



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4986

by Rep. Karen May

SYNOPSIS AS INTRODUCED:

415 ILCS 5/22.15	from Ch. 111 1/2, par. 1022.15
415 ILCS 5/22.44	
415 ILCS 15/5	from Ch. 85, par. 5955
415 ILCS 15/6	from Ch. 85, par. 5956
415 ILCS 20/6	from Ch. 111 1/2, par. 7056

Amends the Environmental Protection Act. Changes the categories of waste that qualify for exemptions from State and local tipping fees and Subtitle D management fees. Amends the Solid Waste Planning and Recycling Act. Requires each county to report its recycling and composting rate and its disposal rate to the Environmental Protection Agency. Establishes a recycling and composting goal that each county waste management plan must satisfy. Amends the Illinois Solid Waste Management Act. Authorizes the Department of Commerce and Economic Opportunity to prepare a resource management plan that contains certain information about recycling and composting in the State. Authorizes the Department to provide grants to counties, municipalities with a population of 1,000,000 or more, and municipal joint action agencies in order to help achieve the recycling and composting goals. Effective immediately.

LRB097 18517 JDS 63748 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Environmental Protection Act is amended by
5 changing Sections 22.15 and 22.44 as follows:

6 (415 ILCS 5/22.15) (from Ch. 111 1/2, par. 1022.15)

7 Sec. 22.15. Solid Waste Management Fund; fees.

8 (a) There is hereby created within the State Treasury a
9 special fund to be known as the "Solid Waste Management Fund",
10 to be constituted from the fees collected by the State pursuant
11 to this Section and from repayments of loans made from the Fund
12 for solid waste projects. Moneys received by the Department of
13 Commerce and Economic Opportunity in repayment of loans made
14 pursuant to the Illinois Solid Waste Management Act shall be
15 deposited into the General Revenue Fund.

16 (b) The Agency shall assess and collect a fee in the amount
17 set forth herein from the owner or operator of each sanitary
18 landfill permitted or required to be permitted by the Agency to
19 dispose of solid waste if the sanitary landfill is located off
20 the site where such waste was produced and if such sanitary
21 landfill is owned, controlled, and operated by a person other
22 than the generator of such waste. The Agency shall deposit all
23 fees collected into the Solid Waste Management Fund. If a site

1 is contiguous to one or more landfills owned or operated by the
2 same person, the volumes permanently disposed of by each
3 landfill shall be combined for purposes of determining the fee
4 under this subsection.

5 (1) If more than 150,000 cubic yards of non-hazardous
6 solid waste is permanently disposed of at a site in a
7 calendar year, the owner or operator shall either pay a fee
8 of 95 cents per cubic yard or, alternatively, the owner or
9 operator may weigh the quantity of the solid waste
10 permanently disposed of with a device for which
11 certification has been obtained under the Weights and
12 Measures Act and pay a fee of \$2.00 per ton of solid waste
13 permanently disposed of. In no case shall the fee collected
14 or paid by the owner or operator under this paragraph
15 exceed \$1.55 per cubic yard or \$3.27 per ton.

16 (2) If more than 100,000 cubic yards but not more than
17 150,000 cubic yards of non-hazardous waste is permanently
18 disposed of at a site in a calendar year, the owner or
19 operator shall pay a fee of \$52,630.

20 (3) If more than 50,000 cubic yards but not more than
21 100,000 cubic yards of non-hazardous solid waste is
22 permanently disposed of at a site in a calendar year, the
23 owner or operator shall pay a fee of \$23,790.

24 (4) If more than 10,000 cubic yards but not more than
25 50,000 cubic yards of non-hazardous solid waste is
26 permanently disposed of at a site in a calendar year, the

1 owner or operator shall pay a fee of \$7,260.

2 (5) If not more than 10,000 cubic yards of
3 non-hazardous solid waste is permanently disposed of at a
4 site in a calendar year, the owner or operator shall pay a
5 fee of \$1050.

