



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2914

Introduced 2/18/2016, by Sen. David Koehler

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 18902 MJP 43289 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6 is repealed.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.