



Sen. Denny Jacobs

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09300SB2145sam001

LRB093 14719 BDD 48670 a

1 AMENDMENT TO SENATE BILL 2145

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2145 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by  
5 changing Section 3.330 as follows:

6 (415 ILCS 5/3.330) (was 415 ILCS 5/3.32)

7 Sec. 3.330. Pollution control facility.

8 (a) "Pollution control facility" is any waste storage site,  
9 sanitary landfill, waste disposal site, waste transfer  
10 station, waste treatment facility, or waste incinerator. This  
11 includes sewers, sewage treatment plants, and any other  
12 facilities owned or operated by sanitary districts organized  
13 under the Metropolitan Water Reclamation District Act.

14 The following are not pollution control facilities:

15 (1) (Blank);

16 (2) waste storage sites regulated under 40 CFR, Part  
17 761.42;

18 (3) sites or facilities used by any person conducting a  
19 waste storage, waste treatment, waste disposal, waste  
20 transfer or waste incineration operation, or a combination  
21 thereof, for wastes generated by such person's own  
22 activities, when such wastes are stored, treated, disposed  
23 of, transferred or incinerated within the site or facility  
24 owned, controlled or operated by such person, or when such

1 wastes are transported within or between sites or  
2 facilities owned, controlled or operated by such person;

3 (4) sites or facilities at which the State is  
4 performing removal or remedial action pursuant to Section  
5 22.2 or 55.3;

6 (5) abandoned quarries used solely for the disposal of  
7 concrete, earth materials, gravel, or aggregate debris  
8 resulting from road construction activities conducted by a  
9 unit of government or construction activities due to the  
10 construction and installation of underground pipes, lines,  
11 conduit or wires off of the premises of a public utility  
12 company which are conducted by a public utility;

13 (6) sites or facilities used by any person to  
14 specifically conduct a landscape composting operation;

15 (7) regional facilities as defined in the Central  
16 Midwest Interstate Low-Level Radioactive Waste Compact;

17 (8) the portion of a site or facility where coal  
18 combustion wastes are stored or disposed of in accordance  
19 with subdivision (r) (2) or (r) (3) of Section 21;

20 (9) the portion of a site or facility used for the  
21 collection, storage or processing of waste tires as defined  
22 in Title XIV;

23 (10) the portion of a site or facility used for  
24 treatment of petroleum contaminated materials by  
25 application onto or incorporation into the soil surface and  
26 any portion of that site or facility used for storage of  
27 petroleum contaminated materials before treatment. Only  
28 those categories of petroleum listed in Section 57.9(a) (3)  
29 are exempt under this subdivision (10);

30 (11) the portion of a site or facility where used oil  
31 is collected or stored prior to shipment to a recycling or  
32 energy recovery facility, provided that the used oil is  
33 generated by households or commercial establishments, and  
34 the site or facility is a recycling center or a business

1 where oil or gasoline is sold at retail;

2 (12) the portion of a site or facility utilizing coal  
3 combustion waste for stabilization and treatment of only  
4 waste generated on that site or facility when used in  
5 connection with response actions pursuant to the federal  
6 Comprehensive Environmental Response, Compensation, and  
7 Liability Act of 1980, the federal Resource Conservation  
8 and Recovery Act of 1976, or the Illinois Environmental  
9 Protection Act or as authorized by the Agency;

10 (13) the portion of a site or facility accepting  
11 exclusively general construction or demolition debris,  
12 located in a county with a population over 700,000, and  
13 operated and located in accordance with Section 22.38 of  
14 this Act; and

15 (14) the portion of a site or facility, located within  
16 a unit of local government that has enacted local zoning  
17 requirements, that:

18 (A) accepts uncontaminated broken concrete with or  
19 without protruding metal bars for separation and  
20 processing; and

21 (B) provided these materials are not speculatively  
22 accumulated, returns these materials to the economic  
23 mainstream in the form of raw materials or products.

24 (b) A new pollution control facility is:

25 (1) a pollution control facility initially permitted  
26 for development or construction after July 1, 1981; or

27 (2) the area of expansion beyond the boundary of a  
28 currently permitted pollution control facility; or

29 (3) a permitted pollution control facility requesting  
30 approval to store, dispose of, transfer or incinerate, for  
31 the first time, any special or hazardous waste.

32 (Source: P.A. 92-574, eff. 6-26-02.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.".