



Sen. Suzy Glowiak Hilton

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1 AMENDMENT TO SENATE BILL 590

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 590 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Safe Pharmaceutical Disposal Act is  
5 amended by changing Section 17 as follows:

6 (210 ILCS 150/17)

7 Sec. 17. Pharmaceutical or sharp disposal.

8 (a) In this Section, "sharp" means any used or unused  
9 hypodermic, intravenous, or other medical needle or syringe  
10 with an original common medical purpose.

11 (b) Notwithstanding any provision of law, any county shall  
12 and any ~~or~~ municipality may authorize the use of its city hall,  
13 police department, or any other facility under the county's or  
14 municipality's control to display a container suitable for use  
15 as a receptacle for used, expired, or unwanted pharmaceuticals  
16 or sharps. These used, expired, or unwanted pharmaceuticals

1 may include unused medication and prescription drugs, as well  
2 as controlled substances if collected in accordance with  
3 federal law. This receptacle shall only permit the deposit of  
4 items, and the contents shall be locked and secured. The  
5 container shall be accessible to the public and shall have  
6 posted clearly legible signage indicating that expired or  
7 unwanted prescription drugs or sharps may be disposed of in  
8 the receptacle. The county or municipality shall provide  
9 continuous or regular notice to the public regarding the  
10 availability of the receptacle. To the extent allowed under  
11 federal law, pharmaceuticals collected under this Section may  
12 be disposed of in a drug destruction device, as defined in  
13 Section 22.58 of the Environmental Protection Act.

14 (Source: P.A. 99-480, eff. 9-9-15; 100-250, eff. 8-22-17.)

15 Section 10. The Environmental Protection Act is amended by  
16 changing Section 22.55 as follows:

17 (415 ILCS 5/22.55)

18 Sec. 22.55. Household waste drop-off points.

19 (a) Findings; purpose and intent.

20 (1) The General Assembly finds that protection of  
21 human health and the environment can be enhanced if  
22 certain commonly generated household wastes are managed  
23 separately from the general household waste stream.

24 (2) The purpose of this Section is to provide, to the

1 extent allowed under federal law, a method for managing  
2 certain types of household waste separately from the  
3 general household waste stream.

4 (b) Definitions. For the purposes of this Section:

5 "Compostable waste" means household waste that is  
6 source-separated food scrap, household waste that is  
7 source-separated landscape waste, or a mixture of both.

8 "Controlled substance" means a controlled substance as  
9 defined in the Illinois Controlled Substances Act.

10 "Household waste" means waste generated from a single  
11 residence or multiple residences.

12 "Household waste drop-off point" means the portion of  
13 a site or facility used solely for the receipt and  
14 temporary storage of household waste.

15 "One-day compostable waste collection event" means a  
16 household waste drop-off point approved by a county or  
17 municipality under subsection (d-5) of this Section.

18 "One-day household waste collection event" means a  
19 household waste drop-off point approved by the Agency  
20 under subsection (d) of this Section.

21 "Permanent compostable waste collection point" means a  
22 household waste drop-off point approved by a county or  
23 municipality under subsection (d-6) of this Section.

24 "Personal care product" means an item other than a  
25 pharmaceutical product that is consumed or applied by an  
26 individual for personal health, hygiene, or cosmetic

1 reasons. Personal care products include, but are not  
2 limited to, items used in bathing, dressing, or grooming.

3 "Pharmaceutical product" means medicine or a product  
4 containing medicine. A pharmaceutical product may be sold  
5 by prescription or over the counter. "Pharmaceutical  
6 product" does not include medicine that contains a  
7 radioactive component or a product that contains a  
8 radioactive component.

9 "Recycling coordinator" means the person designated by  
10 each county waste management plan to administer the county  
11 recycling program, as set forth in the Solid Waste  
12 Management Act.

13 "Sharp" means any used or unused hypodermic,  
14 intravenous, or other medical needle or syringe with an  
15 original common medical purpose.

