

1 AN ACT regarding the discharge of ballast water.

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

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.543 as follows:

6 (30 ILCS 105/5.543 new)

7 Sec. 5.543. The Aquatic Nuisance Species Prevention  
8 Fund.

9 Section 10. The Environmental Protection Act is amended  
10 by adding Section 12.5 as follows:

11 (415 ILCS 5/12.5 new)

12 Sec. 12.5. Ballast water and sediment; permit;  
13 inspection program.

14 (a) For the purposes of this Section:

15 "Ballast water" means water and associated solids taken  
16 on board a vessel to control or maintain trim, draft,  
17 stability, or stresses on the vessel, without regard to the  
18 manner in which the water and associated solids are carried.

19 "Sediment" means any matter settled out of ballast water  
20 within a vessel.

21 "Sterilized" means the treatment of ballast water or  
22 sediment, or both, to destroy or remove all living biological  
23 organisms through filtration, thermal methods, ultraviolet  
24 light, biocides, or other techniques approved by the Agency.

25 (b) Beginning on January 1, 2002, a person shall not  
26 operate on the waters of the State a vessel that contains  
27 ballast water that was acquired outside the waters of the  
28 State, unless the ballast water and any sediment therefrom

1 have been sterilized as required by Agency rule.

2 (c) Beginning on January 1, 2002, a person shall not  
3 cause ballast water or sediment to be discharged, directly or  
4 indirectly, into the waters of the State, unless the  
5 discharge is authorized by a permit issued by the Agency.

6 (d) The Agency shall establish a Ballast Water and  
7 Sediment Inspection Program that assures that aquatic  
8 nuisance species do not enter the waters of the State through  
9 the direct or indirect discharge of ballast water or  
10 sediment.

11 (e) The Agency shall adopt such procedures and impose  
12 such conditions as are necessary to implement the provisions  
13 of this Section, including filing requirements and procedures  
14 that are appropriate and necessary for the issuance of  
15 permits under this Section.

16 (f) The Agency shall assess application and inspection  
17 fees in amounts necessary to implement the provisions of this  
18 Section. All fees received by the Agency under this Section  
19 shall be deposited into the Aquatic Nuisance Species  
20 Prevention Fund, an interest-bearing special fund created in  
21 the State treasury. Subject to appropriation, moneys in the  
22 Fund shall be used by the Agency to implement the provisions  
23 of this Section.