



Sen. James F. Clayborne, Jr.

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1 AMENDMENT TO SENATE BILL 1903

2 AMENDMENT NO. _____. Amend Senate Bill 1903 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 changing Section 39 as follows:

6 (415 ILCS 5/39) (from Ch. 111 1/2, par. 1039)

7 Sec. 39. Issuance of permits; procedures.

8 (a) When the Board has by regulation required a permit for
9 the construction, installation, or operation of any type of
10 facility, equipment, vehicle, vessel, or aircraft, the
11 applicant shall apply to the Agency for such permit and it
12 shall be the duty of the Agency to issue such a permit upon
13 proof by the applicant that the facility, equipment, vehicle,
14 vessel, or aircraft will not cause a violation of this Act or
15 of regulations hereunder. The Agency shall adopt such
16 procedures as are necessary to carry out its duties under this

1 Section. In making its determinations on permit applications
2 under this Section the Agency may consider prior adjudications
3 of noncompliance with this Act by the applicant that involved a
4 release of a contaminant into the environment. In granting
5 permits, the Agency may impose reasonable conditions
6 specifically related to the applicant's past compliance
7 history with this Act as necessary to correct, detect, or
8 prevent noncompliance. The Agency may impose such other
9 conditions as may be necessary to accomplish the purposes of
10 this Act, and as are not inconsistent with the regulations
11 promulgated by the Board hereunder. Except as otherwise
12 provided in this Act, a bond or other security shall not be
13 required as a condition for the issuance of a permit. If the
14 Agency denies any permit under this Section, the Agency shall
15 transmit to the applicant within the time limitations of this
16 Section specific, detailed statements as to the reasons the
17 permit application was denied. Such statements shall include,
18 but not be limited to the following:

19 (i) the Sections of this Act which may be violated if
20 the permit were granted;

21 (ii) the provision of the regulations, promulgated
22 under this Act, which may be violated if the permit were
23 granted;

24 (iii) the specific type of information, if any, which
25 the Agency deems the applicant did not provide the Agency;
26 and

1 (iv) a statement of specific reasons why the Act and
2 the regulations might not be met if the permit were
3 granted.

4 If there is no final action by the Agency within 90 days
5 after the filing of the application for permit, the applicant
6 may deem the permit issued; except that this time period shall
7 be extended to 180 days when (1) notice and opportunity for
8 public hearing are required by State or federal law or
9 regulation, (2) the application which was filed is for any
10 permit to develop a landfill subject to issuance pursuant to
11 this subsection, or (3) the application that was filed is for a
12 MSWLF unit required to issue public notice under subsection (p)
13 of Section 39. The 90-day and 180-day time periods for the
14 Agency to take final action do not apply to NPDES permit
15 applications under subsection (b) of this Section, to RCRA
16 permit applications under subsection (d) of this Section, or to
17 UIC permit applications under subsection (e) of this Section.

18 The Agency shall publish notice of all final permit
19 determinations for development permits for MSWLF units and for
20 significant permit modifications for lateral expansions for
21 existing MSWLF units one time in a newspaper of general
22 circulation in the county in which the unit is or is proposed
23 to be located.

24 After January 1, 1994 and until July 1, 1998, operating
25 permits issued under this Section by the Agency for sources of
26 air pollution permitted to emit less than 25 tons per year of

1 any combination of regulated air pollutants, as defined in
2 Section 39.5 of this Act, shall be required to be renewed only
3 upon written request by the Agency consistent with applicable
4 provisions of this Act and regulations promulgated hereunder.
5 Such operating permits shall expire 180 days after the date of
6 such a request. The Board shall revise its regulations for the
7 existing State air pollution operating permit program
8 consistent with this provision by January 1, 1994.

9 After June 30, 1998, operating permits issued under this
10 Section by the Agency for sources of air pollution that are not
11 subject to Section 39.5 of this Act and are not required to
12 have a federally enforceable State operating permit shall be
13 required to be renewed only upon written request by the Agency
14 consistent with applicable provisions of this Act and its
15 rules. Such operating permits shall expire 180 days after the
16 date of such a request. Before July 1, 1998, the Board shall
17 revise its rules for the existing State air pollution operating
18 permit program consistent with this paragraph and shall adopt
19 rules that require a source to demonstrate that it qualifies
20 for a permit under this paragraph.