16 (c) Except as otherwise provided in Agency rules, the  
17 following requirements apply to each household waste drop-off  
18 point, other than a one-day household waste collection event,  
19 one-day compostable waste collection event, or permanent  
20 compostable waste collection point:

21 (1) A household waste drop-off point must not accept  
22 waste other than the following types of household waste:  
23 pharmaceutical products, sharps, personal care products,  
24 batteries other than lead-acid batteries, paints,  
25 automotive fluids, compact fluorescent lightbulbs, mercury  
26 thermometers, and mercury thermostats. A household waste

1 drop-off point may accept controlled substances in  
2 accordance with federal law.

3 (2) Except as provided in subdivision (c)(2) of this  
4 Section, household waste drop-off points must be located  
5 at a site or facility where the types of products accepted  
6 at the household waste drop-off point are lawfully sold,  
7 distributed, or dispensed. For example, household waste  
8 drop-off points that accept prescription pharmaceutical  
9 products must be located at a site or facility where  
10 prescription pharmaceutical products are sold,  
11 distributed, or dispensed.

12 (A) Subdivision (c)(2) of this Section does not  
13 apply to household waste drop-off points operated by a  
14 government or school entity, or by an association or  
15 other organization of government or school entities.

16 (B) Household waste drop-off points that accept  
17 mercury thermometers can be located at any site or  
18 facility where non-mercury thermometers are sold,  
19 distributed, or dispensed.

20 (C) Household waste drop-off points that accept  
21 mercury thermostats can be located at any site or  
22 facility where non-mercury thermostats are sold,  
23 distributed, or dispensed.

24 (3) The location of acceptance for each type of waste  
25 accepted at the household waste drop-off point must be  
26 clearly identified. Locations where pharmaceutical

1 products are accepted must also include a copy of the sign  
2 required under subsection (j) of this Section.

3 (4) Household waste must be accepted only from private  
4 individuals. Waste must not be accepted from other  
5 persons, including, but not limited to, owners and  
6 operators of rented or leased residences where the  
7 household waste was generated, commercial haulers, and  
8 other commercial, industrial, agricultural, and government  
9 operations or entities.

10 (5) If more than one type of household waste is  
11 accepted, each type of household waste must be managed  
12 separately prior to its packaging for off-site transfer.

13 (6) Household waste must not be stored for longer than  
14 90 days after its receipt, except as otherwise approved by  
15 the Agency in writing.

16 (7) Household waste must be managed in a manner that  
17 protects against releases of the waste, prevents  
18 nuisances, and otherwise protects human health and the  
19 environment. Household waste must also be properly secured  
20 to prevent unauthorized public access to the waste,  
21 including, but not limited to, preventing access to the  
22 waste during the non-business hours of the site or  
23 facility on which the household waste drop-off point is  
24 located. Containers in which pharmaceutical products are  
25 collected must be clearly marked "No Controlled  
26 Substances", unless the household waste drop-off point

1 accepts controlled substances in accordance with federal  
2 law.

3 (8) Management of the household waste must be limited  
4 to the following: (i) acceptance of the waste, (ii)  
5 temporary storage of the waste prior to transfer, and  
6 (iii) off-site transfer of the waste and packaging for  
7 off-site transfer.

8 (9) Off-site transfer of the household waste must  
9 comply with federal and State laws and regulations.

