

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by changing Section 805-15 as follows:

7 (20 ILCS 805/805-15) (was 20 ILCS 805/63a37)

8 Sec. 805-15. Rules and regulations.

9 (a) The Department has the power to adopt and enforce rules
10 and regulations necessary to the performance of its statutory
11 duties.

12 (b) These rules and regulations must include a process for
13 expediting the issuance of permits and licenses. The Department
14 may engage the experts and additional resources that are
15 reasonably necessary for implementing this process. An
16 applicant must request the use of an expedited process, and any
17 additional costs for using that process shall be borne by the
18 applicant.

19 (Source: P.A. 91-239, eff. 1-1-00.)

20 Section 10. The Department of Transportation Law of the
21 Civil Administrative Code of Illinois is amended by adding
22 Section 2705-20 as follows:

23 (20 ILCS 2705/2705-20 new)

24 Sec. 2705-20. Administrative rules.

25 (a) The Department has the power to adopt and enforce rules
26 and regulations necessary to the performance of its statutory
27 duties.

28 (b) These rules and regulations must include a process for
29 expediting the issuance of permits and licenses. The Department
30 may engage the experts and additional resources that are

1 reasonably necessary for implementing this process. An
2 applicant must request the use of an expedited process, and any
3 additional costs for using that process shall be borne by the
4 applicant.

5 Section 15. The State Fire Marshal Act is amended by
6 changing Section 2 as follows:

7 (20 ILCS 2905/2) (from Ch. 127 1/2, par. 2)

8 Sec. 2. The Office shall have the following powers and
9 duties:

10 1. To exercise the rights, powers and duties which have
11 been vested by law in the Department of State Police as the
12 successor of the Department of Public Safety, State Fire
13 Marshal, inspectors, officers and employees of the State Fire
14 Marshal, including arson investigation.

15 2. To keep a record, as may be required by law, of all
16 fires occurring in the State, together with all facts,
17 statistics and circumstances, including the origin of fires.

18 3. To exercise the rights, powers and duties which have
19 been vested in the Department of State Police by the "Boiler
20 and Pressure Vessel Safety Act", approved August 7, 1951, as
21 amended.

22 4. To administer the Illinois Fire Protection Training Act.

23 5. To aid in the establishment and maintenance of the
24 training facilities and programs of the Illinois Fire Service
25 Institute.

26 6. To disburse Federal grants for fire protection purposes
27 to units of local government.

28 7. To pay to or in behalf of the City of Chicago for the
29 maintenance, expenses, facilities and structures directly
30 incident to the Chicago Fire Department training program. Such
31 payments may be made either as reimbursements for expenditures
32 previously made by the City, or as payments at the time the
33 City has incurred an obligation which is then due and payable
34 for such expenditures. Payments for the Chicago Fire Department

1 training program shall be made only for those expenditures
2 which are not claimable by the City under "An Act relating to
3 fire protection training", certified November 9, 1971, as
4 amended.

5 8. To administer General Revenue Fund grants to areas not
6 located in a fire protection district or in a municipality
7 which provides fire protection services, to defray the
8 organizational expenses of forming a fire protection district.

9 9. In cooperation with the Illinois Environmental
10 Protection Agency, to administer the Illinois Leaking
11 Underground Storage Tank program in accordance with Section 4
12 of this Act and Section 22.12 of the Environmental Protection
13 Act.

14 10. To expend state and federal funds as appropriated by
15 the General Assembly.

16 11. To provide technical assistance, to areas not located
17 in a fire protection district or in a municipality which
18 provides fire protection service, to form a fire protection
19 district, to join an existing district, or to establish a
20 municipal fire department, whichever is applicable.

21 12. To exercise such other powers and duties as may be
22 vested in the Office by law.

23 13. To adopt all administrative rules that may be necessary
24 for the effective administration, enforcement, and regulation
25 of all matters for which the Department has jurisdiction or
26 responsibility. These rules and regulations must include a
27 process for expediting the issuance of permits and licenses.
28 The Office may engage the experts and additional resources that
29 are reasonably necessary for implementing this process. An
30 applicant must request the use of an expedited process, and any
31 additional costs for using that process shall be borne by the
32 applicant.

