



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB5838

Introduced 09/29/06, by Rep. Kurt M. Granberg

#### SYNOPSIS AS INTRODUCED:

225 ILCS 225/3  
225 ILCS 225/4

from Ch. 111 1/2, par. 116.303  
from Ch. 111 1/2, par. 116.304

Amends the Private Sewage Disposal Licensing Act. Defines "Off-Lot Discharging Private Sewage Disposal System". Provides that every owner of an off-lot discharging private sewage disposal system must file a "Notice of Intent" with the Department of Public Health to allow coverage of the system under the blanket National Pollutant Discharge Elimination System (NPDES) permit of the State. Effective immediately.

LRB094 21627 RAS 60008 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Private Sewage Disposal Licensing Act is  
5 amended by changing Sections 3 and 4 as follows:

6 (225 ILCS 225/3) (from Ch. 111 1/2, par. 116.303)

7 Sec. 3. As used in this Act, unless the context otherwise  
8 requires:

9 (1) "Domestic Sewage" means waste water derived  
10 principally from dwellings, business or office buildings,  
11 institutions, food service establishments, and similar  
12 facilities.

13 (2) "Director" means Director of the Illinois Department of  
14 Public Health.

15 (3) "Department" means the Illinois Department of Public  
16 Health.

17 (4) "Human Wastes" means undigested food and by-products of  
18 metabolism which are passed out of the human body.

19 (5) "Person" means any individual, group of individuals,  
20 association, trust, partnership, corporation, person doing  
21 business under an assumed name, the State of Illinois or any  
22 Department thereof, or any other entity.

23 (6) "Population Equivalent" means an average waste loading  
24 equivalent to that produced by one person which is defined as  
25 100 gallons per day.

26 (7) "Private Sewage Disposal System" means any sewage  
27 handling or treatment facility receiving domestic sewage from  
28 less than 15 people or population equivalent and having a  
29 ground surface discharge or any sewage handling or treatment  
30 facility receiving domestic sewage and having no ground surface  
31 discharge.

32 (8) "Private Sewage Disposal System Installation

1 Contractor" means any person constructing, installing,  
2 repairing, modifying, or maintaining private sewage disposal  
3 systems.

4 (9) "Property Owner" means the person in whose name legal  
5 title to the real estate is recorded.

6 (10) "Waste" means either human waste or domestic sewage or  
7 both.

8 (11) "Private Sewage Disposal System Pumping Contractor"  
9 means any person who cleans or pumps waste from a private  
10 sewage disposal system or hauls or disposes of wastes removed  
11 therefrom.

12 (12) "Off-Lot Discharging Private Sewage Disposal System"  
13 means any private sewage disposal system having a surface  
14 discharge that leaves the property or directly enters the  
15 navigable waters of the State or surface waters that are  
16 tributary to navigable waters of the State.

17 (Source: P.A. 84-670.)

18 (225 ILCS 225/4) (from Ch. 111 1/2, par. 116.304)

19 Sec. 4. (a) After January 1, 1974, no person or private  
20 sewage disposal system contractor may construct, install,  
21 modify, repair, maintain, or service a private sewage disposal  
22 system or transport and dispose of waste removed therefrom, in  
23 such a manner that does not comply with the requirements of  
24 this Act and the private sewage disposal code promulgated  
25 hereunder by the Department. A person who owns and occupies a  
26 single family dwelling and who constructs, installs,  
27 maintains, services or cleans the private sewage disposal  
28 system which serves his single family residence shall not be  
29 required to be licensed under this Act, however, such person  
30 shall comply with all other provisions of this Act and the  
31 private sewage disposal code promulgated hereunder by the  
32 Department.

33 Any person who constructs, installs, repairs, modifies, or  
34 maintains a private sewage disposal system, other than a system  
35 which serves his own single family residence, shall be licensed

1 by the Department as a Private Sewage System Installation  
2 Contractor and any person who cleans or pumps waste from a  
3 private sewage disposal system, other than a system which  
4 serves his own single family residence, or hauls or disposes of  
5 wastes removed therefrom shall be licensed by the Department as  
6 a Private Sewage Disposal System Pumping Contractor in  
7 accordance with this Act.

8 (b) No new private sewage disposal system shall be  
9 installed by any person until drawings, specifications and  
10 other information requested by the Department are submitted to  
11 and reviewed by the Department and found to comply with the  
12 private sewage disposal code, and until approval for the  
13 installation of such system is issued by the Department.

14 (c) The licensing requirements of this Act shall not apply  
15 to any person who cleans or pumps, hauls or disposes of waste  
16 from chemical toilets located in an underground coal mine. This  
17 waste shall be (i) transported to and disposed of at a sewage  
18 treatment facility permitted by the Illinois Environmental  
19 Protection Agency and located on the mine property, or (ii)  
20 stored on-site in a sanitary manner pending removal and  
21 subsequent disposal by a licensed private sewage disposal  
22 pumping contractor.

23 (d) Every owner of an off-lot discharging private sewage  
24 disposal system must file a "Notice of Intent" with the  
25 Department to allow coverage of the system under the blanket  
26 National Pollutant Discharge Elimination System (NPDES) permit  
27 of the State. The owner of any private sewage disposal system  
28 that has a surface discharge that does not leave the property  
29 or directly enter the navigable waters of the State or surface  
30 waters that are tributary to navigable waters of the State is  
31 not required to file a Notice of Intent or meet other NPDES  
32 permit requirements.

33 (Source: P.A. 86-1195.)

34 Section 99. Effective date. This Act takes effect upon  
35 becoming law.