



Rep. Sandra M. Pihos

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1 AMENDMENT TO HOUSE BILL 4249

2 AMENDMENT NO. _____. Amend House Bill 4249 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 adding Section 22.55 as follows:

6 (415 ILCS 5/22.55 new)

7 Sec. 22.55. Household Waste Drop-off Points.

8 (a) Findings; Purpose and Intent.

9 (1) The General Assembly finds that protection of human
10 health and the environment can be enhanced if certain
11 commonly generated household wastes are managed separately
12 from the general household waste stream.

13 (2) The purpose of this Section is to provide, to the
14 extent allowed under federal law, a method for managing
15 certain types of household waste separately from the
16 general household waste stream.

1 (b) Definitions. For the purposes of this Section:

2 "Controlled substance" means a controlled substance as
3 defined in the Illinois Controlled Substances Act.

4 "Household waste" means waste generated from a single
5 residence or multiple residences.

6 "Household waste drop-off point" means the portion of a
7 site or facility used solely for the receipt and temporary
8 storage of household waste.

9 "One-day household waste collection event" means a
10 household waste drop-off point approved by the Agency under
11 subsection (d) of this Section.

12 "Personal care product" means an item other than a
13 pharmaceutical product that is consumed or applied by an
14 individual for personal health, hygiene, or cosmetic
15 reasons. Personal care products include, but are not
16 limited to, items used in bathing, dressing, or grooming.

17 "Pharmaceutical product" means medicine or a product
18 containing medicine. A pharmaceutical product may be sold
19 by prescription or over the counter. "Pharmaceutical
20 product" does not include medicine that contains a
21 radioactive component or a product that contains a
22 radioactive component.

23 (c) Except as otherwise provided in Agency rules, the
24 following requirements apply to each household waste drop-off
25 point other than a one-day household waste collection event:

26 (1) A household waste drop-off point must not accept

1 waste other than the following types of household waste:
2 pharmaceutical products, personal care products, batteries
3 other than lead-acid batteries, paints, automotive fluids,
4 compact fluorescent lightbulbs, mercury thermometers, and
5 mercury thermostats.

6 (2) Except as provided in subdivision (c)(2) of this
7 Section, household waste drop-off points must be located at
8 a site or facility where the types of products accepted at
9 the household waste drop-off point are lawfully sold,
10 distributed, or dispensed. For example, household waste
11 drop-off points that accept prescription pharmaceutical
12 products must be located at a site or facility where
13 prescription pharmaceutical products are sold,
14 distributed, or dispensed.

15 (A) Subdivision (c)(2) of this Section does not
16 apply to household waste drop-off points operated by a
17 government or school entity, or by an association or
18 other organization of government or school entities.

19 (B) Household waste drop-off points that accept
20 mercury thermometers can be located at any site or
21 facility where non-mercury thermometers are sold,
22 distributed, or dispensed.

23 (C) Household waste drop-off points that accept
24 mercury thermostats can be located at any site or
25 facility where non-mercury thermostats are sold,
26 distributed, or dispensed.

1 (3) The location of acceptance for each type of waste
2 accepted at the household waste drop-off point must be
3 clearly identified. Locations where pharmaceutical
4 products are accepted must also include a copy of the sign
5 required under subsection (j) of this Section.

6 (4) Household waste must be accepted only from private
7 individuals. Waste must not be accepted from other persons,
8 including, but not limited to, owners and operators of
9 rented or leased residences where the household waste was
10 generated, commercial haulers, and other commercial,
11 industrial, agricultural, and government operations or
12 entities.

13 (5) If more than one type of household waste is
14 accepted, each type of household waste must be managed
15 separately prior to its packaging for off-site transfer.

16 (6) Household waste must not be stored for longer than
17 90 days after its receipt, except as otherwise approved by
18 the Agency in writing.

19 (7) Household waste must be managed in a manner that
20 protects against releases of the waste, prevents
21 nuisances, and otherwise protects human health and the
22 environment. Household waste must also be properly secured
23 to prevent unauthorized public access to the waste,
24 including, but not limited to, preventing access to the
25 waste during the non-business hours of the site or facility
26 on which the household waste drop-off point is located.

1 Containers in which pharmaceutical products are collected
2 must be clearly marked "No Controlled Substances".

3 (8) Management of the household waste must be limited
4 to the following: (i) acceptance of the waste, (ii)
5 temporary storage of the waste prior to transfer, and (iii)
6 off-site transfer of the waste and packaging for off-site
7 transfer.

8 (9) Off-site transfer of the household waste must
9 comply with federal and State laws and regulations.

