



Rep. Ann M. Williams

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10400HB5070ham001

LRB104 19577 BDA 34428 a

1 AMENDMENT TO HOUSE BILL 5070

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5070 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by  
5 changing Sections 7.2, 10, 13, 13.3, 17.5, 22.4, and 22.40 as  
6 follows:

7 (415 ILCS 5/7.2) (from Ch. 111 1/2, par. 1007.2)

8 Sec. 7.2. Identical in substance rulemakings.

9 (a) In the context of a mandate that the Board adopt  
10 regulations to secure federal authorization for a program,  
11 regulations that are "identical in substance" means State  
12 regulations which require the same actions with respect to  
13 protection of the environment, by the same group of affected  
14 persons, as would federal regulations if USEPA administered  
15 the subject program in Illinois, except as provided below.  
16 After consideration of comments from the USEPA, the Agency,

1 the Attorney General and the public, the Board shall adopt the  
2 verbatim text of such USEPA regulations as are necessary and  
3 appropriate for authorization of the program. In adopting  
4 "identical in substance" regulations, the only changes that  
5 may be made by the Board to the federal regulations are those  
6 changes that are necessary for compliance with the Illinois  
7 Administrative Code, and technical changes that in no way  
8 change the scope or meaning of any portion of the regulations,  
9 except as follows:

10 (1) The Board shall not adopt the equivalent of USEPA  
11 rules that are not applicable to persons or facilities in  
12 Illinois, that govern the program authorization process,  
13 that are appropriate only in USEPA-administered programs,  
14 or that govern actions to be taken by USEPA, other federal  
15 agencies or other states.

16 (2) The Board shall not adopt rules prescribing things  
17 which are outside the Board's normal functions, such as  
18 rules specifying staffing or funding requirements for  
19 programs.

20 (3) If a USEPA rule prescribes the contents of a State  
21 regulation without setting forth the regulation itself,  
22 which would be an integral part of any regulation required  
23 to be adopted as an "identical in substance" regulation as  
24 defined in this Section, the Board shall adopt a  
25 regulation as prescribed, to the extent possible  
26 consistent with other relevant USEPA regulations and

1 existing State law. The Board may not use this subsection  
2 to adopt any regulation which is a required rule as that  
3 term is defined by Section 28.2 of this Act. To the extent  
4 practicable, the Board in its proposed and adopted opinion  
5 shall include its rationale for adopting such regulation.

6 (4) Pursuant to subsection (a) of Section 5-75 of the  
7 Illinois Administrative Procedure Act, the Board may  
8 incorporate USEPA rules by reference where it is possible  
9 to do so without causing confusion to the affected public.

10 (5) If USEPA intends to retain decision-making  
11 authority for a portion of the program, the Board  
12 regulation shall so specify. In addition, the Board  
13 regulation shall specify whether a decision is to be made  
14 by the Board, the Agency or some other State agency, based  
15 upon the general division of functions within this Act and  
16 other Illinois statutes.

17 (6) Wherever appropriate, the Board regulations shall  
18 reflect any consistent, more stringent regulations adopted  
19 pursuant to the rulemaking requirements of Title VII of  
20 this Act and Section 5-35 of the Illinois Administrative  
21 Procedure Act.

22 (7) The Board may correct apparent typographical and  
23 grammatical errors in USEPA rules.

24 (8) The Board shall not adopt USEPA rules imposing  
25 standards that are less stringent than those in existing  
26 Board regulations. The Board may adopt such rules pursuant

1       to the rulemaking requirements of Title VII of this Act  
2       and Section 5-35 of the Illinois Administrative Procedure  
3       Act.

4       (b) In adopting regulations that are "identical in  
5 substance" with specified federal regulations under subsection  
6 (c) of Section 13, Section 13.3, Section 17.5, subsection (a)  
7 or (d) of Section 22.4, subsection (a) of Section 22.7, or  
8 subsection (a) of Section 22.40, subsection (H) of Section 10,  
9 or specified federal determinations under subsection (e) of  
10 Section 9.1, the Board shall complete its rulemaking  
11 proceedings within one year after the adoption of the  
12 corresponding federal rule. If the Board consolidates multiple  
13 federal rulemakings into a single Board rulemaking, the  
14 one-year period shall be calculated from the adoption date of  
15 the federal rule first adopted among those consolidated. After  
16 adopting an "identical in substance" rule, if the Board  
17 determines that an amendment is needed to that rule, the Board  
18 shall initiate a rulemaking proceeding to propose such  
19 amendment. The amendment shall be adopted within one year of  
20 the initiation of the Board's determination.

