

ILLINOIS POLLUTION CONTROL BOARD
December 7, 1995

IN THE MATTER OF:)
) R95-20
RCRA SUBTITLE C UPDATE,) (Identical in Substance Rules)
USEPA REGULATIONS)
(1-1-95 THROUGH 6-30-95))

ORDER OF THE BOARD (by E. Dunham):

This matter is before the Board on a November 29, 1995 request of the Chemical Industry Council of Illinois (CICI), docketed as public comment number 5 (PC 5), which seeks expedited Board consideration of certain federal amendments to the RCRA Subtitle C regulations. The Board hereby grants expedited consideration.

In PC 5, CICI requests that the Board incorporate the postponement of the effective date of the RCRA Subtitle C organic material emissions regulations applicable to tanks, containers, and surface impoundments, also called the Subpart CC rules. CICI states that U.S. EPA announced a further stay of the Subpart CC rules on November 13, 1995 until June 6, 1996. The existing stay expired on December 6, 1995, at which time the state and federal Subpart CC rules were to have become effective.

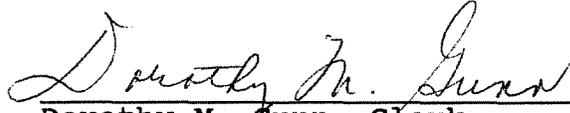
The Board initially notes that the nominal time-frame of this docket spans the time between January 1 and June 30, 1995. It does not include November, 1995, when U.S. EPA promulgated the stay. However, the Board does not desire to prolong the time between federal promulgation and our adoption of corresponding identical-in-substance amendments. This is especially true during a time when Illinois regulations are temporarily more stringent on their face than the corresponding federal rules.¹

For these reasons, the Board hereby grants expedited consideration to the extent consistent with our current workload and available resources. We are presently assembling a proposed order and proposed opinion of the Board that will incorporate the federal stay of November 13, 1995 into this docket.

IT IS SO ORDERED.

¹ In the R95-4/R95-6 update, which incorporated the federal Subpart CC rules, the Board incorporated the December 6, 1994 base rules and an earlier stay granted by U.S. EPA on May 19, 1995. In anticipation of a possible further stay by U.S. EPA, the Board incorporated language into a Board Note with the intent that the Illinois Subpart CC rules not become more stringent than their federal counterparts as a result of another federal stay.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 7th day of December, 1995, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board