

# SB1040



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB1040

Introduced 2/18/2005, by Sen. James F. Clayborne, Jr. - Emil Jones, Jr.

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/57

Amends the Environmental Protection Act. Makes a technical change in a Section concerning the Underground Storage Tank Program.

LRB094 04720 RSP 34749 b

A BILL FOR

1 AN ACT concerning safety.

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 by  
5 changing Section 57 as follows:

6 (415 ILCS 5/57)

7 Sec. 57. Intent and purpose. This Title shall be known and  
8 ~~and~~ may be cited as the Leaking Underground Storage Tank  
9 Program (LUST). The purpose of this Title is, in accordance  
10 with the requirements of the Hazardous and Solid Waste  
11 Amendments of 1984 of the Resource Conservation and Recovery  
12 Act of 1976 and in accordance with the State's interest in the  
13 protection of Illinois' land and water resources: (1) to adopt  
14 procedures for the remediation of underground storage tank  
15 sites due to the release of petroleum and other substances  
16 regulated under this Title from certain underground storage  
17 tanks or related tank systems; (2) to establish and provide  
18 procedures for a Leaking Underground Storage Tank Program which  
19 will oversee and review any remediation required for leaking  
20 underground storage tanks, and administer the Underground  
21 Storage Tank Fund; (3) to establish an Underground Storage Tank  
22 Fund intended to be a State fund by which persons who qualify  
23 for access to the Underground Storage Tank Fund may satisfy the  
24 financial responsibility requirements under applicable State  
25 law and regulations; (4) to establish requirements for eligible  
26 owners and operators of underground storage tanks to seek  
27 payment for any costs associated with physical soil  
28 classification, groundwater investigation, site classification  
29 and corrective action from the Underground Storage Tank Fund;  
30 and (5) to audit and approve corrective action efforts  
31 performed by Licensed Professional Engineers.

32 (Source: P.A. 91-357, eff. 7-29-99.)