6 (c) (Blank).

7 (d) The Agency shall establish rules relating to the
8 collection of the fees authorized by this Section. Such rules
9 shall include, but not be limited to:

10 (1) necessary records identifying the quantities of
11 solid waste received or disposed;

12 (2) the form and submission of reports to accompany the
13 payment of fees to the Agency;

14 (3) the time and manner of payment of fees to the
15 Agency, which payments shall not be more often than
16 quarterly; and

17 (4) procedures setting forth criteria establishing
18 when an owner or operator may measure by weight or volume
19 during any given quarter or other fee payment period.

20 (e) Pursuant to appropriation, all monies in the Solid
21 Waste Management Fund shall be used by the Agency and the
22 Department of Commerce and Economic Opportunity for the
23 purposes set forth in this Section and in the Illinois Solid
24 Waste Management Act, including for the costs of fee collection
25 and administration.

26 (f) The Agency is authorized to enter into such agreements

1 and to promulgate such rules as are necessary to carry out its
2 duties under this Section and the Illinois Solid Waste
3 Management Act.

4 (g) On the first day of January, April, July, and October
5 of each year, beginning on July 1, 1996, the State Comptroller
6 and Treasurer shall transfer \$500,000 from the Solid Waste
7 Management Fund to the Hazardous Waste Fund. Moneys transferred
8 under this subsection (g) shall be used only for the purposes
9 set forth in item (1) of subsection (d) of Section 22.2.

10 (h) The Agency is authorized to provide financial
11 assistance to units of local government for the performance of
12 inspecting, investigating and enforcement activities pursuant
13 to Section 4(r) at nonhazardous solid waste disposal sites.

14 (i) The Agency is authorized to support the operations of
15 an industrial materials exchange service, and to conduct
16 household waste collection and disposal programs.

17 (j) A unit of local government, as defined in the Local
18 Solid Waste Disposal Act, in which a solid waste disposal
19 facility is located may establish a fee, tax, or surcharge with
20 regard to the permanent disposal of solid waste. All fees,
21 taxes, and surcharges collected under this subsection shall be
22 utilized for solid waste management purposes, including
23 long-term monitoring and maintenance of landfills, planning,
24 implementation, inspection, enforcement and other activities
25 consistent with the Solid Waste Management Act and the Local
26 Solid Waste Disposal Act, or for any other environment-related

1 purpose, including but not limited to an environment-related
2 public works project, but not for the construction of a new
3 pollution control facility other than a household hazardous
4 waste facility. However, the total fee, tax or surcharge
5 imposed by all units of local government under this subsection
6 (j) upon the solid waste disposal facility shall not exceed:

7 (1) 60¢ per cubic yard if more than 150,000 cubic yards
8 of non-hazardous solid waste is permanently disposed of at
9 the site in a calendar year, unless the owner or operator
10 weighs the quantity of the solid waste received with a
11 device for which certification has been obtained under the
12 Weights and Measures Act, in which case the fee shall not
13 exceed \$1.27 per ton of solid waste permanently disposed
14 of.

15 (2) \$33,350 if more than 100,000 cubic yards, but not
16 more than 150,000 cubic yards, of non-hazardous waste is
17 permanently disposed of at the site in a calendar year.

18 (3) \$15,500 if more than 50,000 cubic yards, but not
19 more than 100,000 cubic yards, of non-hazardous solid waste
20 is permanently disposed of at the site in a calendar year.

21 (4) \$4,650 if more than 10,000 cubic yards, but not
22 more than 50,000 cubic yards, of non-hazardous solid waste
23 is permanently disposed of at the site in a calendar year.

24 (5) \$650 if not more than 10,000 cubic yards of
25 non-hazardous solid waste is permanently disposed of at the
26 site in a calendar year.

