

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 12 and by adding Sections 12.7 and 14.8 as  
6 follows:

7 (415 ILCS 5/12) (from Ch. 111 1/2, par. 1012)

8 Sec. 12. Actions prohibited. No person shall:

9 (a) Cause or threaten or allow the discharge of any  
10 contaminants into the environment in any State so as to cause  
11 or tend to cause water pollution in Illinois, either alone or  
12 in combination with matter from other sources, or so as to  
13 violate regulations or standards adopted by the Pollution  
14 Control Board under this Act. Notwithstanding any provision of  
15 law to the contrary, compliance with the terms and conditions  
16 of a permit issued under Section 39(b) of the Act for a permit  
17 that authorizes reuse of wastewater for irrigation shall be  
18 deemed compliance with this subsection.

19 (b) Construct, install, or operate any equipment,  
20 facility, vessel, or aircraft capable of causing or  
21 contributing to water pollution, or designed to prevent water  
22 pollution, of any type designated by Board regulations,  
23 without a permit granted by the Agency, or in violation of any

1 conditions imposed by such permit.

2 (c) Increase the quantity or strength of any discharge of  
3 contaminants into the waters, or construct or install any  
4 sewer or sewage treatment facility or any new outlet for  
5 contaminants into the waters of this State, without a permit  
6 granted by the Agency.

7 (d) Deposit any contaminants upon the land in such place  
8 and manner so as to create a water pollution hazard.

9 (e) Sell, offer, or use any article in any area in which  
10 the Board has by regulation forbidden its sale, offer, or use  
11 for reasons of water pollution control.

12 (f) Cause, threaten or allow the discharge of any  
13 contaminant into the waters of the State, as defined herein,  
14 including but not limited to, waters to any sewage works, or  
15 into any well or from any point source within the State,  
16 without an NPDES permit for point source discharges issued by  
17 the Agency under Section 39(b) of this Act, or in violation of  
18 any term or condition imposed by such permit, or in violation  
19 of any NPDES permit filing requirement established under  
20 Section 39(b), or in violation of any regulations adopted by  
21 the Board or of any order adopted by the Board with respect to  
22 the NPDES program.

23 No permit shall be required under this subsection and  
24 under Section 39(b) of this Act for any discharge for which a  
25 permit is not required under the Federal Water Pollution  
26 Control Act, as now or hereafter amended, and regulations

1 pursuant thereto.

2 For all purposes of this Act, a permit issued by the  
3 Administrator of the United States Environmental Protection  
4 Agency under Section 402 of the Federal Water Pollution  
5 Control Act, as now or hereafter amended, shall be deemed to be  
6 a permit issued by the Agency pursuant to Section 39(b) of this  
7 Act. However, this shall not apply to the exclusion from the  
8 requirement of an operating permit provided under Section  
9 13(b) (i) .

10 Compliance with the terms and conditions of any permit  
11 issued under Section 39(b) of this Act shall be deemed  
12 compliance with this subsection except that it shall not be  
13 deemed compliance with any standard or effluent limitation  
14 imposed for a toxic pollutant injurious to human health.

15 In any case where a permit has been timely applied for  
16 pursuant to Section 39(b) of this Act but final administrative  
17 disposition of such application has not been made, it shall  
18 not be a violation of this subsection to discharge without  
19 such permit unless the complainant proves that final  
20 administrative disposition has not been made because of the  
21 failure of the applicant to furnish information reasonably  
22 required or requested in order to process the application.

23 (g) Cause, threaten or allow the underground injection of  
24 contaminants without a UIC permit issued by the Agency under  
25 Section 39(d) of this Act, or in violation of any term or  
26 condition imposed by such permit, or in violation of any

1 regulations or standards adopted by the Board or of any order  
2 adopted by the Board with respect to the UIC program.

3 No permit shall be required under this subsection and  
4 under Section 39(d) of this Act for any underground injection  
5 of contaminants for which a permit is not required under Part C  
6 of the Safe Drinking Water Act (P.L. 93-523), as amended,  
7 unless a permit is authorized or required under regulations  
8 adopted by the Board pursuant to Section 13 of this Act.

9 (h) Introduce contaminants into a sewage works from any  
10 nondomestic source except in compliance with the regulations  
11 and standards adopted by the Board under this Act.

12 (i) Beginning January 1, 2013 or 6 months after the date of  
13 issuance of a general NPDES permit for surface discharging  
14 private sewage disposal systems by the Illinois Environmental  
15 Protection Agency or by the United States Environmental  
16 Protection Agency, whichever is later, construct or install a  
17 surface discharging private sewage disposal system that  
18 discharges into the waters of the United States, as that term  
19 is used in the Federal Water Pollution Control Act, unless he  
20 or she has a coverage letter under a NPDES permit issued by the  
21 Illinois Environmental Protection Agency or by the United  
22 States Environmental Protection Agency or he or she is  
23 constructing or installing the surface discharging private  
24 sewage disposal system in a jurisdiction in which the local  
25 public health department has a general NPDES permit issued by  
26 the Illinois Environmental Protection Agency or by the United

1 States Environmental Protection Agency and the surface  
2 discharging private sewage disposal system is covered under  
3 the general NPDES permit.

4 (Source: P.A. 96-801, eff. 1-1-10; 97-1081, eff. 8-24-12.)

5 (415 ILCS 5/12.7 new)

6 Sec. 12.7. Wastewater reuse. Notwithstanding any other  
7 provision of law, the use of treated municipal wastewater from  
8 a publicly owned treatment works is authorized for irrigation  
9 when conducted in accordance with a permit issued under  
10 Section 39(b) of the Act.

11 (415 ILCS 5/14.8 new)

12 Sec. 14.8. Recycled sewage treatment plant effluent reuse.  
13 The Agency may propose and the Board shall adopt:

14 (1) amendments to the Board's primary drinking water  
15 standards that will repeal the prohibition on the use of  
16 recycled sewage treatment plant effluent set forth in  
17 subsection (c) of 35 Ill. Adm. Code 611.231 and that will  
18 make any other revisions to those rules that are necessary  
19 to facilitate water reuse in the State; and

20 (2) rules establishing programs for direct potable  
21 reuse of treated wastewater, including rules establishing  
22 permitting standards and a permit application process.