



Sen. Heather A. Steans

**Filed: 5/3/2012**

09700HB4526sam001

LRB097 18820 JDS 69169 a

1 AMENDMENT TO HOUSE BILL 4526

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4526 as follows:

3 on page 2, line 23, by replacing "the machine" with "any  
4 perchloroethylene drycleaning machine"; and

5 on page 3, line 24, by replacing "(2) Proof" with "(2) For  
6 drycleaning facilities where one or more perchloroethylene  
7 drycleaning machines are used, proof"; and

8 on page 4, line 3, immediately after the period by inserting  
9 "Training used to satisfy paragraph (2) of subsection (d) of  
10 Section 45 of the Drycleaner Environmental Response Trust Fund  
11 Act may also be used to satisfy paragraph (1) of subsection (c)  
12 of this Section to the extent that it meets the requirements of  
13 paragraph (1) of subsection (c) of this Section."; and

14 on page 6, line 15, immediately after "perchloroethylene", by

1 inserting "from any source"; and

2 on page 6, immediately below line 19, by inserting the  
3 following:

4 "Section 10. The Drycleaner Environmental Response Trust  
5 Fund Act is amended by changing Section 60 as follows:

6 (415 ILCS 135/60)

7 (Section scheduled to be repealed on January 1, 2020)

8 Sec. 60. Drycleaning facility license.

9 (a) On and after January 1, 1998, no person shall operate a  
10 drycleaning facility in this State without a license issued by  
11 the Council.

12 (b) The Council shall issue an initial or renewal license  
13 to a drycleaning facility on submission by an applicant of a  
14 completed form prescribed by the Council, proof of payment of  
15 the required fee to the Department of Revenue, and, if the  
16 drycleaning facility has previously received or is currently  
17 receiving reimbursement for the costs of a remedial action, as  
18 defined in this Act, proof of compliance with subsection (j) of  
19 Section 40. Beginning January 1, 2013, license renewal  
20 application forms must include a certification by the applicant  
21 that all hazardous waste stored at the drycleaning facility is  
22 stored in accordance with all applicable federal and state laws  
23 and regulations, and that all hazardous waste transported from

1 the drycleaning facility is transported in accordance with all  
2 applicable federal and state laws and regulations. Also,  
3 beginning January 1, 2013, license renewal applications must  
4 include copies of all manifests for hazardous waste transported  
5 from the drycleaning facility during the previous 12 months or  
6 since the last submission of copies of manifests, whichever is  
7 longer. If the Council does not receive a copy of a manifest  
8 for a drycleaning facility within a 3-year period, or within a  
9 shorter period as determined by the Council, the Council shall  
10 make appropriate inquiry into the management of hazardous waste  
11 at the facility and may share the results of the inquiry with  
12 the Agency.

13 (c) On or after January 1, 2004, the annual fees for  
14 licensure are as follows:

15 (1) \$500 for a facility that uses (i) 50 gallons or  
16 less of chlorine-based or green drycleaning solvents  
17 annually, (ii) 250 or less gallons annually of  
18 hydrocarbon-based drycleaning solvents in a drycleaning  
19 machine equipped with a solvent reclaimer, or (iii) 500  
20 gallons or less annually of hydrocarbon-based drycleaning  
21 solvents in a drycleaning machine without a solvent  
22 reclaimer.

23 (2) \$500 for a facility that uses (i) more than 50  
24 gallons but not more than 100 gallons of chlorine-based or  
25 green drycleaning solvents annually, (ii) more than 250  
26 gallons but not more 500 gallons annually of

1 hydrocarbon-based solvents in a drycleaning machine  
2 equipped with a solvent reclaimer, or (iii) more than 500  
3 gallons but not more than 1,000 gallons annually of  
4 hydrocarbon-based drycleaning solvents in a drycleaning  
5 machine without a solvent reclaimer.

6 (3) \$500 for a facility that uses (i) more than 100  
7 gallons but not more than 150 gallons of chlorine-based or  
8 green drycleaning solvents annually, (ii) more than 500  
9 gallons but not more than 750 gallons annually of  
10 hydrocarbon-based solvents in a drycleaning machine  
11 equipped with a solvent reclaimer, or (iii) more than 1,000  
12 gallons but not more than 1,500 gallons annually of  
13 hydrocarbon-based drycleaning solvents in a drycleaning  
14 machine without a solvent reclaimer.