21       Additionally, if the Board, after adopting an "identical  
22 in substance" rule, determines that a technical correction to  
23 that rule is needed, the Board may initiate an application for  
24 certification of correction under Section 5-85 of the Illinois  
25 Administrative Procedure Act.

26       The one-year period may be extended by the Board for an

1 additional period of time if necessary to complete the  
2 rulemaking proceeding. In order to extend the one-year period,  
3 the Board must make a finding, based upon the record in the  
4 rulemaking proceeding, that the one-year period is  
5 insufficient for completion of the rulemaking, and such  
6 finding shall specifically state the reasons for the  
7 extension. Except as otherwise provided above, the Board must  
8 make the finding that an extension of time is necessary prior  
9 to the expiration of the initial one-year period, and must  
10 also publish a notice of extension in the Illinois Register as  
11 expeditiously as practicable following its decision, stating  
12 the specific reasons for the Board's decision to extend. The  
13 notice of extension need not appear in the Illinois Register  
14 prior to the expiration of the initial one year period and  
15 shall specify a date certain by which the Board anticipates  
16 completion of the rulemaking, except that if a date certain  
17 cannot be specified because of a need to delay adoption  
18 pending occurrence of an event beyond the Board's control, the  
19 notice shall specify the event, explain its circumstances, and  
20 contain an estimate of the amount of time needed to complete  
21 the rulemaking after the occurrence of the specified event.

22 (Source: P.A. 97-945, eff. 8-10-12.)

23 (415 ILCS 5/10) (from Ch. 111 1/2, par. 1010)

24 Sec. 10. Regulations.

25 (A) The Board, pursuant to procedures prescribed in Title

1 VII of this Act, may adopt regulations to promote the purposes  
2 of this Title. Without limiting the generality of this  
3 authority, such regulations may among other things prescribe:

4 (a) (Blank);

5 (b) Emission standards specifying the maximum amounts  
6 or concentrations of various contaminants that may be  
7 discharged into the atmosphere;

8 (c) Standards for the issuance of permits for  
9 construction, installation, or operation of any equipment,  
10 facility, vehicle, vessel, or aircraft capable of causing  
11 or contributing to air pollution or designed to prevent  
12 air pollution;

13 (d) Standards and conditions regarding the sale,  
14 offer, or use of any fuel, vehicle, or other article  
15 determined by the Board to constitute an air-pollution  
16 hazard;

17 (e) Alert and abatement standards relative to  
18 air-pollution episodes or emergencies constituting an  
19 acute danger to health or to the environment;

20 (f) Requirements and procedures for the inspection of  
21 any equipment, facility, vehicle, vessel, or aircraft that  
22 may cause or contribute to air pollution;

23 (g) Requirements and standards for equipment and  
24 procedures for monitoring contaminant discharges at their  
25 sources, the collection of samples, and the collection,  
26 reporting, and retention of data resulting from such

1 monitoring.

2 (B) The Board may adopt regulations and emission standards  
3 that are applicable or that may become applicable to  
4 stationary emission sources located in all areas of the State  
5 in accordance with any of the following:

6 (1) that are required by federal law;

7 (2) that are otherwise part of the State's attainment  
8 plan and are necessary to attain the national ambient air  
9 quality standards; ~~or~~

10 (3) that are necessary to comply with the requirements  
11 of the federal Clean Air Act; or ~~or~~

12 (4) that are necessary to comply with air quality  
13 standards adopted by the Board that are more stringent  
14 than federal standards.

15 (C) The Board may not adopt any regulation banning the  
16 burning of landscape waste throughout the State generally. The  
17 Board may, by regulation, restrict or prohibit the burning of  
18 landscape waste within any geographical area of the State if  
19 it determines based on medical and biological evidence  
20 generally accepted by the scientific community that such  
21 burning will produce in the atmosphere of that geographical  
22 area contaminants in sufficient quantities and of such  
23 characteristics and duration as to be injurious to human,  
24 plant, or animal life or health.

