

Board Sends Proposed Regulations for Clean Construction or Demolition Debris Fill Operations to Second Notice

On July 6 2006, the Illinois Pollution Control Board adopted for second notice proposed regulations concerning clean construction or demolition debris fill operations. In the Matter of: Clean Construction or Demolition Debris Fill Operations Under P.A. 94-272 (35 Ill. Adm. Code Part 1100) (R06-19) proposes adding a new Part 1100 to the Board's regulations. The Illinois Environmental Protection Agency (IEPA) filed this proposal on November 21, 2005.

The amendments, pursuant to Public Act 94-272, allow the use of clean construction or demolition debris (CCDD) as fill material in current and former quarries, mines, and other excavations. The proposed Part 1100 establishes a permit program for the use of CCDD as fill material in fill operations. The new proposed part also sets forth the standards applicable to the operation of CCDD facilities, CCDD load inspections, closure and postclosure, including recordkeeping requirements and annual reports. The public act requires the Board to adopt rules no later than September 1, 2006. The Board meeting scheduled immediately preceding that deadline is August 17, 2006.

The Board's opinion adopting the rule for second notice distinguishes CCDD from a broader category of materials known generally as construction and demolition debris. C&D debris sites are allowed to accept a much greater range of demolition debris. The Board emphasizes the difference between the two terms and that the proposed rules govern only the use of CCDD.

In addition to amendments proposed in the IEPA's post-hearing comments and non-substantive technical changes, the Board makes one change to the rule text. The Board adds a signature requirement on permit applications on behalf of LLCs.

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 for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office.

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