

**Board Adopts for New Procedural Rules for Landscape Waste and Compost  
Authorizations Under 415 ILCS 21(q), R 12-11**

On November 1, 2012, the Board adopted new procedural rules for adjusted standards addressing Board authorizations for certain landscape waste and compost applications and on-farm composting. The rulemaking is docketed as In the Matter Of: Procedural Rules for Authorizations Under P.A. 97-220 For Certain Landscape Waste and Compost Applications and On-Farm Composting Facilities: New 35 Ill. Adm. Code 106.Subpart I, R12-11. The procedural rules are in response to P.A. 97-220, signed and effective July 28, 2011. P.A. 97-220 amended the Environmental Protection Act to specify that the Board rather than the IEPA may authorize certain exceptions to the provisions of Section 21(q) of the Environmental Protection Act (Act), 415 ILCS 5/21. The rules are effective upon filing with the Secretary of State.

One type of Board authorization would allow any person to apply landscape waste and composted landscape waste at a rate greater than “agronomic rates” of not more than 20 tons per acre per year. Under the second type, farmers who operate a composting facility may be authorized to use landscape waste compost to operate the compost facility on more than two percent of the property’s total acreage. Without such Board authorizations, these activities are prohibited, and subject to enforcement.

The Board adopted its second notice opinion and order on September 20, 2012. The Joint Committee on Administrative Rules reviewed the rules, and voted a certificate of no objection at its October 16, 2012 meeting. 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].

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