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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Guidelines for Determination of Construct Only Status Pursuant to 35 Ill. Adm. Code 309.202
- 2) Code Citation: 35 Ill. Adm. Code 393
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
393.101	Repealed
393.102	Repealed
393.103	Repealed
393.104	Repealed
- 4) Statutory Authority: Implementing and authorized by Section 39 of the Environmental Protection Act [415 ILCS 5/39].
- 5) Effective Date of Repealer: December 11, 2018
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Illinois Environmental Protection Agency's principal office located at 1021 North Grand Avenue East, P.O. Box 19276 Springfield, Illinois 62794-9276 and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 42 Ill. Reg. 4617; March 16, 2018
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final vVersion: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

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- 15) Summary and Purpose of Repealer: In response to Executive Order 2016-13, Illinois EPA repealed 35 Ill. Adm. Code 393. See 40 Ill. Reg. 14812 (October 28, 2016). This Part provided policy guidelines for "construct only" permits allowing the construction of a sanitary sewer when the sewerage facilities intended to receive new waste were presently unable to properly transport or treat such new waste. These rules were not necessary because every construction permit is "construct only" unless otherwise specified. Under the Illinois Environmental Protection Act, no person is allowed to operate a sewer without an operating permit.
- 16) Information and questions regarding these adopted repealers shall be directed to:

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