33 (Source: P.A. 94-178, eff. 1-1-06.)

34 Section 20. The Historic Preservation Agency Act is amended
35 by changing Section 16 as follows:

1 (20 ILCS 3405/16) (from Ch. 127, par. 2716)

2 Sec. 16. The Historic Sites and Preservation Division of
3 the Agency shall have the following additional powers:

4 (a) To hire agents and employees necessary to carry out the
5 duties and purposes of the Historic Sites and Preservation
6 Division of the Agency.

7 (b) To take all measures necessary to erect, maintain,
8 preserve, restore, and conserve all State Historic Sites and
9 State Memorials, except when supervision and maintenance is
10 otherwise provided by law. This authorization includes the
11 power, with the consent of the Board, to enter into contracts,
12 acquire and dispose of real and personal property, and enter
13 into leases of real and personal property.

14 (c) To provide recreational facilities including camp
15 sites, lodges and cabins, trails, picnic areas and related
16 recreational facilities at all sites under the jurisdiction of
17 the Agency.

18 (d) To lay out, construct and maintain all needful roads,
19 parking areas, paths or trails, bridges, camp or lodge sites,
20 picnic areas, lodges and cabins, and any other structures and
21 improvements necessary and appropriate in any State historic
22 site or easement thereto; and to provide water supplies, heat
23 and light, and sanitary facilities for the public and living
24 quarters for the custodians and keepers of State historic
25 sites.

26 (e) To grant licenses and rights-of-way within the areas
27 controlled by the Historic Sites and Preservation Division of
28 the Agency for the construction, operation and maintenance
29 upon, under or across the property, of facilities for water,
30 sewage, telephone, telegraph, electric, gas, or other public
31 service, subject to the terms and conditions as may be
32 determined by the Agency.

33 (f) To authorize the officers, employees and agents of the
34 Historic Sites and Preservation Division of the Agency, for the
35 purposes of investigation and to exercise the rights, powers,

1 and duties vested and that may be vested in it, to enter and
2 cross all lands and waters in this State, doing no damage to
3 private property.

4 (g) To transfer jurisdiction of or exchange any realty
5 under the control of the Historic Sites and Preservation
6 Division of the Agency to any other Department of the State
7 Government, or to any agency of the Federal Government, or to
8 acquire or accept Federal lands, when any transfer, exchange,
9 acquisition or acceptance is advantageous to the State and is
10 approved in writing by the Governor.

11 (h) To erect, supervise, and maintain all public monuments
12 and memorials erected by the State, except when the supervision
13 and maintenance of public monuments and memorials is otherwise
14 provided by law.

15 (i) To accept, hold, maintain, and administer, as trustee,
16 property given in trust for educational or historic purposes
17 for the benefit of the People of the State of Illinois and to
18 dispose, with the consent of the Board, of any property under
19 the terms of the instrument creating the trust.

20 (j) To lease concessions on any property under the
21 jurisdiction of the Agency for a period not exceeding 25 years
22 and to lease a concession complex at Lincoln's New Salem State
23 Historic Site for which a cash incentive has been authorized
24 under Section 5.1 of the Historic Preservation Agency Act for a
25 period not to exceed 40 years. All leases, for whatever period,
26 shall be made subject to the written approval of the Governor.
27 All concession leases extending for a period in excess of 10
28 years, will contain provisions for the Agency to participate,
29 on a percentage basis, in the revenues generated by any
30 concession operation.

31 (k) To sell surplus agricultural products grown on land
32 owned by or under the jurisdiction of the Historic Sites and
33 Preservation Division of the Agency, when the products cannot
34 be used by the Agency.

35 (l) To enforce the laws of the State and the rules and
36 regulations of the Agency in or on any lands owned, leased, or

1 managed by the Historic Sites and Preservation Division of the
2 Agency.