21 Within 2 years after the effective date of this amendatory
22 Act of the 97th General Assembly, the Agency shall make all
23 permit applications on-line, editable, and savable files.

24 (b) The Agency may issue NPDES permits exclusively under
25 this subsection for the discharge of contaminants from point
26 sources into navigable waters, all as defined in the Federal

1 Water Pollution Control Act, as now or hereafter amended,
2 within the jurisdiction of the State, or into any well.

3 All NPDES permits shall contain those terms and conditions,
4 including but not limited to schedules of compliance, which may
5 be required to accomplish the purposes and provisions of this
6 Act.

7 The Agency may issue general NPDES permits for discharges
8 from categories of point sources which are subject to the same
9 permit limitations and conditions. Such general permits may be
10 issued without individual applications and shall conform to
11 regulations promulgated under Section 402 of the Federal Water
12 Pollution Control Act, as now or hereafter amended.

13 The Agency may include, among such conditions, effluent
14 limitations and other requirements established under this Act,
15 Board regulations, the Federal Water Pollution Control Act, as
16 now or hereafter amended, and regulations pursuant thereto, and
17 schedules for achieving compliance therewith at the earliest
18 reasonable date.

19 The Agency shall adopt filing requirements and procedures
20 which are necessary and appropriate for the issuance of NPDES
21 permits, and which are consistent with the Act or regulations
22 adopted by the Board, and with the Federal Water Pollution
23 Control Act, as now or hereafter amended, and regulations
24 pursuant thereto.

25 The Agency, subject to any conditions which may be
26 prescribed by Board regulations, may issue NPDES permits to

1 allow discharges beyond deadlines established by this Act or by
2 regulations of the Board without the requirement of a variance,
3 subject to the Federal Water Pollution Control Act, as now or
4 hereafter amended, and regulations pursuant thereto.

5 (c) Except for those facilities owned or operated by
6 sanitary districts organized under the Metropolitan Water
7 Reclamation District Act, no permit for the development or
8 construction of a new pollution control facility may be granted
9 by the Agency unless the applicant submits proof to the Agency
10 that the location of the facility has been approved by the
11 County Board of the county if in an unincorporated area, or the
12 governing body of the municipality when in an incorporated
13 area, in which the facility is to be located in accordance with
14 Section 39.2 of this Act. For purposes of this subsection (c),
15 and for purposes of Section 39.2 of this Act, the appropriate
16 county board or governing body of the municipality shall be the
17 county board of the county or the governing body of the
18 municipality in which the facility is to be located as of the
19 date when the application for siting approval is filed.

20 In the event that siting approval granted pursuant to
21 Section 39.2 has been transferred to a subsequent owner or
22 operator, that subsequent owner or operator may apply to the
23 Agency for, and the Agency may grant, a development or
24 construction permit for the facility for which local siting
25 approval was granted. Upon application to the Agency for a
26 development or construction permit by that subsequent owner or

1 operator, the permit applicant shall cause written notice of
2 the permit application to be served upon the appropriate county
3 board or governing body of the municipality that granted siting
4 approval for that facility and upon any party to the siting
5 proceeding pursuant to which siting approval was granted. In
6 that event, the Agency shall conduct an evaluation of the
7 subsequent owner or operator's prior experience in waste
8 management operations in the manner conducted under subsection
9 (i) of Section 39 of this Act.

10 Beginning August 20, 1993, if the pollution control
11 facility consists of a hazardous or solid waste disposal
12 facility for which the proposed site is located in an
13 unincorporated area of a county with a population of less than
14 100,000 and includes all or a portion of a parcel of land that
15 was, on April 1, 1993, adjacent to a municipality having a
16 population of less than 5,000, then the local siting review
17 required under this subsection (c) in conjunction with any
18 permit applied for after that date shall be performed by the
19 governing body of that adjacent municipality rather than the
20 county board of the county in which the proposed site is
21 located; and for the purposes of that local siting review, any
22 references in this Act to the county board shall be deemed to
23 mean the governing body of that adjacent municipality;
24 provided, however, that the provisions of this paragraph shall
25 not apply to any proposed site which was, on April 1, 1993,
26 owned in whole or in part by another municipality.

1 In the case of a pollution control facility for which a
2 development permit was issued before November 12, 1981, if an
3 operating permit has not been issued by the Agency prior to
4 August 31, 1989 for any portion of the facility, then the
5 Agency may not issue or renew any development permit nor issue
6 an original operating permit for any portion of such facility
7 unless the applicant has submitted proof to the Agency that the
8 location of the facility has been approved by the appropriate
9 county board or municipal governing body pursuant to Section
10 39.2 of this Act.

