

1 AN ACT concerning safety.

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

4 Section 5. The Environmental Protection Act is amended by
5 adding Sections 3.560 and 22.56a as follows:

6 (415 ILCS 5/3.560 new)

7 Sec. 3.560. Exceptional Quality biosolids. "Exceptional
8 Quality biosolids" means solids that:

9 (1) are generated from the advanced processing of
10 publicly-owned sewage treatment plant sludge;

11 (2) do not exceed the ceiling concentration limits in
12 Table 1 of 40 CFR 503.13 and the pollutant concentration
13 limits in Table 3 of 40 CFR 503.13;

14 (3) meet the requirements for classification as Class A
15 with respect to pathogens in 40 CFR 503.32(a); and

16 (4) meet one of the vector attraction reduction
17 requirements in 40 CFR 503.33(b)(1) through (b)(8).

18 (415 ILCS 5/22.56a new)

19 Sec. 22.56a. Land application of Exceptional Quality
20 biosolids.

21 (a) The General Assembly finds that:

22 (1) technological advances in wastewater treatment

1 have allowed for the production of Exceptional Quality
2 biosolids that can be used on land as a beneficial
3 recyclable material that improves soil tilth, fertility,
4 and stability and their use enhances the growth of
5 agricultural, silvicultural, and horticultural crops;

6 (2) Exceptional Quality biosolids are a resource to be
7 recovered; and

8 (3) the beneficial use of Exceptional Quality
9 biosolids and their recycling to the land as a soil
10 amendment is encouraged.

11 (b) To encourage and promote the use of Exceptional Quality
12 biosolids in productive and beneficial applications, to the
13 extent allowed by federal law, Exceptional Quality biosolids
14 shall not be subject to regulation as a sludge or other waste
15 if all of the following requirements are met:

16 (1) The sewage treatment plant generating the
17 Exceptional Quality biosolids maintains the following
18 information with respect to the biosolids:

19 (A) Documentation demonstrating that the
20 Exceptional Quality biosolids do not exceed the
21 ceiling concentration limits in Table 1 of 40 CFR
22 503.13 and the pollutant concentration limits in Table
23 3 of 40 CFR 503.13;

24 (B) Documentation demonstrating that the Class A
25 pathogen requirements in 40 CFR 503.32(a) are met,
26 including but not limited to a description of how they

1 were met;

2 (C) Documentation demonstrating that the vector
3 attraction requirements in 40 CFR 503.33(b) (1) through
4 (b) (8) are met, including but not limited to a
5 description of how they were met;

6 (D) A certification statement regarding the Class
7 A pathogen requirements in 40 CFR 503.32(a) and the
8 vector attraction reduction requirements in 40 CFR
9 503.33(b) (1) through (b) (8), as required in 40 CFR
10 503.17(a) (1) (ii); and

11 (E) The quantity of Exceptional Quality biosolids
12 sold or given away by the sewage treatment plant each
13 year. The information must be maintained for a minimum
14 of 5 years after the biosolids are generated, and upon
15 request must be made available to the Agency for
16 inspection and copying during normal business hours.

17 (2) For Exceptional Quality biosolids that have not
18 been bagged:

19 (A) They are not applied to snow-covered or frozen
20 ground; and

21 (B) They are used on agricultural land in a manner
22 that follows recommended application rates and are
23 used on all land in a manner that follows best
24 management practices to protect water quality.

25 (3) If Exceptional Quality biosolids that have not been
26 bagged are generated in another state and imported into

1 this State, the person importing the biosolids must
2 maintain the information set forth in subparagraph (A) of
3 paragraph (1) of subsection (a) through subparagraph (D) of
4 paragraph (1) of subsection (a) of this Section and the
5 amount of Exceptional Quality biosolids imported each
6 year. The information must be maintained for a minimum of 5
7 years after the biosolids are imported, and upon request
8 must be made available to the Agency for inspection and
9 copying during normal business hours.

10 (c) For purposes of this Section, Exceptional Quality
11 biosolids are considered "bagged" if they are in a bag or in an
12 open or closed receptacle that has a capacity of one metric ton
13 or less, including, but not limited to, a bucket, box, carton,
14 vehicle, or trailer.

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