15 (4) \$1,000 for a facility that uses (i) more than 150  
16 gallons but not more than 200 gallons of chlorine-based or  
17 green drycleaning solvents annually, (ii) more than 750  
18 gallons but not more than 1,000 gallons annually of  
19 hydrocarbon-based solvents in a drycleaning machine  
20 equipped with a solvent reclaimer, or (iii) more than 1,500  
21 gallons but not more than 2,000 gallons annually of  
22 hydrocarbon-based drycleaning solvents in a drycleaning  
23 machine without a solvent reclaimer.

24 (5) \$1,000 for a facility that uses (i) more than 200  
25 gallons but not more than 250 gallons of chlorine-based or  
26 green drycleaning solvents annually, (ii) more than 1,000

1 gallons but not more than 1,250 gallons annually of  
2 hydrocarbon-based solvents in a drycleaning machine  
3 equipped with a solvent reclaimer, or (iii) more than 2,000  
4 gallons but not more than 2,500 gallons annually of  
5 hydrocarbon-based drycleaning solvents in a drycleaning  
6 machine without a solvent reclaimer.

7 (6) \$1,000 for a facility that uses (i) more than 250  
8 gallons but not more than 300 gallons of chlorine-based or  
9 green drycleaning solvents annually, (ii) more than 1,250  
10 gallons but not more than 1,500 gallons annually of  
11 hydrocarbon-based solvents in a drycleaning machine  
12 equipped with a solvent reclaimer, or (iii) more than 2,500  
13 gallons but not more than 3,000 gallons annually of  
14 hydrocarbon-based drycleaning solvents in a drycleaning  
15 machine without a solvent reclaimer.

16 (7) \$1,000 for a facility that uses (i) more than 300  
17 gallons but not more than 350 gallons of chlorine-based or  
18 green drycleaning solvents annually, (ii) more than 1,500  
19 gallons but not more than 1,750 gallons annually of  
20 hydrocarbon-based solvents in a drycleaning machine  
21 equipped with a solvent reclaimer, or (iii) more than 3,000  
22 gallons but not more than 3,500 gallons annually of  
23 hydrocarbon-based drycleaning solvents in a drycleaning  
24 machine without a solvent reclaimer.

25 (8) \$1,500 for a facility that uses (i) more than 350  
26 gallons but not more than 400 gallons of chlorine-based or

1 green drycleaning solvents annually, (ii) more than 1,750  
2 gallons but not more than 2,000 gallons annually of  
3 hydrocarbon-based solvents in a drycleaning machine  
4 equipped with a solvent reclaimer, or (iii) more than 3,500  
5 gallons but not more than 4,000 gallons annually of  
6 hydrocarbon-based drycleaning solvents in a drycleaning  
7 machine without a solvent reclaimer.

8 (9) \$1,500 for a facility that uses (i) more than 400  
9 gallons but not more than 450 gallons of chlorine-based or  
10 green drycleaning solvents annually, (ii) more than 2,000  
11 gallons but not more than 2,250 gallons annually of  
12 hydrocarbon-based solvents in a drycleaning machine  
13 equipped with a solvent reclaimer, or (iii) more than 4,000  
14 gallons but not more than 4,500 gallons annually of  
15 hydrocarbon-based drycleaning solvents in a drycleaning  
16 machine without a solvent reclaimer.

17 (10) \$1,500 for a facility that uses (i) more than 450  
18 gallons but not more than 500 gallons of chlorine-based or  
19 green drycleaning solvents annually, (ii) more than 2,250  
20 gallons but not more than 2,500 gallons annually of  
21 hydrocarbon-based solvents used in a drycleaning machine  
22 equipped with a solvent reclaimer, or (iii) more than 4,500  
23 gallons but not more than 5,000 gallons annually of  
24 hydrocarbon-based drycleaning solvents in a drycleaning  
25 machine without a solvent reclaimer.

26 (11) \$1,500 for a facility that uses (i) more than 500

1 gallons but not more than 550 gallons of chlorine-based or  
2 green drycleaning solvents annually, (ii) more than 2,500  
3 gallons but not more than 2,750 gallons annually of  
4 hydrocarbon-based solvents in a drycleaning machine  
5 equipped with a solvent reclaimer, or (iii) more than 5,000  
6 gallons but not more than 5,500 gallons annually of  
7 hydrocarbon-based drycleaning solvents in a drycleaning  
8 machine without a solvent reclaimer.

