

Board Adopts First Notice for Proposed New Rules for Temporary Waiver of Landfill Ban for Electronic Devices

On February 2, 2012, the Board adopted for first-notice proposed new procedural rules for petitions filed with the Board for temporary waivers of the landfill ban under Section 95 of the Electronic Products Recycling and Reuse Act (EPRRA). The rulemaking is docketed as In the Matter of: Procedural Rules for Review of Petitions for Temporary Landfill Ban Waivers Under Section 95 of the Electronic Products Recycling and Reuse Act. New 35 Ill. Adm. Code 106.Subpart J (R12-21).

The General Assembly first adopted EPRRA in 2008. In 2011, the General Assembly enacted amendments including a revised definition of “CED” and a revised landfill ban. Section 95(e) of EPRRA addresses issues including contents of a petition for a temporary landfill ban waiver, criteria for Board consideration of a petition, the Board’s decision deadline, appeal of Board orders denying temporary landfill ban waivers, and implementation of waivers. The proposed new 35 Ill. Adm. Code 106.Subpart J implements these provisions and follows the general format of other subparts of Part 106.

Because the Board is not required to hold a public hearing on proposed amendments to its procedural rules, the Board does not now intend to hold a hearing on these proposed rules. However, the Board invites public comment on this proposal. Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R12-21, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address:

Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk’s Office at (312) 814-3629.

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].

For more information contact Tim Fox at 312-814-6085 or email at foxt@ipcb.state.il.us.