

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 Section 22.55 as follows:

6 (415 ILCS 5/22.55)

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 "Compostable waste" means household waste that is
19 source-separated food scrap, household waste that is
20 source-separated landscape waste, or a mixture of both.

21 "Controlled substance" means a controlled substance as
22 defined in the Illinois Controlled Substances Act.

23 "Household waste" means waste generated from a single

1 residence or multiple residences.

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

5 "One-day compostable waste collection event" means a
6 household waste drop-off point approved by a county or
7 municipality under subsection (d-5) of this Section.

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

11 "Permanent compostable waste collection point" means a
12 household waste drop-off point approved by a county or
13 municipality under subsection (d-6) of this Section.

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

19 "Pharmaceutical product" means medicine or a product
20 containing medicine. A pharmaceutical product may be sold
21 by prescription or over the counter. "Pharmaceutical
22 product" does not include (i) medicine that contains a
23 radioactive component or a product that contains a
24 radioactive component or (ii) a controlled substance.

25 "Recycling coordinator" means the person designated by
26 each county waste management plan to administer the county

1 recycling program, as set forth in the Solid Waste
2 Management Act.

3 (c) Except as otherwise provided in Agency rules, the
4 following requirements apply to each household waste drop-off
5 point, other than a one-day household waste collection event,
6 one-day compostable waste collection event, or permanent
7 compostable waste collection point:

8 (1) A household waste drop-off point must not accept
9 waste other than the following types of household waste:
10 pharmaceutical products, personal care products, batteries
11 other than lead-acid batteries, paints, automotive fluids,
12 compact fluorescent lightbulbs, mercury thermometers, and
13 mercury thermostats.

14 (2) Except as provided in subdivision (c)(2) of this
15 Section, household waste drop-off points must be located at
16 a site or facility where the types of products accepted at
17 the household waste drop-off point are lawfully sold,
18 distributed, or dispensed. For example, household waste
19 drop-off points that accept prescription pharmaceutical
20 products must be located at a site or facility where
21 prescription pharmaceutical products are sold,
22 distributed, or dispensed.

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

1 (B) Household waste drop-off points that accept
2 mercury thermometers can be located at any site or
3 facility where non-mercury thermometers are sold,
4 distributed, or dispensed.

5 (C) Household waste drop-off points that accept
6 mercury thermostats can be located at any site or
7 facility where non-mercury thermostats are sold,
8 distributed, or dispensed.

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

14 (4) Household waste must be accepted only from private
15 individuals. Waste must not be accepted from other persons,
16 including, but not limited to, owners and operators of
17 rented or leased residences where the household waste was
18 generated, commercial haulers, and other commercial,
19 industrial, agricultural, and government operations or
20 entities.

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

24 (6) Household waste must not be stored for longer than
25 90 days after its receipt, except as otherwise approved by
26 the Agency in writing.

1 (7) Household waste must be managed in a manner that
2 protects against releases of the waste, prevents
3 nuisances, and otherwise protects human health and the
4 environment. Household waste must also be properly secured
5 to prevent unauthorized public access to the waste,
6 including, but not limited to, preventing access to the
7 waste during the non-business hours of the site or facility
8 on which the household waste drop-off point is located.
9 Containers in which pharmaceutical products are collected
10 must be clearly marked "No Controlled Substances".

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

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

18 (d) One-day household waste collection events. To further
19 aid in the collection of certain household wastes, the Agency
20 may approve the operation of one-day household waste collection
21 events. The Agency shall not approve a one-day household waste
22 collection event at the same site or facility for more than one
23 day each calendar quarter. Requests for approval must be
24 submitted on forms prescribed by the Agency. The Agency must
25 issue its approval in writing, and it may impose conditions as
26 necessary to protect human health and the environment and to

1 otherwise accomplish the purposes of this Act. One-day
2 household waste collection events must be operated in
3 accordance with the Agency's approval, including all
4 conditions contained in the approval. The following
5 requirements apply to all one-day household waste collection
6 events, in addition to the conditions contained in the Agency's
7 approval:

8 (1) Waste accepted at the event must be limited to
9 household waste and must not include garbage, landscape
10 waste, controlled substances, or other waste excluded by
11 the Agency in the Agency's approval or any conditions
12 contained in the approval.

