



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5293

Introduced 2/9/2024, by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

415 ILCS 5/22.23e new

Amends the Environmental Protection Act. Provides that battery storage sites at which 5,000 kilograms or more of used batteries are stored must register with the Environmental Protection Agency prior to February 2026 or prior to commencing operation if not in operation in February 2026 and maintain records related to the weight or volume of batteries stored. Provides requirements for registration. Provides that the Agency shall propose and the Pollution Control Board shall adopt rules for the operation of battery storage sites no later than 1 year after the effective date of this amendatory Act, and provides requirements for those rules. Defines terms.

LRB103 39049 BDA 69186 b

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 adding Section 22.23e as follows:

6 (415 ILCS 5/22.23e new)

7 Sec. 22.23e. End-of-life electric vehicle and battery
8 electric storage system batteries.

9 (a) In this Section:

10 "Battery electric storage system" or "BESS" means a type
11 of residential or commercial energy storage system that uses
12 batteries to store and distribute energy in the form of
13 electricity. A BESS contains one or more batteries that store
14 electrical energy for use at a later time to meet various
15 demands for power across different applications.

16 "Battery storage site" means a site where used batteries
17 are stored.

18 "Electric vehicle" or "EV" has the same meaning as defined
19 in Section 11-1308 of the Illinois Vehicle Code.

20 "Electric vehicle battery" or "EV battery" means a
21 rechargeable battery that is used to power the electric motors
22 that propel an electric vehicle. "Electric vehicle battery"
23 includes, but is not limited to, lithium-ion batteries and

1 nickel-metal hydride batteries.

2 "Used battery" means an EV battery that is sold, given, or
3 otherwise conveyed to a battery storage site.

4 "Storage" means any accumulation of used batteries that
5 does not constitute disposal.

6 (b) No person shall cause or allow the operation of a
7 battery storage site at which 5,000 kilograms or more of used
8 batteries are stored at any one time unless:

9 (1) the battery storage site is registered with the
10 Agency in accordance with this Section;

11 (2) the owner or operator of the battery storage site
12 maintains records documenting the following:

13 (A) the weight or volume of whole or partial used
14 batteries received at the battery storage site each
15 week;

16 (B) the weight or volume of whole or partial used
17 batteries leaving the battery storage site each week;
18 and

19 (C) the weight or volume of whole or partial used
20 batteries remaining at the battery storage site at the
21 end of each week.

22 The records required under this Section shall be made
23 available for inspection and copying by the Agency during the
24 normal business hours.

25 (c) The owner or operator of each battery storage site in
26 operation prior to February 1, 2026, at which 5,000 kilograms

1 or more of used batteries are stored at any one time, must
2 register with the Agency prior to February 1, 2026 and each
3 February 1 thereafter. Any owners or operators of a battery
4 storage site that comes into operation after February 1, 2026
5 shall register with the Agency prior to commencing operation.
6 Registration must be on forms and in a format prescribed by the
7 Agency. Agency registration forms shall include, at a minimum,
8 information regarding the following:

9 (1) the name and address of the owner and operator of
10 the battery storage site;

11 (2) A description of the operations conducted at the
12 battery storage site;

13 (3) the weight or volume of whole or partial used
14 batteries received at the battery storage site over the
15 past calendar year; and

16 (4) the weight or volume of whole or partial used
17 batteries at the battery storage site at the end of the
18 calendar year.

19 (d) No later than 1 year after the effective date of this
20 amendatory Act, the Agency shall propose to the Board, and no
21 later than one year after receipt of the Agency's proposal,
22 the Board shall adopt, rules for the operation of battery
23 storage sites. Such rules shall include, but not be limited
24 to: requirements for end-of-life battery receipt, handling,
25 storage, and transfer; standards for fire prevention;
26 requirements for contingency planning and emergency response;

1 recordkeeping; reporting; and financial assurance.