

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 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.

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

18 "Controlled substance" means a controlled substance as  
19 defined in the Illinois Controlled Substances Act.

20 "Household waste" means waste generated from a single  
21 residence or multiple residences.

22 "Household waste drop-off point" means the portion of a  
23 site or facility used solely for the receipt and temporary

1 storage of household waste.

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

5 "Personal care product" means an item other than a  
6 pharmaceutical product that is consumed or applied by an  
7 individual for personal health, hygiene, or cosmetic  
8 reasons. Personal care products include, but are not  
9 limited to, items used in bathing, dressing, or grooming.

10 "Pharmaceutical product" means medicine or a product  
11 containing medicine. A pharmaceutical product may be sold  
12 by prescription or over the counter. "Pharmaceutical  
13 product" does not include (i) medicine that contains a  
14 radioactive component or a product that contains a  
15 radioactive component or (ii) a controlled substance.

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

19 (1) A household waste drop-off point must not accept  
20 waste other than the following types of household waste:  
21 pharmaceutical products, personal care products, batteries  
22 other than lead-acid batteries, paints, automotive fluids,  
23 compact fluorescent lightbulbs, mercury thermometers, and  
24 mercury thermostats.

25 (2) Except as provided in subdivision (c)(2) of this  
26 Section, household waste drop-off points must be located at

1 a site or facility where the types of products accepted at  
2 the household waste drop-off point are lawfully sold,  
3 distributed, or dispensed. For example, household waste  
4 drop-off points that accept prescription pharmaceutical  
5 products must be located at a site or facility where  
6 prescription pharmaceutical products are sold,  
7 distributed, or dispensed.

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

12 (B) Household waste drop-off points that accept  
13 mercury thermometers can be located at any site or  
14 facility where non-mercury thermometers are sold,  
15 distributed, or dispensed.

16 (C) Household waste drop-off points that accept  
17 mercury thermostats can be located at any site or  
18 facility where non-mercury thermostats are sold,  
19 distributed, or dispensed.

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

25 (4) Household waste must be accepted only from private  
26 individuals. Waste must not be accepted from other persons,

1 including, but not limited to, owners and operators of  
2 rented or leased residences where the household waste was  
3 generated, commercial haulers, and other commercial,  
4 industrial, agricultural, and government operations or  
5 entities.

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

9 (6) Household waste must not be stored for longer than  
10 90 days after its receipt, except as otherwise approved by  
11 the Agency in writing.

12 (7) 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 unauthorized public access to the waste,  
17 including, but not limited to, preventing access to the  
18 waste during the non-business hours of the site or facility  
19 on which the household waste drop-off point is located.  
20 Containers in which pharmaceutical products are collected  
21 must be clearly marked "No Controlled Substances".

22 (8) Management of the household waste must be limited  
23 to the following: (i) acceptance of the waste, (ii)  
24 temporary storage of the waste prior to transfer, and (iii)  
25 off-site transfer of the waste and packaging for off-site  
26 transfer.

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

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

19           (1) Waste accepted at the event must be limited to  
20           household waste and must not include garbage, landscape  
21           waste, controlled substances, or other waste excluded by  
22           the Agency in the Agency's approval or any conditions  
23           contained in the approval.

24           (2) Household waste must be accepted only from private  
25           individuals. Waste must not be accepted from other persons,  
26           including, but not limited to, owners and operators of

1 rented or leased residences where the household waste was  
2 generated, commercial haulers, and other commercial,  
3 industrial, agricultural, and government operations or  
4 entities.

5 (3) Household waste must be managed in a manner that  
6 protects against releases of the waste, prevents  
7 nuisances, and otherwise protects human health and the  
8 environment. Household waste must also be properly secured  
9 to prevent public access to the waste, including, but not  
10 limited to, preventing access to the waste during the  
11 event's non-business hours.

12 (4) Management of the household waste must be limited  
13 to the following: (i) acceptance of the waste, (ii)  
14 temporary storage of the waste before transfer, and (iii)  
15 off-site transfer of the waste or packaging for off-site  
16 transfer.

17 (5) Except as otherwise approved by the Agency, all  
18 household waste received at the collection event must be  
19 transferred off-site by the end of the day following the  
20 collection event.

21 (6) The transfer and ultimate disposition of household  
22 waste received at the collection event must comply with the  
23 Agency's approval, including all conditions contained in  
24 the approval.

25 (e) The Agency may adopt rules governing the operation of  
26 household waste drop-off points other than one-day household

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

19 (f) Prohibitions.

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

25 (2) No person shall cause or allow the operation of a  
26 one-day household waste collection event in violation of

1 this Section or the Agency's approval issued under  
2 subsection (d) of this Section, including all conditions  
3 contained in the approval.

4 (g) Permit exemptions.

5 (1) No permit is required under subdivision (d)(1) of  
6 Section 21 of this Act for the operation of a household  
7 waste drop-off point other than a one-day household waste  
8 collection event if the household waste drop-off point is  
9 operated in accordance with this Section and all  
10 regulations adopted under this Section.

11 (2) No permit is required under subdivision (d)(1) of  
12 Section 21 of this Act for the operation of a one-day  
13 household waste collection event if the event is operated  
14 in accordance with this Section and the Agency's approval  
15 issued under subsection (d) of this Section, including all  
16 conditions contained in the approval, or for the operation  
17 of a household waste collection event by the Agency.

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

19 (1) Persons accepting household waste that they are  
20 authorized to accept under a permit issued by the Agency.

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

24 (i) The Agency, in consultation with the Department of  
25 Public Health, must develop and implement a public information  
26 program regarding household waste drop-off points that accept



1 pharmaceutical products.

2 (j) The Agency must develop a sign that provides  
3 information on the proper disposal of unused pharmaceutical  
4 products. The Agency shall make a copy of the sign available  
5 for downloading from its website.

6 (k) If an entity chooses to participate as a household  
7 waste drop-off point, then it must follow the provisions of  
8 this Section and any rules the Agency may adopt governing  
9 household waste drop-off points.

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.