

ILLINOIS POLLUTION CONTROL BOARD  
February 19, 1998

IN THE MATTER OF: )  
 )  
RCRA SUBTITLE D UPDATE, USEPA ) R98-20  
REGULATIONS (July 1, 1997, through ) (Identical-in-Substance)  
December 31, 1997) ) (Land Rules)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by G.T. Girard):

Pursuant to Section 22.40(a) of the Environmental Protection Act (Act), the Board would normally propose amendments to the Illinois regulations that are “identical in substance” with U.S. Environmental Protection Agency (USEPA) amendments to the municipal solid waste landfill (MSWLF) rules adopted pursuant to Sections 4004 and 4010 of Subtitle D of the federal Resource Conservation and Recovery Act of 1976, as amended (RCRA Subtitle D). The term “identical in substance” has been defined in Section 7.2 of the Act. The Board reserved this docket for USEPA amendments during the period from July 1, 1997, through December 31, 1997.

During the covered update period, USEPA did not amend its 40 CFR 258 RCRA Subtitle D MSWLF regulations in any way that would require Board action. Only the following two actions occurred during the update period:

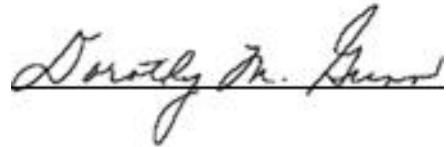
1. A direct final rule published on July 29, 1997, (62 Fed. Reg. 40713) granted exceptions to certain requirements for some small landfills. Specifically, the exceptions affected aspects of the rules pertaining to daily cover, gas monitoring, final cover, and financial assurance mechanisms.
2. USEPA published a notice on October 2, 1997, (62 Fed. Reg. 51606) indicating that it had received no adverse comment to its July 29, 1997, action, so the amendments of that direct final rule would become effective on October 27, 1997.

The Board included consideration of these federal actions in the prior RCRA Subtitle D update docket R97-20, adopted November 20, 1997. No further Board action is necessary based on these federal amendments.

For the foregoing reasons, no action is necessary at this time, and the Board hereby dismisses this proceeding.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 19th day of February 1998, by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board