



Sen. Susan Garrett

Filed: 2/23/2009

09600SB0178sam002

LRB096 11415 JDS 21883 a

1 AMENDMENT TO SENATE BILL 178

2 AMENDMENT NO. _____. Amend Senate Bill 178 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 adding Section 22.55 as follows:

6 (415 ILCS 5/22.55 new)

7 Sec. 22.55. Household Waste Drop-off Points.

8 (a) Findings; Purpose and Intent.

9 (1) The General Assembly finds that some household
10 wastes pose a greater threat to human health or the
11 environment than others. These wastes include, but are not
12 limited to, pharmaceutical products, personal care
13 products, batteries, paints, automotive fluids, compact
14 fluorescent lightbulbs, mercury thermometers, mercury
15 thermostats, and other wastes that would be regulated as
16 hazardous waste but for the fact that they are household

1 wastes. Protection of human health and the environment can
2 be enhanced if these wastes are managed separately from the
3 general household waste stream.

4 (2) The purpose of this Section is to provide, to the
5 extent allowed under federal law, a method for managing
6 certain types of household waste separately from the
7 general household waste stream.

8 (b) Definitions. For the purposes of this Section:

9 "Household waste" means waste generated from a single
10 residence or multiple residences.

11 "Household waste drop-off point" means the portion of a
12 site or facility used solely for the receipt and temporary
13 storage of household waste.

14 "One-day household waste collection event" means a
15 household waste drop-off point approved by the Agency under
16 subsection (d) of this Section.

17 "Personal care product" means an item other than a
18 pharmaceutical product that is consumed or applied by an
19 individual for personal health, hygiene, or cosmetic
20 reasons. Personal care products include, but are not
21 limited to, items used in bathing, dressing, or grooming.

22 "Pharmaceutical product" means medicine or a product
23 containing medicine. A pharmaceutical product may be sold
24 by prescription or over the counter. "Pharmaceutical
25 product" does not include medicine that contains a
26 radioactive component or a product that contains a

1 radioactive component.

2 (c) Except as otherwise provided in Agency rules, the
3 following requirements apply to each household waste drop-off
4 point other than a one-day household waste collection event:

5 (1) A household waste drop-off point must not accept
6 waste other than the following types of household waste:
7 pharmaceutical products, personal care products, batteries
8 other than lead-acid batteries, paints, automotive fluids,
9 compact fluorescent lightbulbs, mercury thermometers, and
10 mercury thermostats.

11 (2) Except as provided in subdivision (c)(2) of this
12 Section, household waste drop-off points must be located at
13 a site or facility where the types of products accepted at
14 the household waste drop-off point are lawfully sold,
15 distributed, or dispensed. For example, household waste
16 drop-off points that accept pharmaceutical products must
17 be located at a site or facility where pharmaceutical
18 products are sold, distributed, or dispensed.

19 (A) Subdivision (c)(2) of this Section does not
20 apply to household waste drop-off points operated by a
21 government or school entity, or by an association or
22 other organization of government or school entities.

23 (B) Household waste drop-off points that accept
24 mercury thermometers can be located at any site or
25 facility where non-mercury thermometers are sold,
26 distributed, or dispensed.

1 (C) Household waste drop-off points that accept
2 mercury thermostats can be located at any site or
3 facility where non-mercury thermostats are sold,
4 distributed, or dispensed.

5 (D) The Agency may not require a hospital or
6 nursing home to maintain a household waste drop-off
7 point.

8 (3) The location of acceptance for each type of waste
9 accepted at the household waste drop-off point must be
10 clearly identified. Locations where pharmaceutical
11 products are accepted must also include a copy of the sign
12 required under subsection (j) of this Section.

13 (4) Household waste must be accepted only from private
14 individuals. Waste must not be accepted from other persons,
15 including, but not limited to, owners and operators of
16 rented or leased residences where the household waste was
17 generated, commercial haulers, and other commercial,
18 industrial, agricultural, and government operations or
19 entities.

20 (5) If more than one type of household waste is
21 accepted, each type of household waste must be managed
22 separately prior to its packaging for off-site transfer.

23 (6) Household waste must not be stored for longer than
24 90 days after its receipt, except as otherwise approved by
25 the Agency in writing.

26 (7) Household waste must be managed in a manner that

1 protects against releases of the waste, prevents
2 nuisances, and otherwise protects human health and the
3 environment. Household waste must also be properly secured
4 to prevent unauthorized public access to the waste,
5 including, but not limited to, preventing access to the
6 waste during the non-business hours of the site or facility
7 on which the household waste drop-off point is located.

8 (8) Management of the household waste must be limited
9 to the following: (i) acceptance of the waste, (ii)
10 temporary storage of the waste prior to transfer, and (iii)
11 off-site transfer of the waste and packaging for off-site
12 transfer.