3 (m) To cooperate with private organizations and agencies of
4 the State of Illinois by providing areas and the use of staff
5 personnel where feasible for the sale of publications on the
6 historic and cultural heritage of the State and craft items
7 made by Illinois craftsmen. These sales shall not conflict with
8 existing concession agreements. The Historic Sites and
9 Preservation Division of the Agency is authorized to negotiate
10 with the organizations and agencies for a portion of the monies
11 received from sales to be returned to the Historic Sites and
12 Preservation Division of the Agency's Historic Sites Fund for
13 the furtherance of interpretive and restoration programs.

14 (n) To establish local bank or savings and loan association
15 accounts, upon the written authorization of the Director, to
16 temporarily hold income received at any of its properties. The
17 local accounts established under this Section shall be in the
18 name of the Historic Preservation Agency and shall be subject
19 to regular audits. The balance in a local bank or savings and
20 loan association account shall be forwarded to the Agency for
21 deposit with the State Treasurer on Monday of each week if the
22 amount to be deposited in a fund exceeds \$500.

23 No bank or savings and loan association shall receive
24 public funds as permitted by this Section, unless it has
25 complied with the requirements established under Section 6 of
26 the Public Funds Investment Act.

27 (o) To accept, with the consent of the Board, offers of
28 gifts, gratuities, or grants from the federal government, its
29 agencies, or offices, or from any person, firm, or corporation.

30 (p) To make reasonable rules and regulations as may be
31 necessary to discharge the duties of the Agency. These rules
32 and regulations must include a process for expediting the
33 issuance of permits and licenses. The Agency may engage the
34 experts and additional resources that are reasonably necessary
35 for implementing this process. An applicant must request the
36 use of an expedited process, and any additional costs for using

1 that process shall be borne by the applicant.

2 (q) With appropriate cultural organizations, to further
3 and advance the goals of the Agency.

4 (r) To make grants for the purposes of planning, survey,
5 rehabilitation, restoration, reconstruction, landscaping, and
6 acquisition of Illinois properties (i) designated individually
7 in the National Register of Historic Places, (ii) designated as
8 a landmark under a county or municipal landmark ordinance, or
9 (iii) located within a National Register of Historic Places
10 historic district or a locally designated historic district
11 when the Director determines that the property is of historic
12 significance whenever an appropriation is made therefor by the
13 General Assembly or whenever gifts or grants are received for
14 that purpose and to promulgate regulations as may be necessary
15 or desirable to carry out the purposes of the grants.

16 Grantees may, as prescribed by rule, be required to provide
17 matching funds for each grant. Grants made under this
18 subsection shall be known as Illinois Heritage Grants.

19 Every owner of a historic property, or the owner's agent,
20 is eligible to apply for a grant under this subsection.

21 (s) To establish and implement a pilot program for charging
22 admission to State historic sites. Fees may be charged for
23 special events, admissions, and parking or any combination;
24 fees may be charged at all sites or selected sites. All fees
25 shall be deposited into the Illinois Historic Sites Fund. The
26 Historic Sites and Preservation Division of the Agency shall
27 have the discretion to set and adjust reasonable fees at the
28 various sites, taking into consideration various factors
29 including but not limited to: cost of services furnished to
30 each visitor, impact of fees on attendance and tourism and the
31 costs expended collecting the fees. The Agency shall keep
32 careful records of the income and expenses resulting from the
33 imposition of fees, shall keep records as to the attendance at
34 each historic site, and shall report to the Governor and
35 General Assembly by January 31 after the close of each year.
36 The report shall include information on costs, expenses,

1 attendance, comments by visitors, and any other information the
2 Agency may believe pertinent, including:

3 (1) Recommendations as to whether fees should be
4 continued at each State historic site.

5 (2) How the fees should be structured and imposed.

6 (3) Estimates of revenues and expenses associated with
7 each site.

8 (t) To provide for overnight tent and trailer campsites and
9 to provide suitable housing facilities for student and juvenile
10 overnight camping groups. The Historic Sites and Preservation
11 Division of the Agency shall charge rates similar to those
12 charged by the Department of Conservation for the same or
13 similar facilities and services.

