

ILLINOIS POLLUTION CONTROL BOARD
March 19, 1987

IN THE MATTER OF:)
)
RCRA UPDATE, USEPA REGULATIONS) R86-46
(7-1-86 THROUGH 9-30-86))

PROPOSAL FOR PUBLIC COMMENT.

PROPOSED ORDER OF THE BOARD (by J. Anderson):

Pursuant to Sections 22.4(a) and 22.4(e) of the Environmental Protection Act (Act), the Board is proposing to amend the RCRA regulations. In accordance with the RCRA procedural rules (Section 102.202), the Board invites public comment for 45 days after publication of the proposal in the Illinois Register.

On October 9, 1986, the Board opened this docket for the purpose of updating the RCRA rules to agree with recent USEPA amendments.

Sections 22.4(a) and 22.4(e) of the Act govern adoption of regulations establishing the RCRA program in Illinois. Section 22.4(a) and 22.4(e) provide for quick adoption of regulations which are "identical in substance" to federal regulations. Neither Title VII of the Act nor Section 5 of the Administrative Procedure Act applies to rules adopted under Section 22.4(a) or 22.4(e). Because this rulemaking is not subject to Section 5 of the Administrative Procedure Act, it is not subject to review by the Joint Committee on Administrative Rules (JCAR). The federal RCRA regulations are found at 40 CFR 260 through 270, and 280. This rulemaking updates Illinois' RCRA rules to correspond with federal amendments during the period July 1 through September 30, 1986.

The Board has adopted a Proposed Opinion supporting this Proposed Order in a separate action on this same day.

The complete text of the proposed amendments is to be attached to this Order for distribution to the public. The proposal will appear in the Illinois Register in the near future. Because of its length, the proposal will not be published in the Environmental Register, and will not be placed in the Opinion volumes.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Proposed Order was adopted on the 19th day of March, 1987, by a vote of 6-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board