10 (d) One-day household waste collection events. To further  
11 aid in the collection of certain household wastes, the Agency  
12 may approve the operation of one-day household waste  
13 collection events. The Agency shall not approve a one-day  
14 household waste collection event at the same site or facility  
15 for more than one day each calendar quarter. Requests for  
16 approval must be submitted on forms prescribed by the Agency.  
17 The Agency must issue its approval in writing, and it may  
18 impose conditions as necessary to protect human health and the  
19 environment and to otherwise accomplish the purposes of this  
20 Act. One-day household waste collection events must be  
21 operated in accordance with the Agency's approval, including  
22 all conditions contained in the approval. The following  
23 requirements apply to all one-day household waste collection  
24 events, in addition to the conditions contained in the  
25 Agency's approval:

26 (1) Waste accepted at the event must be limited to

1 household waste and must not include garbage, landscape  
2 waste, or other waste excluded by the Agency in the  
3 Agency's approval or any conditions contained in the  
4 approval. A one-day household waste collection event may  
5 accept controlled substances in accordance with federal  
6 law.

7 (2) Household waste must be accepted only from private  
8 individuals. Waste must not be accepted from other  
9 persons, including, but not limited to, owners and  
10 operators of rented or leased residences where the  
11 household waste was generated, commercial haulers, and  
12 other commercial, industrial, agricultural, and government  
13 operations or entities.

14 (3) Household waste must be managed in a manner that  
15 protects against releases of the waste, prevents  
16 nuisances, and otherwise protects human health and the  
17 environment. Household waste must also be properly secured  
18 to prevent public access to the waste, including, but not  
19 limited to, preventing access to the waste during the  
20 event's non-business hours.

21 (4) Management of the household waste must be limited  
22 to the following: (i) acceptance of the waste, (ii)  
23 temporary storage of the waste before transfer, and (iii)  
24 off-site transfer of the waste or packaging for off-site  
25 transfer.

26 (5) Except as otherwise approved by the Agency, all



1 household waste received at the collection event must be  
2 transferred off-site by the end of the day following the  
3 collection event.

4 (6) The transfer and ultimate disposition of household  
5 waste received at the collection event must comply with  
6 the Agency's approval, including all conditions contained  
7 in the approval.

8 (d-5) One-day compostable waste collection event. To  
9 further aid in the collection and composting of compostable  
10 waste, as defined in subsection (b), a municipality may  
11 approve the operation of one-day compostable waste collection  
12 events at any site or facility within its territorial  
13 jurisdiction, and a county may approve the operation of  
14 one-day compostable waste collection events at any site or  
15 facility in any unincorporated area within its territorial  
16 jurisdiction. The approval granted under this subsection (d-5)  
17 must be in writing; must specify the date, location, and time  
18 of the event; and must list the types of compostable waste that  
19 will be collected at the event. If the one-day compostable  
20 waste collection event is to be operated at a location within a  
21 county with a population of more than 400,000 but less than  
22 2,000,000 inhabitants, according to the 2010 decennial census,  
23 then the operator of the event shall, at least 30 days before  
24 the event, provide a copy of the approval to the recycling  
25 coordinator designated by that county. The approval granted  
26 under this subsection (d-5) may include conditions imposed by

1 the county or municipality as necessary to protect public  
2 health and prevent odors, vectors, and other nuisances. A  
3 one-day compostable waste collection event approved under this  
4 subsection (d-5) must be operated in accordance with the  
5 approval, including all conditions contained in the approval.  
6 The following requirements shall apply to the one-day  
7 compostable waste collection event, in addition to the  
8 conditions contained in the approval:

9 (1) Waste accepted at the event must be limited to the  
10 types of compostable waste authorized to be accepted under  
11 the approval.

12 (2) Information promoting the event and signs at the  
13 event must clearly indicate the types of compostable waste  
14 approved for collection. To discourage the receipt of  
15 other waste, information promoting the event and signs at  
16 the event must also include:

17 (A) examples of compostable waste being collected;

18 and

19 (B) examples of waste that is not being collected.

20 (3) Compostable waste must be accepted only from  
21 private individuals. It may not be accepted from other  
22 persons, including, but not limited to, owners and  
23 operators of rented or leased residences where it was  
24 generated, commercial haulers, and other commercial,  
25 industrial, agricultural, and government operations or  
26 entities.