13 (2) Household waste must be accepted only from private
14 individuals. Waste must not be accepted from other persons,
15 including, but not limited to, owners and operators of
16 rented or leased residences where the household waste was
17 generated, commercial haulers, and other commercial,
18 industrial, agricultural, and government operations or
19 entities.

20 (3) Household waste must be managed in a manner that
21 protects against releases of the waste, prevents
22 nuisances, and otherwise protects human health and the
23 environment. Household waste must also be properly secured
24 to prevent public access to the waste, including, but not
25 limited to, preventing access to the waste during the
26 event's non-business hours.

1 (4) Management of the household waste must be limited
2 to the following: (i) acceptance of the waste, (ii)
3 temporary storage of the waste before transfer, and (iii)
4 off-site transfer of the waste or packaging for off-site
5 transfer.

6 (5) Except as otherwise approved by the Agency, all
7 household waste received at the collection event must be
8 transferred off-site by the end of the day following the
9 collection event.

10 (6) The transfer and ultimate disposition of household
11 waste received at the collection event must comply with the
12 Agency's approval, including all conditions contained in
13 the approval.

14 (d-5) One-day compostable waste collection event. To
15 further aid in the collection and composting of compostable
16 waste, as defined in subsection (b), a municipality may approve
17 the operation of one-day compostable waste collection events at
18 any site or facility within its territorial jurisdiction, and a
19 county may approve the operation of one-day compostable waste
20 collection events at any site or facility in any unincorporated
21 area within its territorial jurisdiction. The approval granted
22 under this subsection (d-5) must be in writing; must specify
23 the date, location, and time of the event; and must list the
24 types of compostable waste that will be collected at the event.
25 If the one-day compostable waste collection event is to be
26 operated at a location within a county with a population of

1 more than 400,000 but less than 2,000,000 inhabitants,
2 according to the 2010 decennial census, then the operator of
3 the event shall, at least 30 days before the event, provide a
4 copy of the approval to the recycling coordinator designated by
5 that county. The approval granted under this subsection (d-5)
6 may include conditions imposed by the county or municipality as
7 necessary to protect public health and prevent odors, vectors,
8 and other nuisances. A one-day compostable waste collection
9 event approved under this subsection (d-5) must be operated in
10 accordance with the approval, including all conditions
11 contained in the approval. The following requirements shall
12 apply to the one-day compostable waste collection event, in
13 addition to the conditions contained in the approval:

14 (1) Waste accepted at the event must be limited to the
15 types of compostable waste authorized to be accepted under
16 the approval.

17 (2) Information promoting the event and signs at the
18 event must clearly indicate the types of compostable waste
19 approved for collection. To discourage the receipt of other
20 waste, information promoting the event and signs at the
21 event must also include:

22 (A) examples of compostable waste being collected;

23 and

24 (B) examples of waste that is not being collected.

25 (3) Compostable waste must be accepted only from
26 private individuals. It may not be accepted from other

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

6 (4) Compostable waste must be managed in a manner that
7 protects against releases of the waste, prevents
8 nuisances, and otherwise protects human health and the
9 environment. Compostable waste must be properly secured to
10 prevent it from being accessed by the public at any time,
11 including, but not limited to, during the collection
12 event's non-operating hours. One-day compostable waste
13 collection events must be adequately supervised during
14 their operating hours.

15 (5) Compostable waste must be secured in non-porous,
16 rigid, leak-proof containers that:

17 (A) are covered, except when the compostable waste
18 is being added to or removed from the containers or it
19 is otherwise necessary to access the compostable
20 waste;

21 (B) prevent precipitation from draining through
22 the compostable waste;

23 (C) prevent dispersion of the compostable waste by
24 wind;

25 (D) contain spills or releases that could create
26 nuisances or otherwise harm human health or the

1 environment;

2 (E) limit access to the compostable waste by
3 vectors;

4 (F) control odors and other nuisances; and

5 (G) provide for storage, removal, and off-site
6 transfer of the compostable waste in a manner that
7 protects its ability to be composted.