11 After January 1, 1994, if a solid waste disposal facility,
12 any portion for which an operating permit has been issued by
13 the Agency, has not accepted waste disposal for 5 or more
14 consecutive calendars years, before that facility may accept
15 any new or additional waste for disposal, the owner and
16 operator must obtain a new operating permit under this Act for
17 that facility unless the owner and operator have applied to the
18 Agency for a permit authorizing the temporary suspension of
19 waste acceptance. The Agency may not issue a new operation
20 permit under this Act for the facility unless the applicant has
21 submitted proof to the Agency that the location of the facility
22 has been approved or re-approved by the appropriate county
23 board or municipal governing body under Section 39.2 of this
24 Act after the facility ceased accepting waste.

25 Except for those facilities owned or operated by sanitary
26 districts organized under the Metropolitan Water Reclamation

1 District Act, and except for new pollution control facilities
2 governed by Section 39.2, and except for fossil fuel mining
3 facilities, the granting of a permit under this Act shall not
4 relieve the applicant from meeting and securing all necessary
5 zoning approvals from the unit of government having zoning
6 jurisdiction over the proposed facility.

7 Before beginning construction on any new sewage treatment
8 plant or sludge drying site to be owned or operated by a
9 sanitary district organized under the Metropolitan Water
10 Reclamation District Act for which a new permit (rather than
11 the renewal or amendment of an existing permit) is required,
12 such sanitary district shall hold a public hearing within the
13 municipality within which the proposed facility is to be
14 located, or within the nearest community if the proposed
15 facility is to be located within an unincorporated area, at
16 which information concerning the proposed facility shall be
17 made available to the public, and members of the public shall
18 be given the opportunity to express their views concerning the
19 proposed facility.

20 The Agency may issue a permit for a municipal waste
21 transfer station without requiring approval pursuant to
22 Section 39.2 provided that the following demonstration is made:

- 23 (1) the municipal waste transfer station was in
24 existence on or before January 1, 1979 and was in
25 continuous operation from January 1, 1979 to January 1,
26 1993;

1 (2) the operator submitted a permit application to the
2 Agency to develop and operate the municipal waste transfer
3 station during April of 1994;

4 (3) the operator can demonstrate that the county board
5 of the county, if the municipal waste transfer station is
6 in an unincorporated area, or the governing body of the
7 municipality, if the station is in an incorporated area,
8 does not object to resumption of the operation of the
9 station; and

10 (4) the site has local zoning approval.

11 (d) The Agency may issue RCRA permits exclusively under
12 this subsection to persons owning or operating a facility for
13 the treatment, storage, or disposal of hazardous waste as
14 defined under this Act.

15 All RCRA permits shall contain those terms and conditions,
16 including but not limited to schedules of compliance, which may
17 be required to accomplish the purposes and provisions of this
18 Act. The Agency may include among such conditions standards and
19 other requirements established under this Act, Board
20 regulations, the Resource Conservation and Recovery Act of 1976
21 (P.L. 94-580), as amended, and regulations pursuant thereto,
22 and may include schedules for achieving compliance therewith as
23 soon as possible. The Agency shall require that a performance
24 bond or other security be provided as a condition for the
25 issuance of a RCRA permit.

26 In the case of a permit to operate a hazardous waste or PCB

1 incinerator as defined in subsection (k) of Section 44, the
2 Agency shall require, as a condition of the permit, that the
3 operator of the facility perform such analyses of the waste to
4 be incinerated as may be necessary and appropriate to ensure
5 the safe operation of the incinerator.

6 The Agency shall adopt filing requirements and procedures
7 which are necessary and appropriate for the issuance of RCRA
8 permits, and which are consistent with the Act or regulations
9 adopted by the Board, and with the Resource Conservation and
10 Recovery Act of 1976 (P.L. 94-580), as amended, and regulations
11 pursuant thereto.

12 The applicant shall make available to the public for
13 inspection all documents submitted by the applicant to the
14 Agency in furtherance of an application, with the exception of
15 trade secrets, at the office of the county board or governing
16 body of the municipality. Such documents may be copied upon
17 payment of the actual cost of reproduction during regular
18 business hours of the local office. The Agency shall issue a
19 written statement concurrent with its grant or denial of the
20 permit explaining the basis for its decision.