1           (4) Compostable waste must be managed in a manner that  
2 protects against releases of the waste, prevents  
3 nuisances, and otherwise protects human health and the  
4 environment. Compostable waste must be properly secured to  
5 prevent it from being accessed by the public at any time,  
6 including, but not limited to, during the collection  
7 event's non-operating hours. One-day compostable waste  
8 collection events must be adequately supervised during  
9 their operating hours.

10           (5) Compostable waste must be secured in non-porous,  
11 rigid, leak-proof containers that:

12           (A) are covered, except when the compostable waste  
13 is being added to or removed from the containers or it  
14 is otherwise necessary to access the compostable  
15 waste;

16           (B) prevent precipitation from draining through  
17 the compostable waste;

18           (C) prevent dispersion of the compostable waste by  
19 wind;

20           (D) contain spills or releases that could create  
21 nuisances or otherwise harm human health or the  
22 environment;

23           (E) limit access to the compostable waste by  
24 vectors;

25           (F) control odors and other nuisances; and

26           (G) provide for storage, removal, and off-site

1 transfer of the compostable waste in a manner that  
2 protects its ability to be composted.

3 (6) No more than a total of 40 cubic yards of  
4 compostable waste shall be located at the collection site  
5 at any one time.

6 (7) Management of the compostable waste must be  
7 limited to the following: (A) acceptance, (B) temporary  
8 storage before transfer, and (C) off-site transfer.

9 (8) All compostable waste received at the event must  
10 be transferred off-site to a permitted compost facility by  
11 no later than 48 hours after the event ends or by the end  
12 of the first business day after the event ends, whichever  
13 is sooner.

14 (9) If waste other than compostable waste is received  
15 at the event, then that waste must be disposed of within 48  
16 hours after the event ends or by the end of the first  
17 business day after the event ends, whichever is sooner.

18 (d-6) Permanent compostable waste collection points. To  
19 further aid in the collection and composting of compostable  
20 waste, as defined in subsection (b), a municipality may  
21 approve the operation of permanent compostable waste  
22 collection points at any site or facility within its  
23 territorial jurisdiction, and a county may approve the  
24 operation of permanent compostable waste collection points at  
25 any site or facility in any unincorporated area within its  
26 territorial jurisdiction. The approval granted pursuant to

1 this subsection (d-6) must be in writing; must specify the  
2 location, operating days, and operating hours of the  
3 collection point; must list the types of compostable waste  
4 that will be collected at the collection point; and must  
5 specify a term of not more than 365 calendar days during which  
6 the approval will be effective. In addition, if the permanent  
7 compostable waste collection point is to be operated at a  
8 location within a county with a population of more than  
9 400,000 but less than 2,000,000 inhabitants, according to the  
10 2010 federal decennial census, then the operator of the  
11 collection point shall, at least 30 days before the collection  
12 point begins operation, provide a copy of the approval to the  
13 recycling coordinator designated by that county. The approval  
14 may include conditions imposed by the county or municipality  
15 as necessary to protect public health and prevent odors,  
16 vectors, and other nuisances. A permanent compostable waste  
17 collection point approved pursuant to this subsection (d-6)  
18 must be operated in accordance with the approval, including  
19 all conditions contained in the approval. The following  
20 requirements apply to the permanent compostable waste  
21 collection point, in addition to the conditions contained in  
22 the approval:

23 (1) Waste accepted at the collection point must be  
24 limited to the types of compostable waste authorized to be  
25 accepted under the approval.

26 (2) Information promoting the collection point and

1 signs at the collection point must clearly indicate the  
2 types of compostable waste approved for collection. To  
3 discourage the receipt of other waste, information  
4 promoting the collection point and signs at the collection  
5 point must also include (A) examples of compostable waste  
6 being collected and (B) examples of waste that is not  
7 being collected.

8 (3) Compostable waste must be accepted only from  
9 private individuals. It may not be accepted from other  
10 persons, including, but not limited to, owners and  
11 operators of rented or leased residences where it was  
12 generated, commercial haulers, and other commercial,  
13 industrial, agricultural, and government operations or  
14 entities.

