

Board Closes Subdocket on Groundwater Monitoring for Clean Construction or Demolition Debris Fill Operations

On August 6, 2015, the Board adopted an opinion and order in Proposed Amendments to Clean Construction or Demolition Debris (CCDD) Fill Operations: Proposed Amendments to 35 Ill. Adm. Code 1100, R12-9(B). On July 29, 2011, the Illinois Environmental Protection Agency (IEPA) initiated the rulemaking by filing a proposal pursuant to Sections 22.51 and 22.51a of the Environmental Protection Act (Act) (415 ILCS 5/22.51, 22.51a (2014)). The proposal, docketed as R12-9, amended the Board's rules for Clean Construction or Demolition Debris Fill Operations to allow for use of uncontaminated clean construction or demolition debris (CCDD) and uncontaminated soil to be used as fill at quarries, mines and other excavations. On August 23, 2012, the Board adopted the final rule, making changes recommended by the Joint Committee on Administrative Rules (JCAR). The Board also opened Subdocket B at JCAR's recommendation to further examine the issue of groundwater monitoring at CCDD facilities and uncontaminated soil fill sites. The Board received numerous additional comments and testimony on Subdocket B. After reviewing the new information, the Board remained unconvinced that groundwater monitoring for permitted CCDD and uncontaminated soil fill sites is required for the protection of groundwater. Therefore, the Board closed Subdocket B.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].