



Sen. Linda Holmes

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10300HB3086sam002

LRB103 27395 AWJ 61824 a

1 AMENDMENT TO HOUSE BILL 3086

2 AMENDMENT NO. _____. Amend House Bill 3086 on page 1,
3 line 5, by replacing "and 13.3" with "13.3, and 19"; and

4 on page 17, immediately below line 1, by inserting the
5 following:

6 "(415 ILCS 60/19) (from Ch. 5, par. 819)

7 Sec. 19. Interagency Committee on Pesticides. The Director
8 is authorized to create an interagency committee on
9 pesticides. Its purpose is to study and advise on the use of
10 pesticides on State property. Also, its purpose is to advise
11 any State agency in connection with quarantine programs or the
12 protection of the public health and welfare, and to recommend
13 needed legislation concerning pesticides.

14 1. An interagency committee on pesticides shall consist
15 of: (1) the Director of the Department of Agriculture, (2) the
16 Director of Natural Resources, (3) the Director of the

1 Environmental Protection Agency, (4) the Director of the
2 Department of Public Health, (5) the Secretary of the
3 Department of Transportation, (6) the President of the
4 University of Illinois or his or her designee representing the
5 State Natural History Survey and (7) the Dean of the College of
6 Agriculture, University of Illinois. Each member of the
7 committee may designate some person in his department to serve
8 on the committee in his stead. Other State agencies may, at the
9 discretion of the Director, be asked to serve on the
10 interagency committee on pesticides. The Director of the
11 Department of Agriculture shall be chairman of this committee.

12 2. The interagency committee shall: (1) Review the current
13 status of the sales and use of pesticides within the State of
14 Illinois. (2) Review pesticide programs to be sponsored or
15 directed by a governmental agency. (3) Consider the problems
16 arising from pesticide use with particular emphasis on the
17 possible adverse effects on human health, livestock, crops,
18 fish, and wildlife, business, industry, agriculture, or the
19 general public. (4) Recommend legislation to the Governor, if
20 appropriate, which will prohibit the irresponsible use of
21 pesticides. (5) Review rules and regulations pertaining to the
22 regulation or prohibition of the sale, use or application of
23 pesticides and labeling of pesticides for approval prior to
24 promulgation and adoption. (6) Contact various experts and lay
25 groups, such as the Illinois Pesticide Control Committee, to
26 obtain their views and cooperation. (7) Advise on and approve

1 of all programs involving the use of pesticides on State owned
2 property, state controlled property, or administered by State
3 agencies. (8) Examine, with the assistance of the Department
4 of Agriculture, the possibility of using continuing education
5 courses to satisfy pesticide applicator competency
6 requirements required for existing licensees. This shall not
7 be construed to include research programs, or the generally
8 accepted and approved practices essential to good farm and
9 institutional management on the premises of the various State
10 facilities.

11 3. Members of this committee shall receive no compensation
12 for their services as members of this committee other than
13 that provided by law for their respective positions with the
14 State of Illinois. All necessary expenses for travel of the
15 committee members shall be paid out of regular appropriations
16 of their respective agencies.

17 4. The committee shall meet at least once each quarter of
18 the calendar year, and may hold additional meetings upon the
19 call of the chairman. Four members shall constitute a quorum.

20 5. The committee shall make a detailed report of its
21 findings and recommendations to the Governor of Illinois prior
22 to each General Assembly Session.

23 6. The Interagency Committee on Pesticides shall, at a
24 minimum, annually, during the spring, conduct a statewide
25 public education campaign and agriculture chemical safety
26 campaign to inform the public about pesticide products, uses

1 and safe disposal techniques. A toll-free hot line number
2 shall be made available for the public to report misuse cases.

3 The Committee shall include in its educational program
4 information and advice about the effects of various pesticides
5 and application techniques upon the groundwater and drinking
6 water of the State.

7 7. The Interagency Committee on Pesticides shall conduct a
8 special study of the effects of chemigation and other
9 agricultural applications of pesticides upon the groundwater
10 of this State. The results of such study shall be reported to
11 the General Assembly by March 1, 1989. The members of the
12 Committee may utilize the technical and clerical resources of
13 their respective departments and agencies as necessary or
14 useful in the conduct of the study.

15 8. In consultation with the Interagency Committee, the
16 Department shall develop, and the Interagency Committee shall
17 approve, procedures, methods, and guidelines for addressing
18 agrichemical pesticide contamination at agrichemical
19 facilities in Illinois. In developing those procedures,
20 methods, and guidelines, the following shall be considered and
21 addressed: (1) an evaluation and assessment of site conditions
22 and operational practices at agrichemical facilities where
23 agricultural pesticides are handled; (2) what constitutes
24 pesticide contamination; (3) cost effective procedures for
25 site assessments and technologies for remedial action; and (4)
26 achievement of adequate protection of public health and the

1 environment from such actual or potential hazards. In
2 consultation with the Interagency Committee, the Department
3 shall develop, and the Interagency Committee shall approve,
4 guidelines and recommendations regarding long term financial
5 resources which may be necessary to remediate pesticide
6 contamination at agrichemical facilities in Illinois. The
7 Department, in consultation with the Interagency Committee,
8 shall present a report on those guidelines and recommendations
9 to the Governor and the General Assembly on or before January
10 1, 1993. The Department and the Interagency Committee shall
11 consult with the Illinois Pesticide Control Committee and
12 other appropriate parties during this development process.

13 9. As part of the consideration of cost effective
14 technologies pursuant to subsection 8 of this Section, the
15 Department may, upon request, provide a written authorization
16 to the owner or operator of an agrichemical facility for land
17 application of agrichemical contaminated soils at agronomic
18 rates. As used in this Section, "agrichemical" means
19 pesticides or commercial fertilizers, at an agrichemical
20 facility, in transit from an agrichemical facility to the
21 field of application, or at the field of application. The
22 written authorization may also provide for use of groundwater
23 contaminated by the release of an agrichemical, provided that
24 the groundwater is not also contaminated due to the release of
25 a petroleum product or hazardous substance other than an
26 agrichemical. The uses of agrichemical contaminated

1 groundwater authorized by the Department shall be limited to
2 supervised application or irrigation onto farmland and
3 blending as make-up water in the preparation of agrichemical
4 spray solutions that are to be applied to farmland. In either
5 case, the use of the agrichemical contaminated water shall not
6 cause (i) the total annual application amounts of a pesticide
7 to exceed the respective pesticide label application rate on
8 any authorized sites or (ii) the total annual application
9 amounts of a fertilizer to exceed the generally accepted
10 annual application rate on any authorized sites. All
11 authorizations shall prescribe appropriate operational control
12 practices to protect the site of application and shall
13 identify each site or sites where land application or
14 irrigation take place. Where agrichemical contaminated
15 groundwater is used on farmland, the prescribed practices
16 shall be designed to prevent off-site runoff or conveyance
17 through underground tile systems. The Department shall
18 periodically advise the Interagency Committee regarding the
19 issuance of such authorizations and the status of compliance
20 at the application sites.

21 (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)".