

AN ACT concerning conservation.

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

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-515 as follows:

(20 ILCS 605/605-515) (was 20 ILCS 605/46.13a)

Sec. 605-515. Environmental Regulatory Assistance Program.

(a) In this Section, except where the context clearly requires otherwise, "small business stationary source" means a business that is owned or operated by a person that employs 100 or fewer individuals; is a small business; is not a major stationary source as defined in Titles I and III of the federal 1990 Clean Air Act Amendments; does not emit 50 tons or more per year of any regulated pollutant (as defined under the federal Clean Air Act); and emits less than 75 tons per year of all regulated pollutants.

(b) The Department may:

(1) Provide access to technical and compliance information for Illinois firms, including small and middle market companies, to facilitate local business compliance with the federal, State, and local environmental regulations.

(2) Coordinate and enter into cooperative agreements with a State ombudsman office, which shall be established in accordance with the federal 1990 Clean Air Act Amendments to provide direct oversight to the program established under that Act.

(3) Enter into contracts, cooperative agreements, and financing agreements and establish and collect charges and fees necessary or incidental to the performance of duties and the execution of powers under this Section.

(4) Accept and expend, subject to appropriation, gifts, grants, awards, funds, contributions, charges, fees, and other financial or nonfinancial aid from federal, State, and local governmental agencies, businesses, educational agencies, not-for-profit organizations, and other entities, for the purposes of this Section.

(5) Establish, staff, and administer programs and services and adopt such rules and regulations necessary to carry out the intent of this Section and Section 507, "Small Business Stationary Source Technical and Environmental Compliance Assistance Program", of the federal 1990 Clean Air Act Amendments.

(c) The Department's environmental compliance programs and services for businesses may include, but need not be limited to, the following:

(1) Communication and outreach services to or on behalf of individual companies, including collection and

compilation of appropriate information on regulatory compliance issues and control technologies, and dissemination of that information through publications, direct mailings, electronic communications, conferences, workshops, one-on-one counseling, and other means of technical assistance.

(2) Provision of referrals and access to technical assistance, pollution prevention and facility audits, and otherwise serving as an information clearinghouse on pollution prevention through the coordination of the Illinois Sustainable Technology ~~Waste Management and Research~~ Center of the University of Illinois. In addition, environmental and regulatory compliance issues and techniques, which may include business rights and responsibilities, applicable permitting and compliance requirements, compliance methods and acceptable control technologies, release detection, and other applicable information may be provided.

(3) Coordination with and provision of administrative and logistical support to the State Compliance Advisory Panel.

(d) There is hereby created a special fund in the State Treasury to be known as the Small Business Environmental Assistance Fund. Monies received under subdivision (b)(4) of this Section shall be deposited into the Fund.

Monies in the Small Business Environmental Assistance Fund

may be used, subject to appropriation, only for the purposes authorized by this Section.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 10. The Business Assistance and Regulatory Reform Act is amended by changing Section 15 as follows:

(20 ILCS 608/15)

Sec. 15. Providing Information and Expediting Permit Reviews.

(a) The office shall provide an information system using a toll-free business assistance number. The number shall be advertised throughout the State. If requested, the caller will be sent a basic business kit, describing the basic requirements and procedures for doing business in Illinois. If requested, the caller shall be directed to one or more of the additional services provided by the office. All persons providing advice to callers on behalf of the office and all persons responsible for directly providing services to persons visiting the office or one of its branches shall be persons with small business experience in an administrative or managerial capacity.

(b) (Blank).

(c) Any applicant for permits required for a business activity may confer with the office to obtain assistance in the prompt and efficient processing and review of applications. The office may designate an employee of the office to act as a

permit assistance manager to:

(1) facilitate contacts for the applicant with responsible agencies;

(2) arrange conferences to clarify the requirements of interested agencies;

(3) consider with State agencies the feasibility of consolidating hearings and data required of the applicant;

(4) assist the applicant in resolution of outstanding issues identified by State agencies; and

(5) coordinate federal, State and local regulatory procedures and permit review actions to the extent possible.

