

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. MAGGIE CROTTY

CO-CHAIR:
REP. BRENT HASSERT

EXECUTIVE DIRECTOR:
VICKI THOMAS



ORIGINAL

700 STRATTON BUILDING
SPRINGFIELD, ILLINOIS 62706
217/785-2251
January 18, 2006

SEN. J. BRADLEY BURZYNSKI
SEN. JAMES CLAYBORNE
SEN. STEVE RAUSCHENBERGER
SEN. DAN RUTHERFORD
SEN. IRA SILVERSTEIN
REP. TOM HOLBROOK
REP. DAVID R. LEITCH
REP. LARRY McKEON
REP. DAVID MILLER
REP. ROSEMARY MULLIGAN

Tanner Girard, Chairman
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

RO4-22
RO4-23

RECEIVED
CLERK'S OFFICE

JAN 27 2006

STATE OF ILLINOIS
Pollution Control Board

Re: Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002) (35 Ill. Adm. Code 732)
29 Ill. Reg. 3538 - 3/11/05

Dear Chairman Girard:

This is to notify you that JCAR considered the above referenced proposed rulemaking at its 1/18/06 meeting.

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the "Agreements" attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of this rulemaking, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

The rulemaking may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to the rulemaking does not necessarily constitute approval, expressed or implied, of the substance of the rulemaking.

Additionally, however, the Committee has issued a Recommendation concerning this rulemaking. A copy of that Recommendation is enclosed. If we can be of any assistance to your agency in responding to the Recommendation, please do not hesitate to contact us.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vicki Thomas".

Vicki Thomas
Executive Director

VT:DC:rm

Enc.

cc: Dorothy Gunn
Marie Tipsord

SECOND NOTICE CHANGES

Agency: Pollution Control Board

Rulemaking: Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002) (35 Ill. Adm. Code 732; 29 Ill. Reg. 3538)

Changes:

1. In lines 2767, 2894-2895 change "the effective date of this amendment" to "March 1, 2006".
2. In line 4161, change "the effective date of this subsection (j)" to "March 1, 2006".
3. In lines 4162-4163, change "one year after the effective date of this subsection (j)" to "March 1, 2007".
4. In line 5609, before "time" add "a".
5. In line 5610, change "material" to "materials" and delete the redundant period.
6. In line 5747, remove the italics from "*Environmental Register*".

1/24/06

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

CERTIFICATION OF NO OBJECTION
TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 1/18/06 meeting, considered Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002) (35 Ill. Adm. Code 732), proposed by the Pollution Control Board and published in the 3/11/05 issue of the Illinois Register. After consideration, and based upon the agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

A handwritten signature in cursive script, appearing to read "Vicki Thomas", written over a horizontal line.

Vicki Thomas
Executive Director

1/18/06

Attachments: Agreements
Recommendation Issued

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

Heading of the Part: Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002)

Code Citation: 35 Ill. Adm. Code 732

Section Numbers: 732.606

Date Originally Published in the Illinois Register: 3/11/05
29 Ill. Reg. 3538

At its meeting on January 18, 2006, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommended that the Pollution Control Board add to the issues it is addressing in its dockets R04-22B and R04-23B the costs that are ineligible for payment from the Underground Storage Tank Fund stated in 35 Ill. Adm. Code 732.606(ddd) and (eee) of its rulemakings titled Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002) (35 Ill. Adm. Code 732; 29 Ill. Reg. 3538) and Petroleum Underground Storage Tanks (Releases Reported On Or After June 24, 2002) (35 Ill. Adm. Code 734; 29 Ill. Reg. 3705).

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

sr3538

JOINT COMMITTEE ON ADMINISTRATIVE RULES
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RECEIVED
CLERK'S OFFICE

JAN 27 2006

STATE OF ILLINOIS
Pollution Control Board

Tanner Girard, Chairman
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Re: Petroleum Underground Storage Tanks (Releases Reported On Or After June 24, 2002)
(35 Ill. Adm. Code 734)
29 Ill. Reg. 3705 - 3/11/05

Dear Chairman Girard:

This is to notify you that JCAR considered the above referenced proposed rulemaking at its 1/18/06 meeting.

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the "Agreements" attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of this rulemaking, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

The rulemaking may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to the rulemaking does not necessarily constitute approval, expressed or implied, of the substance of the rulemaking.

Additionally, however, the Committee has issued a Recommendation concerning this rulemaking. A copy of that Recommendation is enclosed. If we can be of any assistance to your agency in responding to the Recommendation, please do not hesitate to contact us.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Thomas".
Vicki Thomas
Executive Director

VT:DC:rm

Enc.

cc: Dorothy Gunn
Marie Tipsord

SECOND NOTICE CHANGES

Agency: Pollution Control Board

Rulemaking: Petroleum Underground Storage Tanks (Releases Reported On Or After June 24, 2002) (35 Ill. Adm. Code 734; 29 Ill. Reg. 3705)

Changes:

1. In lines 137-138, 144-145, 145-146, 149 and 152, change "the effective date of this Part" to "March 1, 2006".
2. In line 778, change "two members" to "one member".
3. In line 781, change "one member" to "two members".
4. In line 2757, change "the effective date of this subsection (j)" to "March 1, 2006".
5. In lines 2758-2759, change "one year after the effective date of this subsection (j)" to "March 1, 2007".
6. In line 3492, after "Part", delete the comma.
7. In line 4059, before "time" add "a".
8. In line 4060, change "material" to "materials".
9. In lines 4072 and 4167, change "e.g," to "e.g.,".
10. In line 4185, remove italics from "*Environmental Register*".

1/24/06

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

CERTIFICATION OF NO OBJECTION
TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 1/18/06 meeting, considered Petroleum Underground Storage Tanks (Releases Reported On Or After June 24, 2002) (35 Ill. Adm. Code 734), proposed by the Pollution Control Board and published in the 3/11/05 issue of the Illinois Register. After consideration, and based upon the agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

A handwritten signature in cursive script that reads "Vicki Thomas".

Vicki Thomas
Executive Director

1/18/06

Attachments: Agreements
Recommendation Issued

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

Heading of the Part: Petroleum Underground Storage Tanks (Releases Reported On Or After June 24, 2002)

Code Citation: 35 Ill. Adm. Code 734

Section Numbers: 734.630

Date Originally Published in the Illinois Register: 3/11/05
29 Ill. Reg. 3705

At its meeting on January 18, 2006, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommended that the Pollution Control Board add to the issues it is addressing in its dockets R04-22B and R04-23B the costs that are ineligible for payment from the Underground Storage Tank Fund stated in 35 Ill. Adm. Code 734.630(aaa) and (bbb) of its rulemakings titled Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002) (35 Ill. Adm. Code 732; 29 Ill. Reg. 3538) and Petroleum Underground Storage Tanks (Releases Reported On Or After June 24, 2002) (35 Ill. Adm. Code 734; 29 Ill. Reg. 3705).

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

sr3705

