



Sen. Laura Ellman

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1 AMENDMENT TO SENATE BILL 3556

2 AMENDMENT NO. _____. Amend Senate Bill 3556, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

8 (415 ILCS 5/7.2) (from Ch. 111 1/2, par. 1007.2)

9 Sec. 7.2. Identical in substance rulemakings.

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

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

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

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

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

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

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

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

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

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

25 (8) The Board, in adopting "identical in substance"
26 regulations, shall not adopt USEPA rules imposing

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

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

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

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

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

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

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

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

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

20 (415 ILCS 5/10) (from Ch. 111 1/2, par. 1010)

21 Sec. 10. Regulations.

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

1 (a) (Blank);

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

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

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

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

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

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

25 (B) The Board may adopt regulations and emission standards
26 that are applicable or that may become applicable to

1 stationary emission sources located in all areas of the State
2 in accordance with any of the following:

3 (1) that are required by federal law;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 Sec. 13. Regulations.

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

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

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

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

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

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

25 (6) Standards and conditions regarding the sale,
26 offer, or use of any pesticide, detergent, or any other

1 article determined by the Board to constitute a water
2 pollution hazard, provided that any such regulations
3 relating to pesticides shall be adopted only in accordance
4 with the "Illinois Pesticide Act", approved August 14,
5 1979 as amended;

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

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

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

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

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

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

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

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

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

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

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

23 (415 ILCS 5/13.3) (from Ch. 111 1/2, par. 1013.3)

24 Sec. 13.3. In accordance with Section 7.2, the Board shall
25 adopt regulations which are identical in substance to federal

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

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

18 (415 ILCS 5/17.5) (from Ch. 111 1/2, par. 1017.5)

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

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

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

13 (415 ILCS 5/22.4) (from Ch. 111 1/2, par. 1022.4)

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

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

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

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

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

1 requirements of this Act and the procedures for rulemaking in
2 Section 5-35 of the Illinois Administrative Procedure Act.

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

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

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

25 (4) By January 1, 1992, the Board shall amend its rules
26 pertaining to underground storage tanks adopted under

1 paragraph (1) of this subsection to make those rules
2 applicable to any heating oil underground storage tank.

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

4 (415 ILCS 5/22.40)

5 Sec. 22.40. Municipal solid waste landfill rules.

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

1 rulemaking under this Section all such federal regulations
2 adopted within a period of time not to exceed 6 months.

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

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

16 (c) (Blank.)

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

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