1 The corporate authorities of the unit of local government
2 may use proceeds from the fee, tax, or surcharge to reimburse a
3 highway commissioner whose road district lies wholly or
4 partially within the corporate limits of the unit of local
5 government for expenses incurred in the removal of
6 nonhazardous, nonfluid municipal waste that has been dumped on
7 public property in violation of a State law or local ordinance.

8 A county or Municipal Joint Action Agency that imposes a
9 fee, tax, or surcharge under this subsection may use the
10 proceeds thereof to reimburse a municipality that lies wholly
11 or partially within its boundaries for expenses incurred in the
12 removal of nonhazardous, nonfluid municipal waste that has been
13 dumped on public property in violation of a State law or local
14 ordinance.

15 If the fees are to be used to conduct a local sanitary
16 landfill inspection or enforcement program, the unit of local
17 government must enter into a written delegation agreement with
18 the Agency pursuant to subsection (r) of Section 4. The unit of
19 local government and the Agency shall enter into such a written
20 delegation agreement within 60 days after the establishment of
21 such fees. At least annually, the Agency shall conduct an audit
22 of the expenditures made by units of local government from the
23 funds granted by the Agency to the units of local government
24 for purposes of local sanitary landfill inspection and
25 enforcement programs, to ensure that the funds have been
26 expended for the prescribed purposes under the grant.

1 The fees, taxes or surcharges collected under this
2 subsection (j) shall be placed by the unit of local government
3 in a separate fund, and the interest received on the moneys in
4 the fund shall be credited to the fund. The monies in the fund
5 may be accumulated over a period of years to be expended in
6 accordance with this subsection.

7 A unit of local government, as defined in the Local Solid
8 Waste Disposal Act, shall prepare and distribute to the Agency,
9 in April of each year, a report that details spending plans for
10 monies collected in accordance with this subsection. The report
11 will at a minimum include the following:

12 (1) The total monies collected pursuant to this
13 subsection.

14 (2) The most current balance of monies collected
15 pursuant to this subsection.

16 (3) An itemized accounting of all monies expended for
17 the previous year pursuant to this subsection.

18 (4) An estimation of monies to be collected for the
19 following 3 years pursuant to this subsection.

20 (5) A narrative detailing the general direction and
21 scope of future expenditures for one, 2 and 3 years.

22 The exemptions granted under Sections 22.16 and 22.16a, and
23 under subsection (k) of this Section, shall be applicable to
24 any fee, tax or surcharge imposed under this subsection (j);
25 except that the fee, tax or surcharge authorized to be imposed
26 under this subsection (j) may be made applicable by a unit of

1 local government to the permanent disposal of solid waste after
2 December 31, 1986, under any contract lawfully executed before
3 June 1, 1986 under which more than 150,000 cubic yards (or
4 50,000 tons) of solid waste is to be permanently disposed of,
5 even though the waste is exempt from the fee imposed by the
6 State under subsection (b) of this Section pursuant to an
7 exemption granted under Section 22.16.

8 (k) In accordance with the findings and purposes of the
9 Illinois Solid Waste Management Act, ~~beginning January 1, 1989~~
10 the fee under subsection (b) and the fee, tax or surcharge
11 under subsection (j) shall not apply to:

12 (1) Waste which is hazardous waste; or

13 (2) Waste which is water or waste water treatment plant
14 sludges ~~pollution control waste~~; or

15 (3) Waste from facilities accepting exclusively
16 general construction or demolition debris under Section
17 22.38, provided that such facilities' processes have been
18 approved by the Agency on an annual basis as operating so
19 as to render at least 50%, by weight, of the reusable waste
20 as recyclable general construction or demolition debris,
21 or recovered wood that is processed for use as a fuel, as
22 those terms are defined in Section 22.38. ~~recycling,~~
23 ~~reclamation or reuse processes which have been approved by~~
24 ~~the Agency as being designed to remove any contaminant from~~
25 ~~wastes so as to render such wastes reusable, provided that~~
26 ~~the process renders at least 50% of the waste reusable; or~~

1 ~~(4) Non-hazardous solid waste that is received at a~~
2 ~~sanitary landfill and composted or recycled through a~~
3 ~~process permitted by the Agency; or~~

4 ~~(5) Any landfill which is permitted by the Agency to~~
5 ~~receive only demolition or construction debris or~~
6 ~~landscape waste.~~

7 (Source: P.A. 97-333, eff. 8-12-11.)