(d) The office shall publish a directory of State business permits and State programs to assist small businesses.

(e) The office shall attempt to establish agreements with local governments to allow the office to provide assistance to applicants for permits required by these local governments.

(f) Interested State agencies shall, to the maximum extent feasible, establish procedures to expedite applications for infrastructure projects. Applications for permits for infrastructure projects shall be approved or disapproved within 45 days of submission, unless law or regulations specify a different period. If the interested agency is unable to act within that period, the agency shall provide a written notification to the office specifying reasons for its inability to act and the date by which approval or disapproval shall be

determined. The office may require any interested State agency to designate an employee who will coordinate the handling of permits in that area.

(g) In addition to its responsibilities in connection with permit assistance, the office shall provide general regulatory information by directing businesses to appropriate officers in State agencies to supply the information requested.

(h) The office shall help businesses to locate and apply to training programs available to train current employees in particular skills, techniques or areas of knowledge relevant to the employees' present or anticipated job duties. In pursuit of this objective, the office shall provide businesses with pertinent information about training programs offered by State agencies, units of local government, public universities and colleges, community colleges, and school districts in Illinois.

(i) The office shall help businesses to locate and apply to State programs offering to businesses grants, loans, loan or bond guarantees, investment partnerships, technology or productivity consultation, or other forms of business assistance.

(j) To the extent authorized by federal law, the office shall assist businesses in ascertaining and complying with the requirements of the federal Americans with Disabilities Act.

(k) The office shall provide confidential on-site assistance in identifying problems and solutions in compliance

with requirements of State and federal environmental regulations. The office shall work through and contract with the Illinois Sustainable Technology ~~Waste Management and Research~~ Center to provide confidential on-site consultation audits that (i) assist regulatory compliance and (ii) identify pollution prevention opportunities.

(k-5) Until July 1, 2012, the office shall provide confidential on-site assistance, including, but not limited to, consultation audits, to identify problems and solutions regarding compliance with the requirements of the federal Occupational Safety and Health Administration. On and after July 1, 2012, the Department of Labor shall provide confidential on-site assistance, including, but not limited to, consultation audits, to identify problems and solutions regarding compliance with the requirements of the federal Occupational Safety and Health Administration.

(l) The office shall provide information on existing loan and business assistance programs provided by the State.

(m) Each State agency having jurisdiction to approve or deny a permit shall have the continuing power heretofore or hereafter vested in it to make such determinations. The provisions of this Act shall not lessen or reduce such powers and shall modify the procedures followed in carrying out such powers only to the extent provided in this Act.

(n) (1) Each State agency shall fully cooperate with the office in providing information, documentation, personnel or

facilities requested by the office.

(2) Each State agency having jurisdiction of any permit to which the master application procedure is applicable shall designate an employee to act as permit liaison office with the office in carrying out the provisions of this Act.

(o) (1) The office has authority, but is not required, to keep and analyze appropriate statistical data regarding the number of permits issued by State agencies, the amount of time necessary for the permits to be issued, the cost of obtaining such permits, the types of projects for which specific permits are issued, a geographic distribution of permits, and other pertinent data the office deems appropriate.

The office shall make such data and any analysis of the data available to the public.

(2) The office has authority, but is not required, to conduct or cause to be conducted a thorough review of any agency's permit requirements and the need by the State to require such permits. The office shall draw on the review, on its direct experience, and on its statistical analyses to prepare recommendations regarding how to:

(i) eliminate unnecessary or antiquated permit requirements;

(ii) consolidate duplicative or overlapping permit requirements;

(iii) simplify overly complex or lengthy application procedures;



(iv) expedite time-consuming agency review and approval procedures; or

(v) otherwise improve the permitting processes in the State.

