

ILLINOIS POLLUTION CONTROL BOARD

February 21, 2002

IN THE MATTER OF:)
)
RCRA SUBTITLE D (Municipal Solid Waste) R02-18
Landfill) UPDATE, USEPA AMENDMENTS) (Identical-in-Substance
(July 1, 2001 through December 31, 2001)) Rulemaking - Land)

Proposed Rule. Dismissal Order.

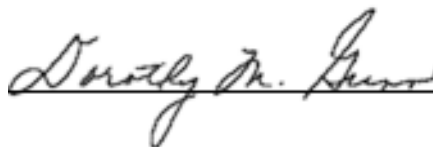
ORDER OF THE BOARD (by G.T. Girard):

Section 22.40(a) of the Environmental Protection Act (Act) (415 ILCS 5/22.40(a) (2000)) requires the Board to adopt regulations that are "identical in substance," as defined at Section 7.2 of the Act, to municipal solid waste landfill (MSWLF) regulations that the United States Environmental Protection Agency (USEPA) adopted to implement Subtitle D of the Resource Conservation and Recovery Act of 1976 (42 U.S.C §§ 6941-6949 (1998); RCRA Subtitle D). USEPA has codified the federal MSWLF rules as 40 C.F.R. 258. Accordingly, the Board reserved this docket for USEPA amendments during the period between July 1, 2001 through December 31, 2001.

During that time period, USEPA did amend its MSWLF rules once, on October 23, 2001 (at 66 Fed. Reg. 53535), by a direct final rule. However, no Board action is required based on that set of federal amendments. On December 28, 2001 (at 66 Fed. Reg. 67108), USEPA withdrew the October 23, 2001 amendments in response to significant adverse public comments.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 21, 2002, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board