

SB1434



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1434

Introduced 2/20/2015, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

415 ILCS 20/2

from Ch. 111 1/2, par. 7052

415 ILCS 20/4.1 new

Amends the Illinois Solid Waste Management Act. Provides that, on or before December 1, 2016, the Illinois Sustainable Technology Center of the Prairie Research Institute at the University of Illinois shall publish a Statewide resource management plan, and shall update the plan every 5 years. Provides that the Statewide resource management plan shall include specified information. Makes a change to the preferred solid waste management activities in a provision concerning public policy.

LRB099 08970 MGM 29144 b

A BILL FOR

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 Illinois Solid Waste Management Act is
5 amended by changing Section 2 and by adding Section 4.1 as
6 follows:

7 (415 ILCS 20/2) (from Ch. 111 1/2, par. 7052)

8 Sec. 2. Public Policy. (a) The General Assembly finds:

9 (1) that current solid waste disposal practices are not
10 adequate to address the needs of many metropolitan areas in
11 Illinois;

12 (2) that the generation of solid waste is increasing while
13 landfill capacity is decreasing;

14 (3) that siting of new landfills, transfer stations,
15 incinerators, recycling facilities, or other solid waste
16 management facilities and the expansion of existing facilities
17 is very difficult due to the public concern and competition
18 with other land uses for suitable sites;

19 (4) that more effective and efficient management of solid
20 waste is needed in a manner that promotes economic development,
21 protects the environment and public health and safety, and
22 allows the most practical and beneficial use of the material
23 and energy values of solid waste;

1 (5) that state government policy and programs should be
2 developed to assist local governments and private industry in
3 seeking solutions to solid waste management problems;

4 (6) that the purchase of products or supplies made from
5 recycled materials by public agencies in the State will divert
6 significant quantities of waste from landfills, reduce
7 disposal costs and stimulate recycling markets, thereby
8 encouraging the further use of recycled materials and educating
9 the public about the utility and availability of such
10 materials;

11 (7) that there are wastes for which combustion would not
12 provide practical energy recovery or practical volume
13 reduction, which cannot be reasonably recycled or reused and
14 which have reduced environmental threat because they are
15 non-putrescible, homogeneous and do not contain free liquids.
16 Such wastes bear a real and substantial difference under the
17 purposes of the Illinois Solid Waste Management Act from solid
18 wastes for which combustion would provide practical energy
19 recovery or practical volume reduction, which can be reasonably
20 recycled or reused, or which are putrescible, non-homogeneous
21 or contain free liquids;

22 (8) since it is the policy of the State as set forth in the
23 Environmental Protection Act to assure that contaminants
24 discharged into the atmosphere or waters of the State are given
25 the degree of treatment or control necessary to prevent
26 pollution, that wastes generated as a result of removing

1 contaminants from the air, water or land bear a real and
2 substantial difference from other wastes in that the generation
3 of wastes containing pollution treatment residuals can improve
4 the environment in Illinois and should be encouraged;

5 (9) since it is the policy of the State as set forth in the
6 Environmental Protection Act to promote conservation of
7 natural resources and minimize environmental damage by
8 encouraging and effecting recycling and reuse of waste
9 materials, that wastes from recycling, reclamation or reuse
10 processes designed to remove contaminants so as to render such
11 wastes reusable or wastes received at a landfill and recycled
12 through an Agency permitted process bear a real and substantial
13 difference from wastes not resulting from or subject to such
14 recycling, reclamation, or reuse and that encouraging such
15 recycling, reclamation or reuse furthers the purposes of the
16 Illinois Solid Waste Management Act;

17 (10) that there are over 300 landfills in Illinois which
18 are permitted to accept only demolition or construction debris
19 or landscape waste, the vast majority of which accept less than
20 10,000 cubic yards per year. By themselves these wastes pose
21 only a minimal hazard to the environment when landfilled in
22 compliance with regulatory requirements in an Agency-permitted
23 site without commingling with other wastes and, as such,
24 landfills receiving only such wastes bear a real and
25 substantial difference from landfills receiving wastes which
26 are commingled. Disposal of these wastes in landfills permitted

1 for municipal wastes uses up increasingly scarce capacity for
2 garbage, general household and commercial waste. It is the
3 policy of the State to encourage disposal of these wastes in
4 separate landfills.

5 (b) It is the purpose of this Act to reduce reliance on
6 land disposal of solid waste, to encourage and promote
7 alternative means of managing solid waste, and to assist local
8 governments with solid waste planning and management. In the
9 interest of the public health, safety, and welfare, in order to
10 conserve energy and natural resources, and to maintain and
11 enhance job creation, and after consideration of the technical
12 and economic feasibility, it is the policy of the State of
13 Illinois to establish a comprehensive Statewide program for
14 solid waste management which will preserve or enhance the
15 quality of air, water, and land resources in accordance with
16 the following preferred ~~In furtherance of those aims, while~~
17 ~~recognizing that landfills will continue to be necessary, this~~
18 ~~Act establishes the following waste management hierarchy, in~~
19 descending order of preference, as State policy:

- 20 (1) volume reduction at the source;
- 21 (2) ~~recycling and reuse;~~
- 22 (3) recycling; ~~combustion with energy recovery;~~
- 23 (4) composting or biological treatment; ~~combustion for~~
24 ~~volume reduction;~~
- 25 (5) recovering energy; and
- 26 (6) disposal in landfill facilities or other approved

1 disposal methods.

2 (Source: P.A. 85-1440.)

