



Rep. Ann M. Williams

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10400HB5070ham002

LRB104 19577 BDA 35798 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 in this
16 Section. After consideration of comments from the USEPA, the

1 Agency, the Attorney General and the public, the Board shall
2 adopt the verbatim text of such USEPA regulations as are
3 necessary and appropriate for authorization of the program. In
4 adopting "identical in substance" regulations, the only
5 changes that may be made by the Board to the federal
6 regulations are those changes that are necessary for
7 compliance with the Illinois Administrative Code, and
8 technical changes that in no way change the scope or meaning of
9 any portion of the regulations, 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, in adopting "identical in substance"
25 regulations, shall not adopt USEPA rules imposing
26 standards that are less stringent than those in existing

1 Board regulations. The Board may adopt such rules pursuant
2 to the rulemaking requirements of Title VII of this Act
3 and Section 5-35 of the Illinois Administrative Procedure
4 Act. For purposes of adopting "identical in substance"
5 regulations, a revision to a federal regulation shall be
6 considered "less stringent" than an existing Board
7 regulation only if the federal revision, when compared on
8 a provision-by-provision basis to the specific Board
9 regulatory requirement it would affect, directly and
10 substantively reduces the level of environmental or public
11 health protection required by the corresponding Board
12 provision, as demonstrated by one or more of the
13 following:

14 (A) the federal revision eliminates a numerical
15 emission, discharge, or concentration limit, or
16 increases it above the level established in the
17 existing Board regulation;

18 (B) the federal revision eliminates or narrows the
19 scope of a specific prohibition or restriction on an
20 activity, substance, or process that is expressly set
21 forth in the existing Board regulation; or

22 (C) the federal revision eliminates or weakens a
23 specific, identified performance standard, design
24 standard, or technology-based requirement that is set
25 forth in the existing Board regulation.

26 (b) In adopting regulations that are "identical in

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

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

22 The one-year period may be extended by the Board for an
23 additional period of time if necessary to complete the
24 rulemaking proceeding. In order to extend the one-year period,
25 the Board must make a finding, based upon the record in the
26 rulemaking proceeding, that the one-year period is

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

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

19 (415 ILCS 5/10) (from Ch. 111 1/2, par. 1010)

20 Sec. 10. Regulations.

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

25 (a) (Blank);

1 (b) Emission standards specifying the maximum amounts
2 or concentrations of various contaminants that may be
3 discharged into the atmosphere;

4 (c) Standards for the issuance of permits for
5 construction, installation, or operation of any equipment,
6 facility, vehicle, vessel, or aircraft capable of causing
7 or contributing to air pollution or designed to prevent
8 air pollution;

9 (d) Standards and conditions regarding the sale,
10 offer, or use of any fuel, vehicle, or other article
11 determined by the Board to constitute an air-pollution
12 hazard;

13 (e) Alert and abatement standards relative to
14 air-pollution episodes or emergencies constituting an
15 acute danger to health or to the environment;

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

19 (g) Requirements and standards for equipment and
20 procedures for monitoring contaminant discharges at their
21 sources, the collection of samples, and the collection,
22 reporting, and retention of data resulting from such
23 monitoring.

24 (B) The Board may adopt regulations and emission standards
25 that are applicable or that may become applicable to
26 stationary emission sources located in all areas of the State

1 in accordance with any of the following:

2 (1) that are required by federal law;

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

6 (3) that are necessary to comply with the requirements
7 of the federal Clean Air Act; or

8 (4) that are necessary to comply with air quality
9 standards adopted by the Board.