25 (D) The Board shall adopt regulations requiring the owner  
26 or operator of a gasoline dispensing system that dispenses

1 more than 10,000 gallons of gasoline per month to install and  
2 operate a system for the recovery of gasoline vapor emissions  
3 arising from the fueling of motor vehicles that meets the  
4 requirements of Section 182 of the federal Clean Air Act (42  
5 U.S.C. 7511a). These regulations shall apply only in areas of  
6 the State that are classified as moderate, serious, severe, or  
7 extreme nonattainment areas for ozone pursuant to Section 181  
8 of the federal Clean Air Act (42 U.S.C. 7511), but shall not  
9 apply in such areas classified as moderate nonattainment areas  
10 for ozone if the Administrator of the U.S. Environmental  
11 Protection Agency promulgates standards for vehicle-based  
12 (onboard) systems for the control of vehicle refueling  
13 emissions pursuant to Section 202(a)(6) of the federal Clean  
14 Air Act (42 U.S.C. 7521(a)(6)) by November 15, 1992.

15 (E) The Board shall not adopt or enforce any regulation  
16 requiring the use of a tarpaulin or other covering on a truck,  
17 trailer, or other vehicle that is stricter than the  
18 requirements of Section 15-109.1 of the Illinois Vehicle Code.  
19 To the extent that it is in conflict with this subsection, the  
20 Board's rule codified as 35 Ill. Adm. Code 212.315 is hereby  
21 superseded.

22 (F) Any person who, prior to June 8, 1988, has filed a  
23 timely Notice of Intent to Petition for an Adjusted RACT  
24 Emissions Limitation and who subsequently timely files a  
25 completed petition for an adjusted RACT emissions limitation  
26 pursuant to 35 Ill. Adm. Code Part 215, Subpart I, shall be

1 subject to the procedures contained in Subpart I but shall be  
2 excluded by operation of law from 35 Ill. Adm. Code Part 215,  
3 Subparts PP, QQ, and RR, including the applicable definitions  
4 in 35 Ill. Adm. Code Part 211. Such persons shall instead be  
5 subject to a separate regulation which the Board is hereby  
6 authorized to adopt pursuant to the adjusted RACT emissions  
7 limitation procedure in 35 Ill. Adm. Code Part 215, Subpart I.  
8 In its final action on the petition, the Board shall create a  
9 separate rule which establishes Reasonably Available Control  
10 Technology (RACT) for such person. The purpose of this  
11 procedure is to create separate and independent regulations  
12 for purposes of SIP submittal, review, and approval by USEPA.

13 (G) Subpart FF of Subtitle B, Title 35 Ill. Adm. Code  
14 218.720 through 218.730 and 219.720 through 219.730, are  
15 hereby repealed by operation of law and are rendered null and  
16 void and of no force and effect.

17 (H) In accordance with subsection (b) of Section 7.2, the  
18 Board shall adopt ambient air quality standards specifying the  
19 maximum permissible short-term and long-term concentrations of  
20 various contaminants in the atmosphere; those standards shall  
21 be identical in substance to the national ambient air quality  
22 standards promulgated by the Administrator of the United  
23 States Environmental Protection Agency in accordance with  
24 Section 109 of the Clean Air Act, except that the Board shall  
25 not adopt under this subsection (H) any standards less  
26 stringent than those existing in Board regulations. The Board

1 may consolidate into a single rulemaking under this subsection  
2 all such federal regulations adopted within a period of time  
3 not to exceed 6 months. The provisions and requirements of  
4 Title VII of this Act and Section 5-35 of the Illinois  
5 Administrative Procedure Act, relating to procedures for  
6 rulemaking, shall not apply to identical in substance  
7 regulations adopted pursuant to this subsection. However, the  
8 Board shall provide for notice and public comment before  
9 adopted rules are filed with the Secretary of State. Nothing  
10 in this subsection shall be construed to limit the right of any  
11 person to submit a proposal to the Board, or the authority of  
12 the Board to adopt, air quality standards more stringent than  
13 the standards promulgated by the Administrator, pursuant to  
14 the rulemaking requirements of Title VII of this Act and  
15 Section 5-35 of the Illinois Administrative Procedure Act.

16 (Source: P.A. 103-154, eff. 6-30-23.)

