



Sen. Susan Garrett

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1 AMENDMENT TO SENATE BILL 178

2 AMENDMENT NO. _____. Amend Senate Bill 178, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Environmental Protection Act is amended by
6 adding Section 22.55 as follows:

7 (415 ILCS 5/22.55 new)

8 Sec. 22.55. Household Waste Drop-off Points.

9 (a) Findings; Purpose and Intent.

10 (1) The General Assembly finds that protection of human
11 health and the environment can be enhanced if certain
12 commonly generated household wastes are managed separately
13 from the general household waste stream.

14 (2) The purpose of this Section is to provide, to the
15 extent allowed under federal law, a method for managing
16 certain types of household waste separately from the

1 general household waste stream.

2 (b) Definitions. For the purposes of this Section:

3 "Controlled substance" means a controlled substance as
4 defined in the Illinois Controlled Substances Act.

5 "Household waste" means waste generated from a single
6 residence or multiple residences.

7 "Household waste drop-off point" means the portion of a
8 site or facility used solely for the receipt and temporary
9 storage of household waste.

10 "One-day household waste collection event" means a
11 household waste drop-off point approved by the Agency under
12 subsection (d) of this Section.

13 "Personal care product" means an item other than a
14 pharmaceutical product that is consumed or applied by an
15 individual for personal health, hygiene, or cosmetic
16 reasons. Personal care products include, but are not
17 limited to, items used in bathing, dressing, or grooming.

18 "Pharmaceutical product" means medicine or a product
19 containing medicine. A pharmaceutical product may be sold
20 by prescription or over the counter. "Pharmaceutical
21 product" does not include (i) medicine that contains a
22 radioactive component or a product that contains a
23 radioactive component or (ii) a controlled substance.

24 (c) Except as otherwise provided in Agency rules, the
25 following requirements apply to each household waste drop-off
26 point other than a one-day household waste collection event:

1 (1) A household waste drop-off point must not accept
2 waste other than the following types of household waste:
3 pharmaceutical products, personal care products, batteries
4 other than lead-acid batteries, paints, automotive fluids,
5 compact fluorescent lightbulbs, mercury thermometers, and
6 mercury thermostats.

7 (2) Except as provided in subdivision (c)(2) of this
8 Section, household waste drop-off points must be located at
9 a site or facility where the types of products accepted at
10 the household waste drop-off point are lawfully sold,
11 distributed, or dispensed. For example, household waste
12 drop-off points that accept prescription pharmaceutical
13 products must be located at a site or facility where
14 prescription pharmaceutical products are sold,
15 distributed, or dispensed.

16 (A) Subdivision (c)(2) of this Section does not
17 apply to household waste drop-off points operated by a
18 government or school entity, or by an association or
19 other organization of government or school entities.

20 (B) Household waste drop-off points that accept
21 mercury thermometers can be located at any site or
22 facility where non-mercury thermometers are sold,
23 distributed, or dispensed.

24 (C) Household waste drop-off points that accept
25 mercury thermostats can be located at any site or
26 facility where non-mercury thermostats are sold,

1 distributed, or dispensed.

2 (3) The location of acceptance for each type of waste
3 accepted at the household waste drop-off point must be
4 clearly identified. Locations where pharmaceutical
5 products are accepted must also include a copy of the sign
6 required under subsection (j) of this Section.

7 (4) Household waste must be accepted only from private
8 individuals. Waste must not be accepted from other persons,
9 including, but not limited to, owners and operators of
10 rented or leased residences where the household waste was
11 generated, commercial haulers, and other commercial,
12 industrial, agricultural, and government operations or
13 entities.

14 (5) If more than one type of household waste is
15 accepted, each type of household waste must be managed
16 separately prior to its packaging for off-site transfer.

17 (6) Household waste must not be stored for longer than
18 90 days after its receipt, except as otherwise approved by
19 the Agency in writing.

20 (7) Household waste must be managed in a manner that
21 protects against releases of the waste, prevents
22 nuisances, and otherwise protects human health and the
23 environment. Household waste must also be properly secured
24 to prevent unauthorized public access to the waste,
25 including, but not limited to, preventing access to the
26 waste during the non-business hours of the site or facility

1 on which the household waste drop-off point is located.
2 Containers in which pharmaceutical products are collected
3 must be clearly marked "No Controlled Substances".

4 (8) Management of the household waste must be limited
5 to the following: (i) acceptance of the waste, (ii)
6 temporary storage of the waste prior to transfer, and (iii)
7 off-site transfer of the waste and packaging for off-site
8 transfer.

9 (9) Off-site transfer of the household waste must
10 comply with federal and State laws and regulations.

