

ILLINOIS POLLUTION CONTROL BOARD  
October 19, 2023

IN THE MATTER OF: )  
)  
RCRA SUBTITLE D UPDATE, USEPA ) R23-3  
REGULATIONS (January 1, 2023, through ) (Identical-in-Substance Rulemaking -  
June 30, 2023) ) Water)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by M. Gibson):

Section 22.40(a) of the Environmental Protection Act (Act) (415 ILCS 5/22.40(a) (2022)) requires the Board to adopt regulations that are “identical in substance” to regulations adopted by the United States Environmental Protection Agency (USEPA) to implement Subtitle D of the Resource Conservation and Recovery Act of 1976 (42 U.S.C §§ 6941-6949 (2020); RCRA Subtitle D) relating to municipal solid waste landfills (MSWLFs). 415 ILCS 5/7.2 (2022). USEPA has codified the federal MSWLF rules as 40 C.F.R. 258.

The Board reserved this docket for USEPA amendments during the period between January 1, 2023, and June 30, 2023. During that period, USEPA did not act regarding its MSWLF regulations in any way that would require Board action.

No Board rulemaking action is necessary, 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 October 19, 2023, by a vote of 4-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board