8 (415 ILCS 5/22.44)

9 Sec. 22.44. Subtitle D management fees.

10 (a) There is created within the State treasury a special
11 fund to be known as the "Subtitle D Management Fund"
12 constituted from the fees collected by the State under this
13 Section.

14 (b) The Agency shall assess and collect a fee in the amount
15 set forth in this subsection from the owner or operator of each
16 sanitary landfill permitted or required to be permitted by the
17 Agency to dispose of solid waste if the sanitary landfill is
18 located off the site where the waste was produced and if the
19 sanitary landfill is owned, controlled, and operated by a
20 person other than the generator of the waste. The Agency shall
21 deposit all fees collected under this subsection into the
22 Subtitle D Management Fund. If a site is contiguous to one or
23 more landfills owned or operated by the same person, the
24 volumes permanently disposed of by each landfill shall be
25 combined for purposes of determining the fee under this

1 subsection.

2 (1) If more than 150,000 cubic yards of non-hazardous
3 solid waste is permanently disposed of at a site in a
4 calendar year, the owner or operator shall either pay a fee
5 of 10.1 cents per cubic yard or, alternatively, the owner
6 or operator may weigh the quantity of the solid waste
7 permanently disposed of with a device for which
8 certification has been obtained under the Weights and
9 Measures Act and pay a fee of 22 cents per ton of waste
10 permanently disposed of.

11 (2) If more than 100,000 cubic yards, but not more than
12 150,000 cubic yards, of non-hazardous waste is permanently
13 disposed of at a site in a calendar year, the owner or
14 operator shall pay a fee of \$7,020.

15 (3) If more than 50,000 cubic yards, but not more than
16 100,000 cubic yards, of non-hazardous solid waste is
17 permanently disposed of at a site in a calendar year, the
18 owner or operator shall pay a fee of \$3,120.

19 (4) If more than 10,000 cubic yards, but not more than
20 50,000 cubic yards, of non-hazardous solid waste is
21 permanently disposed of at a site in a calendar year, the
22 owner or operator shall pay a fee of \$975.

23 (5) If not more than 10,000 cubic yards of
24 non-hazardous solid waste is permanently disposed of at a
25 site in a calendar year, the owner or operator shall pay a
26 fee of \$210.

1 (c) The fee under subsection (b) shall not apply to ~~any of~~
2 ~~the following:~~

3 (1) hazardous ~~Hazardous~~ waste; ~~-~~

4 (2) waste or waste water treatment plant sludges; or
5 ~~Pollution control waste.~~

6 (3) waste ~~Waste~~ from facilities accepting exclusively
7 general construction or demolition debris under Section
8 22.38, provided that such facilities' processes have been
9 approved by the Agency on an annual basis as operating so
10 as to render at least 50%, by weight, of the reusable waste
11 as recyclable general construction or demolition debris,
12 or recovered wood that is processed for use as a fuel, as
13 those terms are defined in Section 22.38 ~~recycling,~~
14 ~~reclamation, or reuse processes that have been approved by~~
15 ~~the Agency as being designed to remove any contaminant from~~
16 ~~wastes so as to render the wastes reusable, provided that~~
17 ~~the process renders at least 50% of the waste reusable.~~

18 ~~(4) Non hazardous solid waste that is received at a~~
19 ~~sanitary landfill and composted or recycled through a~~
20 ~~process permitted by the Agency.~~

21 ~~(5) Any landfill that is permitted by the Agency to~~
22 ~~receive only demolition or construction debris or~~
23 ~~landscape waste.~~

24 (d) The Agency shall establish rules relating to the
25 collection of the fees authorized by this Section. These rules
26 shall include, but not be limited to the following:

1 (1) Necessary records identifying the quantities of
2 solid waste received or disposed.