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

20 (D) The Board shall adopt regulations requiring the owner
21 or operator of a gasoline dispensing system that dispenses
22 more than 10,000 gallons of gasoline per month to install and
23 operate a system for the recovery of gasoline vapor emissions
24 arising from the fueling of motor vehicles that meets the
25 requirements of Section 182 of the federal Clean Air Act (42
26 U.S.C. 7511a). These regulations shall apply only in areas of

1 the State that are classified as moderate, serious, severe, or
2 extreme nonattainment areas for ozone pursuant to Section 181
3 of the federal Clean Air Act (42 U.S.C. 7511), but shall not
4 apply in such areas classified as moderate nonattainment areas
5 for ozone if the Administrator of the U.S. Environmental
6 Protection Agency promulgates standards for vehicle-based
7 (onboard) systems for the control of vehicle refueling
8 emissions pursuant to Section 202(a)(6) of the federal Clean
9 Air Act (42 U.S.C. 7521(a)(6)) by November 15, 1992.

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

17 (F) Any person who, prior to June 8, 1988, has filed a
18 timely Notice of Intent to Petition for an Adjusted RACT
19 Emissions Limitation and who subsequently timely files a
20 completed petition for an adjusted RACT emissions limitation
21 pursuant to 35 Ill. Adm. Code Part 215, Subpart I, shall be
22 subject to the procedures contained in Subpart I but shall be
23 excluded by operation of law from 35 Ill. Adm. Code Part 215,
24 Subparts PP, QQ, and RR, including the applicable definitions
25 in 35 Ill. Adm. Code Part 211. Such persons shall instead be
26 subject to a separate regulation which the Board is hereby

1 authorized to adopt pursuant to the adjusted RACT emissions
2 limitation procedure in 35 Ill. Adm. Code Part 215, Subpart I.
3 In its final action on the petition, the Board shall create a
4 separate rule which establishes Reasonably Available Control
5 Technology (RACT) for such person. The purpose of this
6 procedure is to create separate and independent regulations
7 for purposes of SIP submittal, review, and approval by USEPA.

8 (G) Subpart FF of Subtitle B, Title 35 Ill. Adm. Code
9 218.720 through 218.730 and 219.720 through 219.730, are
10 hereby repealed by operation of law and are rendered null and
11 void and of no force and effect.

12 (H) In accordance with subsection (b) of Section 7.2, the
13 Board shall adopt ambient air quality standards specifying the
14 maximum permissible short-term and long-term concentrations of
15 various contaminants in the atmosphere; those standards shall
16 be identical in substance to the national ambient air quality
17 standards promulgated by the Administrator of the United
18 States Environmental Protection Agency in accordance with
19 Section 109 of the Clean Air Act, except that the Board shall
20 not adopt under this subsection (H) any standards less
21 stringent than those existing in Board regulations. The Board
22 may consolidate into a single rulemaking under this subsection
23 all such federal regulations adopted within a period of time
24 not to exceed 6 months. The provisions and requirements of
25 Title VII of this Act and Section 5-35 of the Illinois
26 Administrative Procedure Act, relating to procedures for

1 rulemaking, shall not apply to identical in substance
2 regulations adopted pursuant to this subsection. However, the
3 Board shall provide for notice and public comment before
4 adopted rules are filed with the Secretary of State. Nothing
5 in this subsection shall be construed to limit the right of any
6 person to submit a proposal to the Board, or the authority of
7 the Board to adopt, air quality standards more stringent than
8 the standards promulgated by the Administrator, pursuant to
9 the rulemaking requirements of Title VII of this Act and
10 Section 5-35 of the Illinois Administrative Procedure Act.

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

12 (415 ILCS 5/13) (from Ch. 111 1/2, par. 1013)

13 Sec. 13. Regulations.

14 (a) The Board, pursuant to procedures prescribed in Title
15 VII of this Act, may adopt regulations to promote the purposes
16 and provisions of this Title. Without limiting the generality
17 of this authority, such regulations may among other things
18 prescribe:

19 (1) Water quality standards specifying among other
20 things, the maximum short-term and long-term
21 concentrations of various contaminants in the waters, the
22 minimum permissible concentrations of dissolved oxygen and
23 other desirable matter in the waters, and the temperature
24 of such waters;

