



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2720

Introduced 1/20/2006, by Sen. James F. Clayborne, Jr.

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 systems must file a "Notice of Intent" with the Department to allow coverage of the system under the blanket National Pollutant Discharge Elimination System (NPDES) permit of the State. Effective immediately.

LRB094 18839 RAS 54256 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 systems 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.