14 (u) To engage in marketing activities designed to promote
15 the sites and programs administered by the Agency. In
16 undertaking these activities, the Agency may take all necessary
17 steps with respect to products and services, including but not
18 limited to retail sales, wholesale sales, direct marketing,
19 mail order sales, telephone sales, advertising and promotion,
20 purchase of product and materials inventory, design, printing
21 and manufacturing of new products, reproductions, and
22 adaptations, copyright and trademark licensing and royalty
23 agreements, and payment of applicable taxes. In addition, the
24 Agency shall have the authority to sell advertising in its
25 publications and printed materials. All income from marketing
26 activities shall be deposited into the Illinois Historic Sites
27 Fund.

28 (Source: P.A. 91-202, eff. 1-1-00; 92-600, eff. 7-1-02.)

29 Section 25. The Environmental Protection Act is amended by
30 changing Section 4 as follows:

31 (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

32 Sec. 4. Environmental Protection Agency; establishment;
33 duties.

34 (a) There is established in the Executive Branch of the

1 State Government an agency to be known as the Environmental
2 Protection Agency. This Agency shall be under the supervision
3 and direction of a Director who shall be appointed by the
4 Governor with the advice and consent of the Senate. The term of
5 office of the Director shall expire on the third Monday of
6 January in odd numbered years, provided that he or she shall
7 hold office until a successor is appointed and has qualified.
8 The Director shall receive an annual salary as set by the
9 Governor from time to time or as set by the Compensation Review
10 Board, whichever is greater. If set by the Governor, the
11 Director's annual salary may not exceed 85% of the Governor's
12 annual salary. The Director, in accord with the Personnel Code,
13 shall employ and direct such personnel, and shall provide for
14 such laboratory and other facilities, as may be necessary to
15 carry out the purposes of this Act. In addition, the Director
16 may by agreement secure such services as he or she may deem
17 necessary from any other department, agency, or unit of the
18 State Government, and may employ and compensate such
19 consultants and technical assistants as may be required.

20 (b) The Agency shall have the duty to collect and
21 disseminate such information, acquire such technical data, and
22 conduct such experiments as may be required to carry out the
23 purposes of this Act, including ascertainment of the quantity
24 and nature of discharges from any contaminant source and data
25 on those sources, and to operate and arrange for the operation
26 of devices for the monitoring of environmental quality.

27 (c) The Agency shall have authority to conduct a program of
28 continuing surveillance and of regular or periodic inspection
29 of actual or potential contaminant or noise sources, of public
30 water supplies, and of refuse disposal sites.

31 (d) In accordance with constitutional limitations, the
32 Agency shall have authority to enter at all reasonable times
33 upon any private or public property for the purpose of:

34 (1) Inspecting and investigating to ascertain possible
35 violations of this Act, any rule or regulation adopted
36 under this Act, any permit or term or condition of a

1 permit, or any Board order; or

2 (2) In accordance with the provisions of this Act,
3 taking whatever preventive or corrective action, including
4 but not limited to removal or remedial action, that is
5 necessary or appropriate whenever there is a release or a
6 substantial threat of a release of (A) a hazardous
7 substance or pesticide or (B) petroleum from an underground
8 storage tank.

9 (e) The Agency shall have the duty to investigate
10 violations of this Act, any rule or regulation adopted under
11 this Act, any permit or term or condition of a permit, or any
12 Board order; to issue administrative citations as provided in
13 Section 31.1 of this Act; and to take such summary enforcement
14 action as is provided for by Section 34 of this Act.

15 (f) The Agency shall appear before the Board in any hearing
16 upon a petition for variance, the denial of a permit, or the
17 validity or effect of a rule or regulation of the Board, and
18 shall have the authority to appear before the Board in any
19 hearing under the Act.

20 (g) The Agency shall have the duty to administer, in accord
21 with Title X of this Act, such permit and certification systems
22 as may be established by this Act or by regulations adopted
23 thereunder. The Agency may enter into written delegation
24 agreements with any department, agency, or unit of State or
25 local government under which all or portions of this duty may
26 be delegated for public water supply storage and transport
27 systems, sewage collection and transport systems, air
28 pollution control sources with uncontrolled emissions of 100
29 tons per year or less and application of algicides to waters of
30 the State. Such delegation agreements will require that the
31 work to be performed thereunder will be in accordance with
32 Agency criteria, subject to Agency review, and shall include
33 such financial and program auditing by the Agency as may be
34 required.