3 (2) The form and submission of reports to accompany the
4 payment of fees to the Agency.

5 (3) The time and manner of payment of fees to the
6 Agency, which payments shall not be more often than
7 quarterly.

8 (4) Procedures setting forth criteria establishing
9 when an owner or operator may measure by weight or volume
10 during any given quarter or other fee payment period.

11 (e) Fees collected under this Section shall be in addition
12 to any other fees collected under any other Section.

13 (f) The Agency shall not refund any fee paid to it under
14 this Section.

15 (g) Pursuant to appropriation, all moneys in the Subtitle D
16 Management Fund shall be used by the Agency to administer the
17 United States Environmental Protection Agency's Subtitle D
18 Program provided in Sections 4004 and 4010 of the Resource
19 Conservation and Recovery Act of 1976 (P.L. 94-580) as it
20 relates to a municipal solid waste landfill program in Illinois
21 and to fund a delegation of inspecting, investigating, and
22 enforcement functions, within the municipality only, pursuant
23 to subsection (r) of Section 4 of this Act to a municipality
24 having a population of more than 1,000,000 inhabitants. The
25 Agency shall execute a delegation agreement pursuant to
26 subsection (r) of Section 4 of this Act with a municipality

1 having a population of more than 1,000,000 inhabitants within
2 90 days of September 13, 1993 and shall on an annual basis
3 distribute from the Subtitle D Management Fund to that
4 municipality no less than \$150,000. Pursuant to appropriation,
5 moneys in the Subtitle D Management Fund may also be used by
6 the Agency for activities conducted under Section 22.15a of
7 this Act.

8 (Source: P.A. 93-32, eff. 7-1-03; 94-272, eff. 7-19-05.)

9 Section 10. The Solid Waste Planning and Recycling Act is
10 amended by changing Sections 5 and 6 as follows:

11 (415 ILCS 15/5) (from Ch. 85, par. 5955)

12 Sec. 5. (a) Prior to adopting a waste management plan for
13 submission to the Agency, the county shall form an advisory
14 committee, which shall include representatives from
15 municipalities within the county, citizen organizations,
16 industry, the private solid waste management industry
17 operating within the county, local recyclers and any other
18 persons deemed appropriate by the county. The advisory
19 committee shall review the plan during its preparation, make
20 suggestions and propose any changes it believes appropriate.

21 (b) The county shall provide written notice to all
22 municipalities and interested members of the public when plan
23 development begins and shall provide periodic written progress
24 reports to such entities concerning the preparation of the

1 plan.

2 (c) Prior to adoption by the governing body of the county,
3 the county shall submit copies of the proposed plan for review
4 and comment to the Agency, all municipalities within the
5 county, all areawide planning agencies and the county health
6 department. The county shall also make the proposed plan
7 available for public review and comment. The period for review
8 and comment shall be 90 days. The county shall hold at least
9 one public hearing on the proposed plan during this period. The
10 plan subsequently submitted to the governing body of the county
11 for adoption shall be accompanied by a document containing
12 written responses to substantive comments made during the
13 comment period.

14 (d) The governing body of the county shall adopt a plan
15 within 60 days from the end of the public comment period.
16 Within 10 days of adoption, the plan shall be submitted to the
17 Agency for review.

18 (e) Each county waste management plan shall be updated and
19 reviewed every 5 years, and any necessary or appropriate
20 revisions shall be submitted to the Agency for review and
21 comment.

22 (f) Each county shall report its recycling and composting
23 rate and its disposal rate annually to the Agency in accordance
24 with the methodology in the Illinois Resource Management Plan
25 prepared pursuant to Section 6 of the Solid Waste Management
26 Act.

1 (Source: P.A. 89-443, eff. 7-1-96.)