15 (4) Compostable waste must be managed in a manner that  
16 protects against releases of the waste, prevents  
17 nuisances, and otherwise protects human health and the  
18 environment. Compostable waste must be properly secured to  
19 prevent it from being accessed by the public at any time,  
20 including, but not limited to, during the collection  
21 point's non-operating hours. Permanent compostable waste  
22 collection points must be adequately supervised during  
23 their operating hours.

24 (5) Compostable waste must be secured in non-porous,  
25 rigid, leak-proof containers that:

26 (A) are no larger than 10 cubic yards in size;

1 (B) are covered, except when the compostable waste  
2 is being added to or removed from the container or it  
3 is otherwise necessary to access the compostable  
4 waste;

5 (C) prevent precipitation from draining through  
6 the compostable waste;

7 (D) prevent dispersion of the compostable waste by  
8 wind;

9 (E) contain spills or releases that could create  
10 nuisances or otherwise harm human health or the  
11 environment;

12 (F) limit access to the compostable waste by  
13 vectors;

14 (G) control odors and other nuisances; and

15 (H) provide for storage, removal, and off-site  
16 transfer of the compostable waste in a manner that  
17 protects its ability to be composted.

18 (6) No more than a total of 10 cubic yards of  
19 compostable waste shall be located at the permanent  
20 compostable waste collection site at any one time.

21 (7) Management of the compostable waste must be  
22 limited to the following: (A) acceptance, (B) temporary  
23 storage before transfer, and (C) off-site transfer.

24 (8) All compostable waste received at the permanent  
25 compostable waste collection point must be transferred  
26 off-site to a permitted compost facility not less

1 frequently than once every 7 days.

2 (9) If a permanent compostable waste collection point  
3 receives waste other than compostable waste, then that  
4 waste must be disposed of not less frequently than once  
5 every 7 days.

6 (e) The Agency may adopt rules governing the operation of  
7 household waste drop-off points, other than one-day household  
8 waste collection events, one-day compostable waste collection  
9 events, and permanent compostable waste collection points.  
10 Those rules must be designed to protect against releases of  
11 waste to the environment, prevent nuisances, and otherwise  
12 protect human health and the environment. As necessary to  
13 address different circumstances, the regulations may contain  
14 different requirements for different types of household waste  
15 and different types of household waste drop-off points, and  
16 the regulations may modify the requirements set forth in  
17 subsection (c) of this Section. The regulations may include,  
18 but are not limited to, the following: (i) identification of  
19 additional types of household waste that can be collected at  
20 household waste drop-off points, (ii) identification of the  
21 different types of household wastes that can be received at  
22 different household waste drop-off points, (iii) the maximum  
23 amounts of each type of household waste that can be stored at  
24 household waste drop-off points at any one time, and (iv) the  
25 maximum time periods each type of household waste can be  
26 stored at household waste drop-off points.



1 (f) Prohibitions.

2 (1) Except as authorized in a permit issued by the  
3 Agency, no person shall cause or allow the operation of a  
4 household waste drop-off point, other than a one-day  
5 household waste collection event, one-day compostable  
6 waste collection event, or permanent compostable waste  
7 collection point, in violation of this Section or any  
8 regulations adopted under this Section.

9 (2) No person shall cause or allow the operation of a  
10 one-day household waste collection event in violation of  
11 this Section or the Agency's approval issued under  
12 subsection (d) of this Section, including all conditions  
13 contained in the approval.

14 (3) No person shall cause or allow the operation of a  
15 one-day compostable waste collection event in violation of  
16 this Section or the approval issued for the one-day  
17 compostable waste collection event under subsection (d-5)  
18 of this Section, including all conditions contained in the  
19 approval.