35 (h) The Agency shall have authority to require the
36 submission of complete plans and specifications from any

1 applicant for a permit required by this Act or by regulations
2 thereunder, and to require the submission of such reports
3 regarding actual or potential violations of this Act, any rule
4 or regulation adopted under this Act, any permit or term or
5 condition of a permit, or any Board order, as may be necessary
6 for the purposes of this Act.

7 (i) The Agency shall have authority to make recommendations
8 to the Board for the adoption of regulations under Title VII of
9 the Act.

10 (j) The Agency shall have the duty to represent the State
11 of Illinois in any and all matters pertaining to plans,
12 procedures, or negotiations for interstate compacts or other
13 governmental arrangements relating to environmental
14 protection.

15 (k) The Agency shall have the authority to accept, receive,
16 and administer on behalf of the State any grants, gifts, loans,
17 indirect cost reimbursements, or other funds made available to
18 the State from any source for purposes of this Act or for air
19 or water pollution control, public water supply, solid waste
20 disposal, noise abatement, or other environmental protection
21 activities, surveys, or programs. Any federal funds received by
22 the Agency pursuant to this subsection shall be deposited in a
23 trust fund with the State Treasurer and held and disbursed by
24 him in accordance with Treasurer as Custodian of Funds Act,
25 provided that such monies shall be used only for the purposes
26 for which they are contributed and any balance remaining shall
27 be returned to the contributor.

28 The Agency is authorized to promulgate such regulations and
29 enter into such contracts as it may deem necessary for carrying
30 out the provisions of this subsection.

31 (l) The Agency is hereby designated as water pollution
32 agency for the state for all purposes of the Federal Water
33 Pollution Control Act, as amended; as implementing agency for
34 the State for all purposes of the Safe Drinking Water Act,
35 Public Law 93-523, as now or hereafter amended, except Section
36 1425 of that Act; as air pollution agency for the state for all

1 purposes of the Clean Air Act of 1970, Public Law 91-604,
2 approved December 31, 1970, as amended; and as solid waste
3 agency for the state for all purposes of the Solid Waste
4 Disposal Act, Public Law 89-272, approved October 20, 1965, and
5 amended by the Resource Recovery Act of 1970, Public Law
6 91-512, approved October 26, 1970, as amended, and amended by
7 the Resource Conservation and Recovery Act of 1976, (P.L.
8 94-580) approved October 21, 1976, as amended; as noise control
9 agency for the state for all purposes of the Noise Control Act
10 of 1972, Public Law 92-574, approved October 27, 1972, as
11 amended; and as implementing agency for the State for all
12 purposes of the Comprehensive Environmental Response,
13 Compensation, and Liability Act of 1980 (P.L. 96-510), as
14 amended; and otherwise as pollution control agency for the
15 State pursuant to federal laws integrated with the foregoing
16 laws, for financing purposes or otherwise. The Agency is hereby
17 authorized to take all action necessary or appropriate to
18 secure to the State the benefits of such federal Acts, provided
19 that the Agency shall transmit to the United States without
20 change any standards adopted by the Pollution Control Board
21 pursuant to Section 5(c) of this Act. This subsection (l) of
22 Section 4 shall not be construed to bar or prohibit the
23 Environmental Protection Trust Fund Commission from accepting,
24 receiving, and administering on behalf of the State any grants,
25 gifts, loans or other funds for which the Commission is
26 eligible pursuant to the Environmental Protection Trust Fund
27 Act. The Agency is hereby designated as the State agency for
28 all purposes of administering the requirements of Section 313
29 of the federal Emergency Planning and Community Right-to-Know
30 Act of 1986.

31 Any municipality, sanitary district, or other political
32 subdivision, or any Agency of the State or interstate Agency,
33 which makes application for loans or grants under such federal
34 Acts shall notify the Agency of such application; the Agency
35 may participate in proceedings under such federal Acts.