21 (e) The Agency may issue UIC permits exclusively under this
22 subsection to persons owning or operating a facility for the
23 underground injection of contaminants as defined under this
24 Act.

25 All UIC permits shall contain those terms and conditions,
26 including but not limited to schedules of compliance, which may

1 be required to accomplish the purposes and provisions of this
2 Act. The Agency may include among such conditions standards and
3 other requirements established under this Act, Board
4 regulations, the Safe Drinking Water Act (P.L. 93-523), as
5 amended, and regulations pursuant thereto, and may include
6 schedules for achieving compliance therewith. The Agency shall
7 require that a performance bond or other security be provided
8 as a condition for the issuance of a UIC permit.

9 The Agency shall adopt filing requirements and procedures
10 which are necessary and appropriate for the issuance of UIC
11 permits, and which are consistent with the Act or regulations
12 adopted by the Board, and with the Safe Drinking Water Act
13 (P.L. 93-523), as amended, and regulations pursuant thereto.

14 The applicant shall make available to the public for
15 inspection, all documents submitted by the applicant to the
16 Agency in furtherance of an application, with the exception of
17 trade secrets, at the office of the county board or governing
18 body of the municipality. Such documents may be copied upon
19 payment of the actual cost of reproduction during regular
20 business hours of the local office. The Agency shall issue a
21 written statement concurrent with its grant or denial of the
22 permit explaining the basis for its decision.

23 (f) In making any determination pursuant to Section 9.1 of
24 this Act:

25 (1) The Agency shall have authority to make the
26 determination of any question required to be determined by

1 the Clean Air Act, as now or hereafter amended, this Act,
2 or the regulations of the Board, including the
3 determination of the Lowest Achievable Emission Rate,
4 Maximum Achievable Control Technology, or Best Available
5 Control Technology, consistent with the Board's
6 regulations, if any.

7 (2) The Agency shall, after conferring with the
8 applicant, give written notice to the applicant of its
9 proposed decision on the application including the terms
10 and conditions of the permit to be issued and the facts,
11 conduct or other basis upon which the Agency will rely to
12 support its proposed action.

13 (3) Following such notice, the Agency shall give the
14 applicant an opportunity for a hearing in accordance with
15 the provisions of Sections 10-25 through 10-60 of the
16 Illinois Administrative Procedure Act.

17 (g) The Agency shall include as conditions upon all permits
18 issued for hazardous waste disposal sites such restrictions
19 upon the future use of such sites as are reasonably necessary
20 to protect public health and the environment, including
21 permanent prohibition of the use of such sites for purposes
22 which may create an unreasonable risk of injury to human health
23 or to the environment. After administrative and judicial
24 challenges to such restrictions have been exhausted, the Agency
25 shall file such restrictions of record in the Office of the
26 Recorder of the county in which the hazardous waste disposal

1 site is located.

2 (h) A hazardous waste stream may not be deposited in a
3 permitted hazardous waste site unless specific authorization
4 is obtained from the Agency by the generator and disposal site
5 owner and operator for the deposit of that specific hazardous
6 waste stream. The Agency may grant specific authorization for
7 disposal of hazardous waste streams only after the generator
8 has reasonably demonstrated that, considering technological
9 feasibility and economic reasonableness, the hazardous waste
10 cannot be reasonably recycled for reuse, nor incinerated or
11 chemically, physically or biologically treated so as to
12 neutralize the hazardous waste and render it nonhazardous. In
13 granting authorization under this Section, the Agency may
14 impose such conditions as may be necessary to accomplish the
15 purposes of the Act and are consistent with this Act and
16 regulations promulgated by the Board hereunder. If the Agency
17 refuses to grant authorization under this Section, the
18 applicant may appeal as if the Agency refused to grant a
19 permit, pursuant to the provisions of subsection (a) of Section
20 40 of this Act. For purposes of this subsection (h), the term
21 "generator" has the meaning given in Section 3.205 of this Act,
22 unless: (1) the hazardous waste is treated, incinerated, or
23 partially recycled for reuse prior to disposal, in which case
24 the last person who treats, incinerates, or partially recycles
25 the hazardous waste prior to disposal is the generator; or (2)
26 the hazardous waste is from a response action, in which case

1 the person performing the response action is the generator.
2 This subsection (h) does not apply to any hazardous waste that
3 is restricted from land disposal under 35 Ill. Adm. Code 728.