17 (415 ILCS 5/13) (from Ch. 111 1/2, par. 1013)

18 Sec. 13. Regulations.

19 (a) The Board, pursuant to procedures prescribed in Title  
20 VII of this Act, may adopt regulations to promote the purposes  
21 and provisions of this Title. Without limiting the generality  
22 of this authority, such regulations may among other things  
23 prescribe:

24 (1) Water quality standards specifying among other  
25 things, the maximum short-term and long-term

1 concentrations of various contaminants in the waters, the  
2 minimum permissible concentrations of dissolved oxygen and  
3 other desirable matter in the waters, and the temperature  
4 of such waters;

5 (2) Effluent standards specifying the maximum amounts  
6 or concentrations, and the physical, chemical, thermal,  
7 biological and radioactive nature of contaminants that may  
8 be discharged into the waters of the State, as defined  
9 herein, including, but not limited to, waters to any  
10 sewage works, or into any well, or from any source within  
11 the State;

12 (3) Standards for the issuance of permits for  
13 construction, installation, or operation of any equipment,  
14 facility, vessel, or aircraft capable of causing or  
15 contributing to water pollution or designed to prevent  
16 water pollution or for the construction or installation of  
17 any sewer or sewage treatment facility or any new outlet  
18 for contaminants into the waters of this State;

19 (4) The circumstances under which the operators of  
20 sewage works are required to obtain and maintain  
21 certification by the Agency under Section 13.5 and the  
22 types of sewage works to which those requirements apply,  
23 which may, without limitation, include wastewater  
24 treatment works, pretreatment works, and sewers and  
25 collection systems;

26 (5) Standards for the filling or sealing of abandoned

1 water wells and holes, and holes for disposal of drainage  
2 in order to protect ground water against contamination;

3 (6) Standards and conditions regarding the sale,  
4 offer, or use of any pesticide, detergent, or any other  
5 article determined by the Board to constitute a water  
6 pollution hazard, provided that any such regulations  
7 relating to pesticides shall be adopted only in accordance  
8 with the "Illinois Pesticide Act", approved August 14,  
9 1979 as amended;

10 (7) Alert and abatement standards relative to  
11 water-pollution episodes or emergencies which constitute  
12 an acute danger to health or to the environment;

13 (8) Requirements and procedures for the inspection of  
14 any equipment, facility, or vessel that may cause or  
15 contribute to water pollution;

16 (9) Requirements and standards for equipment and  
17 procedures for monitoring contaminant discharges at their  
18 sources, the collection of samples and the collection,  
19 reporting and retention of data resulting from such  
20 monitoring.

21 (b) Notwithstanding other provisions of this Act and for  
22 purposes of implementing an NPDES program, the Board shall  
23 adopt:

24 (1) Requirements, standards, and procedures which,  
25 together with other regulations adopted pursuant to this  
26 Section 13, are necessary or appropriate to enable the

1 State of Illinois to implement and participate in the  
2 National Pollutant Discharge Elimination System (NPDES)  
3 pursuant to and under the Federal Water Pollution Control  
4 Act, as now or hereafter amended. All regulations adopted  
5 by the Board governing the NPDES program shall be  
6 consistent with and at least as stringent as the  
7 applicable provisions of such federal Act and regulations  
8 pursuant thereto, and otherwise shall be consistent with  
9 all other provisions of this Act, and shall exclude from  
10 the requirement to obtain any operating permit otherwise  
11 required under this Title a facility for which an NPDES  
12 permit has been issued under Section 39(b); provided,  
13 however, that for purposes of this paragraph, a UIC  
14 permit, as required under Section 12(g) and 39(d) of this  
15 Act, is not an operating permit.

16 (2) Regulations for the exemption of any category or  
17 categories of persons or contaminant sources from the  
18 requirement to obtain any NPDES permit prescribed or from  
19 any standards or conditions governing such permit when the  
20 environment will be adequately protected without the  
21 requirement of such permit, and such exemption is either  
22 consistent with the Federal Water Pollution Control Act,  
23 as now or hereafter amended, or regulations pursuant  
24 thereto, or is necessary to avoid an arbitrary or  
25 unreasonable hardship to such category or categories of  
26 persons or sources.

1 (c) In accordance with Section 7.2, and notwithstanding  
2 any other provisions of this Act, for purposes of implementing  
3 a State UIC program, the Board shall adopt regulations which  
4 are identical in substance to federal regulations or  
5 amendments thereto promulgated by the Administrator of the  
6 United States Environmental Protection Agency in accordance  
7 with Section 1421 of the Safe Drinking Water Act (P.L.  
8 93-523), as amended, except that the Board shall not adopt  
9 under this subsection (c) any standards less stringent than  
10 those existing in Board regulations. The Board may consolidate  
11 into a single rulemaking under this Section all such federal  
12 regulations adopted within a period of time not to exceed 6  
13 months. The provisions and requirements of Title VII of this  
14 Act shall not apply to regulations adopted under this  
15 subsection. Section 5-35 of the Illinois Administrative  
16 Procedure Act relating to procedures for rulemaking shall not  
17 apply to regulations adopted under this subsection.

