

**Board Dismisses Rulemaking Pertaining to Professional Consulting Services
Associated with the Underground Storage Tank Program**

The Illinois Pollution Control Board, on June 1, 2006, dismissed subdocket B Proposed Amendments To: Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 732), R04-22B and Proposed Amendments To: Regulation of Petroleum Leaking Underground Storage Tanks (35 Ill. Adm. Code 734), R04-23B. The Board opened this subdocket to specifically address issues concerning the scope of work associated with lump sum payments as well as the lump sum payment amounts proposed at first notice in Subdocket A. The Board based its proposed language on a proposal by the *Ad Hoc* Work Group, a group formed by American Consulting Engineers Council of Illinois (ACECI) and Illinois Petroleum Marketer's Association at the request of the Illinois Environmental Protection Agency (IEPA).

The Board held an additional hearing in this proceeding and received several more comments. However, the Board found that the record does not support proceeding with a rule defining the scope of work and setting maximum lump sum payment amounts. The Board does not believe that additional hearings or comment periods will cure the deficiencies in the record. The Board encourages the participants to continue to examine this issue through the LUST Advisory Committee.

Opinions and orders of the Board, hearing transcripts, and other documents in this rulemaking record are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office.

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