



Sen. Melinda Bush

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10200SB3626sam002

LRB102 22745 AMQ 35855 a

1 AMENDMENT TO SENATE BILL 3626

2 AMENDMENT NO. _____. Amend Senate Bill 3626 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Solid Waste Site Operator Certification
5 Law is amended by changing Sections 1005, 1007, 1009, 1010,
6 1011 and 1012 as follows:

7 (225 ILCS 230/1005) (from Ch. 111, par. 7855)

8 Sec. 1005. Agency authority. The Agency is authorized to
9 exercise the following functions, powers and duties with
10 respect to solid waste site operator certification:

11 (a) To conduct examinations, and to approve the use of
12 examinations conducted by third parties, to ascertain the
13 qualifications of applicants for certificates of
14 competency as solid waste site operators;

15 (b) To conduct courses of training on the practical
16 aspects of the design, operation and maintenance of

1 sanitary landfills;

2 (c) To issue a certificate to any applicant who has
3 satisfactorily met all the requirements pertaining to a
4 certificate of competency as a solid waste site operator;

5 (d) To suspend, revoke or refuse to issue any
6 certificate for any one or any combination of the
7 following causes:

8 (1) The practice of any fraud or deceit in
9 obtaining or attempting to obtain a certificate of
10 competency;

11 (2) Negligence or misconduct in the operation of a
12 sanitary landfill;

13 (3) Repeated failure to comply with any of the
14 requirements applicable to the operation of a sanitary
15 landfill, except for Board requirements applicable to
16 the collection of litter;

17 (4) Repeated violations of federal, State or local
18 laws, regulations, standards, or ordinances regarding
19 the operation of refuse disposal facilities or sites;

20 (5) For a holder of a certificate, conviction in
21 this or another State of any crime which is a felony
22 under the laws of this State or conviction of a felony
23 in a federal court; for an applicant, consideration of
24 such conviction shall be in accordance with Section
25 1005-1;

26 (6) Proof of gross carelessness or incompetence in

1 handling, storing, processing, transporting, or
2 disposing of any hazardous waste; or

3 (7) Being declared to be a person under a legal
4 disability by a court of competent jurisdiction and
5 not thereafter having been lawfully declared to be a
6 person not under legal disability or to have
7 recovered.

8 (e) To adopt rules necessary to perform its functions,
9 powers, and duties with respect to solid waste site
10 operator certifications.

11 (Source: P.A. 100-286, eff. 1-1-18.)

12 (225 ILCS 230/1007) (from Ch. 111, par. 7857)

13 Sec. 1007. Qualifications. Every solid waste site operator
14 certified by the Agency shall be capable of performing his
15 duties without endangering the public health or the
16 environment and without violating the requirements applicable
17 to operation of sanitary landfills; shall be able to read and
18 write English; shall produce evidence acceptable to the Agency
19 as to his ability to maintain and operate properly the
20 structures and equipment entrusted to his care; and shall
21 satisfactorily demonstrate to the Agency a practical working
22 knowledge of the design, operation, and maintenance of
23 sanitary landfills, ~~appropriate to the classification for~~
24 ~~which certification is sought. In addition, persons shall be~~
25 ~~certified as Class "A" or Class "B" based on level of~~

1 ~~competency determined by examination and in accordance with~~
2 including demonstrating having achieved the educational and
3 experience levels as follows:

4 ~~(a) Class "A" Certificates.~~

5 ~~(1) Graduation from high school or equivalent and not~~
6 ~~less than 2 years of acceptable study, training, and~~
7 ~~responsible experience in sanitary landfill operation or~~
8 ~~management, or not less than 7 years of acceptable study~~
9 ~~training and responsible experience in operation or~~
10 ~~management of earth moving equipment; or~~

11 ~~(2) Grammar school completion or equivalent and not~~
12 ~~less than 15 years of acceptable study, training, and~~
13 ~~responsible experience in sanitary landfill operation or~~
14 ~~management.~~

15 ~~(b) Class "B" Certificates.~~

16 (1) Graduation from high school or equivalent and not
17 less than 6 months of acceptable study, training, and
18 responsible experience in sanitary landfill operation or
19 management, or not less than 3 years of acceptable study
20 training and responsible experience in operation or
21 management of earth moving equipment; or

22 (2) Grammar school completion or equivalent and not
23 less than 5 years of acceptable study, training, and
24 responsible experience in sanitary landfill operation or
25 management.

26 (Source: P.A. 86-1363.)

