices during snowfall and freezing temperatures.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking to:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R18-32, as follows:

Martín Klein
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G) Related rulemakings and other pertinent information: None

e) Parts (Headings and Code Citations):

Sewer Discharge Criteria (35 Ill. Adm. Code 307)
Pretreatment Programs (35 Ill. Adm. Code 310)

1) Rulemaking: Docket number R20-2

A) Description: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] requires the Board to adopt Illinois rules that are identical-in-substance to wastewater pretreatment rules adopted by the United States Environmental Protection Agency (USEPA) under sections 307(a), (b), and (c) and 402(b)(8) and (b)(9) of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.1317(a), (b), and (c) and 1342(b)(8) and (b)(9)).

The Board has reserved docket number R20-2 to accommodate any amendments to the federal wastewater pretreatment rules, 40 CFR 400 through 499, that USEPA may adopt between January 1, 2019 and June 30, 2019.

By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose corresponding amendments to the Illinois wastewater pretreatment regulations using the identical-in-substance procedure or dismiss docket R20-2, as appropriate.

Section 13.3 of the Act requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2019, the due date for Board adoption of amendments in docket R20-2 would be January 1, 2020.

To meet a due date of January 1, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any

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amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-2.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3 & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the discharge of pollutants into the collection system of a publicly-owned treatment works that is the subject of any federal amendments.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-2, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461

POLLUTION CONTROL BOARD

JULY 2019 REGULATORY AGENDA

don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-2, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 307 or 310 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 13.3 of the Environmental Protection Act provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- f) Part (Heading and Code Citation): Primary Drinking Water Standards (35 Ill. Adm. Code 611)

- 1) Rulemaking: Docket number R20-5

- A) Description: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] requires the Board to adopt Illinois rules that are identical-in-substance to update the Illinois drinking water requirements adopted by the United States Environmental Protection Agency (USEPA) under sections 1412(b), 1414(c), 1417(a), and 1445(a) of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. 300g-1(b), 300g-3(c), 300g-6(a), and 300j-4). The USEPA requirements may amend national primary drinking water regulations (NPDWRs), public notice requirements,

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restrictions on use of lead in plumbing, and monitoring and recordkeeping requirements.

The Board reserved docket number R20-5 to accommodate any amendments to NPDWRs, 40 CFR 141 through 143, that USEPA may adopt between January 1, 2019 and June 30, 2019.

By about mid-August 2019, the Board will determine whether USEPA rules require any Board actions required in response. The Board will then propose necessary amendments to the Illinois SDWA primary drinking water regulations using the identical-in-substance procedure or dismiss docket R20-5, as appropriate.

Section 17.5 requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2019, the due date for Board adoption of amendments in docket R20-7 would be January 1, 2020.

To meet a due date of January 1, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-7.

- B) Statutory authority: Implementing and authorized by Sections 17, 17.5, and 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review

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by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois that owns or operates a "public water supply," as defined by Section 3.28 of the Act, i.e., it has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-5, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-5, as follows:

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- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 611 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- g) Part (Heading and Code Citation): Groundwater Quality (35 Ill. Adm. Code 620)

- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency will propose eight new groundwater quality standards: aluminum, molybdenum, lithium, PFOS, PFOA, herbicide transformation compounds, 1-methylnaphthalene, and combined radium. The Agency will propose that the Board adopt site-specific Class III special resource groundwater quality standards and amend Class I and Class II groundwater quality standards based on updated toxicological, chemical and physical information.
- B) Statutory authority: Authorized by Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55/8] and Section 27 of the Illinois Environmental Protection Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Board has not yet scheduled hearings on this proposal.
- D) Date Agency anticipates First Notice: Summer/Fall 2019
- E) Effect on small business, small municipalities or not-for-profit corporations: Sources or facilities that cause, threaten, or allow contamination of groundwater may be affected by these proposed rules.

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Small businesses, small municipalities or not-for-profit corporations may see an increase in compliance costs. However, costs would not be significant in comparison to the requirements already established in 35 Ill. Adm. Code 620.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
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- G) Related rulemakings and other pertinent information: None

h) Parts (Headings and Code Citations):

RCRA and UIC Permit Programs (35 Ill. Adm. Code 702)
UIC Permit Program (35 Ill. Adm. Code 704)
Procedures For Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Underground Injection Control Operating Requirements (35 Ill. Adm. Code 730)

- 1) Rulemaking: Presently reserved docket number R20-6

- A) Description: Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] requires the Board to adopt Illinois rules that are identical-in-substance to underground injection control (UIC) rules adopted by the United States Environmental Protection Agency (USEPA) under section 1421 of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. 300h).

