



Sen. James F. Clayborne Jr.

Filed: 2/27/2006

09400SB2580sam001

LRB094 15363 RSP 56631 a

1 AMENDMENT TO SENATE BILL 2580

2 AMENDMENT NO. _____. Amend Senate Bill 2580 by replacing
3 everything after the enacting clause with the following:

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:

1 (20 ILCS 2705/2705-20 new)

2 Sec. 2705-20. Administrative rules.

3 (a) The Department has the power to adopt and enforce rules
4 and regulations necessary to the performance of its statutory
5 duties.

6 (b) These rules and regulations must include a process for
7 expediting the issuance of permits and licenses. The Department
8 may engage the experts and additional resources that are
9 reasonably necessary for implementing this process. An
10 applicant must request the use of an expedited process, and any
11 additional costs for using that process shall be borne by the
12 applicant.

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

15 (20 ILCS 2905/2) (from Ch. 127 1/2, par. 2)

16 Sec. 2. The Office shall have the following powers and
17 duties:

18 1. To exercise the rights, powers and duties which have
19 been vested by law in the Department of State Police as the
20 successor of the Department of Public Safety, State Fire
21 Marshal, inspectors, officers and employees of the State Fire
22 Marshal, including arson investigation.

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

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

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

31 5. To aid in the establishment and maintenance of the
32 training facilities and programs of the Illinois Fire Service

1 Institute.

2 6. To disburse Federal grants for fire protection purposes
3 to units of local government.

4 7. To pay to or in behalf of the City of Chicago for the
5 maintenance, expenses, facilities and structures directly
6 incident to the Chicago Fire Department training program. Such
7 payments may be made either as reimbursements for expenditures
8 previously made by the City, or as payments at the time the
9 City has incurred an obligation which is then due and payable
10 for such expenditures. Payments for the Chicago Fire Department
11 training program shall be made only for those expenditures
12 which are not claimable by the City under "An Act relating to
13 fire protection training", certified November 9, 1971, as
14 amended.

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

19 9. In cooperation with the Illinois Environmental
20 Protection Agency, to administer the Illinois Leaking
21 Underground Storage Tank program in accordance with Section 4
22 of this Act and Section 22.12 of the Environmental Protection
23 Act.

24 10. To expend state and federal funds as appropriated by
25 the General Assembly.

26 11. To provide technical assistance, to areas not located
27 in a fire protection district or in a municipality which
28 provides fire protection service, to form a fire protection
29 district, to join an existing district, or to establish a
30 municipal fire department, whichever is applicable.

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

33 13. To adopt all administrative rules that may be necessary
34 for the effective administration, enforcement, and regulation

1 of all matters for which the Department has jurisdiction or
2 responsibility. These rules and regulations must include a
3 process for expediting the issuance of permits and licenses.
4 The Office may engage the experts and additional resources that
5 are reasonably necessary for implementing this process. An
6 applicant must request the use of an expedited process, and any
7 additional costs for using that process shall be borne by the
8 applicant.

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

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

12 (20 ILCS 3405/16) (from Ch. 127, par. 2716)

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

15 (a) To hire agents and employees necessary to carry out the
16 duties and purposes of the Historic Sites and Preservation
17 Division of the Agency.

18 (b) To take all measures necessary to erect, maintain,
19 preserve, restore, and conserve all State Historic Sites and
20 State Memorials, except when supervision and maintenance is
21 otherwise provided by law. This authorization includes the
22 power, with the consent of the Board, to enter into contracts,
23 acquire and dispose of real and personal property, and enter
24 into leases of real and personal property.

25 (c) To provide recreational facilities including camp
26 sites, lodges and cabins, trails, picnic areas and related
27 recreational facilities at all sites under the jurisdiction of
28 the Agency.

29 (d) To lay out, construct and maintain all needful roads,
30 parking areas, paths or trails, bridges, camp or lodge sites,
31 picnic areas, lodges and cabins, and any other structures and
32 improvements necessary and appropriate in any State historic

1 site or easement thereto; and to provide water supplies, heat
2 and light, and sanitary facilities for the public and living
3 quarters for the custodians and keepers of State historic
4 sites.

5 (e) To grant licenses and rights-of-way within the areas
6 controlled by the Historic Sites and Preservation Division of
7 the Agency for the construction, operation and maintenance
8 upon, under or across the property, of facilities for water,
9 sewage, telephone, telegraph, electric, gas, or other public
10 service, subject to the terms and conditions as may be
11 determined by the Agency.