25 (2) Effluent standards specifying the maximum amounts

1 or concentrations, and the physical, chemical, thermal,
2 biological and radioactive nature of contaminants that may
3 be discharged into the waters of the State, as defined
4 herein, including, but not limited to, waters to any
5 sewage works, or into any well, or from any source within
6 the State;

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

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

21 (5) Standards for the filling or sealing of abandoned
22 water wells and holes, and holes for disposal of drainage
23 in order to protect ground water against contamination;

24 (6) Standards and conditions regarding the sale,
25 offer, or use of any pesticide, detergent, or any other
26 article determined by the Board to constitute a water

1 pollution hazard, provided that any such regulations
2 relating to pesticides shall be adopted only in accordance
3 with the "Illinois Pesticide Act", approved August 14,
4 1979 as amended;

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

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

11 (9) Requirements and standards for equipment and
12 procedures for monitoring contaminant discharges at their
13 sources, the collection of samples and the collection,
14 reporting and retention of data resulting from such
15 monitoring.

16 (b) Notwithstanding other provisions of this Act and for
17 purposes of implementing an NPDES program, the Board shall
18 adopt:

19 (1) Requirements, standards, and procedures which,
20 together with other regulations adopted pursuant to this
21 Section 13, are necessary or appropriate to enable the
22 State of Illinois to implement and participate in the
23 National Pollutant Discharge Elimination System (NPDES)
24 pursuant to and under the Federal Water Pollution Control
25 Act, as now or hereafter amended. All regulations adopted
26 by the Board governing the NPDES program shall be

1 consistent with and at least as stringent as the
2 applicable provisions of such federal Act and regulations
3 pursuant thereto, and otherwise shall be consistent with
4 all other provisions of this Act, and shall exclude from
5 the requirement to obtain any operating permit otherwise
6 required under this Title a facility for which an NPDES
7 permit has been issued under Section 39(b); provided,
8 however, that for purposes of this paragraph, a UIC
9 permit, as required under Section 12(g) and 39(d) of this
10 Act, is not an operating permit.

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

22 (c) In accordance with Section 7.2, and notwithstanding
23 any other provisions of this Act, for purposes of implementing
24 a State UIC program, the Board shall adopt regulations which
25 are identical in substance to federal regulations or
26 amendments thereto promulgated by the Administrator of the

1 United States Environmental Protection Agency in accordance
2 with Section 1421 of the Safe Drinking Water Act (P.L.
3 93-523), as amended, except that the Board shall not adopt
4 under this subsection (c) any standards less stringent than
5 those existing in Board regulations. The Board may consolidate
6 into a single rulemaking under this Section all such federal
7 regulations adopted within a period of time not to exceed 6
8 months. The provisions and requirements of Title VII of this
9 Act shall not apply to regulations adopted under this
10 subsection. Section 5-35 of the Illinois Administrative
11 Procedure Act relating to procedures for rulemaking shall not
12 apply to regulations adopted under this subsection.

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

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

22 (415 ILCS 5/13.3) (from Ch. 111 1/2, par. 1013.3)

23 Sec. 13.3. In accordance with Section 7.2, the Board shall
24 adopt regulations which are identical in substance to federal
25 regulations or amendments thereto promulgated by the

1 Administrator of the United States Environmental Protection
2 Agency to implement Sections 307(b), (c), (d), 402(b)(8) and
3 402(b)(9) of the Federal Water Pollution Control Act, 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 Board may consolidate into a single
7 rulemaking under this Section all such federal regulations
8 adopted within a period of time not to exceed 6 months. The
9 provisions and requirements of Title VII of this Act shall not
10 apply to regulations adopted under this Section. Sections 5-35
11 and 5-75 of the Illinois Administrative Procedure Act relating
12 to procedures for rulemaking shall not apply to regulations
13 adopted under this Section. However, the Board shall provide
14 for notice and public comment before adopted rules are filed
15 with the Secretary of State.