The Board reserved docket number R20-6 to accommodate any amendments to the federal UIC regulations, 40 CFR 144 through 147, that USEPA may adopt between January 1, 2019 and June 30, 2019.

By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose

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necessary amendments to the Illinois UIC regulations using the identical-in-substance procedure or dismiss docket R20-6, as appropriate.

Section 13(c) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2019, the due date for Board adoption of amendments in docket R20-6 would be January 1, 2020.

To meet a due date of January 1, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-6.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 13(c) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13(c) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 13(c) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, this rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

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- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois to the extent the affected entity engages in the underground injection of waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-6, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-6, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
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- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 702, 704, 705, 720, or 730 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

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- i) Parts (Headings and Code Citations):
RCRA AND UIC Permit Programs (35 Ill. Adm. Code 702)
RCRA Permit Program (35 Ill. Adm. Code 703)
Procedures for Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Identification and Listing of Hazardous Waste (35 Ill. Adm. Code 721)
Standards Applicable to Generators of Hazardous Waste (35 Ill. Adm. Code 722)
Standards Applicable to Transporters of Hazardous Waste (35 Ill. Adm. Code 723)
Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 724)
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 725)
Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill. Adm. Code 726)
Land Disposal Restrictions (35 Ill. Adm. Code 728)
Standards for Universal Waste Management (35 Ill. Adm. Code 733)
Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)
Standards for the Management of Used Oil (35 Ill. Adm. Code 739)
- 1) Rulemaking: Docket number R20-8
- A) Description: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] requires the Board to adopt Illinois rules that are identical-in-substance to hazardous waste management standards adopted by the United States Environmental Protection Agency (USEPA) to implement sections 3001 through 3005 of Subtitle C of the federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6921 through 6925).
- The Board reserved docket number R20-8 to accommodate any amendments to the federal RCRA Subtitle C program, 40 CFR 148, 260 through 270, 273, and 279, that USEPA may adopt between January 1, 2019 and June 30, 2019.
- Presently, the Board is aware of one pertinent federal action during this update period:

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February 22, 2019 (84 Fed Reg. 5816): USEPA adopted rules governing management of hazardous waste pharmaceuticals. USEPA also revised the hazardous waste listing P075 for nicotine to exclude therapeutic patches, gum, and lozenges used as over-the-counter nicotine replacement therapy.

By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois federal RCRA Subtitle C-derived hazardous waste regulations using the identical-in-substance procedure or dismiss docket R20-8, as appropriate.

To meet a due date of February 22, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by mid-November 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-4.

Section 22.4(a) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. USEPA adopted an amendment that will require Board action on February 22, 2019, the due date for Board adoption of amendments in docket R19-16 is February 22, 2020.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.4(a), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather,

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the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

To meet a due date of February 22, 2020, the Board will propose amendments and publish a Notice of Proposed Amendments in the *Illinois Register* before late November 2019. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the generation, transportation, treatment, storage, or disposal of hazardous waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-8, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-8, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924

POLLUTION CONTROL BOARD

JULY 2019 REGULATORY AGENDA

michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 720 through 728, 733, 738, or 739 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- j) Part (Heading and Code Citation): Underground Storage Tanks (35 Ill. Adm. Code 731)

- 1) Rulemaking: Docket number R20-1

- A) Description: Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] requires the Board to adopt Illinois rules that are identical-in-substance to underground storage tank (UST) regulations adopted by the United States Environmental Protection Agency (USEPA) pursuant to section 9003 of Subtitle I of the federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6991b (2017)). The mandate specifically excludes federal amendments relating to the design, construction, installation, general operation, release detection, release reporting, release investigation, release confirmation, out-of-service systems, and closure or financial responsibilities for USTs. The Board reserved docket number R20-1 to accommodate any amendments to the RCRA Subtitle I regulations, 40 CFR 281 through 283, that USEPA may adopt between January 1, 2019 and June 30, 2019. By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois UST regulations using the identical-in-substance procedure or dismiss docket R20-1, as appropriate.