The office shall submit copies of all recommendations within 5 days of issuance to the affected agency, the Governor, the General Assembly, and the Joint Committee on Administrative Rules.

(p) The office has authority to review State forms on its own initiative or upon the request of another State agency to ascertain the burden, if any, of complying with those forms. If the office determines that a form is unduly burdensome to business, it may recommend to the agency issuing the form either that the form be eliminated or that specific changes be made in the form.

(q) Not later than March 1 of each year, beginning March 1, 1995, the office shall submit an annual report of its activities during the preceding year to the Governor and General Assembly. The report shall describe the activities of the office during the preceding year and shall contain statistical information on the permit assistance activities of the office.

(Source: P.A. 97-787, eff. 7-13-12.)

Section 15. The Hazardous Waste Technology Exchange Service Act is amended by changing Sections 3, 4, and 6 as

follows:

(20 ILCS 1130/3) (from Ch. 111 1/2, par. 6803)

Sec. 3. For the purposes of this Act, unless the context otherwise requires:

(a) "Board" means the Board of Trustees of the University of Illinois.

(b) "Center" means the Illinois Sustainable Technology ~~Waste Management and Research~~ Center of the University of Illinois.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(20 ILCS 1130/4) (from Ch. 111 1/2, par. 6804)

Sec. 4. Illinois Sustainable Technology ~~Waste Management and Research~~ Center. The Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) is transferred to the University of Illinois.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(20 ILCS 1130/6) (from Ch. 111 1/2, par. 6806)

Sec. 6. Appropriations. For the purpose of maintaining the Illinois Sustainable Technology ~~Waste Management and Research~~ Center, paying the expenses and providing the facilities and structures incident thereto, appropriations shall be made to the University of Illinois, payable from the Hazardous Waste Research Fund and other funds in the State Treasury.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 20. The Green Governments Illinois Act is amended by changing Section 15 as follows:

(20 ILCS 3954/15)

Sec. 15. ~~Composition of the Council~~ membership and administrative support. ~~Representatives~~ The Council shall be ~~composed of representatives~~ from various State agencies and State universities with specific fiscal, procurement, educational, and environmental policy expertise shall comprise the Council. Until the effective date of this amendatory Act of the 97th General Assembly, the Lieutenant Governor is the chair of the Council. On and after the effective date of this amendatory Act of the 97th General Assembly, the Governor is the chair of the Council, and the Lieutenant Governor, or his or her designee, shall be a member of the council. The director or President, respectively, of each of the following State agencies and State universities, or his or her designee, is a member of the Council: the Department of Commerce and Economic Opportunity, the Environmental Protection Agency, the University of Illinois, the Department of Natural Resources, the Department of Central Management Services, the Governor's Office of Management and Budget, the Department of Agriculture, the Department of Transportation, the Department of Corrections, the Department of Human Services, the Department

of Public Health, the State Board of Education, the Board of Higher Education, and the Capital Development Board.

The Office of the Governor shall provide administrative support to the Council. A minimum of one staff position in the Office of the Governor shall be dedicated to the Green Governments Illinois program.

(Source: P.A. 96-74, eff. 7-24-09; 97-573, eff. 8-25-11.)

Section 25. The University of Illinois Exercise of Functions and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 3000-5 as follows:

(110 ILCS 355/3000-5) (was 110 ILCS 355/62)

Sec. 3000-5. Retention of duties by University of Illinois. Unless otherwise provided by law, the functions and duties formerly exercised by the State entomologist, the Illinois Natural History Survey ~~State laboratory of natural history~~, the Illinois State Water Survey ~~water survey~~, and the Illinois State Geological Survey ~~geological survey~~ and the functions and duties of the Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) and its Hazardous Materials Laboratory as authorized by the Hazardous Waste Technology Exchange Service Act shall continue to be exercised at the University of Illinois in buildings and places provided by the trustees of the University.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 30. The University of Illinois Scientific Surveys Act is amended by changing Sections 5, 10, 15, 20, and 55 as follows:

(110 ILCS 425/5)

Sec. 5. Purposes. The purposes of this Act are to establish at the University of Illinois the Prairie Research Institute ~~an institute for natural resources sustainability~~ and to transfer to it all rights, powers, duties, property, and functions currently vested in the Department of Natural Resources pertaining to its Illinois Natural History Survey ~~division~~, Illinois State Water Survey ~~division~~, Illinois State Geological Survey ~~division~~, and Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) ~~division (which may also be referred to as the Illinois Sustainable Technology Center)~~.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/10)

Sec. 10. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Board of Trustees" means the Board of Trustees of the University of Illinois.

"Scientific Surveys" means, collectively, the Illinois ~~State~~ Natural History Survey ~~division~~, the Illinois State Water

Survey ~~division~~, the Illinois State Geological Survey ~~division~~, and the Illinois Sustainable Technology Center (formerly known as the Waste Management and Research Center) ~~division~~ transferred by this Act from the Department of Natural Resources to the Board of Trustees.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/15)

Sec. 15. Organization. The Board of Trustees shall establish and operate the Prairie Research Institute ~~an institute for natural sciences and sustainability~~. The Institute ~~institute~~ shall contain within it the Illinois ~~State~~ Natural History Survey ~~division~~, the Illinois State Water Survey ~~division~~, the Illinois State Geological Survey ~~division~~, the Illinois Sustainable Technology ~~Waste Management and Research Center~~ ~~division~~, the Illinois State Archaeological Survey, and such other related entities, research functions, and responsibilities as may be appropriate. The Institute ~~institute~~ shall be under the governance and control of the Board of Trustees.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/20)

Sec. 20. General powers and duties. In addition to its other powers and duties, the Board of Trustees shall have the power to provide for the management and operation of the

Prairie Research Institute ~~Scientific Surveys~~ including, but not limited to, the following powers and duties which shall be performed by the Scientific Surveys:

(1) To investigate and study the natural and cultural resources of the State and to prepare reports and furnish information fundamental to the conservation and development of natural and cultural resources, and, for that purpose, the officers and employees thereof shall have the authority to enter and cross all lands in this State, doing no damage to private property.

(2) To collaborate with and advise departments having administrative powers and duties relating to the natural resources of the State, and to collaborate with similar departments in other states and with the United States Government.

(3) To conduct a natural history survey of the State, giving preference to subjects of educational and economical importance. The Illinois State Biologist shall be an employee of the Illinois Natural History Survey.

(4) To investigate the entomology of the State. The Illinois State Entomologist shall be an employee of the Illinois Natural History Survey.

(5) To investigate all insects dangerous or injurious to agricultural or horticultural plants and crops, to livestock, to nursery trees and plants, to the products of the truck farm and vegetable garden, to shade trees and

other ornamental vegetation of cities and villages, and to the products of the mills and the contents of warehouses, and all insects injurious or dangerous to the public health.

(6) To study the geological formation of the State with reference to its resources of coal, ores, clays, building stones, cement, materials suitable for use in the construction of the roads, gas, oil, mineral and artesian water, aquifers and aquitards, and other resources and products. The Illinois State Geologist shall be an employee of the Illinois State Geological Survey.

(7) To cooperate with United States federal agencies in the preparation of geological and land surface maps ~~and completion of a contour topographic map~~ and the collection, recording, and printing of water and atmospheric resource data, including stream flow measurements; ~~and~~ to collect facts and data concerning the volumes and flow of underground, surface, and atmospheric waters of the State; and to determine the mineral and chemical qualities of water from different geological formations and surface and atmospheric waters for the various sections of the State.

(8) To act as the central data repository and research coordinator for the State in matters related to water and atmospheric resources. The Illinois State Water Survey of the University of Illinois may monitor and evaluate all weather modification operations in Illinois. The Illinois



State Climatologist and the Illinois State Hydrologist shall be employees of the Illinois State Water Survey.