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

17 (415 ILCS 5/17.5) (from Ch. 111 1/2, par. 1017.5)

18 Sec. 17.5. In accordance with Section 7.2, the Board shall
19 adopt regulations which are "identical in substance" to
20 federal regulations or amendments thereto promulgated by the
21 Administrator of the United States Environmental Protection
22 Agency to implement Sections 1412(b), 1414(c), 1417(a), and
23 1445(a) of the Safe Drinking Water Act (P.L. 93-523), as
24 amended, except that the Board shall not adopt under this
25 Section any standards less stringent than those existing in

1 Board regulations. The provisions and requirements of Title
2 VII of this Act shall not apply to regulations adopted under
3 this Section. Section 5-35 of the Illinois Administrative
4 Procedure Act relating to procedures for rulemaking shall not
5 apply to regulations adopted under this Section. However, the
6 Board shall provide for notice and public comment before
7 adopted rules are filed with the Secretary of State. The Board
8 may consolidate into a single rulemaking under this Section
9 all such federal regulations adopted within a period of time
10 not to exceed 6 months.

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

12 (415 ILCS 5/22.4) (from Ch. 111 1/2, par. 1022.4)

13 Sec. 22.4. Hazardous waste; underground storage tanks;
14 regulations.

15 (a) In accordance with Section 7.2, the Board shall adopt
16 regulations which are identical in substance to federal
17 regulations or amendments thereto promulgated by the
18 Administrator of the United States Environmental Protection
19 Agency to implement Sections 3001, 3002, 3003, 3004, and 3005,
20 of the Resource Conservation and Recovery Act of 1976 (P.L.
21 94-580), except that the Board shall not adopt under this
22 subsection (a) any standards less stringent than those
23 existing in Board regulations. The Board may consolidate into
24 a single rulemaking under this Section all such federal
25 regulations adopted within a period of time not to exceed 6

1 months. The provisions and requirements of Title VII of this
2 Act shall not apply to rules adopted under this subsection.
3 Section 5-35 of the Illinois Administrative Procedure Act
4 relating to procedures for rulemaking shall not apply to rules
5 adopted under this subsection.

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

15 (c) Notwithstanding subsection (a) of this Section, the
16 Board may adopt additional regulations identifying the
17 characteristics of hazardous waste and additional regulations
18 listing hazardous waste. In adopting such regulations, the
19 Board shall take into account the toxicity, persistence, and
20 degradability in nature, the potential for accumulation in
21 tissue, and other related factors such as flammability,
22 corrosiveness, and other hazardous characteristics. The
23 regulations may be revised from time to time as may be
24 appropriate. Regulations adopted pursuant to this subsection
25 shall be adopted in accordance with the provisions and
26 requirements of this Act and the procedures for rulemaking in

1 Section 5-35 of the Illinois Administrative Procedure Act.

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

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

17 (3) For purposes of adopting regulations or amendments
18 thereto under this subsection (d), corrective action shall not
19 include requirements providing for design, construction,
20 installation, general operation, release detection, release
21 reporting, release determination investigation, release
22 confirmation, out-of-service systems and their closure or
23 financial responsibility.

24 (4) By January 1, 1992, the Board shall amend its rules
25 pertaining to underground storage tanks adopted under
26 paragraph (1) of this subsection to make those rules

1 applicable to any heating oil underground storage tank.

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

3 (415 ILCS 5/22.40)

4 Sec. 22.40. Municipal solid waste landfill rules.

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

1 adopted within a period of time not to exceed 6 months.

2 The provisions and requirements of Title VII of this Act
3 shall not apply to rules adopted under this subsection (a).
4 Section 5-35 of the Illinois Administrative Procedure Act
5 relating to the procedures for rulemaking shall not apply to
6 regulations adopted under this subsection (a).

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

15 (c) (Blank.)

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."