

ILLINOIS POLLUTION CONTROL BOARD
June 20, 1991

IN THE MATTER OF:)
)
PRETREATMENT UPDATE) R90-15
(1-1-90 through 6-30-90)) (Identical in Substance Rules)

PROPOSED RULE. DISMISSAL ORDER.

ORDER OF THE BOARD (by J. Anderson):

Section 13.3 of the Environmental Protection Act (Act) requires the Board to adopt regulations which are "identical in substance" with USEPA wastewater pretreatment rules adopted pursuant to the Clean Water Act. The term "identical in substance" has recently been defined in Section 7.2 of the Act. Section 7.2(b) of the Act requires the Board to adopt a rule within one year of adoption of federal rule.

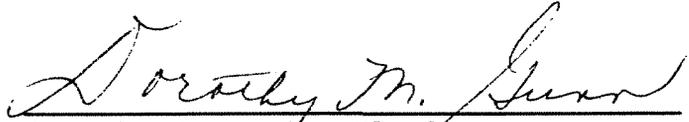
The USEPA Pretreatment rules are in 40 CFR 400 et seq. These have been the subject of four recent amendments: June 29, July 24, August 3, and September 7, 1990 (55 Fed. Reg. 26692, 30126, 31697, and 36932). Therefore, only one set of minor amendments, i.e., those of June 29, occurred within the time-frame of this proceeding (between January 1 and June 30, 1990). The July 24, August 3, and September 3 amendments, which are significant, occurred within the time-frame of docket R91-5, reserved on January 3, 1991 to address federal rules adopted from July 1, 1990 through December 31, 1990. Those minor federal amendments of June 29, 1990 withdraw certain pretreatment limitations in the organic chemicals, plastics, and synthetic fibers category in response to a federal judicial remand.

The Board will hereby dismiss this proceeding and consolidate the single set of minor amendments that would have occurred in this rulemaking into the R91-5 docket. Thus, the Board will change the R91-5 time-frame to 6-29-90 through 12-31-90. The Board plans to propose amendments in R91-5 that correspond with the USEPA amendments through December 31, 1990 on or before July 11, 1991 and adopt final amendments by September 12, 1991. Thus, incorporation of the federal amendments that occurred within the time-frame of docket R90-15 into docket R91-5 will avoid duplication of effort and further delay.

For these reasons, the Board hereby dismisses this proceeding and consolidates the USEPA amendments of June 28, 1990 into docket R91-5.

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 20th day of June, 1991, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board