

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation is designed to inform and involve the public in changes taking place in agency administration.

New Regulations

Proposed Regulations

LANDSCAPE WASTE

The POLLUTION CONTROL BOARD adopted amendments to "Proceedings Pursuant to Specific Rules or Statutory Provisions" (35 Ill Adm Code 106; 36 Ill Reg 9924), effective 11/5/12, implementing Public Act 97-220. The PA and this rulemaking give PCB, instead of the Illinois Environmental Protection Agency, authority to determine when farm owners and operators will be granted exemptions from statutory limits on landscape waste composting without an EPA permit. (Composting landscape waste on farms is allowed without a permit if no more than 2% of the farm's acreage is devoted to landscape waste composting and no more than 20 tons of landscape waste per acre per year are applied to the land. To go beyond these limits without a permit, a landowner must request an exemption.) The rulemaking establishes a process

for initiating and filing petitions for exemptions, sets content requirements for petitions and petition notice requirements, and sets time frames for PCB and EPA to respond to petitions. The burden of proof is upon the petitioner to demonstrate that a site's soil or crop characteristics demand a larger composting facility or a higher rate of landscape waste application. Farms owned or operated by small businesses or non-profits may be affected by this rulemaking.

Requests for copies: John Therriault, PCB, 100 W. Randolph, Ste. 11-500, Chicago IL 60601, 312/814-3620 or download copies at www.ipcb.state.il.us. For more information: Kathleen Crowley at the same address, 312/814-6929, e-mail: crowlek@ipcb.state.il.us. Please reference docket R12-11.

HAZARDOUS WASTE

The POLLUTION CONTROL BOARD proposed amendments to rules titled "Hazardous Waste Management System: General" (35 Ill Adm Code 720; 36 Ill Reg 16475), "Identification and Listing of Hazardous Waste" (35 Ill Adm Code 721; 36 Ill Reg 16507) and "Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities" (35 Ill Adm Code 726; 36 Ill Reg 16543). The rulemakings implement federal hazardous waste amendments adopted during the 1/1/12-6/30/12 period regarding newly approved and revised methods for demonstrating compliance with the federal Clean Water Act. The amendments clarify the one-time notification requirements for recyclable materials used in a manner that constitutes disposal, update incorporations by reference to the Code of Federal Regu-

(cont'd page 2)

NEW REGULATIONS: Rules adopted by agencies this week.

PROPOSED REGULATIONS: Rules proposed by agencies this week, commencing a 45-day First Notice period. Public comments must be accepted by the agency for the period of time indicated.

☞: Symbol designating rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS/RULE TEXT: Direct mail or phone calls to the agency personnel listed below each summary. Providing volume and issue number of The Flinn Report or the Illinois Register will expedite the process. Some agencies charge copying fees. However, copy requests do not have to be made under the Freedom of Information Act.

Proposed Regulations

lations adopted by the federal Environmental Protection Agency (USEPA), and make nonsubstantive technical corrections.

PCB also proposed amendments to "Sewer Discharge Criteria" (35 Ill Adm Code 307; 36 Ill Reg 16436) and "Pre-treatment Programs" (35 Ill Adm Code 310; 36 Ill Reg 16459) that implement federal wastewater pretreatment and drinking water rules adopted during the 1/1/12-6/30/12 period. The rulemakings revise the testing procedures for sampling and analysis in programs established under the Clean Water Act and update incorporations by reference to the Code of Federal Regulations adopted by the federal Environmental Protection Agency (USEPA).

Requests for copies/comments for the

above 5 rulemakings through 1/9/13: John Therriault, PCB, 100 W. Randolph, Ste. 11-500, Chicago IL 60601, 312/814-3620. Questions: Michael J. McCambridge at the same address, 312/814-6924, e-mail: Michael.McCambridge@illinois.gov. Please reference consolidated docket R13-7 for Parts 307 and 310 and docket R13-5 for Parts 720, 721 and 726.

ELECTRIC VEHICLE STATIONS

The ILLINOIS COMMERCE COMMISSION proposed a new Part titled "Certification for the Installation, Maintenance or Repair of Electric Vehicle Charging Stations" (83 Ill Adm Code 469; 36 Ill Reg 16421) (EVCS) to implement Public Acts 97-616 and 97-1128. These rules apply to entities/persons that install, maintain or repair EVCS. After 1/1/14, these entities must be

certified by ICC prior to conducting business in Illinois, except for "self-installers" who buy EVCS for their personal use and install them on their own premises without assistance from others. Covered topics include requirements governing application information; certification, recertification and reporting; complaint procedures; and ICC oversight. Certification and recertification fees are set and obligations of installers, maintainers and repairers are prescribed. Small businesses that use or install EVCS are affected by this rulemaking.

Requests for copies/comments through 1/9/13: Elizabeth Rolando, Chief Clerk, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217/782-7434. Questions: Conrad Rubinkowski, same address, 217/785-3922; email: crubinko@icc.illinois.gov.

Second Notices

The following rulemaking was moved to Second Notice this week by the agency listed below, commencing the JCAR review period. This rulemaking will be considered at JCAR's December 11, 2012 meeting.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

"Day Care" (89 Ill Adm Code 1300) proposed 9/28/12 (36 Ill Reg 14460)

JCAR 2011 ANNUAL REPORT

The Joint Committee on Administrative Rules' 2011 annual report is available online at our website www.ilga.gov/commission/jcar. The report summarizes agency rulemaking, JCAR actions, and public act reviews in addition to legislative and judicial actions that affected rulemaking.

Copies of this annual report will be available to the public at the cost of printing, plus postage for \$6.50. If you wish a hard copy, please send a check to JCAR at 700 Stratton Office Building, Springfield IL 62706.