



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2491

by Rep. Lawrence Walsh, Jr.

SYNOPSIS AS INTRODUCED:

415 ILCS 5/22.59 new

Amends the Environmental Protection Act. Provides that to the extent allowed by federal law, uncontaminated plastics that meet feedstock specifications for a gasification facility or pyrolysis facility, and that are further processed by a gasification facility or pyrolysis facility and returned to the economic mainstream in the form of crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products, are considered recycled and are not subject to regulation as waste. Defines terms for these provisions. Effective immediately.

LRB101 09658 CPF 54757 b

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 22.59 as follows:

6 (415 ILCS 5/22.59 new)

7 Sec. 22.59. Regulation of uncontaminated plastics.

8 (a) As used in this Section:

9 "Gasification facility" means a manufacturing facility
10 that:

11 (1) receives uncontaminated plastics or nonrecycled
12 feedstocks that meet the facility's specifications for a
13 gasification feedstock; and

14 (2) uses heat in an oxygen-deficient atmosphere to
15 process the feedstock into crude oil, diesel, gasoline,
16 home heating oil or other fuels, chemicals, waxes,
17 lubricants, chemical feedstocks, diesel and gasoline
18 blendstocks, or other raw materials or intermediate or
19 final products that are returned to the economic mainstream
20 in the form of raw materials, products, or fuels.

21 A "gasification facility" is not a pollution control
22 facility, a solid waste treatment facility, or a solid waste
23 incineration facility.

1 "Nonrecycled feedstocks" means one or more of the following
2 materials, derived from post-use materials, that has been
3 source separated or processed so that it may be used as
4 feedstock in a gasification facility:

5 (1) uncontaminated plastics; and

6 (2) materials that have been processed into a fuel or
7 feedstock for which the United States Environmental
8 Protection Agency has made a non-waste determination under
9 40 CFR 241.3(c) or otherwise determined are not wastes or
10 for which the board has made a non-waste determination.

11 "Pyrolysis facility" means a manufacturing facility that:

12 (1) receives uncontaminated plastics that meet the
13 facility's specifications for a pyrolysis feedstock; and

14 (2) uses heat in the absence of oxygen to process the
15 uncontaminated plastics into crude oil, diesel, gasoline,
16 home heating oil or other fuels, chemicals, waxes,
17 lubricants, chemical feedstocks, diesel and gasoline
18 blendstocks, or other raw materials or intermediate or
19 final products that are returned to the economic mainstream
20 in the form of raw materials, products, or fuels.

21 A "pyrolysis facility" is not a pollution control facility,
22 a solid waste treatment facility, or a solid waste incineration
23 facility.

24 "Uncontaminated plastics" means synthetic organic polymers
25 that have been molded into shape under heat and pressure and
26 then set into a rigid or slightly elastic form and have been

1 source separated at least once after use by a household,
2 community, commercial or other activity. "Uncontaminated
3 plastics" may contain incidental contaminants or impurities,
4 such as paper labels or metal rings. "Uncontaminated plastics"
5 are not waste.

6 (b) A gasification facility or pyrolysis facility is
7 subject to regulation as a manufacturing facility and shall
8 comply with relevant and applicable regulations relating to its
9 storm water, water discharges, air emissions, and waste
10 generation.

11 (c) To the extent allowed by federal law, uncontaminated
12 plastics that meet feedstock specifications for a gasification
13 facility or pyrolysis facility, and that are further processed
14 by a gasification facility or pyrolysis facility and returned
15 to the economic mainstream in the form of crude oil, diesel,
16 gasoline, home heating oil or other fuels, chemicals, waxes,
17 lubricants, chemical feedstocks, diesel and gasoline
18 blendstocks, or other raw materials or intermediate or final
19 products, are considered recycled and are not subject to
20 regulation as waste.

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