• Mixed loads of C&D debris may be processed (i.e., stored, separated, sorted, etc.) at a permitted Part 361 C&D debris handling and recovery facility (CDDHRF). Source-separated loads of C&D debris may be processed at a registered CDDHRF as allowed under the specific registration as identified in §361-5.2(a).

• The March 1, 2018 Enforcement Discretion Letter states in part that “Section 361-5.4(e) requires that all permitted construction and demolition facilities are required to perform certain sampling on any fill material or residue leaving the facility for reuse. The Department will utilize its enforcement discretion with respect to this provision to delay the enforcement of this sampling requirement regardless of the timing of the permit issuance to the facility.” The implication of this decision is that fill material which moves through CDDHRFs does not require analytical sampling by any party prior to reuse under Section 360.13 until May 3, 2019 or until new regulations are promulgated. However, remaining requirements of Section 360.13, other than analytical requirements, continue to be applicable.