(9) To provide ~~To collaborate with the Illinois State Academy of Science and to publish~~ the results of the investigations and research in the field of natural science to the end that the same may be distributed to the interested public.

(10) To perform all other duties and assume all obligations of the Department of Natural Resources pertaining to the Illinois State Water Survey, the Illinois State Geological Survey, the Illinois State Natural History Survey, ~~and the Illinois Sustainable Technology Waste Management and Research Center~~, and the Illinois State Archaeological Survey.

(11) To maintain all previously existing relationships between the Illinois State Water Survey, the Illinois State Geological Survey, the Illinois State Natural History Survey, ~~and the Illinois Sustainable Technology Center~~, and the Illinois State Archaeological Survey and the public and private colleges and universities in Illinois.

(12) To participate in federal and State geologic mapping programs.

(13) To conduct educational programs to further the exchange of information to reduce the generation of hazardous wastes or to treat or dispose of such wastes so as to make them nonhazardous.

(14) To provide a technical information service for industries involved in the generation, treatment, or disposal of hazardous wastes.

(15) To disseminate information regarding advances in hazardous waste management technology and sustainability practices that could both protect the environment and further industrial productivity.

(16) To provide research in areas related to reduction of the generation of hazardous wastes; treatment, recycling and reuse; toxic pollution prevention; and other issues that the Board may suggest. The Illinois Pollution Prevention Scientist shall be an employee of the Illinois Sustainable Technology Center.

(17) To investigate, preserve, and interpret the archaeological heritage of this State within the contexts of public needs and sustainable economic development through scientific research, public service, education, and outreach activities. The Illinois State Archaeologist shall be an employee of the Illinois State Archeological Survey.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(110 ILCS 425/55)

Sec. 55. Successor agency. For purposes of the Successor Agency Act and Section 9b of the State Finance Act, the Board of Trustees is the successor to the Department of Natural

Resources and the Illinois Board of Natural Resources and Conservation with respect to the rights, powers, duties, property, functions, and other matters transferred by this Act. (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 35. The Well Abandonment Act is amended by changing Section 1 as follows:

(225 ILCS 730/1) (from Ch. 96 1/2, par. 5201)

Sec. 1. It is the duty of the permittee of any well drilled or deepened for oil or gas, to file all geophysical logs and a well drilling report of said well in the office of the State Geological Survey of the University of Illinois within 90 days after drilling ceases.

The well drilling report: (1) shall show the character and depth of the formations passed through or encountered in the drilling of the well, particularly showing the depth and thickness of oil-bearing strata, and gas-bearing strata, (2) shall show the position and thickness of coal beds and deposits of mineral materials of economic value, and (3) shall give the location of the hole.

The Department of Natural Resources shall supply to the Illinois State Geological Survey a copy of each permit, showing the location of the well.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 40. The Toxic Pollution Prevention Act is amended by changing Sections 3 and 5 as follows:

(415 ILCS 85/3) (from Ch. 111 1/2, par. 7953)

Sec. 3. Definitions. As used in this Act:

"Agency" means the Illinois Environmental Protection Agency.

"Center" means the Illinois Sustainable Technology ~~Waste Management and Research~~ Center.

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, political subdivision, State agency, or any other legal entity, or its legal representative, agent or assigns.

"Release" means emission to the air, discharge to surface waters or off-site wastewater treatment facilities, or on-site release to the land, including but not limited to landfills, surface impoundments and injection wells.

"Toxic substance" means any substance listed by the Agency pursuant to Section 4 of this Act.

