



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4129

by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

225 ILCS 225/8

from Ch. 111 1/2, par. 116.308

Amends the Private Sewage Disposal Licensing Act. Provides that the Department of Public Health may evaluate existing Experimental Use Permits and issue site specific approval for performance based systems, but may not issue any new Experimental Use Permits. Provides that the Department may review alternative technology and operational data from the appropriate state agency of another state, from another government entity, or from an independent testing organization to determine whether approval of components or private sewage disposal systems within the State is appropriate. Provides that the Director of Public Health shall authorize the use of appropriate new innovative wastewater treatment systems to best protect public health, the environment, and the natural resources of the State. Effective immediately.

LRB095 12918 RAS 38471 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 8 as follows:

6 (225 ILCS 225/8) (from Ch. 111 1/2, par. 116.308)
7 Sec. 8.

8 (a) In addition to promulgating and publishing the private
9 sewage disposal code, the Department has the following powers
10 and duties:

11 (1) Make such inspections as are necessary to determine
12 satisfactory compliance with this Act and the private
13 sewage disposal code.

14 (2) Cause investigations to be made when a violation of
15 any provisions of this Act or the private sewage disposal
16 code is reported to the Department.

17 (3) Subject to constitutional limitations, by its
18 representatives after identification, enter at reasonable
19 times upon private or public property for the purpose of
20 inspecting and investigating conditions relating to the
21 administration and enforcement of this Act and the private
22 sewage disposal code.

23 (4) Institute or cause to be instituted legal

1 proceedings in the circuit court by the State's Attorney of
2 the county where such non-compliance occurred or by the
3 Attorney General of the State of Illinois in cases of
4 non-compliance with the provisions of this Act and the
5 private sewage disposal code.

6 (5) Evaluate all Experimental Use Permits in existence
7 on the effective date of this amendatory Act of the 95th
8 General Assembly, in accordance with the established
9 conditions of approval for each permit. After the date of
10 approval, the Department shall not issue any new
11 Experimental Use Permits, but may instead issue site
12 specific approval for performance-based systems in
13 accordance with this Section ~~Authorize the trial or~~
14 ~~experimental use of new innovative systems for private~~
15 ~~sewage disposal, upon such conditions as the Department may~~
16 ~~set.~~

17 (6) Adopt minimum performance standards for private
18 sewage disposal system contractors.

19 (7) Issue an annual license to every applicant who
20 complies with the requirements of this Act and the private
21 sewage disposal code and who pays the required annual
22 license fee.

23 (8) Collect an annual license fee in an amount
24 determined by the Department from each contractor and any
25 examination and reinstatement fees.

26 (9) Prescribe rules of procedure for hearings

1 following denial, suspension or revocation of licenses as
2 provided in this Act.

3 (10) The Department may review alternative technology
4 and operational data from the appropriate state agency of
5 another state, from another government entity, or from an
6 independent testing organization to determine whether
7 approval of components or private sewage disposal systems
8 within the State is appropriate. The request for approval
9 shall be made on forms approved by the Department.

10 (b) The Director shall authorize the use of appropriate new
11 innovative wastewater treatment systems to best protect public
12 health, the environment, and the natural resources of the
13 State.

14 (Source: P.A. 85-1261.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.