

ILLINOIS POLLUTION CONTROL BOARD
January 9, 1992

IN THE MATTER OF:)
)
UST UPDATE, USEPA REGULATIONS) R91-14
(1/1/91 - 6/30/91)) (Identical in substance
) Rules)

EXTENSION OF TIME

ORDER OF THE BOARD (by J. Anderson):

Section 22.4(d) of the Environmental Protection Act (Act) requires the Board to adopt regulations which are identical in substance to federal regulations promulgated by USEPA to implement the Underground Storage Tank (UST) Federal Resource Conservation and Recovery Act. Section 7.2(b) of the Act requires that identical in substance rulemakings be completed within one year after the first USEPA action in the batch period. If the Board is unable to do so it must find that an "extension of time" is necessary, give the reasons why the one year period is insufficient for completion of the rulemaking, publish the finding and reasons in the Illinois Register and specify a date when the Board anticipates completion of the rulemaking.

The Board hereby finds that an extension of time is needed. April 9, 1992 is the anticipated completion date and the reasons are as follows:

The first USEPA action during this batch period occurred on January 2, 1991. However, this does not itself require a change in Board rules, because of the effect of P.A. 87-323, which requires the Board to repeal the Section involved. However, P.A. 87-323 itself required the Board to repeal that Section by January 1, 1992, a date which the Board has missed. The Board will therefore enter a "reasons for delay" Order.

The reasons for delay are the staff time which was devoted to R91-3 and R91-13, rulemakings which are also "identical in substance" rulemakings subject to the same time requirements. Separate "reasons for delay" orders have been entered in those Dockets.

The Board has on this same day adopted a Proposed Opinion and Order reflecting the revisions required by P. A. 87-323. The Board anticipates that it will be able to adopt these revisions by April 9, 1992.

Pursuant to Section 7.2(b) of the Act, this Order will be published expeditiously in the Illinois Register.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 9th day of January, 1992, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board