

1 AN ACT concerning environmental protection.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Environmental Protection Act is amended
5 by adding Section 22.3a as follows:

6 (415 ILCS 5/22.3a new)

7 Sec. 22.3a. Expedited review of hazardous waste
8 corrective action.

9 (a) It is the intent of this Section to promote an
10 expedited RCRA hazardous waste corrective action review
11 process.

12 (b) The owner or operator of a hazardous waste facility
13 performing corrective action pursuant to the federal Resource
14 Conservation and Recovery Act of 1976 or regulations issued
15 thereunder, or analogous State law or regulations, may
16 request from the Agency an expedited review of that
17 corrective action. Within a reasonable time, the Agency
18 shall respond in writing, indicating whether the Agency will
19 perform expedited review.

20 (c) An owner or operator approved by the Agency for an
21 expedited review under this Section shall pay to the Agency
22 all reasonable costs the Agency incurs in its review of the
23 owner's or operator's corrective action activities (including
24 but not limited to investigations, monitoring, and cleanup of
25 releases of hazardous waste or hazardous constituents).
26 Prior to any Agency review, the owner or operator shall make
27 an advance partial payment to the Agency for anticipated
28 review costs in an amount acceptable to the Agency, but not
29 to exceed \$5,000 or one-half of the total anticipated costs
30 of the Agency, whichever is less. All amounts paid to the
31 Agency pursuant to this Section shall be deposited into the

1 Environmental Protection Permit and Inspection Fund.

2 (d) The Agency's expedited review under this Section
3 shall include, but need not be limited to: review of the
4 owner's or operator's corrective action plans, reports,
5 documents, and associated field activities; issuance of
6 corrective action decision documents; and issuance of letters
7 certifying the completion of corrective action activities or
8 discrete portions thereof.

9 (e) The Agency may cease its expedited review under this
10 Section if an owner or operator fails to pay the Agency's
11 review costs when due.

12 (f) An owner or operator approved by the Agency for an
13 expedited review under this Section may withdraw its request
14 for an expedited review at any time by providing the Agency
15 with written notification of its withdrawal; but the owner or
16 operator shall be responsible to pay all expedited review
17 costs incurred by the Agency through the date of withdrawal.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.