



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1463

Introduced 2/21/2007, by Rep. Sandra M. Pihos

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/3.372 new	
415 ILCS 5/3.380	was 415 ILCS 5/3.30
415 ILCS 5/3.381 new	
415 ILCS 5/3.535	was 415 ILCS 5/3.53
415 ILCS 15/3	from Ch. 85, par. 5953
415 ILCS 20/2.1	from Ch. 111 1/2, par. 7052.1

Amends the Environmental Protection Act. Provides that the term "waste" does not include discarded materials that are: (i) collected for recycling; (ii) processed for recycling; or (iii) recovered for reuse (now, waste includes all discarded material). Defines "reclamation", "recycling", and "reuse" as individual terms (now, single definition for recycling, reclamation, or reuse). Amends the Solid Waste Planning and Recycling Act and the Solid Waste Management Act to make corresponding changes. Effective immediately.

LRB095 09184 CMK 29377 b

FISCAL NOTE ACT  
MAY APPLY

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 Sections 3.380 and 3.535 and by adding Sections 3.372  
6 and 3.381 as follows:

7 (415 ILCS 5/3.372 new)

8 Sec. 3.372. Reclamation. "Reclamation" means a method,  
9 technique, or process designed to remove any contaminant from  
10 waste so as to render that waste reusable.

11 (415 ILCS 5/3.380) (was 415 ILCS 5/3.30)

12 Sec. 3.380. Recycling, ~~reclamation or reuse~~. "Recycling,  
13 ~~reclamation or reuse~~" means a method, technique, or process  
14 ~~designed to remove any contaminant from waste so as to render~~  
15 ~~such waste reusable, or any process by which materials that~~  
16 would otherwise be disposed of or discarded are collected,  
17 separated, or processed and returned to the economic mainstream  
18 in the form of raw materials or products.

19 (Source: P.A. 92-574, eff. 6-26-02.)

20 (415 ILCS 5/3.381 new)

21 Sec. 3.381. Reuse. "Reuse" means the recovery or

1 reapplication of a package, used product, or material in a  
2 manner that retains its original form or identity and does not  
3 involve processes that significantly alter the original  
4 condition of the package, product, or material.

5 (415 ILCS 5/3.535) (was 415 ILCS 5/3.53)

6 Sec. 3.535. Waste. "Waste" means any garbage, sludge from  
7 a waste treatment plant, water supply treatment plant, or air  
8 pollution control facility or other discarded material,  
9 including solid, liquid, semi-solid, or contained gaseous  
10 material resulting from industrial, commercial, mining and  
11 agricultural operations, and from community activities, but  
12 does not include solid or dissolved material in domestic  
13 sewage, or solid or dissolved materials in irrigation return  
14 flows, or coal combustion by-products as defined in Section  
15 3.135, or industrial discharges which are point sources subject  
16 to permits under Section 402 of the Federal Water Pollution  
17 Control Act, as now or hereafter amended, or source, special  
18 nuclear, or by-product materials as defined by the Atomic  
19 Energy Act of 1954, as amended (68 Stat. 921) or any solid or  
20 dissolved material from any facility subject to the Federal  
21 Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87)  
22 or the rules and regulations thereunder or any law or rule or  
23 regulation adopted by the State of Illinois pursuant thereto.

24 "Discarded material" does not include materials (i)  
25 collected for recycling, (ii) processed for recycling, or (iii)

1 recovered for reuse.

2 (Source: P.A. 92-574, eff. 6-26-02.)

3 Section 10. The Solid Waste Planning and Recycling Act is  
4 amended by changing Section 3 as follows:

5 (415 ILCS 15/3) (from Ch. 85, par. 5953)

6 Sec. 3. As used in this Act, unless the context clearly  
7 indicates otherwise:

8 "Agency" means the Illinois Environmental Protection  
9 Agency.

10 "Composting" means the biological process by which  
11 microorganisms decompose the organic fraction of waste,  
12 producing a humus-like material that may be used as a soil  
13 conditioner.

14 "County" means any county of the State and includes the  
15 City of Chicago.

16 "Department" means the Department of Commerce and Economic  
17 Opportunity.

18 "Municipal waste" means garbage, general household,  
19 institutional and commercial waste, industrial lunchroom or  
20 office waste, landscape waste, and construction and demolition  
21 debris.