20 (4) No person shall cause or allow the operation of a  
21 permanent compostable waste collection event in violation  
22 of this Section or the approval issued for the permanent  
23 compostable waste collection point under subsection (d-6)  
24 of this Section, including all conditions contained in the  
25 approval.

26 (g) Permit exemptions.

1           (1) No permit is required under subdivision (d)(1) of  
2 Section 21 of this Act for the operation of a household  
3 waste drop-off point, other than a one-day household waste  
4 collection event, one-day compostable waste collection  
5 event, or permanent compostable waste collection point, if  
6 the household waste drop-off point is operated in  
7 accordance with this Section and all regulations adopted  
8 under this Section.

9           (2) No permit is required under subdivision (d)(1) of  
10 Section 21 of this Act for the operation of a one-day  
11 household waste collection event if the event is operated  
12 in accordance with this Section and the Agency's approval  
13 issued under subsection (d) of this Section, including all  
14 conditions contained in the approval, or for the operation  
15 of a household waste collection event by the Agency.

16           (3) No permit is required under paragraph (1) of  
17 subsection (d) of Section 21 of this Act for the operation  
18 of a one-day compostable waste collection event if the  
19 compostable waste collection event is operated in  
20 accordance with this Section and the approval issued for  
21 the compostable waste collection point under subsection  
22 (d-5) of this Section, including all conditions contained  
23 in the approval.

24           (4) No permit is required under paragraph (1) of  
25 subsection (d) of Section 21 of this Act for the operation  
26 of a permanent compostable waste collection point if the

1 collection point is operated in accordance with this  
2 Section and the approval issued for the compostable waste  
3 collection event under subsection (d-6) of this Section,  
4 including all conditions contained in the approval.

5 (h) This Section does not apply to the following:

6 (1) Persons accepting household waste that they are  
7 authorized to accept under a permit issued by the Agency.

8 (2) Sites or facilities operated pursuant to an  
9 intergovernmental agreement entered into with the Agency  
10 under Section 22.16b(d) of this Act.

11 (i) The Agency, in consultation with the Department of  
12 Public Health, must develop and implement a public information  
13 program regarding household waste drop-off points that accept  
14 pharmaceutical products, as well as mail-back programs  
15 authorized under federal law.

16 (j) The Agency must develop a sign that provides  
17 information on the proper disposal of unused pharmaceutical  
18 products. The sign shall include information on approved  
19 drop-off sites or list a website where updated information on  
20 drop-off sites can be accessed. The sign shall also include  
21 information on mail-back programs and self-disposal. The  
22 Agency shall make a copy of the sign available for downloading  
23 from its website. Every pharmacy shall display the sign in the  
24 area where medications are dispensed and shall also display  
25 any signs the Agency develops regarding local take-back  
26 programs or household waste collection events. These signs

1 shall be no larger than 8.5 inches by 11 inches.

2 (k) If an entity chooses to participate as a household  
3 waste drop-off point, then it must follow the provisions of  
4 this Section and any rules the Agency may adopt governing  
5 household waste drop-off points.

6 (l) The Agency shall establish, by rule, a statewide  
7 medication take-back program by June 1, 2016 to ensure that  
8 there are pharmaceutical product disposal options regularly  
9 available for residents across the State. No private entity  
10 may be compelled to serve as or fund a take-back location or  
11 program. Medications collected and disposed of under the  
12 program shall include controlled substances approved for  
13 collection by federal law. All medications collected and  
14 disposed of under the program must be managed in accordance  
15 with all applicable federal and State laws and regulations.  
16 The Agency shall issue a report to the General Assembly by June  
17 1, 2019 detailing the amount of pharmaceutical products  
18 annually collected under the program, as well as any  
19 legislative recommendations.

20 (Source: P.A. 99-11, eff. 7-10-15; 99-480, eff. 9-9-15;  
21 99-642, eff. 7-28-16.)

22 Section 99. Effective date. This Act takes effect January  
23 1, 2022."