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LRB098 10483 JDS 40714 r

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SENATE RESOLUTION

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WHEREAS, The Illinois Environmental Protection Agency maintains jurisdiction over and has the authority to issue Beneficial Use Determinations regarding the recycling of asphalt roofing shingles in the State of Illinois; and

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WHEREAS, In 2011, the Illinois Senate passed HB1326, now Public Act 97-0314, which authorized the Illinois Department of Transportation ("Department") to use recycled asphalt shingles in its hot mix asphalt projects; and

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WHEREAS, The Department uses recycled asphalt shingles in its hot mix asphalt projects; and

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WHEREAS, The Committee believes that it is necessary for the Department to develop a protocol to ensure that only responsible recyclers operating under appropriate permits issued by the Illinois Environmental Protection Agency are providing materials to the Department for its use; therefore, be it

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RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Department not to approve the production of hot mixes from recycled asphalt shingles, or to use recycled asphalt shingles from a

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1 recycler in its projects, until the Department has received
2 from the Illinois Environmental Protection Agency verified
3 information on behalf of the recycler and its principals
4 regarding its history of ownership, operation, and
5 environmental non-compliance in this State and any other; and
6 be it further

7 RESOLVED, That we urge the Department to require the
8 following verified information from the recycler: the names of
9 the entity and its principals; the location of the recycling
10 facility; the tax identification and social security numbers
11 for the entity and its principals; a verification of prior
12 ownership or operation of any recycling facility in this State
13 or any other; an identification of any criminal conviction by
14 the owners or operators of the facility; an identification of
15 any conviction under a notice of violation or similar complaint
16 based on environmental non-compliance in this State or any
17 other by the owners or operators of the facility; a disclosure
18 of any historical administrative or judicial determination
19 associated with environmental non-compliance by the owners or
20 operators of the facility; an identification of any pending
21 administrative or judicial proceeding against the recycler or
22 its principals; and be it further

23 RESOLVED, That we urge the Department to review all
24 verified information from the Illinois Environmental

1 Protection Agency and to make a determination regarding the
2 propriety of the recycler's production of material for use in
3 Department projects; provided that we further urge the
4 Department not to approve any recycler that has a pending or
5 unresolved environmental compliance action in this State or any
6 other against it or any of its principals; and be it further

7 RESOLVED, That we urge the Department, on an annual basis,
8 to obtain verification from the Illinois Environmental
9 Protection Agency that each asphalt producer which used
10 recycled asphalt shingles on Department projects during the
11 previous calendar year did so in accordance with subsection (b)
12 of Section 4-221 of the Illinois Highway Code; provided that we
13 further urge the Department not to approve an asphalt producer
14 for production in any calendar prior to receiving such
15 verification from the Illinois Environmental Protection
16 Agency.