"Toxic pollution prevention" means in-plant practices that reduce, avoid or eliminate: (i) the use of toxic substances, (ii) the generation of toxic constituents in wastes, (iii) the disposal or release of toxic substances into the environment, or (iv) the development or manufacture of products with toxic constituents, through the application of any of the following

techniques:

(1) input substitution, which refers to replacing a toxic substance or raw material used in a production process with a nontoxic or less toxic substance;

(2) product reformulation, which refers to substituting for an existing end product an end product which is nontoxic or less toxic upon use, release or disposal;

(3) production process redesign or modification, which refers to developing and using production processes of a different design than those currently used;

(4) production process modernization, which refers to upgrading or replacing existing production process equipment or methods with other equipment or methods based on the same production process;

(5) improved operation and maintenance of existing production process equipment and methods, which refers to modifying or adding to existing equipment or methods, including but not limited to such techniques as improved housekeeping practices, system adjustments, product and process inspections, and production process control equipment or methods;

(6) recycling, reuse or extended use of toxic substances by using equipment or methods which become an integral part of the production process, including but not limited to filtration and other closed loop methods.

However, "toxic pollution prevention" shall not include or in any way be inferred to promote or require incineration, transfer from one medium of release to another, off-site or out of process waste recycling, or end of pipe treatment of toxic substances.

"Trade secret" means any information concerning production processes employed or substances manufactured, processed or otherwise used within a facility which the Agency determines to satisfy the criteria established under Section 3.490 of the Environmental Protection Act, and to which specific trade secret status has been granted by the Agency.

(Source: P.A. 92-574, eff. 6-26-02.)

(415 ILCS 85/5) (from Ch. 111 1/2, par. 7955)

Sec. 5. Toxic Pollution Prevention Assistance Program. There is hereby established a Toxic Pollution Prevention Assistance Program at the Illinois Sustainable Technology ~~Waste Management and Research~~ Center. The Center may establish cooperative programs with public and private colleges and universities designed to augment the implementation of this Section. The Center may establish fees, tuition, or other financial charges for participation in the Assistance Program. These monies shall be deposited in the Toxic Pollution Prevention Fund established in Section 7 of this Act. Through the Assistance Program, the Center:

(1) Shall provide general information about and actively

publicize the advantages of and developments in toxic pollution prevention and sustainability practices.

(2) May establish courses, seminars, conferences and other events, and reports, updates, guides and other publications and other means of providing technical information for industries, local governments and citizens concerning toxic pollution prevention strategies, and may, as appropriate, work in cooperation with the Agency.

(3) Shall engage in research on toxic pollution prevention methods. Such research shall include assessments of the impact of adopting toxic pollution prevention methods on the environment, the public health, and worker exposure, and assessments of the impact on profitability and employment within affected industries.

(4) Shall provide on-site technical consulting, to the extent practicable, to help facilities to identify opportunities for toxic pollution prevention, and to develop comprehensive toxic pollution prevention plans that would include water, energy, and solid waste. To be eligible for such consulting, the owner or operator of a facility must agree to allow information regarding the results of such consulting to be shared with the public, provided that the identity of the facility shall be made available only with its consent, and trade secret information shall remain protected.

(5) May sponsor pilot projects in cooperation with the Agency, or an institute of higher education to develop and

demonstrate innovative technologies and methods for toxic pollution prevention and sustainable development. The results of all such projects shall be available for use by the public, but trade secret information shall remain protected.

(6) May award grants for activities that further the purposes of this Act, including but not limited to the following:

(A) grants to not-for-profit organizations to establish free or low-cost technical assistance or educational programs to supplement the toxic pollution prevention activities of the Center;

(B) grants to assist trade associations, business organizations, labor organizations and educational institutions in developing training materials to foster toxic pollution prevention; and

(C) grants to assist industry, business organizations, labor organizations, education institutions and industrial hygienists to identify, evaluate and implement toxic pollution prevention measures and alternatives through audits, plans and programs.

The Center may establish criteria and terms for such grants, including a requirement that a grantee provide matching funds. Grant money awarded under this Section may not be spent for capital improvements or equipment.