1 (225 ILCS 230/1009) (from Ch. 111, par. 7859)

2 Sec. 1009. Examinations.

3 (a) Applicants shall undergo examinations ~~Examinations~~
4 provided or approved by the Agency ~~shall be given to~~
5 ~~applicants~~ for the purpose of determining if the applicants
6 can demonstrate a practical working knowledge of the design,
7 operation, and maintenance of sanitary landfills ~~appropriate~~
8 ~~to the classification for which certification is sought~~. No
9 certificate shall be issued prior to successful completion of
10 the applicable examination.

11 (b) Examinations ~~shall be~~ conducted or approved by the
12 Agency, ~~and~~ shall be held not less frequently than annually.
13 The Agency shall maintain on its website information regarding
14 the examinations, ~~at times and places prescribed by the~~
15 ~~Agency, of which applicants shall be notified in writing.~~

16 (Source: P.A. 86-1363.)

17 (225 ILCS 230/1010) (from Ch. 111, par. 7860)

18 Sec. 1010. Certificates.

19 (a) The Solid Waste Site Operator Certificate shall
20 certify the competency of the applicant ~~within the class of~~
21 ~~the certificate issued,~~ and shall show the full name of the
22 applicant, have an identifying number, and be signed by the
23 Director.

24 (b) Certificates shall be issued for a period of 3 years,

1 with the expiration date being 3 years from the first day of
2 October of the calendar year in which the certificate is
3 issued.

4 (c) Every 3 years, on or before the October 1 expiration, a
5 certified solid waste site operator shall renew his
6 certificate of competency and pay the required renewal fee. A
7 grace period for renewal will be granted until November 1 of
8 that year before the reinstatement penalty is assessed.

9 (d) At the time of certificate renewal, the applicant
10 shall certify the completion of 30 hours of continuing
11 education covering the operation of landfills during the
12 preceding 3 years ~~demonstrate competency in the same manner as~~
13 ~~a new applicant.~~

14 (Source: P.A. 86-1363.)

15 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

16 Sec. 1011. Fees.

17 (a) Fees for the issuance or renewal of a Solid Waste Site
18 Operator Certificate shall be as follows:

19 (1) (A) \$400 for issuance or renewal for Class A Solid
20 Waste Site Operators; (B) \$200 for issuance or renewal for
21 Class B Solid Waste Site Operators; and (C) \$100 for
22 issuance or renewal for special waste endorsements.

23 (2) If the fee for renewal is not paid within the grace
24 period the above fees for renewal shall each be increased by \$
25 50.

1 ~~(b) Before the effective date of this amendatory Act of~~
2 ~~the 98th General Assembly, all fees collected by the Agency~~
3 ~~under this Section shall be deposited into the Hazardous Waste~~
4 ~~Occupational Licensing Fund. The Agency is authorized to use~~
5 ~~monies in the Hazardous Waste Occupational Licensing Fund to~~
6 ~~perform its functions, powers, and duties under this Section.~~

7 (b) All ~~On and after the effective date of this amendatory~~
8 ~~Act of the 98th General Assembly, all fees collected by the~~
9 Agency under this Section shall be deposited into the
10 Environmental Protection Permit and Inspection Fund to be used
11 in accordance with the provisions of subsection (a) of Section
12 22.8 of the Environmental Protection Act.

13 (Source: P.A. 98-692, eff. 7-1-14; 98-822, eff. 8-1-14.)

14 (225 ILCS 230/1012) (from Ch. 111, par. 7862)

15 Sec. 1012. Administrative review.

16 (a) Before suspending, revoking, or refusing to issue a
17 certificate ~~or endorsement~~ issued under this Act, the Agency
18 shall provide the certificate holder or applicant an
19 opportunity for hearing.

20 (b)(1) All final administrative decisions of the Agency
21 hereunder shall be subject to judicial review pursuant to
22 the provisions of the Administrative Review Law and the
23 rules adopted pursuant thereto. The term "administrative
24 decision" is defined as in Section 3-101 of the Code of
25 Civil Procedure.

1 (2) Such proceedings for judicial review shall be
2 commenced in the circuit court for Sangamon County. The
3 venue shall be in Sangamon County.

4 (3) The Agency shall not be required to certify any
5 record to the court or file any answer in court or
6 otherwise appear in any court in a judicial review
7 proceeding, unless there is filed in the court with the
8 complaint a receipt from the Agency acknowledging payment
9 of the costs of furnishing and certifying the record which
10 costs shall be computed at the rate of 20 cents per page of
11 such record. Exhibits shall be certified without cost.
12 Failure on the part of the Plaintiff to file such receipt
13 in court shall be grounds for dismissal of actions.

14 (Source: P.A. 86-1363.)".