12 (f) To authorize the officers, employees and agents of the
13 Historic Sites and Preservation Division of the Agency, for the
14 purposes of investigation and to exercise the rights, powers,
15 and duties vested and that may be vested in it, to enter and
16 cross all lands and waters in this State, doing no damage to
17 private property.

18 (g) To transfer jurisdiction of or exchange any realty
19 under the control of the Historic Sites and Preservation
20 Division of the Agency to any other Department of the State
21 Government, or to any agency of the Federal Government, or to
22 acquire or accept Federal lands, when any transfer, exchange,
23 acquisition or acceptance is advantageous to the State and is
24 approved in writing by the Governor.

25 (h) To erect, supervise, and maintain all public monuments
26 and memorials erected by the State, except when the supervision
27 and maintenance of public monuments and memorials is otherwise
28 provided by law.

29 (i) To accept, hold, maintain, and administer, as trustee,
30 property given in trust for educational or historic purposes
31 for the benefit of the People of the State of Illinois and to
32 dispose, with the consent of the Board, of any property under
33 the terms of the instrument creating the trust.

34 (j) To lease concessions on any property under the

1 jurisdiction of the Agency for a period not exceeding 25 years
2 and to lease a concession complex at Lincoln's New Salem State
3 Historic Site for which a cash incentive has been authorized
4 under Section 5.1 of the Historic Preservation Agency Act for a
5 period not to exceed 40 years. All leases, for whatever period,
6 shall be made subject to the written approval of the Governor.
7 All concession leases extending for a period in excess of 10
8 years, will contain provisions for the Agency to participate,
9 on a percentage basis, in the revenues generated by any
10 concession operation.

11 (k) To sell surplus agricultural products grown on land
12 owned by or under the jurisdiction of the Historic Sites and
13 Preservation Division of the Agency, when the products cannot
14 be used by the Agency.

15 (l) To enforce the laws of the State and the rules and
16 regulations of the Agency in or on any lands owned, leased, or
17 managed by the Historic Sites and Preservation Division of the
18 Agency.

19 (m) To cooperate with private organizations and agencies of
20 the State of Illinois by providing areas and the use of staff
21 personnel where feasible for the sale of publications on the
22 historic and cultural heritage of the State and craft items
23 made by Illinois craftsmen. These sales shall not conflict with
24 existing concession agreements. The Historic Sites and
25 Preservation Division of the Agency is authorized to negotiate
26 with the organizations and agencies for a portion of the monies
27 received from sales to be returned to the Historic Sites and
28 Preservation Division of the Agency's Historic Sites Fund for
29 the furtherance of interpretive and restoration programs.

30 (n) To establish local bank or savings and loan association
31 accounts, upon the written authorization of the Director, to
32 temporarily hold income received at any of its properties. The
33 local accounts established under this Section shall be in the
34 name of the Historic Preservation Agency and shall be subject

1 to regular audits. The balance in a local bank or savings and
2 loan association account shall be forwarded to the Agency for
3 deposit with the State Treasurer on Monday of each week if the
4 amount to be deposited in a fund exceeds \$500.

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

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

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

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

22 (r) To make grants for the purposes of planning, survey,
23 rehabilitation, restoration, reconstruction, landscaping, and
24 acquisition of Illinois properties (i) designated individually
25 in the National Register of Historic Places, (ii) designated as
26 a landmark under a county or municipal landmark ordinance, or
27 (iii) located within a National Register of Historic Places
28 historic district or a locally designated historic district
29 when the Director determines that the property is of historic
30 significance whenever an appropriation is made therefor by the
31 General Assembly or whenever gifts or grants are received for
32 that purpose and to promulgate regulations as may be necessary
33 or desirable to carry out the purposes of the grants.

34 Grantees may, as prescribed by rule, be required to provide

1 matching funds for each grant. Grants made under this
2 subsection shall be known as Illinois Heritage Grants.

