



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5735

by Rep. Michael W. Tryon

#### SYNOPSIS AS INTRODUCED:

225 ILCS 230/Act rep.  
415 ILCS 5/22.8  
415 ILCS 5/22.59 new

from Ch. 111 1/2, par. 1022.8

Repeals the Solid Waste Site Operator Certification Law. Amends the Environmental Protection Act. Removes references to the Solid Waste Site Operator Certification Law. Provides that until October 1, 2018, no person shall cause or allow the operation of a sanitary landfill that is required to be permitted under the Act unless the landfill has on its operational staff either (1) an individual who holds a manager of landfill operations certificate from the Solid Waste Association of North America or a similar certificate accepted under another state's landfill operator certification program; or (2) an individual who, on the day before the effective date of this amendatory Act of the 99th General Assembly, held a Class "A" Solid Waste Site Operator Certificate issued by the Environmental Protection Agency under the Solid Waste Operator Certification Law and, if the landfill accepts special waste, a special waste endorsement issued by the Agency under the Solid Waste Operator Certification Law. Provides that beginning October 1, 2018, no person shall cause or allow the operation of a sanitary landfill required to be permitted under the Act unless the landfill has on its operational staff an individual who holds a manager of landfill operations certificate from the Solid Waste Association of North America or a similar certificate accepted under another state's landfill operator certification program. Effective immediately.

LRB099 18900 MGM 43287 b

1 AN ACT concerning regulation.

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

4 (225 ILCS 230/Act rep.)

5 Section 5. The Solid Waste Site Operator Certification Law  
6 is repealed.

7 Section 10. The Environmental Protection Act is amended by  
8 changing Section 22.8 and by adding Section 22.59 as follows:

9 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

10 Sec. 22.8. Environmental Protection Permit and Inspection  
11 Fund.

12 (a) There is hereby created in the State Treasury a special  
13 fund to be known as the Environmental Protection Permit and  
14 Inspection Fund. All fees collected by the Agency pursuant to  
15 this Section, Section 9.6, 12.2, 16.1, 56.4, 56.5, 56.6, and  
16 subsection (f) of Section 5 of this Act, or pursuant to Section  
17 22 of the Public Water Supply Operations Act ~~or Section 1011 of~~  
18 ~~the Solid Waste Site Operator Certification Law~~, as well as  
19 funds collected under subsection (b.5) of Section 42 of this  
20 Act, shall be deposited into the Fund. In addition to any  
21 monies appropriated from the General Revenue Fund, monies in  
22 the Fund shall be appropriated by the General Assembly to the

1 Agency in amounts deemed necessary for manifest, permit, and  
2 inspection activities ~~and for performing its functions,~~  
3 ~~powers, and duties under the Solid Waste Site Operator~~  
4 ~~Certification Law.~~

5 The General Assembly may appropriate monies in the Fund  
6 deemed necessary for Board regulatory and adjudicatory  
7 proceedings.

8 (a-5) As soon as practicable after the effective date of  
9 this amendatory Act of the 98th General Assembly, but no later  
10 than January 1, 2014, the State Comptroller shall direct and  
11 the State Treasurer shall transfer all monies in the Industrial  
12 Hygiene Regulatory and Enforcement Fund to the Environmental  
13 Protection Permit and Inspection Fund to be used in accordance  
14 with the terms of the Environmental Protection Permit and  
15 Inspection Fund.

16 (a-6) As soon as practicable after the effective date of  
17 this amendatory Act of the 98th General Assembly, but no later  
18 than December 31, 2014, the State Comptroller shall order the  
19 transfer of, and the State Treasurer shall transfer, all moneys  
20 in the Hazardous Waste Occupational Licensing Fund into the  
21 Environmental Protection Permit and Inspection Fund to be used  
22 in accordance with the terms of the Environmental Protection  
23 Permit and Inspection Fund.