11 (d) One-day household waste collection events. To further
12 aid in the collection of certain household wastes, the Agency
13 may approve the operation of one-day household waste collection
14 events. The Agency shall not approve a one-day household waste
15 collection event at the same site or facility for more than one
16 day each calendar quarter. Requests for approval must be
17 submitted on forms prescribed by the Agency. The Agency must
18 issue its approval in writing, and it may impose conditions as
19 necessary to protect human health and the environment and to
20 otherwise accomplish the purposes of this Act. One-day
21 household waste collection events must be operated in
22 accordance with the Agency's approval, including all
23 conditions contained in the approval. The following
24 requirements apply to all one-day household waste collection
25 events, in addition to the conditions contained in the Agency's
26 approval:

1 (1) Waste accepted at the event must be limited to
2 household waste and must not include garbage, landscape
3 waste, controlled substances, or other waste excluded by
4 the Agency in the Agency's approval or any conditions
5 contained in the approval.

6 (2) Household waste must be accepted only from private
7 individuals. Waste must not be accepted from other persons,
8 including, but not limited to, owners and operators of
9 rented or leased residences where the household waste was
10 generated, commercial haulers, and other commercial,
11 industrial, agricultural, and government operations or
12 entities.

13 (3) Household waste must be managed in a manner that
14 protects against releases of the waste, prevents
15 nuisances, and otherwise protects human health and the
16 environment. Household waste must also be properly secured
17 to prevent public access to the waste, including, but not
18 limited to, preventing access to the waste during the
19 event's non-business hours.

20 (4) Management of the household waste must be limited
21 to the following: (i) acceptance of the waste, (ii)
22 temporary storage of the waste before transfer, and (iii)
23 off-site transfer of the waste or packaging for off-site
24 transfer.

25 (5) Except as otherwise approved by the Agency, all
26 household waste received at the collection event must be

1 transferred off-site by the end of the day following the
2 collection event.

3 (6) The transfer and ultimate disposition of household
4 waste received at the collection event must comply with the
5 Agency's approval, including all conditions contained in
6 the approval.

7 (e) The Agency may adopt rules governing the operation of
8 household waste drop-off points other than one-day household
9 waste collection events. Those rules must be designed to
10 protect against releases of waste to the environment, prevent
11 nuisances, and otherwise protect human health and the
12 environment. As necessary to address different circumstances,
13 the regulations may contain different requirements for
14 different types of household waste and different types of
15 household waste drop-off points, and the regulations may modify
16 the requirements set forth in subsection (c) of this Section.
17 The regulations may include, but are not limited to, the
18 following: (i) identification of additional types of household
19 waste that can be collected at household waste drop-off points,
20 (ii) identification of the different types of household wastes
21 that can be received at different household waste drop-off
22 points, (iii) the maximum amounts of each type of household
23 waste that can be stored at household waste drop-off points at
24 any one time, and (iv) the maximum time periods each type of
25 household waste can be stored at household waste drop-off
26 points.

1 (f) Prohibitions.

2 (1) Except as authorized in a permit issued by the
3 Agency, no person shall cause or allow the operation of a
4 household waste drop-off point other than a one-day
5 household waste collection event in violation of this
6 Section or any regulations adopted under this Section.

7 (2) No person shall cause or allow the operation of a
8 one-day household waste collection event in violation of
9 this Section or the Agency's approval issued under
10 subsection (d) of this Section, including all conditions
11 contained in the approval.

12 (g) Permit exemptions.

13 (1) No permit is required under subdivision (d)(1) of
14 Section 21 of this Act for the operation of a household
15 waste drop-off point other than a one-day household waste
16 collection event if the household waste drop-off point is
17 operated in accordance with this Section and all
18 regulations adopted under this Section.

19 (2) No permit is required under subdivision (d)(1) of
20 Section 21 of this Act for the operation of a one-day
21 household waste collection event if the event is operated
22 in accordance with this Section and the Agency's approval
23 issued under subsection (d) of this Section, including all
24 conditions contained in the approval, or for the operation
25 of a household waste collection event by the Agency.

26 (h) This Section does not apply to the following:

1 (1) Persons accepting household waste that they are
2 authorized to accept under a permit issued by the Agency.

3 (2) Sites or facilities operated pursuant to an
4 intergovernmental agreement entered into with the Agency
5 under Section 22.16b(d) of this Act.

6 (i) The Agency, in consultation with the Department of
7 Public Health, must develop and implement a public information
8 program regarding household waste drop-off points that accept
9 pharmaceutical products.

10 (j) The Agency must develop a sign that provides
11 information on the proper disposal of unused pharmaceutical
12 products. The Agency shall make a copy of the sign available
13 for downloading from its website.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".