22 "Person" means any individual, partnership, cooperative  
23 enterprise, unit of local government, institution, corporation  
24 or agency, or any other legal entity whatsoever which is

1 recognized by law as the subject of rights and duties.

2 "Recycling, ~~reclamation or reuse~~" means ~~a method,~~  
3 ~~technique or process designed to remove any contaminant from~~  
4 ~~waste so as to render the waste reusable, or~~ any process by  
5 which materials that would otherwise be disposed of or  
6 discarded are collected, separated, or processed and returned  
7 to the economic mainstream in the form of raw materials or  
8 products.

9 "Recycling center" means a facility that accepts only  
10 segregated, nonhazardous, nonspecial, homogeneous,  
11 nonputrescible materials, such as dry paper, glass, cans or  
12 plastics, for subsequent use in the secondary materials market.  
13 (Source: P.A. 94-793, eff. 5-19-06.)

14 Section 15. The Illinois Solid Waste Management Act is  
15 amended by changing Section 2.1 as follows:

16 (415 ILCS 20/2.1) (from Ch. 111 1/2, par. 7052.1)

17 Sec. 2.1. Definitions. When used in this Act, unless the  
18 context otherwise requires, the following terms have the  
19 meanings ascribed to them in this Section:

20 "Department", when a particular entity is not specified,  
21 means (i) in the case of a function to be performed on or after  
22 July 1, 1995 (the effective date of the Department of Natural  
23 Resources Act), the Department of Commerce and Community  
24 Affairs (now Department of Commerce and Economic Opportunity),

1 as successor to the former Department of Energy and Natural  
2 Resources under the Department of Natural Resources Act; or  
3 (ii) in the case of a function required to be performed before  
4 July 1, 1995, the former Illinois Department of Energy and  
5 Natural Resources.

6 "Deinked stock" means paper that has been processed to  
7 remove inks, clays, coatings, binders and other contaminants.

8 "End product" means only those items that are designed to  
9 be used until disposal; items designed to be used in production  
10 of a subsequent item are excluded.

11 "High grade printing and writing papers" includes offset  
12 printing paper, duplicator paper, writing paper (stationery),  
13 office paper, note pads, xerographic paper, envelopes, form  
14 bond including computer paper and carbonless forms, book  
15 papers, bond papers, ledger paper, book stock and cotton fiber  
16 papers.

17 "Paper and paper products" means high grade printing and  
18 writing papers, tissue products, newsprint, unbleached  
19 packaging and recycled paperboard.

20 "Postconsumer material" means only those products  
21 generated by a business or consumer which have served their  
22 intended end uses, and which have been separated or diverted  
23 from solid waste; wastes generated during production of an end  
24 product are excluded.

25 "Recovered paper material" means paper waste generated  
26 after the completion of the papermaking process, such as

1 postconsumer materials, envelope cuttings, bindery trimmings,  
2 printing waste, cutting and other converting waste, butt rolls,  
3 and mill wrappers, obsolete inventories, and rejected unused  
4 stock. "Recovered paper material", however, does not include  
5 fibrous waste generated during the manufacturing process such  
6 as fibers recovered from waste water or trimmings of paper  
7 machine rolls (mill broke), or fibrous byproducts of  
8 harvesting, extraction or woodcutting processes, or forest  
9 residues such as bark.

10 "Recycled paperboard" includes recycled paperboard  
11 products, folding cartons and pad backing.

12 "Recycling" means any ~~the~~ process by which materials that  
13 would otherwise be disposed of or discarded are ~~solid waste is~~  
14 collected, separated, or ~~and~~ processed and returned to the  
15 economic mainstream in the form of ~~for reuse as either a raw~~  
16 materials material or products ~~a product which itself is~~  
17 ~~subject to recycling, but does not include the combustion of~~  
18 ~~waste for energy recovery or volume reduction.~~

19 "Tissue products" includes toilet tissue, paper towels,  
20 paper napkins, facial tissue, paper doilies, industrial  
21 wipers, paper bags and brown papers.

22 "Unbleached packaging" includes corrugated and fiber  
23 boxes.

24 "USEPA Guidelines for federal procurement" means all  
25 minimum recycled content standards recommended by the U.S.  
26 Environmental Protection Agency.

1 (Source: P.A. 94-793, eff. 5-19-06.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.