

AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by changing Section 22.56a as follows:

(415 ILCS 5/22.56a)

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

(a) The General Assembly finds that:

(1) technological advances in wastewater treatment have allowed for the production of Exceptional Quality biosolids that can be used on land as a beneficial recyclable material that improves soil tilth, fertility, and stability and their use enhances the growth of agricultural, silvicultural, and horticultural crops;

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

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

(b) To encourage and promote the use of Exceptional Quality biosolids in productive and beneficial applications, to the extent allowed by federal law, Exceptional Quality biosolids

shall not be subject to regulation as a sludge or other waste if all of the following requirements are met:

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

(A) documentation demonstrating that the Exceptional Quality biosolids do not exceed the ceiling concentration limits in Table 1 of 40 CFR 503.13 and the pollutant concentration limits in Table 3 of 40 CFR 503.13;

(B) documentation demonstrating that the Class A pathogen requirements in 40 CFR 503.32(a) are met, including but not limited to a description of how they were met;

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

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

(E) the quantity of Exceptional Quality biosolids sold or given away by the sewage treatment plant each year. The information must be maintained for a minimum

of 5 years after the biosolids are generated, and upon request must be made available to the Agency for inspection and copying during normal business hours.

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

(A) they are not applied to snow-covered or frozen ground; and

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

(3) If Exceptional Quality biosolids that have not been bagged are generated in another state and imported into this State, the person importing the biosolids must maintain the information set forth in subparagraph (A) of paragraph (1) of subsection (a) through subparagraph (D) of paragraph (1) of subsection (a) of this Section and the amount of Exceptional Quality biosolids imported each year. The information must be maintained for a minimum of 5 years after the biosolids are imported, and upon request must be made available to the Agency for inspection and copying during normal business hours.

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

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vehicle, or trailer.

(d) Nothing in this Act shall limit or supersede the authority of the Illinois Emergency Management Agency to regulate exceptional quality biosolids under the Nuclear Safety Law of 2004.

(Source: P.A. 99-67, eff. 7-20-15.)

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