

Board Allows Further Review of Proposed Rulemaking for Amendments for Clean Construction or Demolition Debris Fill Operations Rules

The Illinois Pollution Control Board, on July 26, 2012, adopted an order explaining that the second notice in proposed amendments to the rules for Clean Construction or Demolition Debris Fill Operations had been extended at the request of the Joint Committee on Administrative Rules (JCAR). On July 10, 2012, the JCAR at its meeting requested, and the Board agreed, to extend the second notice period for an additional 45 days. The rulemaking was filed with the Board by the Illinois Environmental Protection Agency on July 29, 2011. The Board docketed the rulemaking as Proposed Amendments To Clean Construction Or Demolition Debris Fill Operations (CCDD): Proposed Amendments To 35 Ill. Adm. Code 1100, R12-9.

Generally, the proposal will amend the Board's rules for Clean Construction or Demolition Debris Fill Operations to allow for use of uncontaminated clean construction or demolition debris (CCDD) and soil to be used as fill.

On February 2, 2012, the Board adopted a first notice opinion and order and on June 7, 2012 the Board adopted a second notice opinion and order. At the July 10, 2012, JCAR requested, and the Board agreed, to extend the second notice period for an additional 45 days. The rule will again be considered by JCAR at its August 14, 2012 meeting. Because the rule is at second notice, the Board cannot adopt the rule until the expiration of the second notice period. Therefore, the Board will not move forward to adoption of the rules until the expiration of the second notice in August.

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].