



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0184

Introduced 1/31/2007, by Sen. Dale A. Righter - John O. Jones

SYNOPSIS AS INTRODUCED:

225 ILCS 225/3
225 ILCS 225/4

from Ch. 111 1/2, par. 116.303
from Ch. 111 1/2, par. 116.304

Amends the Private Sewage Disposal Licensing Act. Defines "off-lot discharging private sewage disposal system". Provides that every owner of an off-lot discharging private sewage disposal system must file a "Notice of Intent" with the Department of Public Health to allow coverage of the system under the blanket National Pollutant Discharge Elimination System (NPDES) permit of the State. Effective immediately.

LRB095 05077 CMK 25146 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Private Sewage Disposal Licensing Act is
5 amended by changing Sections 3 and 4 as follows:

6 (225 ILCS 225/3) (from Ch. 111 1/2, par. 116.303)

7 Sec. 3. As used in this Act, unless the context otherwise
8 requires:

9 (1) "Domestic Sewage" means waste water derived
10 principally from dwellings, business or office buildings,
11 institutions, food service establishments, and similar
12 facilities.

13 (2) "Director" means Director of the Illinois Department of
14 Public Health.

15 (3) "Department" means the Illinois Department of Public
16 Health.

17 (4) "Human Wastes" means undigested food and by-products of
18 metabolism which are passed out of the human body.

19 (5) "Person" means any individual, group of individuals,
20 association, trust, partnership, corporation, person doing
21 business under an assumed name, the State of Illinois or any
22 Department thereof, or any other entity.

23 (6) "Population Equivalent" means an average waste loading

1 equivalent to that produced by one person which is defined as
2 100 gallons per day.

3 (7) "Private Sewage Disposal System" means any sewage
4 handling or treatment facility receiving domestic sewage from
5 less than 15 people or population equivalent and having a
6 ground surface discharge or any sewage handling or treatment
7 facility receiving domestic sewage and having no ground surface
8 discharge.

9 (8) "Private Sewage Disposal System Installation
10 Contractor" means any person constructing, installing,
11 repairing, modifying, or maintaining private sewage disposal
12 systems.

13 (9) "Property Owner" means the person in whose name legal
14 title to the real estate is recorded.

15 (10) "Waste" means either human waste or domestic sewage or
16 both.

17 (11) "Private Sewage Disposal System Pumping Contractor"
18 means any person who cleans or pumps waste from a private
19 sewage disposal system or hauls or disposes of wastes removed
20 therefrom.

21 (12) "Off-lot discharging private sewage disposal system"
22 means any private sewage disposal system having a surface
23 discharge that leaves the property or directly enters the
24 navigable waters of the State or surface waters that are
25 tributary to navigable waters of the State.

26 (Source: P.A. 84-670.)

1 (225 ILCS 225/4) (from Ch. 111 1/2, par. 116.304)

2 Sec. 4. (a) After January 1, 1974, no person or private
3 sewage disposal system contractor may construct, install,
4 modify, repair, maintain, or service a private sewage disposal
5 system or transport and dispose of waste removed therefrom, in
6 such a manner that does not comply with the requirements of
7 this Act and the private sewage disposal code promulgated
8 hereunder by the Department. A person who owns and occupies a
9 single family dwelling and who constructs, installs,
10 maintains, services or cleans the private sewage disposal
11 system which serves his single family residence shall not be
12 required to be licensed under this Act, however, such person
13 shall comply with all other provisions of this Act and the
14 private sewage disposal code promulgated hereunder by the
15 Department.

16 Any person who constructs, installs, repairs, modifies, or
17 maintains a private sewage disposal system, other than a system
18 which serves his own single family residence, shall be licensed
19 by the Department as a Private Sewage System Installation
20 Contractor and any person who cleans or pumps waste from a
21 private sewage disposal system, other than a system which
22 serves his own single family residence, or hauls or disposes of
23 wastes removed therefrom shall be licensed by the Department as
24 a Private Sewage Disposal System Pumping Contractor in
25 accordance with this Act.

1 (b) No new private sewage disposal system shall be
2 installed by any person until drawings, specifications and
3 other information requested by the Department are submitted to
4 and reviewed by the Department and found to comply with the
5 private sewage disposal code, and until approval for the
6 installation of such system is issued by the Department.

7 (c) The licensing requirements of this Act shall not apply
8 to any person who cleans or pumps, hauls or disposes of waste
9 from chemical toilets located in an underground coal mine. This
10 waste shall be (i) transported to and disposed of at a sewage
11 treatment facility permitted by the Illinois Environmental
12 Protection Agency and located on the mine property, or (ii)
13 stored on-site in a sanitary manner pending removal and
14 subsequent disposal by a licensed private sewage disposal
15 pumping contractor.

16 (d) Notwithstanding any other provision of this Act or the
17 rules adopted by the Environmental Protection Agency under this
18 Act, every owner of an off-lot discharging private sewage
19 disposal system must file a "Notice of Intent" with the
20 Department to allow coverage of the system under the blanket
21 National Pollutant Discharge Elimination System (NPDES) permit
22 of the State. The owner of any private sewage disposal system
23 that has a surface discharge that does not leave the property
24 or directly enter the navigable waters of the State or surface
25 waters that are tributary to navigable waters of the State is
26 not required to file a Notice of Intent or meet other NPDES

1 permit requirements.

2 (Source: P.A. 86-1195.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.