18 (d) The Board may adopt regulations relating to a State  
19 UIC program that are not inconsistent with and are at least as  
20 stringent as the Safe Drinking Water Act (P.L. 93-523), as  
21 amended, or regulations adopted thereunder. Regulations  
22 adopted pursuant to this subsection shall be adopted in  
23 accordance with the provisions and requirements of Title VII  
24 of this Act and the procedures for rulemaking in Section 5-35  
25 of the Illinois Administrative Procedure Act.

26 (Source: P.A. 93-170, eff. 7-10-03.)

1 (415 ILCS 5/13.3) (from Ch. 111 1/2, par. 1013.3)

2 Sec. 13.3. In accordance with Section 7.2, the Board shall  
3 adopt regulations which are identical in substance to federal  
4 regulations or amendments thereto promulgated by the  
5 Administrator of the United States Environmental Protection  
6 Agency to implement Sections 307(b), (c), (d), 402(b)(8) and  
7 402(b)(9) of the Federal Water Pollution Control Act, as  
8 amended, except that the Board shall not adopt under this  
9 Section any standards less stringent than those existing in  
10 Board regulations. The Board may consolidate into a single  
11 rulemaking under this Section all such federal regulations  
12 adopted within a period of time not to exceed 6 months. The  
13 provisions and requirements of Title VII of this Act shall not  
14 apply to regulations adopted under this Section. Sections 5-35  
15 and 5-75 of the Illinois Administrative Procedure Act relating  
16 to procedures for rulemaking shall not apply to regulations  
17 adopted under this Section. However, the Board shall provide  
18 for notice and public comment before adopted rules are filed  
19 with the Secretary of State.

20 (Source: P.A. 88-45; 89-445, eff. 2-7-96.)

21 (415 ILCS 5/17.5) (from Ch. 111 1/2, par. 1017.5)

22 Sec. 17.5. In accordance with Section 7.2, the Board shall  
23 adopt regulations which are "identical in substance" to  
24 federal regulations or amendments thereto promulgated by the

1 Administrator of the United States Environmental Protection  
2 Agency to implement Sections 1412(b), 1414(c), 1417(a), and  
3 1445(a) of the Safe Drinking Water Act (P.L. 93-523), as  
4 amended, except that the Board shall not adopt under this  
5 Section any standards less stringent than those existing in  
6 Board regulations. The provisions and requirements of Title  
7 VII of this Act shall not apply to regulations adopted under  
8 this Section. Section 5-35 of the Illinois Administrative  
9 Procedure Act relating to procedures for rulemaking shall not  
10 apply to regulations adopted under this Section. However, the  
11 Board shall provide for notice and public comment before  
12 adopted rules are filed with the Secretary of State. The Board  
13 may consolidate into a single rulemaking under this Section  
14 all such federal regulations adopted within a period of time  
15 not to exceed 6 months.

16 (Source: P.A. 88-45.)

17 (415 ILCS 5/22.4) (from Ch. 111 1/2, par. 1022.4)

18 Sec. 22.4. Hazardous waste; underground storage tanks;  
19 regulations.

20 (a) In accordance with Section 7.2, the Board shall adopt  
21 regulations which are identical in substance to federal  
22 regulations or amendments thereto promulgated by the  
23 Administrator of the United States Environmental Protection  
24 Agency to implement Sections 3001, 3002, 3003, 3004, and 3005,  
25 of the Resource Conservation and Recovery Act of 1976 (P.L.

1 94-580), except that the Board shall not adopt under this  
2 subsection (a) any standards less stringent than those  
3 existing in Board regulations. The Board may consolidate into  
4 a single rulemaking under this Section all such federal  
5 regulations adopted within a period of time not to exceed 6  
6 months. The provisions and requirements of Title VII of this  
7 Act shall not apply to rules adopted under this subsection.  
8 Section 5-35 of the Illinois Administrative Procedure Act  
9 relating to procedures for rulemaking shall not apply to rules  
10 adopted under this subsection.

11 (b) The Board may adopt regulations relating to a State  
12 hazardous waste management program that are not inconsistent  
13 with and at least as stringent as the Resource Conservation  
14 and Recovery Act of 1976 (P.L. 94-580), or regulations adopted  
15 thereunder. Regulations adopted pursuant to this subsection  
16 shall be adopted in accordance with the provisions and  
17 requirements of Title VII of this Act and the procedures for  
18 rulemaking in Section 5-35 of the Illinois Administrative  
19 Procedure Act.