In determining whether to award a grant, the Center shall consider at least the following:



(i) the potential of the project to prevent pollution;

(ii) the likelihood that the project will develop techniques or processes that will minimize the transfer of pollution from one environmental medium to another;

(iii) the extent to which information to be developed through the project will be applicable to other persons in the State; and

(iv) the willingness of the grant applicant to assist the Center in disseminating information about the pollution prevention methods to be developed through the project.

(7) Shall establish and operate a State information clearinghouse that assembles, catalogues and disseminates information about toxic pollution prevention and available consultant services. Such clearinghouse shall include a computer database containing information on managerial, technical and operational approaches to achieving toxic pollution prevention. The computer database must be maintained on a system designed to enable businesses, governmental agencies and the general public readily to obtain information specific to production technologies, materials, operations and products. A business shall not be required to submit to the clearinghouse any information that is a trade secret.

(8) May contract with an established institution of higher

education to assist the Center in carrying out the provisions of this Section. The assistance provided by such an institution may include, but need not be limited to:

(A) engineering field internships to assist industries in identifying toxic pollution prevention opportunities;

(B) development of a toxic pollution prevention curriculum for students and faculty; and

(C) applied toxic pollution prevention and recycling research.

(9) Shall emphasize assistance to businesses that have inadequate technical and financial resources to obtain information and to assess and implement toxic pollution prevention methods.

(10) Shall publish a biannual report on its toxic pollution prevention and sustainable development activities, achievements, identified problems and future goals.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

Section 45. The Illinois Low-Level Radioactive Waste Management Act is amended by changing Section 3 as follows:

(420 ILCS 20/3) (from Ch. 111 1/2, par. 241-3)

Sec. 3. Definitions.

"Agency" means the Illinois Emergency Management Agency.

"Broker" means any person who takes possession of low-level waste for purposes of consolidation and shipment.

"Compact" means the Central Midwest Interstate Low-Level Radioactive Waste Compact.

"Decommissioning" means the measures taken at the end of a facility's operating life to assure the continued protection of the public from any residual radioactivity or other potential hazards present at a facility.

"Director" means the Director of the Illinois Emergency Management Agency.

"Disposal" means the isolation of waste from the biosphere in a permanent facility designed for that purpose.

"Facility" means a parcel of land or site, together with structures, equipment and improvements on or appurtenant to the land or site, which is used or is being developed for the treatment, storage or disposal of low-level radioactive waste. "Facility" does not include lands, sites, structures or equipment used by a generator in the generation of low-level radioactive wastes.

"Generator" means any person who produces or possesses low-level radioactive waste in the course of or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, education or other activity.

"Hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating

reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous under Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580 or under regulations of the Pollution Control Board.

"High-level radioactive waste" means:

(1) the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from the liquid waste that contains fission products in sufficient concentrations; and

(2) the highly radioactive material that the Nuclear Regulatory Commission has determined, on the effective date of this Amendatory Act of 1988, to be high-level radioactive waste requiring permanent isolation.

"Low-level radioactive waste" or "waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel or byproduct material as defined in Section 11e(2) of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

"Mixed waste" means waste that is both "hazardous waste" and "low-level radioactive waste" as defined in this Act.

"Person" means an individual, corporation, business enterprise or other legal entity either public or private and

any legal successor, representative, agent or agency of that individual, corporation, business enterprise, or legal entity.

"Post-closure care" means the continued monitoring of the regional disposal facility after closure for the purposes of detecting a need for maintenance, ensuring environmental safety, and determining compliance with applicable licensure and regulatory requirements, and includes undertaking any remedial actions necessary to protect public health and the environment from radioactive releases from the facility.

"Regional disposal facility" or "disposal facility" means the facility established by the State of Illinois under this Act for disposal away from the point of generation of waste generated in the region of the Compact.

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment of low-level radioactive waste.