4 (i) Before issuing any RCRA permit, any permit for a waste
5 storage site, sanitary landfill, waste disposal site, waste
6 transfer station, waste treatment facility, waste incinerator,
7 or any waste-transportation operation, or any permit or interim
8 authorization for a clean construction or demolition debris
9 fill operation, the Agency shall conduct an evaluation of the
10 prospective owner's or operator's prior experience in waste
11 management operations and clean construction or demolition
12 debris fill operations. The Agency may deny such a permit, or
13 deny or revoke interim authorization, if the prospective owner
14 or operator or any employee or officer of the prospective owner
15 or operator has a history of:

16 (1) repeated violations of federal, State, or local
17 laws, regulations, standards, or ordinances in the
18 operation of waste management facilities or sites or clean
19 construction or demolition debris fill operation
20 facilities or sites; or

21 (2) conviction in this or another State of any crime
22 which is a felony under the laws of this State, or
23 conviction of a felony in a federal court; or conviction in
24 this or another state or federal court of any of the
25 following crimes: forgery, official misconduct, bribery,
26 perjury, or knowingly submitting false information under

1 any environmental law, regulation, or permit term or
2 condition; or

3 (3) proof of gross carelessness or incompetence in
4 handling, storing, processing, transporting or disposing
5 of waste or clean construction or demolition debris, or
6 proof of gross carelessness or incompetence in using clean
7 construction or demolition debris as fill.

8 (i-5) Before issuing any permit or approving any interim
9 authorization for a clean construction or demolition debris
10 fill operation in which any ownership interest is transferred
11 between January 1, 2005, and the effective date of the
12 prohibition set forth in Section 22.52 of this Act, the Agency
13 shall conduct an evaluation of the operation if any previous
14 activities at the site or facility may have caused or allowed
15 contamination of the site. It shall be the responsibility of
16 the owner or operator seeking the permit or interim
17 authorization to provide to the Agency all of the information
18 necessary for the Agency to conduct its evaluation. The Agency
19 may deny a permit or interim authorization if previous
20 activities at the site may have caused or allowed contamination
21 at the site, unless such contamination is authorized under any
22 permit issued by the Agency.

23 (j) The issuance under this Act of a permit to engage in
24 the surface mining of any resources other than fossil fuels
25 shall not relieve the permittee from its duty to comply with
26 any applicable local law regulating the commencement, location

1 or operation of surface mining facilities.

2 (k) A development permit issued under subsection (a) of
3 Section 39 for any facility or site which is required to have a
4 permit under subsection (d) of Section 21 shall expire at the
5 end of 2 calendar years from the date upon which it was issued,
6 unless within that period the applicant has taken action to
7 develop the facility or the site. In the event that review of
8 the conditions of the development permit is sought pursuant to
9 Section 40 or 41, or permittee is prevented from commencing
10 development of the facility or site by any other litigation
11 beyond the permittee's control, such two-year period shall be
12 deemed to begin on the date upon which such review process or
13 litigation is concluded.

14 (l) No permit shall be issued by the Agency under this Act
15 for construction or operation of any facility or site located
16 within the boundaries of any setback zone established pursuant
17 to this Act, where such construction or operation is
18 prohibited.

19 (m) The Agency may issue permits to persons owning or
20 operating a facility for composting landscape waste. In
21 granting such permits, the Agency may impose such conditions as
22 may be necessary to accomplish the purposes of this Act, and as
23 are not inconsistent with applicable regulations promulgated
24 by the Board. Except as otherwise provided in this Act, a bond
25 or other security shall not be required as a condition for the
26 issuance of a permit. If the Agency denies any permit pursuant

1 to this subsection, the Agency shall transmit to the applicant
2 within the time limitations of this subsection specific,
3 detailed statements as to the reasons the permit application
4 was denied. Such statements shall include but not be limited to
5 the following:

6 (1) the Sections of this Act that may be violated if
7 the permit were granted;

8 (2) the specific regulations promulgated pursuant to
9 this Act that may be violated if the permit were granted;

10 (3) the specific information, if any, the Agency deems
11 the applicant did not provide in its application to the
12 Agency; and

13 (4) a statement of specific reasons why the Act and the
14 regulations might be violated if the permit were granted.

