

# SB3441



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**SB3441**

Introduced 2/14/2020, by Sen. Melinda Bush

#### SYNOPSIS AS INTRODUCED:

415 ILCS 5/22.8

from Ch. 111 1/2, par. 1022.8

Amends the Environmental Protection Act. Requires the Environmental Protection Agency, beginning January 1, 2021, to collect from owners or operators of hazardous waste management facilities a fee in the amount of \$500 for a small quantity hazardous waste generator required to apply for a USEPA identification number or submit a renotification of activities falling under Subtitle C of the federal Resource Conservation and Recovery Act, due at the time the application or renotification is required to be submitted. Effective immediately.

LRB101 16376 CPF 67035 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 changing Section 22.8 as follows:

6 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

7 Sec. 22.8. Environmental Protection Permit and Inspection  
8 Fund.

9 (a) There is hereby created in the State Treasury a special  
10 fund to be known as the Environmental Protection Permit and  
11 Inspection Fund. All fees collected by the Agency pursuant to  
12 this Section, Section 9.6, 12.2, 16.1, 56.4, 56.5, 56.6, and  
13 subsection (f) of Section 5 of this Act, or pursuant to Section  
14 22 of the Public Water Supply Operations Act or Section 1011 of  
15 the Solid Waste Site Operator Certification Law, as well as  
16 funds collected under subsection (b.5) of Section 42 of this  
17 Act, shall be deposited into the Fund. In addition to any  
18 monies appropriated from the General Revenue Fund, monies in  
19 the Fund shall be appropriated by the General Assembly to the  
20 Agency in amounts deemed necessary for manifest, permit, and  
21 inspection activities and for performing its functions,  
22 powers, and duties under the Solid Waste Site Operator  
23 Certification Law.

1           The General Assembly may appropriate monies in the Fund  
2 deemed necessary for Board regulatory and adjudicatory  
3 proceedings.

4           (a-5) As soon as practicable after the effective date of  
5 this amendatory Act of the 98th General Assembly, but no later  
6 than January 1, 2014, the State Comptroller shall direct and  
7 the State Treasurer shall transfer all monies in the Industrial  
8 Hygiene Regulatory and Enforcement Fund to the Environmental  
9 Protection Permit and Inspection Fund to be used in accordance  
10 with the terms of the Environmental Protection Permit and  
11 Inspection Fund.

12           (a-6) As soon as practicable after the effective date of  
13 this amendatory Act of the 98th General Assembly, but no later  
14 than December 31, 2014, the State Comptroller shall order the  
15 transfer of, and the State Treasurer shall transfer, all moneys  
16 in the Hazardous Waste Occupational Licensing Fund into the  
17 Environmental Protection Permit and Inspection Fund to be used  
18 in accordance with the terms of the Environmental Protection  
19 Permit and Inspection Fund.

20           (b) The Agency shall collect from the owner or operator of  
21 any of the following types of hazardous waste disposal sites or  
22 management facilities which require a RCRA permit under  
23 subsection (f) of Section 21 of this Act, or a UIC permit under  
24 subsection (g) of Section 12 of this Act, an annual fee in the  
25 amount of:

26           (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous

1 waste disposal site receiving hazardous waste if the  
2 hazardous waste disposal site is located off the site where  
3 such waste was produced;

4 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous  
5 waste disposal site receiving hazardous waste if the  
6 hazardous waste disposal site is located on the site where  
7 such waste was produced;

8 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous  
9 waste disposal site receiving hazardous waste if the  
10 hazardous waste disposal site is an underground injection  
11 well;

12 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous  
13 waste management facility treating hazardous waste by  
14 incineration;

15 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
16 waste management facility treating hazardous waste by a  
17 method, technique or process other than incineration;

18 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
19 waste management facility storing hazardous waste in a  
20 surface impoundment or pile; and

21 (7) \$250 (\$500 beginning in 2004) for a hazardous waste  
22 management facility storing hazardous waste other than in a  
23 surface impoundment or pile. ~~and~~

24 (8) (Blank). ~~Beginning in 2004, \$500 for a large~~  
25 ~~quantity hazardous waste generator required to submit an~~  
26 ~~annual or biennial report for hazardous waste generation.~~

1       (b-1) The Agency shall collect from the owner or operator  
2 of any of the following types of hazardous waste management  
3 facilities a fee in the amount of:

4           (1) \$500 annually for a large quantity hazardous waste  
5 generator required to submit an annual or biennial report  
6 for hazardous waste generation; and

7           (2) beginning January 1, 2021, \$500 for a small  
8 quantity hazardous waste generator required to apply for a  
9 USEPA identification number or submit a renotification of  
10 activities falling under Subtitle C of the federal Resource  
11 Conservation and Recovery Act, due at the time the  
12 application or renotification is required to be submitted.

13       (c) Where two or more operational units are located within  
14 a single hazardous waste disposal site, the Agency shall  
15 collect from the owner or operator of such site an annual fee  
16 equal to the highest fee imposed by subsection (b) of this  
17 Section upon any single operational unit within the site.

18       (d) The fee imposed upon a hazardous waste disposal site  
19 under this Section shall be the exclusive permit and inspection  
20 fee applicable to hazardous waste disposal at such site,  
21 provided that nothing in this Section shall be construed to  
22 diminish or otherwise affect any fee imposed upon the owner or  
23 operator of a hazardous waste disposal site by Section 22.2.

24       (e) The Agency shall establish procedures, no later than  
25 December 1, 1984, relating to the collection of the hazardous  
26 waste disposal site fees authorized by this Section. Such

1 procedures shall include, but not be limited to the time and  
2 manner of payment of fees to the Agency, which shall be  
3 quarterly, payable at the beginning of each quarter for  
4 hazardous waste disposal site fees. Annual fees required under  
5 paragraph (7) of subsection (b) of this Section shall accompany  
6 the annual report required by Board regulations for the  
7 calendar year for which the report applies.

8 (f) For purposes of this Section, a hazardous waste  
9 disposal site consists of one or more of the following  
10 operational units:

11 (1) a landfill receiving hazardous waste for disposal;

12 (2) a waste pile or surface impoundment, receiving  
13 hazardous waste, in which residues which exhibit any of the  
14 characteristics of hazardous waste pursuant to Board  
15 regulations are reasonably expected to remain after  
16 closure;

17 (3) a land treatment facility receiving hazardous  
18 waste; or

19 (4) a well injecting hazardous waste.

20 (g) The Agency shall assess a fee for each manifest  
21 provided by the Agency. For manifests provided on or after  
22 January 1, 1989 but before July 1, 2003, the fee shall be \$1  
23 per manifest. For manifests provided on or after July 1, 2003,  
24 the fee shall be \$3 per manifest.

25 (Source: P.A. 98-78, eff. 7-15-13; 98-692, eff. 7-1-14; 98-822,  
26 eff. 8-1-14.)

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