24 (b) The Agency shall collect from the owner or operator of  
25 any of the following types of hazardous waste disposal sites or  
26 management facilities which require a RCRA permit under

1 subsection (f) of Section 21 of this Act, or a UIC permit under  
2 subsection (g) of Section 12 of this Act, an annual fee in the  
3 amount of:

4 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous  
5 waste disposal site receiving hazardous waste if the  
6 hazardous waste disposal site is located off the site where  
7 such waste was produced;

8 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous  
9 waste disposal site receiving hazardous waste if the  
10 hazardous waste disposal site is located on the site where  
11 such waste was produced;

12 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous  
13 waste disposal site receiving hazardous waste if the  
14 hazardous waste disposal site is an underground injection  
15 well;

16 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous  
17 waste management facility treating hazardous waste by  
18 incineration;

19 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
20 waste management facility treating hazardous waste by a  
21 method, technique or process other than incineration;

22 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
23 waste management facility storing hazardous waste in a  
24 surface impoundment or pile;

25 (7) \$250 (\$500 beginning in 2004) for a hazardous waste  
26 management facility storing hazardous waste other than in a

1 surface impoundment or pile; and

2 (8) Beginning in 2004, \$500 for a large quantity  
3 hazardous waste generator required to submit an annual or  
4 biennial report for hazardous waste generation.

5 (c) Where two or more operational units are located within  
6 a single hazardous waste disposal site, the Agency shall  
7 collect from the owner or operator of such site an annual fee  
8 equal to the highest fee imposed by subsection (b) of this  
9 Section upon any single operational unit within the site.

10 (d) The fee imposed upon a hazardous waste disposal site  
11 under this Section shall be the exclusive permit and inspection  
12 fee applicable to hazardous waste disposal at such site,  
13 provided that nothing in this Section shall be construed to  
14 diminish or otherwise affect any fee imposed upon the owner or  
15 operator of a hazardous waste disposal site by Section 22.2.

16 (e) The Agency shall establish procedures, no later than  
17 December 1, 1984, relating to the collection of the hazardous  
18 waste disposal site fees authorized by this Section. Such  
19 procedures shall include, but not be limited to the time and  
20 manner of payment of fees to the Agency, which shall be  
21 quarterly, payable at the beginning of each quarter for  
22 hazardous waste disposal site fees. Annual fees required under  
23 paragraph (7) of subsection (b) of this Section shall accompany  
24 the annual report required by Board regulations for the  
25 calendar year for which the report applies.

26 (f) For purposes of this Section, a hazardous waste

1 disposal site consists of one or more of the following  
2 operational units:

3 (1) a landfill receiving hazardous waste for disposal;

4 (2) a waste pile or surface impoundment, receiving  
5 hazardous waste, in which residues which exhibit any of the  
6 characteristics of hazardous waste pursuant to Board  
7 regulations are reasonably expected to remain after  
8 closure;

9 (3) a land treatment facility receiving hazardous  
10 waste; or

11 (4) a well injecting hazardous waste.

12 (g) The Agency shall assess a fee for each manifest  
13 provided by the Agency. For manifests provided on or after  
14 January 1, 1989 but before July 1, 2003, the fee shall be \$1  
15 per manifest. For manifests provided on or after July 1, 2003,  
16 the fee shall be \$3 per manifest.

17 (Source: P.A. 98-78, eff. 7-15-13; 98-692, eff. 7-1-14; 98-822,  
18 eff. 8-1-14.)

19 (415 ILCS 5/22.59 new)

20 Sec. 22.59. Sanitary landfill operator certification.

21 (a) Until October 1, 2018, no person shall cause or allow  
22 the operation of a sanitary landfill that is required to be  
23 permitted under this Act unless the landfill has on its  
24 operational staff either:

25 (1) an individual who holds a manager of landfill

1       operations certificate from the Solid Waste Association of  
2       North America or a similar certificate accepted under  
3       another state's landfill operator certification program;  
4       or

5           (2) an individual who, on the day before the effective  
6       date of this amendatory Act of the 99th General Assembly,  
7       held a Class "A" Solid Waste Site Operator Certificate  
8       issued by the Agency under the Solid Waste Operator  
9       Certification Law and, if the landfill accepts special  
10       waste, a special waste endorsement issued by the Agency  
11       under the Solid Waste Operator Certification Law.

12       (b) Beginning October 1, 2018, no person shall cause or  
13       allow the operation of a sanitary landfill required to be  
14       permitted under this Act unless the landfill has on its  
15       operational staff an individual who holds a manager of landfill  
16       operations certificate from the Solid Waste Association of  
17       North America or a similar certificate accepted under another  
18       state's landfill operator certification program.

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