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

5 (s) To establish and implement a pilot program for charging
6 admission to State historic sites. Fees may be charged for
7 special events, admissions, and parking or any combination;
8 fees may be charged at all sites or selected sites. All fees
9 shall be deposited into the Illinois Historic Sites Fund. The
10 Historic Sites and Preservation Division of the Agency shall
11 have the discretion to set and adjust reasonable fees at the
12 various sites, taking into consideration various factors
13 including but not limited to: cost of services furnished to
14 each visitor, impact of fees on attendance and tourism and the
15 costs expended collecting the fees. The Agency shall keep
16 careful records of the income and expenses resulting from the
17 imposition of fees, shall keep records as to the attendance at
18 each historic site, and shall report to the Governor and
19 General Assembly by January 31 after the close of each year.
20 The report shall include information on costs, expenses,
21 attendance, comments by visitors, and any other information the
22 Agency may believe pertinent, including:

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

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

26 (3) Estimates of revenues and expenses associated with
27 each site.

28 (t) To provide for overnight tent and trailer campsites and
29 to provide suitable housing facilities for student and juvenile
30 overnight camping groups. The Historic Sites and Preservation
31 Division of the Agency shall charge rates similar to those
32 charged by the Department of Conservation for the same or
33 similar facilities and services.

34 (u) To engage in marketing activities designed to promote

1 the sites and programs administered by the Agency. In
2 undertaking these activities, the Agency may take all necessary
3 steps with respect to products and services, including but not
4 limited to retail sales, wholesale sales, direct marketing,
5 mail order sales, telephone sales, advertising and promotion,
6 purchase of product and materials inventory, design, printing
7 and manufacturing of new products, reproductions, and
8 adaptations, copyright and trademark licensing and royalty
9 agreements, and payment of applicable taxes. In addition, the
10 Agency shall have the authority to sell advertising in its
11 publications and printed materials. All income from marketing
12 activities shall be deposited into the Illinois Historic Sites
13 Fund.

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

15 Section 25. The Environmental Protection Act is amended by
16 changing Section 4 as follows:

17 (415 ILCS 5/4) (from Ch. 111 1/2, par. 1004)

18 Sec. 4. Environmental Protection Agency; establishment;
19 duties.

20 (a) There is established in the Executive Branch of the
21 State Government an agency to be known as the Environmental
22 Protection Agency. This Agency shall be under the supervision
23 and direction of a Director who shall be appointed by the
24 Governor with the advice and consent of the Senate. The term of
25 office of the Director shall expire on the third Monday of
26 January in odd numbered years, provided that he or she shall
27 hold office until a successor is appointed and has qualified.
28 The Director shall receive an annual salary as set by the
29 Governor from time to time or as set by the Compensation Review
30 Board, whichever is greater. If set by the Governor, the
31 Director's annual salary may not exceed 85% of the Governor's
32 annual salary. The Director, in accord with the Personnel Code,

1 shall employ and direct such personnel, and shall provide for
2 such laboratory and other facilities, as may be necessary to
3 carry out the purposes of this Act. In addition, the Director
4 may by agreement secure such services as he or she may deem
5 necessary from any other department, agency, or unit of the
6 State Government, and may employ and compensate such
7 consultants and technical assistants as may be required.

8 (b) The Agency shall have the duty to collect and
9 disseminate such information, acquire such technical data, and
10 conduct such experiments as may be required to carry out the
11 purposes of this Act, including ascertainment of the quantity
12 and nature of discharges from any contaminant source and data
13 on those sources, and to operate and arrange for the operation
14 of devices for the monitoring of environmental quality.

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

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

22 (1) Inspecting and investigating to ascertain possible
23 violations of this Act, any rule or regulation adopted
24 under this Act, any permit or term or condition of a
25 permit, or any Board order; or

26 (2) In accordance with the provisions of this Act,
27 taking whatever preventive or corrective action, including
28 but not limited to removal or remedial action, that is
29 necessary or appropriate whenever there is a release or a
30 substantial threat of a release of (A) a hazardous
31 substance or pesticide or (B) petroleum from an underground
32 storage tank.

33 (e) The Agency shall have the duty to investigate
34 violations of this Act, any rule or regulation adopted under

1 this Act, any permit or term or condition of a permit, or any
2 Board order; to issue administrative citations as provided in
3 Section 31.1 of this Act; and to take such summary enforcement
4 action as is provided for by Section 34 of this Act.

5 (f) The Agency shall appear before the Board in any hearing
6 upon a petition for variance, the denial of a permit, or the
7 validity or effect of a rule or regulation of the Board, and
8 shall have the authority to appear before the Board in any
9 hearing under the Act.