9 (12) \$1,500 for a facility that uses (i) more than 550  
10 gallons but not more than 600 gallons of chlorine-based or  
11 green drycleaning solvents annually, (ii) more than 2,750  
12 gallons but not more than 3,000 gallons annually of  
13 hydrocarbon-based solvents in a drycleaning machine  
14 equipped with a solvent reclaimer, or (iii) more than 5,500  
15 gallons but not more than 6,000 gallons annually of  
16 hydrocarbon-based drycleaning solvents in a drycleaning  
17 machine without a solvent reclaimer.

18 (13) \$1,500 for a facility that uses (i) more than 600  
19 gallons of chlorine-based or green drycleaning solvents  
20 annually, (ii) more than 3,000 gallons but not more than  
21 3,250 gallons annually of hydrocarbon-based solvents in a  
22 drycleaning machine equipped with a solvent reclaimer, or  
23 (iii) more than 6,000 gallons of hydrocarbon-based  
24 drycleaning solvents annually in a drycleaning machine  
25 equipped without a solvent reclaimer.

26 (14) \$1,500 for a facility that uses more than 3,250

1 gallons but not more than 3,500 gallons annually of  
2 hydrocarbon-based solvents in a drycleaning machine  
3 equipped with a solvent reclaimer.

4 (15) \$1,500 for a facility that uses more than 3,500  
5 gallons but not more than 3,750 gallons annually of  
6 hydrocarbon-based solvents used in a drycleaning machine  
7 equipped with a solvent reclaimer.

8 (16) \$1,500 for a facility that uses more than 3,750  
9 gallons but not more than 4,000 gallons annually of  
10 hydrocarbon-based solvents in a drycleaning machine  
11 equipped with a solvent reclaimer.

12 (17) \$1,500 for a facility that uses more than 4,000  
13 gallons annually of hydrocarbon-based solvents in a  
14 drycleaning machine equipped with a solvent reclaimer.

15 For purpose of this subsection, the quantity of drycleaning  
16 solvents used annually shall be determined as follows:

17 (1) in the case of an initial applicant, the quantity  
18 of drycleaning solvents that the applicant estimates will  
19 be used during his or her initial license year. A fee  
20 assessed under this subdivision is subject to audited  
21 adjustment for that year; or

22 (2) in the case of a renewal applicant, the quantity of  
23 drycleaning solvents actually purchased in the preceding  
24 license year.

25 The Council may adjust licensing fees annually based on the  
26 published Consumer Price Index - All Urban Consumers ("CPI-U")

1 or as otherwise determined by the Council.

2 (d) A license issued under this Section shall expire one  
3 year after the date of issuance and may be renewed on  
4 reapplication to the Council and submission of proof of payment  
5 of the appropriate fee to the Department of Revenue in  
6 accordance with subsections (c) and (e). At least 30 days  
7 before payment of a renewal licensing fee is due, the Council  
8 shall attempt to:

9 (1) notify the operator of each licensed drycleaning  
10 facility concerning the requirements of this Section; and

11 (2) submit a license fee payment form to the licensed  
12 operator of each drycleaning facility.

13 (e) An operator of a drycleaning facility shall submit the  
14 appropriate application form provided by the Council with the  
15 license fee in the form of cash, credit card, business check,  
16 or guaranteed remittance to the Department of Revenue. The  
17 Department may accept payment of the license fee under this  
18 Section by credit card only if the Department is not required  
19 to pay a discount fee charged by the credit card issuer. The  
20 license fee payment form and the actual license fee payment  
21 shall be administered by the Department of Revenue under rules  
22 adopted by that Department.

23 (f) The Department of Revenue shall issue a proof of  
24 payment receipt to each operator of a drycleaning facility who  
25 has paid the appropriate fee in cash or by guaranteed  
26 remittance, credit card, or business check. However, the

1 Department of Revenue shall not issue a proof of payment  
2 receipt to a drycleaning facility that is liable to the  
3 Department of Revenue for a tax imposed under this Act. The  
4 original receipt shall be presented to the Council by the  
5 operator of a drycleaning facility.

6 (g) (Blank).

7 (h) The Council and the Department of Revenue may adopt  
8 rules as necessary to administer the licensing requirements of  
9 this Act.

10 (Source: P.A. 96-774, eff. 1-1-10; 97-332, eff. 8-12-11;  
11 97-377, eff. 1-1-12; 97-663, eff. 1-13-12.)".