13 (9) Off-site transfer of the household waste must
14 comply with federal and State laws and regulations.

15 (d) One-day household waste collection events. To further
16 aid in the collection of certain household wastes, the Agency
17 may approve the operation of one-day household waste collection
18 events. The Agency shall not approve a one-day household waste
19 collection event at the same site or facility for more than one
20 day each calendar quarter. Requests for approval must be
21 submitted on forms prescribed by the Agency. The Agency must
22 issue its approval in writing, and it may impose conditions as
23 necessary to protect human health and the environment and to
24 otherwise accomplish the purposes of this Act. One-day
25 household waste collection events must be operated in
26 accordance with the Agency's approval, including all

1 conditions contained in the approval. The following
2 requirements apply to all one-day household waste collection
3 events, in addition to the conditions contained in the Agency's
4 approval:

5 (1) Waste accepted at the event must be limited to
6 household waste and must not include garbage, landscape
7 waste, or other waste excluded by the Agency in the
8 Agency's approval or any conditions contained in the
9 approval.

10 (2) Household waste must be accepted only from private
11 individuals. Waste must not be accepted from other persons,
12 including, but not limited to, owners and operators of
13 rented or leased residences where the household waste was
14 generated, commercial haulers, and other commercial,
15 industrial, agricultural, and government operations or
16 entities.

17 (3) Household waste must be managed in a manner that
18 protects against releases of the waste, prevents
19 nuisances, and otherwise protects human health and the
20 environment. Household waste must also be properly secured
21 to prevent public access to the waste, including, but not
22 limited to, preventing access to the waste during the
23 event's non-business hours.

24 (4) Management of the household waste must be limited
25 to the following: (i) acceptance of the waste, (ii)
26 temporary storage of the waste before transfer, and (iii)

1 off-site transfer of the waste or packaging for off-site
2 transfer.

3 (5) Except as otherwise approved by the Agency, all
4 household waste received at the collection event must be
5 transferred off-site by the end of the day following the
6 collection event.

7 (6) The transfer and ultimate disposition of household
8 waste received at the collection event must comply with the
9 Agency's approval, including all conditions contained in
10 the approval.

11 (e) The Agency may adopt rules governing the operation of
12 household waste drop-off points other than one-day household
13 waste collection events. Those rules must be designed to
14 protect against releases of waste to the environment, prevent
15 nuisances, and otherwise protect human health and the
16 environment. As necessary to address different circumstances,
17 the regulations may contain different requirements for
18 different types of household waste and different types of
19 household waste drop-off points, and the regulations may modify
20 the requirements set forth in subsection (c) of this Section.
21 The regulations may include, but are not limited to, the
22 following: (i) identification of additional types of household
23 waste that can be collected at household waste drop-off points,
24 (ii) identification of the different types of household wastes
25 that can be received at different household waste drop-off
26 points, (iii) the maximum amounts of each type of household

1 waste that can be stored at household waste drop-off points at
2 any one time, and (iv) the maximum time periods each type of
3 household waste can be stored at household waste drop-off
4 points.

5 (f) Prohibitions.

6 (1) Except as authorized in a permit issued by the
7 Agency, no person shall cause or allow the operation of a
8 household waste drop-off point other than a one-day
9 household waste collection event in violation of this
10 Section or any regulations adopted under this Section.

11 (2) No person shall cause or allow the operation of a
12 one-day household waste collection event in violation of
13 this Section or the Agency's approval issued under
14 subsection (d) of this Section, including all conditions
15 contained in the approval.

16 (g) Permit exemptions.

17 (1) No permit is required under subdivision (d)(1) of
18 Section 21 of this Act for the operation of a household
19 waste drop-off point other than a one-day household waste
20 collection event if the household waste drop-off point is
21 operated in accordance with this Section and all
22 regulations adopted under this Section.

23 (2) No permit is required under subdivision (d)(1) of
24 Section 21 of this Act for the operation of a one-day
25 household waste collection event if the event is operated
26 in accordance with this Section and the Agency's approval

1 issued under subsection (d) of this Section, including all
2 conditions contained in the approval, or for the operation
3 of a household waste collection event by the Agency.

4 (h) This Section does not apply to the following:

5 (1) Persons accepting household waste that they are
6 authorized to accept under a permit issued by the Agency.

7 (2) Sites or facilities operated pursuant to an
8 intergovernmental agreement entered into with the Agency
9 under Section 22.16b(d) of this Act.

10 (i) The Agency, in consultation with the Department of
11 Public Health, must develop and implement a public information
12 program regarding household waste drop-off points that accept
13 pharmaceutical products.

14 (j) The Agency, in consultation with the Illinois Board of
15 Education, must develop a sign that provides information on the
16 proper disposal of unused pharmaceutical products. The Agency
17 shall make a copy of the sign available for downloading from
18 its website.

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