

Board Adopts Second-Notice Opinion and Order in Used and Waste Tire Rulemaking, R15-19

The Board, on June 4, 2015, adopted a second-notice opinion and order to amend the Board's rules governing management of used and waste tires. The rulemaking is docketed as Management of Used and Waste Tires: Proposed Amendments to 35 Ill. Adm. Code 848, R15-19. The Illinois Environmental Protection Agency (Agency) filed this rulemaking proposal pursuant to Public Act 98-656, and the Board accepted the Agency's proposal for hearing on January 8, 2015. On February 5, 2015, the Board sent the proposal to first notice publication without commenting on the merits.

According to the Agency, the proposed amendments are intended to protect the State's residents from the threats posed by improper management of used and waste tires while simultaneously minimizing impacts on markets and businesses that diminish those threats by recycling and reusing tires. The proposal accomplishes the stated goals by, among other things, requiring tire tracking and record keeping along with establishing a tire storage permit program for specified tire storage sites.

At second notice, the Board adopted much of the Agency's proposal that was published at first notice. Significant changes to the proposal included revisions applying management standards to a larger subset of used and waste tire facilities and differentiating between tire storage facilities and tire retreading or tire stamping and die cutting facilities for recordkeeping and reporting requirements.

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 the Freedom of Information Act.