"Remedial action" means those actions taken in the event of a release or threatened release of low-level radioactive waste into the environment, to prevent or minimize the release of the waste so that it does not migrate to cause substantial danger to present or future public health or welfare or the environment. The term includes, but is not limited to, actions at the location of the release such as storage, confinement, perimeter protection using dikes, trenches or ditches, clay cover, neutralization, cleanup of released low-level

radioactive wastes, recycling or reuse, dredging or excavations, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration, provision of alternative water supplies and any monitoring reasonably required to assure that these actions protect human health and the environment.

"Scientific Surveys" means, collectively, the Illinois State Geological Survey and the Illinois State Water Survey of the University of Illinois.

"Shallow land burial" means a land disposal facility in which radioactive waste is disposed of in or within the upper 30 meters of the earth's surface. However, this definition shall not include an enclosed, engineered, structurally re-enforced and solidified bunker that extends below the earth's surface.

"Storage" means the temporary holding of waste for treatment or disposal for a period determined by Agency regulations.

"Treatment" means any method, technique or process, including storage for radioactive decay, designed to change the physical, chemical or biological characteristics or composition of any waste in order to render the waste safer for transport, storage or disposal, amenable to recovery, convertible to another usable material or reduced in volume.

"Waste management" means the storage, transportation, treatment or disposal of waste.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999; 95-777, eff. 8-4-08; 96-328, eff. 8-11-09.)

Section 50. The Wildlife Code is amended by changing Section 1.3 as follows:

(520 ILCS 5/1.3)

Sec. 1.3. The Department shall have the authority to manage wildlife and regulate the taking of wildlife for the purposes of providing public recreation and controlling wildlife populations. The seasons during which wildlife may be taken, the methods for taking wildlife, the daily bag limits, and the possession limits shall be established by the Department through administrative rule, but the Department may not provide for a longer season, a larger daily bag limit, or a larger possession limit than is provided in this Code.

The Natural Resources Advisory Board may also recommend to the Director of Natural Resources any reductions or increases of seasons and bag or possession limits or the closure of any season when research and inventory data indicate the need for such changes.

The Department is authorized to establish seasons for the taking of migratory birds within the dates established annually by Proclamation of the Secretary, United States Department of the Interior, known as the "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20 et seq.). When the biological balance

of any species is affected, the Director may with the approval of the Conservation Advisory Board, by administrative rule, lengthen, shorten or close the season during which waterfowl may be taken within the federal limitations prescribed. If the Department does not adopt an administrative rule establishing a season, then the season shall be as set forth in the current "Rules and Regulations for Migratory Bird Hunting". The Department shall advise the public by reasonable means of the dates of the various seasons.

The Department may utilize the services of the staff of the Illinois ~~State~~ Natural History Survey of the University of Illinois for making investigations as to the population status of the various species of wildlife.

Employees or agents of any state, federal, or municipal government or body when engaged in investigational work and law enforcement, may with prior approval of the Director, be exempted from the provisions of this Act.

(Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

(30 ILCS 105/8.24 rep.)

Section 55. The State Finance Act is amended by repealing Section 8.24.

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



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Statutes amended in order of appearance

20 ILCS 605/605-515	was 20 ILCS 605/46.13a
20 ILCS 608/15	
20 ILCS 1130/3	from Ch. 111 1/2, par. 6803
20 ILCS 1130/4	from Ch. 111 1/2, par. 6804
20 ILCS 1130/6	from Ch. 111 1/2, par. 6806
20 ILCS 3954/15	
110 ILCS 355/3000-5	was 110 ILCS 355/62
110 ILCS 425/5	
110 ILCS 425/10	
110 ILCS 425/15	
110 ILCS 425/20	
110 ILCS 425/55	
225 ILCS 730/1	from Ch. 96 1/2, par. 5201
415 ILCS 85/3	from Ch. 111 1/2, par. 7953
415 ILCS 85/5	from Ch. 111 1/2, par. 7955
420 ILCS 20/3	from Ch. 111 1/2, par. 241-3
520 ILCS 5/1.3	
30 ILCS 105/8.24 rep.	