



DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

**CDPH Guidelines Regarding Permitting Process
For Consequential Large Recycling Facilities, Reprocessable
Construction/Demolition Material Facilities, and
Waste Handling Facilities**

July 2022 Update

(1) Introduction

On November 30, 2020, the Chicago Department of Public Health (“CDPH”) issued guidelines for public engagement during the permitting process for “Consequential” large recycling facilities, as defined in CDPH’s Rules for Large Recyclers.¹ The guidelines reflect CDPH’s commitment to transparency and consideration of community concerns in the permitting process by establishing timelines for sharing permit applications, receiving public comments, and reviewing applicant submittals. In furtherance of these purposes, and in the interest of consistency, CDPH hereby expands the guidelines to cover certain waste and material handling facilities,² subject to the timelines and public hearing requirements set forth in Sections 11-4-1520(G), 11-4-1660, and 11-4-1930 of the Municipal Code of Chicago (“Code”).

(2) Permit Application Receipt, Posting, Public Comment, and Community Meeting.

(a) Within **ten (10) business days** from receipt of a full application, CDPH will post the application (minus any Confidential Business Information (“CBI”), which is designated as such through CDPH’s CBI process) on the City’s website. CDPH will accept written comments on the permit application for at least **thirty (30) days** from the date that CDPH posts the permit application. Interested members of the public may submit comments to CDPH through envcomments@cityofchicago.org, a dedicated email address. All written comments will be posted on the City’s website.

(b) For facilities subject to the public hearing requirements set forth in Section 11-4-1660, and for all other facilities where there is a significant degree of public

¹ The Rules for Large Recycling Facilities and other CDPH Rules may be viewed at www.cityofchicago.org/environmentalrules and <https://www.chicago.gov/city/en/depts/dol/rules-and-regulations-portal.html>.

² “Waste handling facilities” are facilities that require a permit under Section 11-4-250 of the Code. Reprocessable construction/demolition material facilities are facilities that require a permit under Section 11-4-1930 of the Code.

interest in the application, CDPH will schedule a community meeting within the **thirty (30) day** comment period referenced above to explain the permitting process, allow the applicant to present the proposed facility and operations, and hear any local feedback or concerns. CDPH will provide at least **ten (10) business days'** notice of the community meeting. Notices for waste handling and reprocessible construction/demolition material ("C/D material") facilities will be posted in accordance with the [Rules of Procedure for Notice of Hearings](#).

(c) To help ensure a meaningful sharing of information, CDPH requests that public comments on the application address whether or not the application meets all applicable requirements in the Code and relevant underlying rules ("Rules"), and that they be as concrete and specific as possible.

(3) Permit Application Review, Review of Public Comments on Application, Completeness Determination.

No sooner than five (5) days and no later than thirty (30) days from the end of the public comment period on the application, CDPH will review the public comments and complete a review of the application per the standards set forth in the Code and Rules. Within this same time period, CDPH will make a determination regarding whether the application is complete and meets all requirements of the Code and Rules.

(4) Deficient Application.

(a) If, within **sixty (60) days** of posting of the application or any supplemental application³, CDPH finds any deficiency in the application, CDPH may either deny the permit or request more information, depending on the extent of the deficiencies. If CDPH has questions during its review of the application, CDPH may notify the applicant and request a written response, supplementary information, or both, as deficiencies are identified. CDPH will post each such notification on the City's website. Within **ten (10) business days** from receipt of the applicant's response, CDPH will post the response (minus any designated CBI) on the City's website. Each posting of a supplemental application will trigger a new thirty (30) day written comment period.

(b) If, after reviewing all of the applicant's responses, CDPH finds that the application is still incomplete or does not meet all requirements, CDPH will either notify the applicant of the remaining deficiencies and provide a final opportunity to remedy them, or will issue a permit denial letter, depending on the nature and extent of the deficiencies. If the permit is denied, the applicant will be informed of the appeal process per Code requirements.

³ As used in these Guidelines, a "supplemental application" is a revised application submitted in response to an inquiry or deficiency letter from CDPH.

(5) Draft Permit and Public Comments on Draft Permit.

(a) If, within **sixty (60) days** of posting of the application or supplemental application, CDPH finds that the application is complete and meets all requirements of the Code and Rules, and if there were not significant issues raised during the public comment period on the application, then CDPH will proceed with permit issuance.

If, however, there are significant issues raised during the public comment period on the application, then, upon finding that the application is complete and meets all requirements of the Code and Rules, CDPH will prepare and post a draft permit on the City's website for public review and comment. Interested members of the public may submit comments on the draft permit to CDPH through envcomments@cityofchicago.org. CDPH requests that public comments address whether or not the draft permit meets all applicable requirements in the Code and Rules, and that they be as concrete and specific as possible.

(b) If a draft permit is issued, CDPH will accept and consider written public comments on the draft permit for **thirty (30) days** from posting of the draft permit.

(6) Permit Issuance and Summary Document.

(a) Within **thirty (30) days** of the close of the public comment period on the draft permit, CDPH will review all public comments and will make any necessary adjustments to the draft permit. If all requirements for permit issuance are met, CDPH will finalize the permit and proceed with permit issuance. In addition, as soon as practicable following a review of the public comments, CDPH will prepare a response document that summarizes the comments received during the public comment periods (both written and expressed verbally at the community meeting, if one is held) and describes the basis for CDPH's decision regarding the permit application and issuance of the permit.

If, however, CDPH determines that all requirements for permit issuance are not met, CDPH will either request supplemental information from the applicant (following the process described above) or else will issue a permit denial letter and inform the applicant of the appeal process provided in the Code.

(b) If a permit is issued, the final permit and response summary document will be posted on the City's website when the permit is issued or shortly thereafter.

(7) Timeframes for Permit Decisions

(a) For waste handling facilities, the Commissioner will render a decision on the application within the timeframes set forth under Section 11-4-1660 of the Ordinance.

For C/D material facilities, the Commissioner will act on the application in accordance with the timeframe set forth in Section 11-4-1930.

(b) For recycling permit applications, the above timeframes may be extended for good cause at the Commissioner's discretion.

(8) Exception for Certain Renewal Permits

The guidelines contained herein do not apply to renewal applications that:

- (a) Do not require a special use variance from the Zoning Board of Appeals;
- (b) Are not otherwise subject to any new rule or ordinance requirements since the applicant's most recent application approved by CDPH; and
- (c) Are not seeking an increase in the horizontal or vertical boundary of the facility or a permit capacity increase of more than 10% above the limits established under the current permit.