

AN ACT concerning environmental protection.

Be it enacted by the People of the State of Illinois,
represented in the General Assembly:

Section 5. The Environmental Protection Act is amended
by adding Section 22.3a as follows:

(415 ILCS 5/22.3a new)

Sec. 22.3a. Expedited review of hazardous waste
corrective action.

(a) It is the intent of this Section to promote an
expedited RCRA hazardous waste corrective action review
process.

(b) The owner or operator of a hazardous waste facility
performing corrective action pursuant to the federal Resource
Conservation and Recovery Act of 1976 or regulations issued
thereunder, or analogous State law or regulations, may
request from the Agency an expedited review of that
corrective action. Within a reasonable time, the Agency
shall respond in writing, indicating whether the Agency will
perform expedited review.

(c) An owner or operator approved by the Agency for an
expedited review under this Section shall pay to the Agency
all reasonable costs the Agency incurs in its review of the
owner's or operator's corrective action activities (including
but not limited to investigations, monitoring, and cleanup of
releases of hazardous waste or hazardous constituents).
Prior to any Agency review, the owner or operator shall make
an advance partial payment to the Agency for anticipated
review costs in an amount acceptable to the Agency, but not
to exceed \$5,000 or one-half of the total anticipated costs
of the Agency, whichever is less. All amounts paid to the
Agency pursuant to this Section shall be deposited into the

Environmental Protection Permit and Inspection Fund.

(d) The Agency's expedited review under this Section shall include, but need not be limited to: review of the owner's or operator's corrective action plans, reports, documents, and associated field activities; issuance of corrective action decision documents; and issuance of letters certifying the completion of corrective action activities or discrete portions thereof.

(e) The Agency may cease its expedited review under this Section if an owner or operator fails to pay the Agency's review costs when due.

(f) An owner or operator approved by the Agency for an expedited review under this Section may withdraw its request for an expedited review at any time by providing the Agency with written notification of its withdrawal; but the owner or operator shall be responsible to pay all expedited review costs incurred by the Agency through the date of withdrawal.

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