

ILLINOIS POLLUTION CONTROL BOARD  
February 9, 1984

IN THE MATTER OF: )  
 )  
ILLINOIS CONTINGENCY PLAN ) R84-5  
 )

ORDER OF THE BOARD (by J. Anderson):

P.A. 83-0938, effective December 12, 1983, adds the following to the Environmental Protection Act:

"Sec. 22.1 (a). The Board shall adopt within 180 days regulations or amendments thereto promulgated by the Administrator of the United States Environmental Protection Agency to implement Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510), as amended. The provisions and requirements of Title VII of this Act shall not apply to rules adopted under this subsection. Section 5 of the Illinois Administrative Procedure Act relating to the procedures for rulemaking shall not apply to rules adopted under this subsection.

(b) The Board may adopt regulations relating to a state contingency plan which are not identical in substance to federal regulations promulgated by the Administrator of the United States Environmental Protection Agency to implement Section 105 of the comprehensive Environmental Response Compensation and Liability Act of 1980 (P.L. 96-510), as amended. Regulation adopted in accordance with the provisions and requirements of Title VII of this Act and the procedures for rulemaking in Section 5 of the Illinois Administrative Procedure Act.

(c) Nothing in this Section shall limit the authority of the Agency to enforce or implement any provision of this Act, including but not limited to Section 4 or 22.2 of this Act, prior to the adoption of regulations by the Board under this Section."

Pursuant to subsection (a) of this new section, the Board is in the process of preparing a proposal for this rulemaking and anticipates that the following tentative schedule and procedures will be utilized:

- February 9 - Establish Docket No.
- February 22 - Submit draft proposal for Board discussion
- March 8 - Draft Proposal approved by Board; set inquiry hearing
- Late March - Hearings in Springfield and Chicago
- Late April - Revised Board Proposal
- Mid-May - Comment Period Ends
- May 31 - Board Adoption
- June 9 - Statutory Deadline

The Board hereby establishes a docket for the promulgation of regulations which are "identical in substance" to the "National Oil and Hazard Substances Pollution Contingency Plan" (40 CFR 300, as amended July 16, 1982.)

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 9<sup>th</sup> day of February, 1984 by a vote of 7-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board