

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 Section 3 and by adding Section 8.5 as
6 follows:

7 (225 ILCS 225/3) (from Ch. 111 1/2, par. 116.303)

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

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

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

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

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

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

1 (6) "Population Equivalent" means an average waste loading
2 equivalent to that produced by one person which is defined as
3 100 gallons per day.

4 (7) "Private Sewage Disposal System" means any sewage
5 handling or treatment facility receiving domestic sewage from
6 less than 15 people or population equivalent and having a
7 ground surface discharge or any sewage handling or treatment
8 facility receiving domestic sewage and having no ground surface
9 discharge.

10 (8) "Private Sewage Disposal System Installation
11 Contractor" means any person constructing, installing,
12 repairing, modifying, or maintaining private sewage disposal
13 systems.

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

16 (10) "Waste" means either human waste or domestic sewage or
17 both.

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

22 (12) "Nonconforming private sewage disposal system" means
23 any system where the final treatment and discharge is free
24 flowing through native soil and where (i) the projected
25 wastewater is likely to be atypical of residential or domestic
26 wastewater in that flow may exceed 1500 gallons per day; (ii)

1 the 5-day biochemical oxygen demand of the wastewater may
2 exceed 300 milligrams per liter; (iii) any portion of the
3 system is to be shared by 2 or more owners; or (iv) any portion
4 of the treated wastewater is proposed for recycling or reuse.

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

6 (225 ILCS 225/8.5 new)

7 Sec. 8.5. Approval of nonconforming private sewage
8 disposal systems. Notwithstanding any other provision of this
9 Act, beginning on the effective date of this amendatory Act of
10 the 95th General Assembly, nonconforming private sewage
11 disposal systems shall not be subject to prescribed design
12 requirements of the private sewage code, but must instead be
13 designed individually by a professional engineer licensed
14 under the Professional Engineering Practice Act of 1989 or an
15 environmental health practitioner licensed under the
16 Environmental Health Practitioner Licensing Act and approved
17 by the Department on a case-by-case basis where the proposed
18 design reasonably addresses issues particular to the proposed
19 system, including without limitation flow volume projections,
20 wastewater composition and pretreatment, treatment and flow in
21 the subsurface environment, and system ownership and
22 maintenance responsibility.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.