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Section 22.4(d) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2019, the due date for Board adoption of amendments in docket R20-1 is January 1, 2020.

To meet a due date of January 1, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-1.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.4(d), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(d) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

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- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that owns or operates a UST.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-1, as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-1, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 731 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

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k) Part (Heading and Code Citations): Special Waste Hauling 35 Ill. Adm. Code 809

1) Rulemaking: Docket Number R19-18

A) Description: The United States Environmental Protection Agency's ("USEPA") recent implementation of its e-Manifest system - which was primarily designed for tracking hazardous waste - is negatively and unnecessarily affecting the transportation of state-regulated, non-hazardous special waste in Illinois. This is because Illinois regulations, specifically 35 Ill. Adm. Code 809, currently require the use of USEPA's Uniform Hazardous Waste Manifest for all special waste (both hazardous and non-hazardous). The proposed amendments would allow Illinois transporters of non-hazardous special waste to obtain and use functionally identical manifests to track such waste while avoiding the significant costs and burdens associated with utilization of USEPA's e-Manifest system.

B) Statutory Authority: Sections 5, 10, 13, 21, 22, 22.01, and 22.2 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/5, 10, 13, 21, 22, 22.01, 22.2 and 27].

C) Scheduled meeting/hearing dates: Second hearing scheduled for June 6, 2019

D) Date Agency anticipates First Notice: Summer 2019

E) Effect on small businesses, small municipalities or not-for-profit corporations: Positive effect on small businesses who transport hazardous waste across state lines.

F) Agency contact person for information:

Daniel Pauley
Pollution Control Board
100 W. Randolph St.
Chicago, IL 60601
312/814-3886
Daniel.Pauley@illinois.gov

G) Related rulemakings and other pertinent information: None

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- 1) Parts (Headings and Code Citations):
Solid Waste (35 Ill. Adm. Code 807)
Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)
Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)
Information to Be Submitted in a Permit Application (35 Ill. Adm. Code 812)
Procedural Requirements for Permitted Landfills (35 Ill. Adm. Code 813)
Interim Standards for Existing Landfills and Units (35 Ill. Adm. Code 814)
Procedural Requirements for All Landfills Exempt from Permits (35 Ill. Adm. Code 815)

- 1) Rulemaking: Presently reserved docket number R20-7

- A) Description: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] requires the Board to adopt Illinois rules that are identical-in-substance to municipal solid waste landfill (MSWLF) rules adopted by the United States Environmental Protection Agency (USEPA) under sections 4004 and 4010 of Subtitle D of the federal Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6949 and 6949a).

The Board reserved docket number R20-7 to accommodate any amendments to the RCRA

Subtitle D MSWLF regulations, 40 CFR 258, that USEPA may adopt between January 1, 2019 and June 30, 2019.

By about mid-August 2019, the Board will determine whether USEPA rules require any Board action in response. The Board will then propose necessary amendments to the Illinois RCRA Subtitle D MSWLF regulations using the identical-in-substance procedure or dismiss docket R20-7, as appropriate.

Section 22.40(a) requires that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2019, the due date for Board adoption of amendments in docket R20-7 would be January 1, 2020.

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To meet a due date of January 1, 2020, the Board would propose amendments and publish a Notice of Proposed Amendments to in the *Illinois Register* by late September 2019. This would allow the Board to accept public comments on the proposal for 45 days before adopting any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R20-7.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.40(a) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.40(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board would propose any amendments according to Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that this rulemaking is not subject to Section 5-35 of the APA [5 ILCS 100/5-35]. For this reason, the rulemaking is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication, as required by section 7.3(b)(1) of the Environmental Protection Act [415 ILCS 5/7.3(b)(1)] and section 5-40 of the Administrative procedure Act [5 ILCS 100/5-40].

For the reasons above, the Board cannot now anticipate an exact date for publication.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit that engages in the land disposal of municipal solid waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R20-7, as follows:

POLLUTION CONTROL BOARD

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Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

Address questions concerning this regulatory agenda, noting docket number R20-7, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 807 or 810 through 815 is now planned. However, if the Board receives a rulemaking proposal under 415 ILCS 5/27 and 28, it may initiate a rulemaking at any time.

Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that Title VII of the Act and Section 5-35 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35] shall not apply. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will publish a Notice of Proposed Amendments in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- m) Part (Heading and Code Citation): Coal Combustion Residual Surface Impoundments at Power Generating Facilities (35 Ill. Adm. Code 845)
- 1) Rulemaking: No docket presently reserved
- A) Description: The Illinois Environmental Protection Agency (Agency) will propose that the Board adopt regulations governing new and existing coal combustion residual (CCR) surface impoundments. The regulations will

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be as stringent as existing federal law in 40 C.F.R Part 257 and will establish criteria to determine which CCR surface impoundments and CCR management practices do not pose a reasonable probability of adverse effects on health or the environment.

- B) Statutory authority: Implementing Section 22.59 of the Act, as proposed by Senate Bill 9 of the 101st General Assembly and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, and 28].
- C) Scheduled meeting/hearing dates: The Board has not yet scheduled hearings on this proposal.
- D) Date Agency anticipates First Notice: The second half of calendar year 2020.
- E) Effect on small business, small municipalities or not-for-profit corporations: Entities that may be impacted by these proposed rules would include any sources or facilities that manage or generate CCR.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

- G) Related rulemakings and other pertinent information: None
- n) Part (Heading and Code Citation): General Provisions (35 Ill. Adm. Code 1420)
- 1) Rulemaking: Docket Number R18-29(B)
 - A) Description: On February 14, 2019, the Board began a rulemaking to consider substantive amendments to the definition of "Class 4 etiological

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agent" in the Board potentially infectious medical wastes (PIMW) rules (See 35 Ill. Adm. Code 1420.102).

The Board found in a review of its potentially infection medical waste rules (see Amendments to 35 Ill. Adm. Code Subtitle M, R18-29 (Feb. 14, 2019)) that the definition of "Class 4 etiological agent" is outdated. *Id.* at 3. After considering public comments on the issue, the Board concluded non-substantive amendments would not adequately update the definition, substantive revisions would fall outside the scope of the ongoing rulemaking, and there was not enough information in the record to determine an adequate substantive revision.

The Board is receiving public comments on appropriate revisions to update the definition of "Class 4 etiological agent".

- B) Statutory Authority: Implementing Section 56.2 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/56.2 & 27].
- C) Scheduled meeting/hearing dates: The Board has no additional hearings scheduled for this rulemaking.
- D) Date Agency anticipates first notice: The Board may consider this rulemaking for first notice publication in the *Illinois Register* in Winter 2019-2020.
- E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking may have an effect any small business, small municipality, or not-for-profit corporation that engages in the treatment, packaging, labeling, storage, transportation, and disposal of PIMW.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking to:

Don Brown, Clerk
Pollution Control Board
100 W Randolph, Suite 11-500
Chicago IL 60601
312/814-3461

POLLUTION CONTROL BOARD

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don.brown@illinois.gov

Address questions concerning this regulatory agenda to noting docket number R18-29(B) to:

Martín Klein
Pollution Control Board
100 W Randolph, Suite 11-500
Chicago IL 60601
312-814-3665
Martin.E.Klein@Illinois.Gov

- G) Related rulemakings and other pertinent information: None
- o) Part (Heading and Code Citation): General Provisions (35 Ill. Adm. Code 1500)
- 1) Rulemaking: No docket presently reserved
- A) Description: On May 27, 2019, Senate Bill 171 (SB 171) passed both houses of the Illinois General Assembly. If signed into law by the Governor, SB 171 would transfer the powers and responsibilities of the Drycleaner Environmental Response Trust Fund Council (Council) to the Illinois Environmental Protection Agency. SB 171 also provides that rules adopted by the Council become rules of the Board, and it gives the Board authority to amend the transferred rules and adopt new rules administering and enforcing the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135].
- B) Statutory Authority: Implementing Section 12 of the Drycleaner Environmental Response Trust Fund Act as proposed in Senate Bill 171 of the 101st General Assembly and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: Pending action by the Governor on SB 171, the Board has not scheduled hearings at this time.
- D) Date Agency anticipates first notice: Pending action by the Governor on SB 171, the Board expects that it may publish a Notice of Proposed Amendments in the *Illinois Register* in the next 12 months.

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- E) Effect on small business, small municipalities or not-for-profit corporations: This rulemaking may affect a small business engaged in drycleaning operations.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking to:

Don Brown, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-3461
don.brown@illinois.gov

- G) Related rulemakings and other pertinent information: None