

ILLINOIS POLLUTION CONTROL BOARD

August 20, 2009

IN THE MATTER OF:)
)
RCRA SUBTITLE D UPDATE, USEPA) R10-3
REGULATIONS (January 1, 2009 through) (Identical-in-Substance Rulemaking -
June 30, 2009)) Water)

Proposed Rule. Dismissal Order.

ORDER OF THE BOARD (by G.T. Girard):

Section 22.40(a) of the Environmental Protection Act (415 ILCS 5/22.40(a) (2006)) requires the Board to adopt regulations that are “identical in substance” to regulations of the United States Environmental Protection Agency (USEPA). 415 ILCS 5/7.2 (2006). Specifically, Section 22.40(a) relates to municipal solid waste landfill (MSWLF) regulations that USEPA adopted to implement Subtitle D of the Resource Conservation and Recovery Act of 1976 (42 U.S.C §§ 6941-6949 (2005); RCRA Subtitle D). 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, 2009 through June 30, 2009. During that time period, USEPA did not amend its MSWLF regulations in a way that will require Board action. Therefore, no action is necessary, and the Board dismisses this docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 20, 2009, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board