

Board Proposes GCDD Recovery Facility Rules for Second Notice

On May 4, 2023, the Board proposed second-notice rules for permitting, operating, and closing general construction or demolition debris (GCDD) recovery facilities. At second notice, these proposed rules will be reviewed by the Joint Committee on Administrative Rules (JCAR).

This rulemaking began when the Illinois Environmental Protection Agency (IEPA) filed a proposal with the Board to comply with Public Act 102-310 (eff. Aug. 6, 2021). IEPA was required to—and did—propose GCDD recovery facility rules within one year after the Public Act's effective date. Now, under that new law, the Board must adopt final rules by August 1, 2023, *i.e.*, within one year after receiving IEPA's proposal.

During this rulemaking, the Board held two public hearings, received testimony from IEPA, and received a public comment from the Illinois Attorney General's Office. In addition, JCAR suggested numerous changes to the rules proposed by the Board at first notice. The amendments proposed for second notice create a new Part of the Board's waste disposal rules, *i.e.*, Part 820 of Title 35 of the Illinois Administrative Code. Proposed Part 820 is on the agenda for JCAR's June 13, 2023 meeting.

The rulemaking is captioned Proposed 35 Ill. Adm. Code 820 General Construction or Demolition Debris Recovery Facilities, docket R23-17. Here is a link to the Board's [second-notice opinion and order](#). The Board's addendum with the second-notice rule text is [here](#). For more information, please contact Chloe Salk at chloe.salk@illinois.gov.