2 (415 ILCS 15/6) (from Ch. 85, par. 5956)

3 Sec. 6. Each county waste management plan adopted under
4 Section 4 and updated under Section 5 shall include a recycling
5 program. Such recycling program:

6 (1) shall be implemented throughout the county and include
7 a time schedule for implementation of the program.

8 (2) shall provide for the designation of a recycling
9 coordinator to administer the program.

10 (3) shall be designed to recycle and compost, by the end of
11 the years 2020 and 2025 ~~third and fifth years of the program,~~
12 ~~respectively,~~ 40% ~~15%~~ and 45% ~~25%~~ of the municipal waste
13 generated in the counties with a population over 200,000 as of
14 the 2010 United States census; and 30% and 35%, respectively,
15 in counties with a population of 200,000 or under ~~county,~~
16 subject to the existence of a viable market for the recycled
17 material, based on measurements of recycling and waste
18 generated in terms of weight. Each county may implement
19 programs recommended in the Illinois Resource Management Plan
20 to achieve the recycling and composting rates and shall
21 describe in the 5-year plan updates the programs, if any, from
22 the Illinois Resource Management Plan that it has implemented.
23 ~~The determination of recycling rate shall not include:~~
24 ~~discarded motor vehicles, wastes used for clean fill or erosion~~
25 ~~control, or commercial, institutional or industrial machinery~~

1 ~~or equipment.~~

2 (4) may provide for the construction and operation of one
3 or more recycling centers by a unit of local government, or for
4 contracting with other public or private entities for the
5 operation of recycling centers.

6 (5) may require residents of the county to separate
7 recyclable materials at the time of disposal or trash pick-up.

8 (6) may make special provision for commercial and
9 institutional establishments that implement their own
10 specialized recycling programs, provided that such
11 establishments annually provide written documentation to the
12 county of the total number of tons of material recycled.

13 (7) shall provide for separate collection and composting of
14 leaves.

15 (8) shall include public education and notification
16 programs to foster understanding of and encourage compliance
17 with the recycling program.

18 (9) shall include provisions for compliance, including
19 incentives and penalties.

20 (10) shall include provisions for (i) recycling the
21 collected materials, (ii) identifying potential markets for at
22 least 3 recyclable materials, and (iii) promoting the use of
23 products made from recovered or recycled materials among
24 businesses, newspapers and local governments in the county.

25 (11) may provide for the payment of recycling diversion
26 credits to public and private parties engaged in recycling

1 activities.

2 (Source: P.A. 86-777; 87-650.)

3 Section 15. The Illinois Solid Waste Management Act is
4 amended by changing Section 6 as follows:

5 (415 ILCS 20/6) (from Ch. 111 1/2, par. 7056)

6 Sec. 6. The Department of Commerce and Economic Opportunity
7 shall be the lead agency for implementation of this Act and
8 shall have the following powers:

9 (a) To provide technical and educational assistance for
10 applications of technologies and practices which will minimize
11 the land disposal of non-hazardous solid waste; economic
12 feasibility of implementation of solid waste management
13 alternatives; analysis of markets for recyclable materials and
14 energy products; application of the Geographic Information
15 System to provide analysis of natural resource, land use, and
16 environmental impacts; evaluation of financing and ownership
17 options; and evaluation of plans prepared by units of local
18 government pursuant to Section 22.15 of the Environmental
19 Protection Act.

20 (b) To provide technical assistance in siting pollution
21 control facilities, defined as any waste storage site, sanitary
22 landfill, waste disposal site, waste transfer station or waste
23 incinerator.

24 (c) To provide loans or recycling and composting grants to

1 businesses and not-for-profit and governmental organizations
2 for the purposes of increasing the quantity of materials
3 recycled or composted in Illinois; developing and implementing
4 innovative recycling methods and technologies; developing and
5 expanding markets for recyclable materials; and increasing the
6 self-sufficiency of the recycling industry in Illinois. The
7 Department shall work with and coordinate its activities with
8 existing for-profit and not-for-profit collection and
9 recycling systems to encourage orderly growth in the supply of
10 and markets for recycled materials and to assist existing
11 collection and recycling efforts.