3 (415 ILCS 20/4.1 new)

4 Sec. 4.1. State resources management plan. On or before
5 December 1, 2016, the Illinois Sustainable Technology Center of
6 the Prairie Research Institute at the University of Illinois
7 shall publish a Statewide resource management plan, and shall
8 update the plan every 5 years. The Illinois Sustainable
9 Technology Center may obtain assistance from outside experts to
10 assist in the preparation of the plan. The plan shall be
11 developed with the assistance of a broad-based advisory
12 committee. Funding for the plan shall be taken from the
13 Illinois Solid Waste Management Fund. The plan shall include
14 the following information:

15 (a) An estimate, with 2014 as a base year, of the
16 amount and composition of waste disposed on a Statewide and
17 per capita basis, and development of a database of
18 permitted facilities and non-permitted facilities that
19 must notify the Agency, including landfills, garbage
20 transfer stations, landscape waste transfer stations,
21 composting sites, landscape waste land application sites,
22 construction and demolition debris recycling facilities,
23 and recycling facilities that process recyclables from
24 residential or commercial generators. In addition, an
25 estimate of the overall waste generation rate and how that

1 waste is managed after generation (amount reused,
2 recycled, composted, and disposed) as of 2014. It is
3 expected that the Department of Commerce and Economic
4 Opportunity waste characterization study conducted in 2014
5 will form the basis for this Section of the State plan. The
6 results of the 2014 Department of Commerce and Economic
7 Opportunity study should be compared to the 2009 study to
8 evaluate trends in composition of waste and material being
9 disposed. This comparison should lead to conclusions
10 regarding recommendations for diversion programs. It is
11 also recommended that the 2014 study be used by counties
12 when preparing their 5-year updates to develop or enhance
13 local programs to capture and divert materials identified
14 in the 2014 study.

15 (b) A common methodology for counties to use in
16 determining their annual recycling and composting rate.
17 Included shall be a recommendation that county plans
18 include identification of facilities (at a minimum the name
19 of facility, geographic location, and type of facility)
20 that accept recyclables and organic material for
21 recycling, composting, or digestion from the county, and
22 that this information be used to update and augment the
23 database of facilities developed as part of the State plan.

24 (c) A common methodology for counties to use in
25 determining their annual waste disposal rate. Included
26 shall be a recommendation that county plans include

1 identification of facilities (at a minimum the name of the
2 facility, geographic location, and type of facility) that
3 accept for transfer or final disposal municipal waste from
4 the county, and that this information be used to update and
5 augment the database of facilities developed as part of the
6 State plan.

7 (d) Source reduction, reuse, recycling, and composting
8 programs that are applicable to counties with a population
9 of 200,000 or more. Specific recommendations should be
10 developed for residential programs (single family and
11 multi-family), commercial programs, and construction and
12 demolition debris programs. Each recommendation shall
13 include an estimate of the cost to implement the program,
14 how it will be funded, and an estimated timeframe for
15 implementation.

16 (e) Source reduction, reuse, recycling, and composting
17 programs that are applicable to counties with a population
18 of less than 200,000. Specific recommendations should be
19 developed for residential programs (single and
20 multi-family), commercial programs and construction and
21 demolition debris programs. Each recommendation shall
22 include an estimate of the cost to implement the program,
23 how it will be funded, and an estimated timeframe for the
24 implementation.

25 (f) A template for a 5-year plan update that can be
26 used by counties when submitting their 5-year updates to

1 the Agency.

2 (g) Education and public outreach programs that are
3 applicable to all counties. This should include an overall
4 education campaign strategy for counties (how to define the
5 target audience, what media to use, and how to allocate
6 resources), and development of an updated education
7 toolkit with sample flyers, press releases, radio ads,
8 recycling guidelines for recyclables, composting
9 guidelines for food scrap collection, website banners, and
10 similar materials.

11 (h) An assessment of the Department of Commerce and
12 Economic Opportunity waste characterization study
13 conducted in 2014 to form the basis of setting realistic
14 diversion goals over specified periods of time through
15 implementation of the methods and programs identified in
16 the State plan, where diversion goals will be determined
17 based on: (1) landfill disposal volumes to account for
18 source reduction and reuse, and (2) economically viable
19 commodity markets available to account for recyclable
20 materials.

21 The State goal is to meet diversion rates of 40% by 2020,
22 45% diversion by 2025, and 50% diversion by 2030 in counties
23 with a population over 200,000 (as of 2010 census); 30%, 35%,
24 and 40% respectively in counties with a population of 200,000
25 or less.

26 The State plan shall also detail the specific

1 responsibilities of the counties regarding implementation of
2 the plan, and identify the future role the Agency, the
3 Department of Commerce and Economic Opportunity, and other
4 State agencies have in assisting counties and the State to
5 achieve the goals outlined in the State plan. The State plan
6 should also provide a vision with recommended practices that
7 may include residential curbside programs, voluntary industry
8 initiatives, public/private partnerships, consumer education,
9 product stewardship, and extended producer responsibility,
10 disposal bans, mandatory recycling, zero waste approaches, and
11 State government procurement, from which policy makers may
12 consider what proposed programs may have merit for
13 implementation in Illinois. The evaluation of which programs or
14 practices have merit should be conducted pursuant to paragraph
15 (4) of subsection (c) of Section 4 of the Solid Waste Planning
16 and Recycling Act which requires "an evaluation of the
17 environmental, energy, life cycle cost, and economic
18 advantages and disadvantages" of the proposed programs. In
19 addition, the State plan may include recommendations to
20 Congress, such as product labeling, that will benefit State
21 diversion plans.