LRB093 08837 AMC 12107 a

- AMENDMENT TO SENATE BILL 221 1
- 2 AMENDMENT NO. ____. Amend Senate Bill 221 by replacing
- 3 everything after the enacting clause with the following:
- 4 "Section 5. The Environmental Protection Act is amended
- 5 by changing Section 3.160 as follows:
- (415 ILCS 5/3.160) (was 415 ILCS 5/3.78 and 3.78a) 6
- Sec. 3.160. Construction or demolition debris. 7
- (a) "General construction or demolition debris" means
- 9 non-hazardous, uncontaminated materials resulting from the
- 10 remodeling, repair, and construction, demolition
- utilities, structures, and roads, limited to the following: 11
- 12 bricks, concrete, and other masonry materials; soil; rock;
- wood, including non-hazardous painted, treated, and coated 13
- 14 wood and wood products; wall coverings; plaster; drywall;
- plumbing fixtures; non-asbestos insulation; roofing shingles
- and other roof coverings; reclaimed asphalt pavement; glass;

plastics that are not sealed in a manner that conceals waste;

- electrical wiring and components containing no hazardous 18
- substances; and piping or metals incidental to any of those 19
- 20 materials.

15

16

17

- 21 General construction or demolition debris does
- 22 include uncontaminated soil generated during construction,

- 1 remodeling, repair, and demolition of utilities, structures,
- 2 and roads provided the uncontaminated soil is not commingled
- 3 with any general construction or demolition debris or other
- 4 waste.
- 5 (b) "Clean construction or demolition debris" means
- 6 uncontaminated broken concrete without protruding metal bars,
- 7 bricks, rock, stone, reclaimed asphalt pavement, or soil
- 8 generated from construction or demolition activities.
- 9 Clean construction or demolition debris does not include
- 10 uncontaminated soil generated during construction,
- 11 remodeling, repair, and demolition of utilities, structures,
- 12 and roads provided the uncontaminated soil is not commingled
- 13 with any clean construction or demolition debris or other
- 14 waste.

24

25

- To the extent allowed by federal law, clean construction
- or demolition debris shall not be considered "waste" if it is
- 17 (i) used as fill material below grade outside of a setback
- 18 zone if covered by sufficient uncontaminated soil to support
- 19 vegetation within 30 days of the completion of filling or if
- 20 covered by a road or structure, or (ii) separated or
- 21 processed and returned to the economic mainstream in the form
- of raw materials or products, if it is not speculatively
- 23 accumulated and, if used as a fill material, it is used in

accordance with item (i), or (iii) solely broken concrete

without protruding metal bars used for erosion control,

- 26 (iv) generated from the construction or demolition of a
- 27 building, road, or other structure and used to construct, on
- 28 the site where the construction or demolition has taken
- 29 place, an above-grade area shaped so as to blend into an
- 30 extension of the surrounding topography or an above-grade
- 31 manmade functional structure not to exceed 20 feet in height,
- 32 provided that the area or structure shall be covered with
- 33 sufficient soil materials to sustain vegetation or by a road
- 34 or structure, and further provided that no such area or

- 1 structure shall be constructed within a home rule
- 2 municipality with a population over 500,000, or (v) used to
- 3 construct a recreation facility at a site located within an
- 4 Enterprise Zone, as certified by the Department of Commerce
- 5 and Community Affairs, pursuant to a permit issued by a
- 6 <u>municipality with an equalized assessed valuation of less</u>
- 7 <u>than \$15,000,000</u>.
- 8 (Source: P.A. 91-909, eff. 7-7-00; 92-574, eff. 6-26-02.)
- 9 Section 99. Effective date. This Act takes effect upon
- 10 becoming law.".