36 (m) The Agency shall have authority, consistent with

1 Section 5(c) and other provisions of this Act, and for purposes
2 of Section 303(e) of the Federal Water Pollution Control Act,
3 as now or hereafter amended, to engage in planning processes
4 and activities and to develop plans in cooperation with units
5 of local government, state agencies and officers, and other
6 appropriate persons in connection with the jurisdiction or
7 duties of each such unit, agency, officer or person. Public
8 hearings shall be held on the planning process, at which any
9 person shall be permitted to appear and be heard, pursuant to
10 procedural regulations promulgated by the Agency.

11 (n) In accordance with the powers conferred upon the Agency
12 by Sections 10(g), 13(b), 19, 22(d) and 25 of this Act, the
13 Agency shall have authority to establish and enforce minimum
14 standards for the operation of laboratories relating to
15 analyses and laboratory tests for air pollution, water
16 pollution, noise emissions, contaminant discharges onto land
17 and sanitary, chemical, and mineral quality of water
18 distributed by a public water supply. The Agency may enter into
19 formal working agreements with other departments or agencies of
20 state government under which all or portions of this authority
21 may be delegated to the cooperating department or agency.

22 (o) The Agency shall have the authority to issue
23 certificates of competency to persons and laboratories meeting
24 the minimum standards established by the Agency in accordance
25 with Section 4(n) of this Act and to promulgate and enforce
26 regulations relevant to the issuance and use of such
27 certificates. The Agency may enter into formal working
28 agreements with other departments or agencies of state
29 government under which all or portions of this authority may be
30 delegated to the cooperating department or agency.

31 (p) Except as provided in Section 17.7, the Agency shall
32 have the duty to analyze samples as required from each public
33 water supply to determine compliance with the contaminant
34 levels specified by the Pollution Control Board. The maximum
35 number of samples which the Agency shall be required to analyze
36 for microbiological quality shall be 6 per month, but the

1 Agency may, at its option, analyze a larger number each month
2 for any supply. Results of sample analyses for additional
3 required bacteriological testing, turbidity, residual chlorine
4 and radionuclides are to be provided to the Agency in
5 accordance with Section 19. Owners of water supplies may enter
6 into agreements with the Agency to provide for reduced Agency
7 participation in sample analyses.

8 (q) The Agency shall have the authority to provide notice
9 to any person who may be liable pursuant to Section 22.2(f) of
10 this Act for a release or a substantial threat of a release of
11 a hazardous substance or pesticide. Such notice shall include
12 the identified response action and an opportunity for such
13 person to perform the response action.

14 (r) The Agency may enter into written delegation agreements
15 with any unit of local government under which it may delegate
16 all or portions of its inspecting, investigating and
17 enforcement functions. Such delegation agreements shall
18 require that work performed thereunder be in accordance with
19 Agency criteria and subject to Agency review. Notwithstanding
20 any other provision of law to the contrary, no unit of local
21 government shall be liable for any injury resulting from the
22 exercise of its authority pursuant to such a delegation
23 agreement unless the injury is proximately caused by the
24 willful and wanton negligence of an agent or employee of the
25 unit of local government, and any policy of insurance coverage
26 issued to a unit of local government may provide for the denial
27 of liability and the nonpayment of claims based upon injuries
28 for which the unit of local government is not liable pursuant
29 to this subsection (r).

30 (s) The Agency shall have authority to take whatever
31 preventive or corrective action is necessary or appropriate,
32 including but not limited to expenditure of monies appropriated
33 from the Build Illinois Bond Fund and the Build Illinois
34 Purposes Fund for removal or remedial action, whenever any
35 hazardous substance or pesticide is released or there is a
36 substantial threat of such a release into the environment. The

1 State, the Director, and any State employee shall be
2 indemnified for any damages or injury arising out of or
3 resulting from any action taken under this subsection. The
4 Director of the Agency is authorized to enter into such
5 contracts and agreements as are necessary to carry out the
6 Agency's duties under this subsection.

