



Rep. Dagmara Avelar

Filed: 4/20/2021

10200HB0653ham001

LRB102 10973 CPF 25341 a

1 AMENDMENT TO HOUSE BILL 653

2 AMENDMENT NO. _____. Amend House Bill 653 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 changing Section 22.51b as follows:

6 (415 ILCS 5/22.51b)

7 Sec. 22.51b. Fees for permitted facilities accepting clean
8 construction or demolition debris or uncontaminated soil.

9 (a) The Agency shall assess and collect a fee from the
10 owner or operator of each clean construction or demolition
11 debris fill operation that is permitted or required to be
12 permitted by the Agency. The fee assessed and collected under
13 this subsection shall be 28 ~~20~~ cents per cubic yard of clean
14 construction or demolition debris or uncontaminated soil
15 accepted by the clean construction or demolition debris fill
16 operation, or, alternatively, the owner or operator may weigh

1 the quantity of the clean construction or demolition debris or
2 uncontaminated soil with a device for which certification has
3 been obtained under the Weights and Measures Act and pay a fee
4 of 20 ~~14~~ cents per ton of clean construction or demolition
5 debris or uncontaminated soil. The fee shall apply to
6 construction or demolition debris or uncontaminated soil if
7 (i) the clean construction or demolition debris fill operation
8 is located off the site where the clean construction or
9 demolition debris or uncontaminated soil was generated and
10 (ii) the clean construction or demolition debris fill
11 operation is owned, controlled, and operated by a person other
12 than the generator of the clean construction or demolition
13 debris or uncontaminated soil.

14 (b) The Agency shall establish rules relating to the
15 collection of the fees authorized by subsection (a) of this
16 Section. These rules shall include, but are not limited to,
17 the following:

18 (1) Records identifying the quantities of clean
19 construction or demolition debris and uncontaminated soil
20 received.

21 (2) The form and submission of reports to accompany
22 the payment of fees to the Agency.

23 (3) The time and manner of payment of fees to the
24 Agency, which payments shall not be more often than
25 quarterly.

26 (c) Fees collected under this Section shall be in addition

1 to any other fees collected under any other Section.

2 (d) The Agency shall not refund any fee paid to it under
3 this Section.

4 (e) The Agency shall deposit all fees collected under this
5 subsection into the Environmental Protection Permit and
6 Inspection Fund. Pursuant to appropriation, all moneys
7 collected under this Section shall be used by the Agency for
8 the implementation of this Section and for permit and
9 inspection activities.

10 (f) A unit of local government, as defined in the Local
11 Solid Waste Disposal Act, in which a clean construction or
12 demolition debris fill operation is located and which has
13 entered into a delegation agreement with the Agency pursuant
14 to subsection (r) of Section 4 of this Act for inspection,
15 investigation, or enforcement functions related to clean
16 construction or demolition debris fill operations may
17 establish a fee, tax, or surcharge with regard to clean
18 construction or demolition debris or uncontaminated soil
19 accepted by clean construction or demolition debris fill
20 operations. All fees, taxes, and surcharges collected under
21 this subsection shall be used for inspection, investigation,
22 and enforcement functions performed by the unit of local
23 government pursuant to the delegation agreement with the
24 Agency and for environmental safety purposes. Fees, taxes, and
25 surcharges established under this subsection (f) shall not
26 exceed a total of 20 ~~10~~ cents per cubic yard of clean

1 construction or demolition debris or uncontaminated soil
2 accepted by the clean construction or demolition debris fill
3 operation, unless the owner or operator weighs the quantity of
4 the clean construction or demolition debris or uncontaminated
5 soil with a device for which certification has been obtained
6 under the Weights and Measures Act, in which case the fee shall
7 not exceed 14 ~~7~~ cents per ton of clean construction or
8 demolition debris or uncontaminated soil.

9 (g) For the purposes of this Section:

10 (1) The term "uncontaminated soil" shall have the same
11 meaning as uncontaminated soil under Section 3.160 of this
12 Act.

13 (2) The term "clean construction or demolition debris
14 fill operation" shall have the same meaning as clean
15 construction or demolition debris fill operation under
16 Section 22.51 of this Act.

17 (Source: P.A. 96-1416, eff. 7-30-10.)".