

August 24, 2009

To the Honorable Members of the Illinois House of Representatives,  
96th General Assembly:

Today I return House Bill 170 with specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, there are provisions parts that require modification.

House Bill 170 provides that, beginning January 1, 2013, no new surface discharging private system installations may be authorized by the Illinois Department of Health (DPH) unless a specific permit is first issued for the system by the Illinois Environmental Protection Agency (EPA). The bill will assist both DPH and EPA in formally coordinating their respective permitting systems. However, there are some issues with the bill as drafted that could lead to misinterpretation and confusion.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 170, entitled "AN ACT concerning regulation.", with the following specific recommendations for change:

Page 3, by replacing lines 10 through 11 with "of the United States, as defined at 40 C.F.R. § 122.2."; and

Page 4, by replacing lines 9 through 10 with "waters of the United States, as defined at 40 C.F.R. § 122.2, shall not be constructed"; and

Page 4, by replacing lines 13 through 19 with "Environmental Protection Agency or the United States Environmental Protection Agency. The private sewage disposal code must be amended"; and

Page 5, by replacing lines 11 through 12 with "of the United States, as defined at 40 C.F.R. § 122.2."; and

Page 8, by replacing lines 15 through 16 with "discharges into the waters of the United States, as defined at 40 C.F.R. § 122.2, unless he"; and

Page 8, by replacing lines 18 through 24 with "Illinois Environmental Protection Agency or the United States Environmental Protection Agency."

With these changes, House Bill 170 will have my approval. I respectfully request your concurrence.

Sincerely,

PAT QUINN

Governor