8 (6) No more than a total of 40 cubic yards of
9 compostable waste shall be located at the collection site
10 at any one time.

11 (7) Management of the compostable waste must be limited
12 to the following: (A) acceptance, (B) temporary storage
13 before transfer, and (C) off-site transfer.

14 (8) All compostable waste received at the event must be
15 transferred off-site to a permitted compost facility by no
16 later than 48 hours after the event ends or by the end of
17 the first business day after the event ends, whichever is
18 sooner.

19 (9) If waste other than compostable waste is received
20 at the event, then that waste must be disposed of within 48
21 hours after the event ends or by the end of the first
22 business day after the event ends, whichever is sooner.

23 (d-6) Permanent compostable waste collection points. To
24 further aid in the collection and composting of compostable
25 waste, as defined in subsection (b), a municipality may approve
26 the operation of permanent compostable waste collection points

1 at any site or facility within its territorial jurisdiction,
2 and a county may approve the operation of permanent compostable
3 waste collection points at any site or facility in any
4 unincorporated area within its territorial jurisdiction. The
5 approval granted pursuant to this subsection (d-6) must be in
6 writing; must specify the location, operating days, and
7 operating hours of the collection point; must list the types of
8 compostable waste that will be collected at the collection
9 point; and must specify a term of not more than 365 calendar
10 days during which the approval will be effective. In addition,
11 if the permanent compostable waste collection point is to be
12 operated at a location within a county with a population of
13 more than 400,000 but less than 2,000,000 inhabitants,
14 according to the 2010 federal decennial census, then the
15 operator of the collection point shall, at least 30 days before
16 the collection point begins operation, provide a copy of the
17 approval to the recycling coordinator designated by that
18 county. The approval may include conditions imposed by the
19 county or municipality as necessary to protect public health
20 and prevent odors, vectors, and other nuisances. A permanent
21 compostable waste collection point approved pursuant to this
22 subsection (d-6) must be operated in accordance with the
23 approval, including all conditions contained in the approval.
24 The following requirements apply to the permanent compostable
25 waste collection point, in addition to the conditions contained
26 in the approval:

1 (1) Waste accepted at the collection point must be
2 limited to the types of compostable waste authorized to be
3 accepted under the approval.

4 (2) Information promoting the collection point and
5 signs at the collection point must clearly indicate the
6 types of compostable waste approved for collection. To
7 discourage the receipt of other waste, information
8 promoting the collection point and signs at the collection
9 point must also include (A) examples of compostable waste
10 being collected and (B) examples of waste that is not being
11 collected.

12 (3) Compostable waste must be accepted only from
13 private individuals. It may not be accepted from other
14 persons, including, but not limited to, owners and
15 operators of rented or leased residences where it was
16 generated, commercial haulers, and other commercial,
17 industrial, agricultural, and government operations or
18 entities.

19 (4) Compostable 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. Compostable waste must be properly secured to
23 prevent it from being accessed by the public at any time,
24 including, but not limited to, during the collection
25 point's non-operating hours. Permanent compostable waste
26 collection points must be adequately supervised during

1 their operating hours.

2 (5) Compostable waste must be secured in non-porous,
3 rigid, leak-proof containers that:

4 (A) are no larger than 10 cubic yards in size;

5 (B) are covered, except when the compostable waste
6 is being added to or removed from the container or it
7 is otherwise necessary to access the compostable
8 waste;

9 (C) prevent precipitation from draining through
10 the compostable waste;

11 (D) prevent dispersion of the compostable waste by
12 wind;

13 (E) contain spills or releases that could create
14 nuisances or otherwise harm human health or the
15 environment;

16 (F) limit access to the compostable waste by
17 vectors;

18 (G) control odors and other nuisances; and

19 (H) provide for storage, removal, and off-site
20 transfer of the compostable waste in a manner that
21 protects its ability to be composted.