15 If no final action is taken by the Agency within 90 days
16 after the filing of the application for permit, the applicant
17 may deem the permit issued. Any applicant for a permit may
18 waive the 90 day limitation by filing a written statement with
19 the Agency.

20 The Agency shall issue permits for such facilities upon
21 receipt of an application that includes a legal description of
22 the site, a topographic map of the site drawn to the scale of
23 200 feet to the inch or larger, a description of the operation,
24 including the area served, an estimate of the volume of
25 materials to be processed, and documentation that:

26 (1) the facility includes a setback of at least 200

1 feet from the nearest potable water supply well;

2 (2) the facility is located outside the boundary of the
3 10-year floodplain or the site will be floodproofed;

4 (3) the facility is located so as to minimize
5 incompatibility with the character of the surrounding
6 area, including at least a 200 foot setback from any
7 residence, and in the case of a facility that is developed
8 or the permitted composting area of which is expanded after
9 November 17, 1991, the composting area is located at least
10 1/8 mile from the nearest residence (other than a residence
11 located on the same property as the facility);

12 (4) the design of the facility will prevent any compost
13 material from being placed within 5 feet of the water
14 table, will adequately control runoff from the site, and
15 will collect and manage any leachate that is generated on
16 the site;

17 (5) the operation of the facility will include
18 appropriate dust and odor control measures, limitations on
19 operating hours, appropriate noise control measures for
20 shredding, chipping and similar equipment, management
21 procedures for composting, containment and disposal of
22 non-compostable wastes, procedures to be used for
23 terminating operations at the site, and recordkeeping
24 sufficient to document the amount of materials received,
25 composted and otherwise disposed of; and

26 (6) the operation will be conducted in accordance with

1 any applicable rules adopted by the Board.

2 The Agency shall issue renewable permits of not longer than
3 10 years in duration for the composting of landscape wastes, as
4 defined in Section 3.155 of this Act, based on the above
5 requirements.

6 The operator of any facility permitted under this
7 subsection (m) must submit a written annual statement to the
8 Agency on or before April 1 of each year that includes an
9 estimate of the amount of material, in tons, received for
10 composting.

11 (n) The Agency shall issue permits jointly with the
12 Department of Transportation for the dredging or deposit of
13 material in Lake Michigan in accordance with Section 18 of the
14 Rivers, Lakes, and Streams Act.

15 (o) (Blank.)

16 (p) (1) Any person submitting an application for a permit
17 for a new MSWLF unit or for a lateral expansion under
18 subsection (t) of Section 21 of this Act for an existing MSWLF
19 unit that has not received and is not subject to local siting
20 approval under Section 39.2 of this Act shall publish notice of
21 the application in a newspaper of general circulation in the
22 county in which the MSWLF unit is or is proposed to be located.
23 The notice must be published at least 15 days before submission
24 of the permit application to the Agency. The notice shall state
25 the name and address of the applicant, the location of the
26 MSWLF unit or proposed MSWLF unit, the nature and size of the

1 MSWLF unit or proposed MSWLF unit, the nature of the activity
2 proposed, the probable life of the proposed activity, the date
3 the permit application will be submitted, and a statement that
4 persons may file written comments with the Agency concerning
5 the permit application within 30 days after the filing of the
6 permit application unless the time period to submit comments is
7 extended by the Agency.

8 When a permit applicant submits information to the Agency
9 to supplement a permit application being reviewed by the
10 Agency, the applicant shall not be required to reissue the
11 notice under this subsection.

12 (2) The Agency shall accept written comments concerning the
13 permit application that are postmarked no later than 30 days
14 after the filing of the permit application, unless the time
15 period to accept comments is extended by the Agency.

16 (3) Each applicant for a permit described in part (1) of
17 this subsection shall file a copy of the permit application
18 with the county board or governing body of the municipality in
19 which the MSWLF unit is or is proposed to be located at the
20 same time the application is submitted to the Agency. The
21 permit application filed with the county board or governing
22 body of the municipality shall include all documents submitted
23 to or to be submitted to the Agency, except trade secrets as
24 determined under Section 7.1 of this Act. The permit
25 application and other documents on file with the county board
26 or governing body of the municipality shall be made available

1 for public inspection during regular business hours at the
2 office of the county board or the governing body of the
3 municipality and may be copied upon payment of the actual cost
4 of reproduction.

5 (Source: P.A. 94-272, eff. 7-19-05; 94-725, eff. 6-1-06;
6 95-288, eff. 8-20-07.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".