12 The Department shall develop a public education program
13 concerning the importance of both composting and recycling in
14 order to preserve landfill space in Illinois.

15 (d) To establish guidelines and funding criteria for the
16 solicitation of projects under this Act, and to receive and
17 evaluate applications for loans or grants for solid waste
18 management projects based upon such guidelines and criteria.
19 Funds may be loaned with or without interest.

20 (e) To support and coordinate solid waste research in
21 Illinois, and to approve the annual solid waste research agenda
22 prepared by the University of Illinois.

23 (f) To provide loans or grants for research, development
24 and demonstration of innovative technologies and practices,
25 including but not limited to pilot programs for collection and
26 disposal of household wastes.

1 (g) To promulgate such rules and regulations as are
2 necessary to carry out the purposes of subsections (c), (d) and
3 (f) of this Section.

4 (g-5) To prepare and periodically update a statewide
5 Illinois Resource Management Plan. The Plan shall contain, at a
6 minimum, the following provisions:

7 (1) an estimate, using 2010 as a base year, of the
8 amount and composition of waste disposed and the amount and
9 composition of material recycled and composted on both a
10 statewide and per capita basis;

11 (2) a methodology for counties to use in determining
12 their recycling and composting rate on an annual basis;

13 (3) a methodology for counties to use in determining
14 their disposal rates on an annual basis;

15 (4) recycling, reuse, and composting programs that are
16 applicable to counties with a population of over 200,000
17 according to the 2010 United States census;

18 (5) recycling, reuse, and composting programs that are
19 applicable to counties with a population of 200,000 or less
20 according to the 2010 United States census;

21 (6) education and public outreach programs that are
22 applicable to all counties;

23 (7) an assessment of the potential barriers to
24 achieving the recycling and composting requirement in
25 Section 6 of the Solid Waste Planning and Recycling Act and
26 strategies for overcoming those barriers;

1 (8) an evaluation of the role that the Agency and the
2 Department have in assisting counties and the State as a
3 whole in achieving higher recycling and composting rates;

4 (9) an evaluation of whether Illinois should require
5 counties to implement mandatory recycling and composting
6 programs; and

7 (10) an evaluation of the types of programs and
8 legislation necessary for the State of Illinois to achieve
9 an overall disposal rate of 40% of the waste generated by
10 the year 2030.

11 (g-6) To provide annual resource recovery grants to
12 counties, municipalities with a population of 1,000,000 or
13 more, and municipal joint action agencies, based on the
14 population of such units of local government, to help achieve
15 the recycling and composting requirements in Section 6 of the
16 Solid Waste Planning and Recycling Act. To be eligible for an
17 annual resource recovery grant a unit of local government must
18 have:

19 (1) a designated recycling coordinator;

20 (2) submitted the appropriate 5-year plan update to the
21 Agency; and

22 (3) submitted annual recycling and composting rate,
23 and disposal rate information in accordance with
24 subsection (f) of Section 5 of the Solid Waste Planning and
25 Recycling Act.

26 (h) To cooperate with the Environmental Protection Agency

1 for the purposes specified herein.

2 The Department is authorized to accept any and all grants,
3 repayments of interest and principal on loans, matching funds,
4 reimbursements, appropriations, income derived from
5 investments, or other things of value from the federal or state
6 governments or from any institution, person, partnership,
7 joint venture, corporation, public or private.

8 The Department is authorized to use moneys available for
9 that purpose, subject to appropriation, expressly for the
10 purpose of implementing a loan program according to procedures
11 established pursuant to this Act. Those moneys shall be used by
12 the Department for the purpose of financing additional projects
13 and for the Department's administrative expenses related
14 thereto.

15 (Source: P.A. 94-91, eff. 7-1-05.)

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