



Rep. Elaine Nekritz

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09900HB1445ham001

LRB099 06065 MGM 32357 a

1 AMENDMENT TO HOUSE BILL 1445

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1445 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by  
5 adding Sections 3.560 and 22.56a as follows:

6 (415 ILCS 5/3.560 new)

7 Sec. 3.560. Exceptional Quality biosolids. "Exceptional  
8 Quality biosolids" means solids that:

9 (1) are generated from the advanced processing of  
10 publicly-owned sewage treatment plant sludge;

11 (2) do not exceed the ceiling concentration limits in  
12 Table 1 of 40 CFR 503.13 and the pollutant concentration  
13 limits in Table 3 of 40 CFR 503.13;

14 (3) meet the requirements for classification as Class A  
15 with respect to pathogens in 40 CFR 503.32(a); and

16 (4) meet one of the vector attraction reduction

1           requirements in 40 CFR 503.33(b) (1) through (b) (8).

2           (415 ILCS 5/22.56a new)

3           Sec. 22.56a. Land application of Exceptional Quality  
4 biosolids.

5           (a) The General Assembly finds that:

6           (1) technological advances in wastewater treatment  
7 have allowed for the production of Exceptional Quality  
8 biosolids that can be used on land as a beneficial  
9 recyclable material that improves soil tilth, fertility,  
10 and stability and their use enhances the growth of  
11 agricultural, silvicultural, and horticultural crops;

12           (2) Exceptional Quality biosolids are a resource to be  
13 recovered; and

14           (3) the beneficial use of Exceptional Quality  
15 biosolids and their recycling to the land as a soil  
16 amendment is encouraged.

17           (b) To encourage and promote the use of Exceptional Quality  
18 biosolids in productive and beneficial applications, to the  
19 extent allowed by federal law, Exceptional Quality biosolids  
20 shall not be subject to regulation as a sludge or other waste  
21 if all of the following requirements are met:

22           (1) The sewage treatment plant generating the  
23 Exceptional Quality biosolids maintains the following  
24 information with respect to the biosolids:

25           (A) Documentation demonstrating that the

1           Exceptional Quality biosolids do not exceed the  
2           ceiling concentration limits in Table 1 of 40 CFR  
3           503.13 and the pollutant concentration limits in Table  
4           3 of 40 CFR 503.13;

5           (B) Documentation demonstrating that the Class A  
6           pathogen requirements in 40 CFR 503.32(a) are met,  
7           including but not limited to a description of how they  
8           were met;

9           (C) Documentation demonstrating that the vector  
10           attraction requirements in 40 CFR 503.33(b) (1) through  
11           (b) (8) are met, including but not limited to a  
12           description of how they were met;

13           (D) A certification statement regarding the Class  
14           A pathogen requirements in 40 CFR 503.32(a) and the  
15           vector attraction reduction requirements in 40 CFR  
16           503.33(b) (1) through (b) (8), as required in 40 CFR  
17           503.17(a) (1) (ii); and

18           (E) The quantity of Exceptional Quality biosolids  
19           sold or given away by the sewage treatment plant each  
20           year. The information must be maintained for a minimum  
21           of 5 years after the biosolids are generated, and upon  
22           request must be made available to the Agency for  
23           inspection and copying during normal business hours.

24           (2) For Exceptional Quality biosolids that have not  
25           been bagged:

26           (A) They are not applied to snow-covered or frozen

1           ground; and

2           (B) They are used in a manner that ensures they  
3           remain on the land and do not enter waters of the  
4           State.

5           (3) If Exceptional Quality biosolids that have not been  
6           bagged are generated in another state and imported into  
7           this State, the person importing the biosolids must  
8           maintain the information set forth in subparagraph (A) of  
9           paragraph (1) of subsection (a) through subparagraph (D) of  
10           paragraph (1) of subsection (a) of this Section and the  
11           amount of Exceptional Quality biosolids imported each  
12           year. The information must be maintained for a minimum of 5  
13           years after the biosolids are imported, and upon request  
14           must be made available to the Agency for inspection and  
15           copying during normal business hours.

16           (c) For purposes of this Section, Exceptional Quality  
17           biosolids are considered "bagged" if they are in a bag or in an  
18           open or closed receptacle that has a capacity of one metric ton  
19           or less, including, but not limited to, a bucket, box, carton,  
20           vehicle, or trailer.

21           Section 99. Effective date. This Act takes effect upon  
22           becoming law."