20 (c) Notwithstanding subsection (a) of this Section, the  
21 Board may adopt additional regulations identifying the  
22 characteristics of hazardous waste and additional regulations  
23 listing hazardous waste. In adopting such regulations, the  
24 Board shall take into account the toxicity, persistence, and  
25 degradability in nature, the potential for accumulation in  
26 tissue, and other related factors such as flammability,

1 corrosiveness, and other hazardous characteristics. The  
2 regulations may be revised from time to time as may be  
3 appropriate. Regulations adopted pursuant to this subsection  
4 shall be adopted in accordance with the provisions and  
5 requirements of this Act and the procedures for rulemaking in  
6 Section 5-35 of the Illinois Administrative Procedure Act.

7 (d) (1) In accordance with Section 7.2, after the adoption  
8 of regulations by the United States Environmental Protection  
9 Agency to implement Section 9003 of Subtitle I of the  
10 Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616) of  
11 the Resource Conservation and Recovery Act of 1976 (P.L.  
12 94-580), or any amendments to such regulations, the Board  
13 shall adopt regulations relating to corrective action at  
14 underground storage tanks that are identical in substance to  
15 such federal regulations, except that the Board shall not  
16 adopt under this subsection (d) any standards less stringent  
17 than those existing in Board regulations.

18 (2) The rulemaking provisions of Title VII of this Act and  
19 of Section 5-35 of the Illinois Administrative Procedure Act  
20 shall not apply to regulations or amendments adopted pursuant  
21 to this subsection (d).

22 (3) For purposes of adopting regulations or amendments  
23 thereto under this subsection (d), corrective action shall not  
24 include requirements providing for design, construction,  
25 installation, general operation, release detection, release  
26 reporting, release determination investigation, release

1 confirmation, out-of-service systems and their closure or  
2 financial responsibility.

3 (4) By January 1, 1992, the Board shall amend its rules  
4 pertaining to underground storage tanks adopted under  
5 paragraph (1) of this subsection to make those rules  
6 applicable to any heating oil underground storage tank.

7 (Source: P.A. 87-323; 87-1088; 88-45.)

8 (415 ILCS 5/22.40)

9 Sec. 22.40. Municipal solid waste landfill rules.

10 (a) In accordance with Sec. 7.2, the Board shall adopt  
11 rules that are identical in substance to federal regulations  
12 or amendments thereto promulgated by the Administrator of the  
13 United States Environmental Protection Agency to implement  
14 Sections 4004 and 4010 of the Resource Conservation and  
15 Recovery Act of 1976 (P.L. 94-580) insofar as those  
16 regulations relate to a municipal solid waste landfill unit  
17 program, except that the Board shall not under this subsection  
18 (a) adopt any standards less stringent than those existing in  
19 Board regulations. The Board may consolidate into a single  
20 rulemaking under this Section all such federal regulations  
21 adopted within a period of time not to exceed 6 months. Where  
22 the federal regulations authorize the State to adopt  
23 alternative standards, schedules, or procedures to the  
24 standards, schedules, or procedures contained in the federal  
25 regulations, the Board may adopt alternative standards,

1 schedules, or procedures under subsection (b) or retain  
2 existing Board rules that establish alternative standards,  
3 schedules, or procedures that are not inconsistent with the  
4 federal regulations. The Board may consolidate into a single  
5 rulemaking under this Section all such federal regulations  
6 adopted within a period of time not to exceed 6 months.

7 The provisions and requirements of Title VII of this Act  
8 shall not apply to rules adopted under this subsection (a).  
9 Section 5-35 of the Illinois Administrative Procedure Act  
10 relating to the procedures for rulemaking shall not apply to  
11 regulations adopted under this subsection (a).

12 (b) The Board may adopt regulations relating to a State  
13 municipal solid waste landfill program that are not  
14 inconsistent with the Resource Conservation and Recovery Act  
15 of 1976 (P.L. 94-580), or regulations adopted thereunder.  
16 Rules adopted under this subsection shall be adopted in  
17 accordance with the provisions and requirements of Title VII  
18 of this Act and the procedures for rulemaking in Section 5-35  
19 of the Illinois Administrative Procedure Act.

20 (c) (Blank.)

21 (Source: P.A. 92-574, eff. 6-26-02.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law."