

ILLINOIS POLLUTION CONTROL BOARD

August 11, 2022

IN THE MATTER OF: )  
)  
RCRA SUBTITLE C UPDATE, USEPA ) R23-4  
REGULATIONS (January 1, 2022 through ) (Identical-in-Substance Rulemaking -  
June 30, 2022) ) Land)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by A. Palivos):

Sections 7.2 and 22.4(a) of the Environmental Protection Act (Act) (415 ILCS 5/7.2 and 22.4(a) (2020)) require the Board to adopt regulations that are “identical in substance” to hazardous waste regulations adopted by the USEPA. These USEPA rules implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (2020)). USEPA has codified the federal hazardous waste rules as 40 C.F.R. 260 through 266, 268, 270, 271, 273, and 279.

The Board reserved this docket for USEPA amendments during the period between January 1, 2022 through June 30, 2022. During that period, USEPA took no action regarding its RCRA Subtitle C regulations that require Board action.

However, the Nuclear Regulatory Commission (NRC) amended 10 C.F.R. 71; the Drug Enforcement Administration (DEA) amended 21 C.F.R. 1301, 1308, and 1309; USEPA amended 40 C.F.R. 60, 63, and 302; and the Pipeline and Hazardous Materials Safety Administration (PHMSA) amended 49 C.F.R. 107, 171 through 180, 190 through 192, and 195 during the period. These are incorporated by reference in 35 Ill. Adm. Code 720.111 for several Illinois hazardous waste rules. The Board will update those incorporations by reference in RCRA Subtitle C Update, USEPA Regulations (July 1, 2020 through December 31, 2020), R21-13, RCRA Subtitle C Update, USEPA Regulations (July 1, 2021 through December 31, 2021), R22-13 (consolidated).

No action is necessary in this docket, and the Board dismisses this docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 11, 2022, by a vote of 5-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board