



Sen. James T. Meeks

Filed: 3/23/2004

09300SB1006sam001

LRB093 03241 BDD 47836 a

1 AMENDMENT TO SENATE BILL 1006

2 AMENDMENT NO. _____. Amend Senate Bill 1006 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 changing Section 3.160 as follows:

6 (415 ILCS 5/3.160) (was 415 ILCS 5/3.78 and 3.78a)

7 Sec. 3.160. Construction or demolition debris.

8 (a) "General construction or demolition debris" means
9 non-hazardous, uncontaminated materials resulting from the
10 construction, remodeling, repair, and demolition of utilities,
11 structures, and roads, limited to the following: bricks,
12 concrete, and other masonry materials; soil; rock; wood,
13 including non-hazardous painted, treated, and coated wood and
14 wood products; wall coverings; plaster; drywall; plumbing
15 fixtures; non-asbestos insulation; roofing shingles and other
16 roof coverings; reclaimed asphalt pavement; glass; plastics
17 that are not sealed in a manner that conceals waste; electrical
18 wiring and components containing no hazardous substances; and
19 piping or metals incidental to any of those materials.

20 General construction or demolition debris does not include
21 uncontaminated soil generated during construction, remodeling,
22 repair, and demolition of utilities, structures, and roads
23 provided the uncontaminated soil is not commingled with any
24 general construction or demolition debris or other waste.

1 (b) "Clean construction or demolition debris" means
2 uncontaminated broken concrete without protruding metal bars,
3 bricks, rock, stone, reclaimed asphalt pavement, or soil
4 generated from construction or demolition activities.

5 Clean construction or demolition debris does not include
6 uncontaminated soil generated during construction, remodeling,
7 repair, and demolition of utilities, structures, and roads
8 provided the uncontaminated soil is not commingled with any
9 clean construction or demolition debris or other waste.

10 To the extent allowed by federal law, clean construction or
11 demolition debris shall not be considered "waste" if it is (i)
12 used as fill material outside of a setback zone if the fill is
13 placed no higher than the highest point of elevation existing
14 prior to the filling immediately adjacent to the fill area, and
15 if covered by sufficient uncontaminated soil to support
16 vegetation within 30 days of the completion of filling or if
17 covered by a road or structure, ~~or~~ (ii) separated or processed
18 and returned to the economic mainstream in the form of raw
19 materials or products, if it is not speculatively accumulated
20 and, if used as a fill material, it is used in accordance with
21 item (i) within 30 days of its generation, ~~or~~ (iii) solely
22 broken concrete without protruding metal bars used for erosion
23 control, ~~or~~ (iv) generated from the construction or demolition
24 of a building, road, or other structure and used to construct,
25 on the site where the construction or demolition has taken
26 place, a manmade functional structure not to exceed 20 feet
27 above the highest point of elevation of the property
28 immediately adjacent to the new manmade functional structure as
29 that elevation existed prior to the creation of that new
30 structure, provided that the structure shall be covered with
31 sufficient soil materials to sustain vegetation or by a road or
32 structure, and further provided that no such structure shall be
33 constructed within a home rule municipality with a population
34 over 500,000 without the consent of the municipality, or (v)

1 used to construct a recreation facility at a site located
2 within an Enterprise Zone, as certified by the Department of
3 Commerce and Economic Opportunity, pursuant to a permit issued
4 by a municipality with an equalized assessed valuation of less
5 than \$15,000,000.

6 (Source: P.A. 92-574, eff. 6-26-02; 93-179, eff. 7-11-03.)

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