7 (t) The Agency shall have authority to distribute grants,
8 subject to appropriation by the General Assembly, for financing
9 and construction of municipal wastewater facilities. With
10 respect to all monies appropriated from the Build Illinois Bond
11 Fund and the Build Illinois Purposes Fund for wastewater
12 facility grants, the Agency shall make distributions in
13 conformity with the rules and regulations established pursuant
14 to the Anti-Pollution Bond Act, as now or hereafter amended.

15 (u) Pursuant to the Illinois Administrative Procedure Act,
16 the Agency shall have the authority to adopt such rules as are
17 necessary or appropriate for the Agency to implement Section
18 31.1 of this Act.

19 (v) (Blank.)

20 (w) Neither the State, nor the Director, nor the Board, nor
21 any State employee shall be liable for any damages or injury
22 arising out of or resulting from any action taken under
23 subsection (s).

24 (x) (1) The Agency shall have authority to distribute
25 grants, subject to appropriation by the General Assembly,
26 to units of local government for financing and construction
27 of public water supply facilities. With respect to all
28 monies appropriated from the Build Illinois Bond Fund or
29 the Build Illinois Purposes Fund for public water supply
30 grants, such grants shall be made in accordance with rules
31 promulgated by the Agency. Such rules shall include a
32 requirement for a local match of 30% of the total project
33 cost for projects funded through such grants.

34 (2) The Agency shall not terminate a grant to a unit of
35 local government for the financing and construction of
36 public water supply facilities unless and until the Agency

1 adopts rules that set forth precise and complete standards,
2 pursuant to Section 5-20 of the Illinois Administrative
3 Procedure Act, for the termination of such grants. The
4 Agency shall not make determinations on whether specific
5 grant conditions are necessary to ensure the integrity of a
6 project or on whether subagreements shall be awarded, with
7 respect to grants for the financing and construction of
8 public water supply facilities, unless and until the Agency
9 adopts rules that set forth precise and complete standards,
10 pursuant to Section 5-20 of the Illinois Administrative
11 Procedure Act, for making such determinations. The Agency
12 shall not issue a stop-work order in relation to such
13 grants unless and until the Agency adopts precise and
14 complete standards, pursuant to Section 5-20 of the
15 Illinois Administrative Procedure Act, for determining
16 whether to issue a stop-work order.

17 (y) The Agency shall have authority to release any person
18 from further responsibility for preventive or corrective
19 action under this Act following successful completion of
20 preventive or corrective action undertaken by such person upon
21 written request by the person.

22 (z) The Agency may provide for the expedited review of any
23 permit application upon request by the permit applicant. The
24 Agency may enter into contracts or agreements as it deems
25 necessary to expedite permit application reviews. If the Agency
26 provides for the expedited review of a permit application, the
27 permit applicant shall pay to the Agency all reasonable costs
28 incurred by the Agency that are related to the expedited
29 review. The Agency shall provide the applicant with the task
30 and roles that any third party reviewers shall perform and
31 shall also provide suitable evidence to support all third party
32 charges. Such costs shall be in addition to any other costs or
33 fees required by law or regulation. Prior to conducting an
34 expedited review, the Agency may require the permit applicant
35 to make an advance payment for costs related to the review, not
36 to exceed the lesser of \$5,000 or one-half of the Agency's

1 total anticipated additional review costs. The Agency may cease
2 an expedited review if the permit applicant fails to pay the
3 Agency's costs when due. All amounts paid to the Agency under
4 this subsection (z) shall be deposited into the Environmental
5 Protection Permit and Inspection Fund or into such other Agency
6 administered fund as is appropriate for the permit under
7 review. A permit applicant that has requested an expedited
8 review may withdraw its request at any time by providing the
9 Agency with written notification of its withdrawal, provided
10 that the applicant shall remain liable for all expedited review
11 costs incurred by the Agency through the date of the Agency's
12 receipt of the withdrawal. The Agency shall adopt rules for the
13 administration of this subsection (z).

14 (Source: P.A. 92-574, eff. 6-26-02; 93-152, eff. 7-10-03.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.