

1 AN ACT in relation to environmental protection.

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
5 by changing Section 22.14 as follows:

6 (415 ILCS 5/22.14) (from Ch. 111 1/2, par. 1022.14)

7 Sec. 22.14. Garbage transfer stations.

8 (a) No person may establish any pollution control
9 facility for use as a garbage transfer station, which is
10 located less than 1000 feet from the nearest property zoned
11 for primarily residential uses or within 1000 feet of any
12 dwelling, except in counties of at least 3,000,000
13 inhabitants. In counties of at least 3,000,000 inhabitants,
14 no person may establish any pollution control facility for
15 use as a garbage transfer station which is located less than
16 1000 feet from the nearest property zoned for primarily
17 residential uses, provided, however, a station which is
18 located in an industrial area of 10 or more contiguous acres
19 may be located within 1000 feet but no closer than 800 feet
20 from the nearest property zoned for primarily residential
21 uses. However, in a county with over 300,000 and less than
22 350,000 inhabitants, a station used for the transfer or
23 separation of waste for recycling or disposal in a sanitary
24 landfill that is located in an industrial area of 10 or more
25 acres may be located within 1000 feet but no closer than 800
26 feet from the nearest property zoned for primarily
27 residential uses.

28 (b) This Section does not prohibit (i) any such facility
29 which is in existence on January 1, 1988, nor (ii) any
30 facility in existence on January 1, 1988, as expanded before
31 January 1, 1990, to include processing and transferring of

1 municipal wastes for both recycling and disposal purposes,
2 nor (iii) any such facility which becomes nonconforming due
3 to a change in zoning or the establishment of a dwelling
4 which occurs after the establishment of the facility, nor
5 (iv) any facility established by a municipality with a
6 population in excess of 1,000,000, nor (v) any transfer
7 facility operating on January 1, 1988. No facility described
8 in item (ii) shall, after July 14, 1995, accept landscape
9 waste and other municipal waste in the same vehicle load.
10 However, the use of an existing pollution control facility as
11 a garbage transfer station shall be deemed to be the
12 establishment of a new facility, and shall be subject to
13 subsection (a), if such facility had not been used as a
14 garbage transfer station within one year prior to January 1,
15 1988.

16 (c) For the purposes of this Section, the term
17 "established" shall be defined as the date on which the
18 applicant files its request for local siting approval. The
19 changes to this Section made by this amendatory Act of the
20 93rd General Assembly are declaratory of existing law, shall
21 not be construed as a new enactment, and shall apply to all
22 pending applications where appeals to the Board and the
23 Courts have not been exhausted.

24 (Source: P.A. 88-681, eff. 12-22-94; 89-143, eff. 7-14-95;
25 89-336, eff. 8-17-95; 89-626, eff. 8-9-96.)

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