

ILLINOIS POLLUTION CONTROL BOARD  
September 22, 1988

IN THE MATTER OF: )  
 )  
LIQUID HAZARDOUS WASTE AND ) R86-11  
USEPA HSWA PROHIBITIONS )

ORDER OF THE BOARD (by J. Marlin):

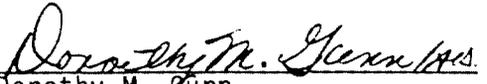
On February 26, 1986 the Board opened this Docket for the purpose of considering modifications to the liquid hazardous waste rules adopted in R83-28C in light of anticipated USEPA landfill bans. Progress on this rulemaking has been blocked by the slow pace of R86-9, which was the subject of an appeal, and on which an economic impact study is still pending. Because these rulemakings involve the same Sections, it is necessary to at least have a proposal in R86-9 before it is possible to draft a proposal addressing the subject matter of this Docket.

The Board has adopted the USEPA landfill restrictions to date in Dockets R87-5 and R87-39. (October 15, 1987 and June 14, 1988.) 35 Ill. Adm. Code 728.101(d) provides that the RCRA rules are cumulative with the State landfilling restrictions in 35 Ill. Adm. Code 709 and 729. This provision guarantees that the statutory mandates of Sections 22.4 and 22.6 of the Act are met at a time when statutes and regulations are changing rapidly. However, it does so in an awkward way which, in the long run, needs to be reviewed in order to avoid the existence of overlapping State and federal regulations governing hazardous waste. However, the Board is not presently aware of any specific problems which this regulatory scheme is causing.

In that it appears to be impossible to proceed at this time, and there is no pressing need to address this matter, the Board will dismiss this Docket. Interested persons with specific suggestions for regulatory changes are invited to submit them to the Board, either by way of a motion to reconsider this Order, or by way of a regulatory proposal in a new Docket.

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 22<sup>nd</sup> day of September, 1988 by a vote of 7-0.

  
Dorothy M. Gunn  
Illinois Pollution Control Board