22 (6) No more than a total of 10 cubic yards of
23 compostable waste shall be located at the permanent
24 compostable waste collection site at any one time.

25 (7) Management of the compostable waste must be limited
26 to the following: (A) acceptance, (B) temporary storage

1 before transfer, and (C) off-site transfer.

2 (8) All compostable waste received at the permanent
3 compostable waste collection point must be transferred
4 off-site to a permitted compost facility not less
5 frequently than once every 7 days.

6 (9) If a permanent compostable waste collection point
7 receives waste other than compostable waste, then that
8 waste must be disposed of not less frequently than once
9 every 7 days.

10 (e) The Agency may adopt rules governing the operation of
11 household waste drop-off points, other than one-day household
12 waste collection events, one-day compostable waste collection
13 events, and permanent compostable waste collection points.

14 Those rules must be designed to protect against releases of
15 waste to the environment, prevent nuisances, and otherwise
16 protect human health and the environment. As necessary to
17 address different circumstances, the regulations may contain
18 different requirements for different types of household waste
19 and different types of household waste drop-off points, and the
20 regulations may modify the requirements set forth in subsection
21 (c) of this Section. The regulations may include, but are not
22 limited to, the following: (i) identification of additional
23 types of household waste that can be collected at household
24 waste drop-off points, (ii) identification of the different
25 types of household wastes that can be received at different
26 household waste drop-off points, (iii) the maximum amounts of

1 each type of household waste that can be stored at household
2 waste drop-off points at any one time, and (iv) the maximum
3 time periods each type of household waste can be stored at
4 household waste drop-off points.

5 (f) Prohibitions.

6 (1) Except as authorized in a permit issued by the
7 Agency, no person shall cause or allow the operation of a
8 household waste drop-off point, other than a one-day
9 household waste collection event, one-day compostable
10 waste collection event, or permanent compostable waste
11 collection point, in violation of this Section or any
12 regulations adopted under this Section.

13 (2) No person shall cause or allow the operation of a
14 one-day household waste collection event in violation of
15 this Section or the Agency's approval issued under
16 subsection (d) of this Section, including all conditions
17 contained in the approval.

18 (3) No person shall cause or allow the operation of a
19 one-day compostable waste collection event in violation of
20 this Section or the approval issued for the one-day
21 compostable waste collection event under subsection (d-5)
22 of this Section, including all conditions contained in the
23 approval.

24 (4) No person shall cause or allow the operation of a
25 permanent compostable waste collection event in violation
26 of this Section or the approval issued for the permanent

1 compostable waste collection point under subsection (d-6)
2 of this Section, including all conditions contained in the
3 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, one-day compostable waste collection
9 event, or permanent compostable waste collection point, if
10 the household waste drop-off point is operated in
11 accordance with this Section and all regulations adopted
12 under this Section.

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

20 (3) No permit is required under paragraph (1) of
21 subsection (d) of Section 21 of this Act for the operation
22 of a one-day compostable waste collection event if the
23 compostable waste collection event is operated in
24 accordance with this Section and the approval issued for
25 the compostable waste collection point under subsection
26 (d-5) of this Section, including all conditions contained

1 in the approval.

2 (4) No permit is required under paragraph (1) of
3 subsection (d) of Section 21 of this Act for the operation
4 of a permanent compostable waste collection point if the
5 collection point is operated in accordance with this
6 Section and the approval issued for the compostable waste
7 collection event under subsection (d-6) of this Section,
8 including all conditions contained in the approval.

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

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

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

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

19 (j) The Agency must develop a sign that provides
20 information on the proper disposal of unused pharmaceutical
21 products. The Agency shall make a copy of the sign available
22 for downloading from its website.

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

1 (Source: P.A. 96-121, eff. 8-4-09.)

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