10 (d) One-day household waste collection events. To further
11 aid in the collection of certain household wastes, the Agency
12 may approve the operation of one-day household waste collection
13 events. The Agency shall not approve a one-day household waste
14 collection event at the same site or facility for more than one
15 day each calendar quarter. Requests for approval must be
16 submitted on forms prescribed by the Agency. The Agency must
17 issue its approval in writing, and it may impose conditions as
18 necessary to protect human health and the environment and to
19 otherwise accomplish the purposes of this Act. One-day
20 household waste collection events must be operated in
21 accordance with the Agency's approval, including all
22 conditions contained in the approval. The following
23 requirements apply to all one-day household waste collection
24 events, in addition to the conditions contained in the Agency's
25 approval:

26 (1) Waste accepted at the event must be limited to

1 household waste and must not include garbage, landscape
2 waste, controlled substances, or other waste excluded by
3 the Agency in the Agency's approval or any conditions
4 contained in the approval.

5 (2) Household waste must be accepted only from private
6 individuals. Waste must not be accepted from other persons,
7 including, but not limited to, owners and operators of
8 rented or leased residences where the household waste was
9 generated, commercial haulers, and other commercial,
10 industrial, agricultural, and government operations or
11 entities.

12 (3) Household waste must be managed in a manner that
13 protects against releases of the waste, prevents
14 nuisances, and otherwise protects human health and the
15 environment. Household waste must also be properly secured
16 to prevent public access to the waste, including, but not
17 limited to, preventing access to the waste during the
18 event's non-business hours.

19 (4) Management of the household waste must be limited
20 to the following: (i) acceptance of the waste, (ii)
21 temporary storage of the waste before transfer, and (iii)
22 off-site transfer of the waste or packaging for off-site
23 transfer.

24 (5) Except as otherwise approved by the Agency, all
25 household waste received at the collection event must be
26 transferred off-site by the end of the day following the

1 collection event.

2 (6) The transfer and ultimate disposition of household
3 waste received at the collection event must comply with the
4 Agency's approval, including all conditions contained in
5 the approval.

6 (e) The Agency may adopt rules governing the operation of
7 household waste drop-off points other than one-day household
8 waste collection events. Those rules must be designed to
9 protect against releases of waste to the environment, prevent
10 nuisances, and otherwise protect human health and the
11 environment. As necessary to address different circumstances,
12 the regulations may contain different requirements for
13 different types of household waste and different types of
14 household waste drop-off points, and the regulations may modify
15 the requirements set forth in subsection (c) of this Section.
16 The regulations may include, but are not limited to, the
17 following: (i) identification of additional types of household
18 waste that can be collected at household waste drop-off points,
19 (ii) identification of the different types of household wastes
20 that can be received at different household waste drop-off
21 points, (iii) the maximum amounts of each type of household
22 waste that can be stored at household waste drop-off points at
23 any one time, and (iv) the maximum time periods each type of
24 household waste can be stored at household waste drop-off
25 points.

26 (f) Prohibitions.

1 (1) Except as authorized in a permit issued by the
2 Agency, no person shall cause or allow the operation of a
3 household waste drop-off point other than a one-day
4 household waste collection event in violation of this
5 Section or any regulations adopted under this Section.

6 (2) No person shall cause or allow the operation of a
7 one-day household waste collection event in violation of
8 this Section or the Agency's approval issued under
9 subsection (d) of this Section, including all conditions
10 contained in the approval.

11 (g) Permit exemptions.

12 (1) No permit is required under subdivision (d)(1) of
13 Section 21 of this Act for the operation of a household
14 waste drop-off point other than a one-day household waste
15 collection event if the household waste drop-off point is
16 operated in accordance with this Section and all
17 regulations adopted under this Section.

18 (2) No permit is required under subdivision (d)(1) of
19 Section 21 of this Act for the operation of a one-day
20 household waste collection event if the event is operated
21 in accordance with this Section and the Agency's approval
22 issued under subsection (d) of this Section, including all
23 conditions contained in the approval, or for the operation
24 of a household waste collection event by the Agency.

25 (h) This Section does not apply to the following:

26 (1) Persons accepting household waste that they are

1 authorized to accept under a permit issued by the Agency.

2 (2) Sites or facilities operated pursuant to an
3 intergovernmental agreement entered into with the Agency
4 under Section 22.16b(d) of this Act.

5 (i) The Agency, in consultation with the Department of
6 Public Health, must develop and implement a public information
7 program regarding household waste drop-off points that accept
8 pharmaceutical products.

9 (j) The Agency must develop a sign that provides
10 information on the proper disposal of unused pharmaceutical
11 products. The Agency shall make a copy of the sign available
12 for downloading from its website.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.".