

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**  
ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. MAGGIE CROTTY

CO-CHAIR:  
REP. ANGELO "SKIP" SAVIANO

EXECUTIVE DIRECTOR:  
VICKI THOMAS



700 STRATTON BUILDING  
SPRINGFIELD, ILLINOIS 62706  
217/785-2254

August 14, 2012

SEN. PAMELA ALTHOFF  
SEN. DON HARMON  
SEN. JOHN O. JONES  
SEN. DALE RIGHTER  
SEN. IRA SILVERSTEIN  
REP. GREGORY HARRIS  
REP. LOU LANG  
REP. DONALD MOFFITT  
REP. ROSEMARY MULLIGAN  
REP. ANDRÉ THAPEDI

**ORIGINAL**  
**RETURN TO CLERK'S OFFICE**

**RECEIVED**  
**CLERK'S OFFICE**  
**AUG 22 2012**  
**STATE OF ILLINOIS**  
**Pollution Control Board**

Thomas Holbrook, Chairman  
Pollution Control Board  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601

Re: Clean Construction or Demolition Debris Fill Operations (35 Ill. Adm. Code 1100; 36 Ill. Reg. 2801 - 2/24/12)

Dear Chairman Holbrook:

This is to notify you that JCAR considered the above-referenced proposed rulemaking at its 8/14/12 meeting.

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of this rulemaking, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

The rulemaking may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to the rulemaking does not necessarily constitute approval, expressed or implied, of the substance of the rulemaking.

Additionally, however, the Committee has issued a Recommendation concerning this rulemaking. A copy of that Recommendation is enclosed. If we can be of any assistance to your agency in responding to the Recommendation, please do not hesitate to contact us.

Thank you for the cooperation your agency has shown during our review of these issues.

Sincerely,

A handwritten signature in black ink that reads "Vicki Thomas". The signature is fluid and cursive.

Vicki Thomas  
Executive Director

VT:DC:rm  
Enc.  
cc: Marie Tipsord

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**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

**CERTIFICATION OF NO OBJECTION** **RECEIVED**  
**TO PROPOSED RULEMAKING** **CLERK'S OFFICE**

**AUG 22 2012**

**STATE OF ILLINOIS**  
**Pollution Control Board**

This is to certify that the Joint Committee on Administrative Rules, at its 8/14/12 meeting, considered Clean Construction or Demolition Debris Fill Operations (35 Ill. Adm. Code 1100; 36 Ill. Reg. 2801), proposed by the Pollution Control Board and published in the 2/24/12 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above mentioned rulemaking.

Vicki Thomas  
Executive Director

8/14/12

Attachments: Agreements  
Recommendation Issued

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE  
AUG 22 2012  
STATE OF ILLINOIS  
Pollution Control Board

Heading of the Part: Clean Construction or Demolition Debris Fill Operations

Code Citation: 35 Ill. Adm. Code 1100

Section Numbers:

1100.101	1100.204	1100.209	1100.307	1100.510	1100.600
1100.103	1100.205	1100.211	1100.309	1100.515	1100.605
1100.104	1100.206	1100.212	1100.412	1100.520	1100.610
1100.201	1100.207	1100.304	1100.500	1100.525	1100.615
1100.203	1100.208	1100.306	1100.505	1100.530	

Date Originally Published in the Illinois Register: 2/24/12  
36 Ill. Reg. 2801

At its meeting on August 14, 2012, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Pollution Control Board give further consideration to whether groundwater monitoring should be required for these facilities. This would give the Board the opportunity to receive further comment from parties who may not have submitted their supportive views when groundwater monitoring was an element of this proposal and who may have opinions and information to offer in light of the Board's decision to remove that requirement before going to 1<sup>st</sup> Notice on this rulemaking.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

## SECOND NOTICE CHANGES

RECEIVED  
CLERK'S OFFICE

AUG 21 2012

STATE OF ILLINOIS  
Pollution Control Board

**Agency:** Pollution Control Board

**Rulemaking:** Clean Construction or Demolition Debris Fill Operations (35 Ill. Adm. Code 1100; 36 Ill. Reg. 2801)

### Changes:

1. In line 291, before the first "prior" add "the".
2. In line 299, move the colon to the end.
3. In line 318, after the closed quote add a comma.
4. In line 398, after "Parkway" add a comma.
5. In lines 398-419, move the definitions to correct alphabetical order.
6. In line 399, delete the comma.
7. In lines 405 and 409, add a period at the end.
8. In line 407, change the period to a comma.
9. In line 413, after the close quote add a comma.
10. In line 415, after "Avenue" add a comma.
11. In line 416, delete the comma.
12. In line 558, delete the redundant comma.
13. In line 575, after "provide" add a comma.
14. In line 579, after "originated" add a comma.
15. In line 590, change "a" to "an unknown".
16. In line 594, change the final period to a semicolon.
17. In line 618, after "accurate" delete the comma.

18. In line 826, change the semicolon to a comma.
19. In line 1070, before the period add "found at Section 1095 of IDOT's "Standard Specifications for Road and Bridge Construction"".
20. Delete lines 1071-1074.
21. In line 1288, change the period to a colon.
22. In lines 1342 and 1348, change "the effective date of this Section" to "August 27, 2012".
23. In line 1674, delete ", below".
24. In line 1678, change the comma to a period.
25. In lines 1711, 1716-1717 and 1722, change "implementing rules" to "Section 1100.605".

7/23/12