

HB3068



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3068

by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

415 ILCS 20/2

from Ch. 111 1/2, par. 7052

415 ILCS 20/4.5 new

Amends the Illinois Solid Waste Management Act. Provides that it is the policy of the State to establish a comprehensive statewide program for solid waste management which will preserve or enhance the quality of air, water, and land resources. Modifies the State preferences for solid waste management. Provides that the Illinois Sustainable Technology Center of the Prairie Research Institute at the University of Illinois shall publish, on or before December 1, 2020, a statewide Illinois Resource Management Plan and shall update the plan every 5 years. Includes State and local requirements for the Plan.

LRB101 10128 CPF 55231 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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 4.5 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/or
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 the
16 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) compost or biological treatment ~~combustion for volume~~
24 ~~reduction; and~~ and
- 25 (5) disposal in landfill facilities or other approved
26 disposal method.

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

2 (415 ILCS 20/4.5 new)

3 Sec. 4.5. State Resource Management Plan. The Illinois
4 Sustainable Technology Center of the Prairie Research
5 Institute at the University of Illinois shall publish, on or
6 before December 1, 2020, a statewide Illinois Resource
7 Management Plan and shall update the Plan every 5 years. The
8 Illinois Sustainable Technology Center may obtain assistance
9 from outside experts to assist in the preparation of the Plan.
10 The Plan shall be developed with the assistance of a broad
11 based advisory committee. Funding for the Plan shall be taken
12 from the Solid Waste Management Fund. The Plan shall include
13 the following information:

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

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

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

22 (3) A common methodology for counties to use in
23 determining their annual waste disposal rate. Included
24 will be a recommendation that county plans include
25 identification of facilities (at a minimum, the name of the
26 facility, geographic location, and type of facility) that

1 accept for transfer or final disposal municipal waste from
2 the county, and that this information be used to update and
3 augment the database of facilities developed as part of the
4 Plan.

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

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

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

1 the Illinois Environmental Protection Agency.

2 (7) Education and public outreach programs that are
3 applicable to all counties. This should include, but is not
4 limited to, an overall education campaign strategy for
5 counties (how to define the target audience, what media to
6 use, and how to allocate resources), and development of an
7 updated education toolkit with sample flyers, press
8 releases, radio ads, recycling guidelines for recyclables,
9 composting guidelines for food scrap collection, and
10 website banners.

11 (8) An assessment of the Department's waste
12 characterization study conducted in 2014 to form the basis
13 of setting realistic diversion goals over specified
14 periods of time through implementation of the methods and
15 programs identified in the Plan where diversion goals will
16 be determined based on: (a) landfill disposal volumes to
17 account for source reduction and reuse; and (b)
18 economically viable commodity markets available to account
19 for recyclable materials.

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

26 (10) The Plan should also detail the specific

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