

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 Environmental Protection Act is amended by
5 changing Section 17.8 as follows:

6 (415 ILCS 5/17.8)

7 Sec. 17.8. Environmental laboratory certification
8 assessment.

9 (a) The Agency shall collect an annual administrative
10 assessment from each laboratory requesting certification for
11 meeting the minimum standards established under the authority
12 of subsection (n) of Section 4. The Agency also shall collect
13 an annual certification assessment for each certification
14 requested, as listed below. Until the Agency establishes ~~and~~
15 ~~the Environmental Laboratory Certification Committee establish~~
16 administrative and certification assessment schedules in
17 accordance with the procedures of subsections (c) and (d-5) of
18 this Section, the following assessment schedules shall remain
19 in effect:

20 (1) For certification to conduct public water supply
21 analyses:

22 (A) \$1,000 per year for inorganic parameters; and

23 (B) \$1,000 per year for organic parameters.

1 (2) For certification to conduct water pollution
2 analyses:

3 (A) \$1,000 per year for inorganic parameters; and

4 (B) \$1,000 per year for organic parameters.

5 (3) For certification to conduct analyses of solid or
6 liquid samples for hazardous or other waste parameters:

7 (A) \$1,000 per year for inorganic parameters; and

8 (B) \$1,000 per year for organic parameters.

9 (4) An administrative assessment of \$2,400 per year
10 from each laboratory requesting certification, provided
11 that the administrative assessment shall be \$3,900 if the
12 laboratory was not certified at any time during the 6
13 months immediately preceding its application for
14 certification.

15 (b) Until the Agency establishes ~~and the Environmental~~
16 ~~Laboratory Certification Committee establish~~ administrative
17 and certification assessment schedules in accordance with the
18 procedures of subsections (c) and (d-5) of this Section, the
19 following payment schedules shall remain in effect. The
20 administrative and certification assessments shall be paid at
21 the time the laboratory submits an application for
22 certification or renewal of certification. Assessments paid
23 under this Section may not be refunded.

24 (c) The Agency may establish procedures relating to the
25 certification of laboratories, analyses of samples,
26 development of alternative assessment schedules, assessment

1 schedule dispute resolution, and collection of assessments. No
2 assessment for the certification of environmental laboratories
3 shall be due under this Section from any department, agency,
4 or unit of State government. No assessments shall be due from
5 any municipal government for certification to conduct public
6 water supply analyses. The Agency's cost for certification of
7 laboratories that are exempt from the assessment shall be
8 excluded from the calculation of the alternative assessment
9 schedules.

10 (d) All moneys collected by the Agency under this Section
11 shall be deposited into the Environmental Laboratory
12 Certification Fund, a special fund hereby created in the State
13 treasury. Subject to appropriation, the Agency shall use the
14 moneys in the Fund to pay expenses incurred in the
15 administration of laboratory certification duties. All
16 interest or other income earned from the investment of the
17 moneys in the Fund shall be deposited into the Fund.

18 (d-5) The Agency, ~~with the concurrence with the~~
19 ~~Environmental Laboratory Certification Committee,~~ shall
20 determine the assessment schedules for participation in the
21 environmental laboratory certification program. The Agency, ~~with~~
22 ~~with the concurrence of the Committee,~~ shall base the
23 assessment schedules upon actual and anticipated costs for
24 certification under State and federal programs and the
25 associated costs of the Agency ~~and Committee. If the Committee~~
26 ~~concurs with the Agency's assessment schedule determination,~~

1 ~~it shall thereupon take effect.~~

2 ~~(c) The Director shall establish an Environmental~~
3 ~~Laboratory Certification Committee consisting of (i) one~~
4 ~~person representing accredited county or municipal public~~
5 ~~water supply laboratories, (ii) one person representing the~~
6 ~~Metropolitan Water Reclamation District of Greater Chicago,~~
7 ~~(iii) one person representing accredited sanitary district or~~
8 ~~waste water treatment plant laboratories, (iv) 3 persons~~
9 ~~representing accredited environmental commercial laboratories~~
10 ~~duly incorporated in the State of Illinois and employing 20 or~~
11 ~~more people, (v) 2 persons representing accredited~~
12 ~~environmental commercial laboratories duly incorporated in the~~
13 ~~State of Illinois employing less than 20 people, and (vi) one~~
14 ~~person representing the Illinois Association of Environmental~~
15 ~~Laboratories, all appointed by the Director. If no accredited~~
16 ~~laboratories are available to fill one of the categories under~~
17 ~~item (iv) or (v) then any laboratory that has applied for~~
18 ~~accreditation may be eligible to fill that position. Beginning~~
19 ~~in 2002, the Director shall appoint 3 members of the Committee~~
20 ~~for a one year term, 3 members of the Committee for 2-year~~
21 ~~terms, and 3 members of the Committee for 3-year terms.~~
22 ~~Thereafter, all terms shall be for 3 years, provided that all~~
23 ~~appointments made on or before December 31, 2012 shall end on~~
24 ~~December 31, 2012. Beginning on January 1, 2013, the Director~~
25 ~~shall appoint all members of the Committee for 6-year terms.~~
26 ~~In the case of a vacancy, the Director may appoint a successor~~

1 ~~to fill the remaining term of the vacancy. Members of the~~
2 ~~Committee shall serve until a successor is appointed by the~~
3 ~~Director. No member of the Committee shall serve more than 6~~
4 ~~consecutive years. The Committee shall select from its members~~
5 ~~a Chairperson and any other officers that it deems necessary.~~
6 ~~The Committee shall meet at the call of the Chairperson or the~~
7 ~~Director. The Agency shall provide the Committee with any~~
8 ~~supporting services that the Director and the Chairperson may~~
9 ~~designate. Members of the Committee shall be reimbursed for~~
10 ~~ordinary and necessary expenses incurred in the performance of~~
11 ~~their duties. The Committee shall have the following duties:~~

12 ~~(1) To consider any alternative assessment schedules~~
13 ~~submitted by the Agency pursuant to subsection (c) of this~~
14 ~~Section;~~

15 ~~(2) To review and evaluate the financial implications~~
16 ~~of current and future State and federal requirements for~~
17 ~~certification of environmental laboratories;~~

18 ~~(3) To review and evaluate management and financial~~
19 ~~audit reports relating to the certification program and to~~
20 ~~make recommendations regarding the Agency's efforts to~~
21 ~~implement alternative assessment schedules;~~

22 ~~(4) To consider appropriate means for long term~~
23 ~~financial support of the laboratory certification program~~
24 ~~and to make recommendations to the Agency regarding a~~
25 ~~preferred approach;~~

26 ~~(5) To provide technical review and evaluation of the~~

1 ~~laboratory certification program;~~

2 ~~(6) To hold meetings at times and places designated by~~
3 ~~the Director or the Chairperson of the Committee; and~~

4 ~~(7) To conduct any other activities as may be deemed~~
5 ~~appropriate by the Director.~~

6 (Source: P.A. 97-1081, eff. 8-24-12.)