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

25 (h) The Agency shall have authority to require the
26 submission of complete plans and specifications from any
27 applicant for a permit required by this Act or by regulations
28 thereunder, and to require the submission of such reports
29 regarding actual or potential violations of this Act, any rule
30 or regulation adopted under this Act, any permit or term or
31 condition of a permit, or any Board order, as may be necessary
32 for the purposes of this Act.

33 (i) The Agency shall have authority to make recommendations
34 to the Board for the adoption of regulations under Title VII of

1 the Act.

2 (j) The Agency shall have the duty to represent the State
3 of Illinois in any and all matters pertaining to plans,
4 procedures, or negotiations for interstate compacts or other
5 governmental arrangements relating to environmental
6 protection.

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

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

23 (l) The Agency is hereby designated as water pollution
24 agency for the state for all purposes of the Federal Water
25 Pollution Control Act, as amended; as implementing agency for
26 the State for all purposes of the Safe Drinking Water Act,
27 Public Law 93-523, as now or hereafter amended, except Section
28 1425 of that Act; as air pollution agency for the state for all
29 purposes of the Clean Air Act of 1970, Public Law 91-604,
30 approved December 31, 1970, as amended; and as solid waste
31 agency for the state for all purposes of the Solid Waste
32 Disposal Act, Public Law 89-272, approved October 20, 1965, and
33 amended by the Resource Recovery Act of 1970, Public Law
34 91-512, approved October 26, 1970, as amended, and amended by

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

25 Any municipality, sanitary district, or other political
26 subdivision, or any Agency of the State or interstate Agency,
27 which makes application for loans or grants under such federal
28 Acts shall notify the Agency of such application; the Agency
29 may participate in proceedings under such federal Acts.

30 (m) The Agency shall have authority, consistent with
31 Section 5(c) and other provisions of this Act, and for purposes
32 of Section 303(e) of the Federal Water Pollution Control Act,
33 as now or hereafter amended, to engage in planning processes
34 and activities and to develop plans in cooperation with units

1 of local government, state agencies and officers, and other
2 appropriate persons in connection with the jurisdiction or
3 duties of each such unit, agency, officer or person. Public
4 hearings shall be held on the planning process, at which any
5 person shall be permitted to appear and be heard, pursuant to
6 procedural regulations promulgated by the Agency.

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

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

27 (p) Except as provided in Section 17.7, the Agency shall
28 have the duty to analyze samples as required from each public
29 water supply to determine compliance with the contaminant
30 levels specified by the Pollution Control Board. The maximum
31 number of samples which the Agency shall be required to analyze
32 for microbiological quality shall be 6 per month, but the
33 Agency may, at its option, analyze a larger number each month
34 for any supply. Results of sample analyses for additional

1 required bacteriological testing, turbidity, residual chlorine
2 and radionuclides are to be provided to the Agency in
3 accordance with Section 19. Owners of water supplies may enter
4 into agreements with the Agency to provide for reduced Agency
5 participation in sample analyses.

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

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

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

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

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

24 (z) The Agency may provide for the expedited review of any
25 permit application upon request by the permit applicant. The
26 Agency may enter into contracts or agreements as it deems
27 necessary to expedite permit application reviews. If the Agency
28 provides for the expedited review of a permit application, the
29 permit applicant shall pay to the Agency all reasonable costs
30 incurred by the Agency that are related to the expedited
31 review. The Agency shall provide the applicant with the task
32 and roles that any third party reviewers shall perform and
33 shall also provide suitable evidence to support all third party
34 charges. Such costs shall be in addition to any other costs or

1 fees required by law or regulation. Prior to conducting an
2 expedited review, the Agency may require the permit applicant
3 to make an advance payment for costs related to the review, not
4 to exceed the lesser of \$5,000 or one-half of the Agency's
5 total anticipated additional review costs. The Agency may cease
6 an expedited review if the permit applicant fails to pay the
7 Agency's costs when due. All amounts paid to the Agency under
8 this subsection (z) shall be deposited into the Environmental
9 Protection Permit and Inspection Fund or into such other Agency
10 administered fund as is appropriate for the permit under
11 review. A permit applicant that has requested an expedited
12 review may withdraw its request at any time by providing the
13 Agency with written notification of its withdrawal, provided
14 that the applicant shall remain liable for all expedited review
15 costs incurred by the Agency through the date of the Agency's
16 receipt of the withdrawal. The Agency shall adopt rules for the
17 administration of this subsection (z).

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

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."