

## **Board to Hear Proposal to Update Illinois' Nonhazardous Waste Landfill Regulations**

On August 6, 2009, the Board accepted for hearing a proposal to amend Illinois' nonhazardous waste landfill regulations relating to financial assurance. The Illinois Environmental Protection Agency (IEPA), on July 27, 2009, filed the rulemaking which was docketed as In the Matter of: Financial Assurance Instruments—Renewals and Terms: amendments to 35 Ill. Adm. Code 807.Subpart F, 810.104, and 811.Subpart G, R10-09.

The IEPA requests the Board update the financial assurance provisions in the Illinois solid waste regulations, 35 Ill. Adm. Code 807. Subpart F, and landfill rules, 35 Ill. Adm. Code 810.Subpart G. The IEPA states that the amendments would achieve greater consistency among the various land-related financial assurance requirements in Illinois regulations, which includes the federally derived underground injection control rules, 35 Ill. Adm. Code 704.Subpart G, and hazardous waste treatment, storage, and disposal facility standards, 35 Ill. Adm. Code 724.Subpart H and 725.Subpart H.

The IEPA wants the Board to modify the required language for letters of credit to incorporate "evergreen renewal language," as is included in the more recently adopted federally derived financial assurance requirements. Such language would generally allow the IEPA to draw on the letter of credit unless the facility owner or operator has timely either gained renewal of the letter of credit for another term or provided substitute financial assurance to the IEPA. Additionally, the IEPA wants the Board to change the minimum term for a letter of credit from the four or five years currently required in the Illinois non-hazardous solid waste and landfill rules, respectively, to a one-year term, as is required in the federally required regulations.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
Chicago, IL 60601

In addition, public comments may be filed electronically through COOL at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records 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

For more information contact Michael McCambridge at 312-814-6924 or email at [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us).