



Sen. Jeffrey M. Schoenberg

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09300HB0914sam003

LRB093 05416 RSP 53930 a

1 AMENDMENT TO HOUSE BILL 914

2 AMENDMENT NO. _____. Amends House Bill 914 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 changing Section 9 as follows:

6 (415 ILCS 5/9) (from Ch. 111 1/2, par. 1009)

7 Sec. 9. Acts prohibited. No person shall:

8 (a) Cause or threaten or allow the discharge or emission of
9 any contaminant into the environment in any State so as to
10 cause or tend to cause air pollution in Illinois, either alone
11 or in combination with contaminants from other sources, or so
12 as to violate regulations or standards adopted by the Board
13 under this Act;

14 (b) Construct, install, or operate any equipment,
15 facility, vehicle, vessel, or aircraft capable of causing or
16 contributing to air pollution or designed to prevent air
17 pollution, of any type designated by Board regulations, without
18 a permit granted by the Agency, or in violation of any
19 conditions imposed by such permit;

20 (c) Cause or allow the open burning of refuse, conduct any
21 salvage operation by open burning, or cause or allow the
22 burning of any refuse in any chamber not specifically designed
23 for the purpose and approved by the Agency pursuant to
24 regulations adopted by the Board under this Act; except that

1 the Board may adopt regulations permitting open burning of
2 refuse in certain cases upon a finding that no harm will result
3 from such burning, or that any alternative method of disposing
4 of such refuse would create a safety hazard so extreme as to
5 justify the pollution that would result from such burning;

6 (d) Sell, offer, or use any fuel or other article in any
7 areas in which the Board may by regulation forbid its sale,
8 offer, or use for reasons of air-pollution control;

9 (e) Use, cause or allow the spraying of loose asbestos for
10 the purpose of fireproofing or insulating any building or
11 building material or other constructions, or otherwise use
12 asbestos in such unconfined manner as to permit asbestos fibers
13 or particles to pollute the air;

14 (f) Commencing July 1, 1985, sell any used oil for burning
15 or incineration in any incinerator, boiler, furnace, burner or
16 other equipment unless such oil meets standards based on virgin
17 fuel oil or re-refined oil, as defined in ASTM D-396 or
18 specifications under VV-F-815C promulgated pursuant to the
19 federal Energy Policy and Conservation Act, and meets the
20 manufacturer's and current NFPA code standards for which such
21 incinerator, boiler, furnace, burner or other equipment was
22 approved, except that this prohibition does not apply to a sale
23 to a permitted used oil re-refining or reprocessing facility or
24 sale to a facility permitted by the Agency to burn or
25 incinerate such oil; -

26 (g) On and after the effective date of this amendatory Act
27 of the 93rd General Assembly, burn or incinerate at any
28 hospital, or at any site or facility owned or operated by any
29 owner or operator of any hospital, any waste generated at any
30 hospital. For purposes of this subsection, the term "hospital"
31 means a "hospital" as that term is defined in 35 Ill. Admin.
32 Code 229.102 that is subject to the emission standards
33 established under 35 Ill. Admin. Code 229.

34 Nothing herein shall limit the effect of any section of

1 this Title with respect to any form of asbestos, or the
2 spraying of any form of asbestos, or limit the power of the
3 Board under this Title to adopt additional and further
4 regulations with respect to any form of asbestos, or the
5 spraying of any form of asbestos.

6 This Section shall not limit the burning of landscape waste
7 upon the premises where it is produced or at sites provided and
8 supervised by any unit of local government, except within any
9 county having a population of more than 400,000. Nothing in
10 this Section shall prohibit the burning of landscape waste for
11 agricultural purposes, habitat management (including but not
12 limited to forest and prairie reclamation), or firefighter
13 training. For the purposes of this Act, the burning of
14 landscape waste by production nurseries shall be considered to
15 be burning for agricultural purposes.

16 Any grain elevator located outside of a major population
17 area, as defined in Section 211.3610 of Title 35 of the
18 Illinois Administrative Code, shall be exempt from the
19 requirements of Section 212.462 of Title 35 of the Illinois
20 Administrative Code provided that the elevator: (1) does not
21 violate the prohibitions of subsection (a) of this Section or
22 have a certified investigation, as defined in Section 211.970
23 of Title 35 of the Illinois Administrative Code, on file with
24 the Agency and (2) is not required to obtain a Clean Air Act
25 Permit Program permit pursuant to Section 39.5.
26 Notwithstanding the above exemption, new stationary source
27 performance standards for grain elevators, established
28 pursuant to Section 9.1 of this Act and Section 111 of the
29 federal Clean Air Act, shall continue to apply to grain
30 elevators.

31 (Source: P.A. 88-488; 89-328, eff. 8-17-95; 89-491, eff.
32 6-21-96.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.".