ENIVIRONMENTAL JUSTICE ADVISORY GROUP
MEETING MINUTES
Wednesday, April 5, 2017 (10:00 am – 12:00 pm)

I. Welcome

Chris Pressnall – IEPA Environmental Justice Officer- Co-chair

II. Introductions

A. Teleconference

- Millard Driskell
- Alan Walts – USEPA Region 5
- Stephanie Bilenko – Nuclear Energy Information Service
- Anthony Tindel – Forest Preserve of Cook County
- Keith Harley – Chicago Legal Clinic
- Lisa Frede – Chemical Industry Council of Illinois

B. Videoconference Chicago

- Dr. Silvia Washington – Co-chair
- Troy Hernandez – PERRO
- Tammy Mayfield – Illinois IEPA

C. Videoconference Springfield

- Chris Pressnall - IEPA Environmental Justice Officer – Co-chair
- Elizabeth Rupel – IEPA/OCR
- Jim Monk – IL Energy Association
- John Cross – Legislative Liaison, IEPA
- Antonette Palumbo – IERG
- Brenda Carter – IERG
- Peter Wenz – UIS/ Community member
- Brad Frost – IEPA/ OCR
- John Schnepp – IEPA BOA Permits
- Darin LeCrone – IEPA BOW Permits
- Ashley Munson – IL Environmental Council

III. Presentations/ Discussions

A. National and Regional EJ Updates – Alan Walts

1. Currently, no changes in direction to the USEPA's EJ program
2. EJ Plan 2020 Action Agenda – implementation of collaborative problem solving effort with the states
3. Alan Walts remains the EJ contact until Laura Lasky is replaced

B. Legislative Updates – John Cross (memorandum attached)

1. E-Waste disposal problem in Illinois
2. Dry Clean Environmental Trust Fund – reimbursement program
3. Coal Tar Ban – HB2958
4. CCDD bill – disposal in abandoned quarries

Questions:

- Sylvia Washington- HB 3770- Concern for aquifers,.
  1) How do we identify if an aquifer is tied to coal waste disposal?

2) Where is the coal ash being transported to?
3) How is this affecting EJ Communities? Are EJ Communities drawing water from contaminated aquifers?

John Cross indicated that IEPA Bureau of Land has identified coal ash storage locations

James Monk indicated that most coal ash is stored at the location of generation and that IDNR regulates it

Dr. Washington raised the issue of SB 1696, which concerns the storage of used tires, specifically referencing revisions directing money to the University of Illinois and was concerned that funding might not be directed to other institutions such as grass roots groups

John Cross indicated that the IEPA is not involved in the used tire bill and that U of I and IDPH determine the allocation of funds

C. Lead in Chicago's drinking water, Power Point Presentation – Troy Hernandez
*See attachment for the Power Point Presentation

IV. Old Business

1. Zika
    a. What data is available for information on the sexual transmission of Zika?
    b. IDPH might maintain such information

V. New Business

VI. Open Discussion/ Questions

1. Metal Shredders in Pilsen – Troy Hernandez
    a. Benito Juarez high school in close proximity to the metal shredding facility
    b. Shredding heats metal releasing hexavalent chrome
    c. Potential health risk associated with operation of the shredder
    d. Issues at General Iron metal shredder including a fire, which city addressed by requiring a temporary cessation of operation

Dr. Washington wants to expand presentations throughout the state to gain a wider audience

Ashley Munson indicated that IEC would work with Dr. Washington and Troy Hernandez to reach a wider audience to educate more individuals statewide

VII. Next meeting date and location

VIII. Adjournment

- At 11:25

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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BRUCE RAUNER, GOVERNOR ALEC MESSINA, DIRECTOR

TO: Senior Staff

FROM: Peggy Snyder, Chief Legislative Liaison

DATE: April 7, 2017

SUBJECT: Legislative Update

As both the House and the Senate have passed the deadline to pass House Bills out of House committees and Senate Bills out of Senate committees, I wanted to provide you with a summary of the status of all the environment-related bills the Illinois EPA is tracking thus far this spring. I hope this is helpful to you. As always, please feel free to contact the Agency's legislative office if you have any questions.

ACTIVE BILLS

HB 513 (Bourne/Tracy). *Passed the House; referred to the Senate Committee on Assignments.* Amends the Gasoline Storage Act. Authorizes offsite refueling ("wet fueling") of off-road vehicles and equipment used at Illinois EPA-permitted landfills and waste transfer stations. Effective immediately.

HB 524 (B. Wheeler). *Third reading in the House.* Amends the Safe Pharmaceutical Disposal Act and the Environmental Protection Act (EPAct). Allows unused pharmaceuticals that are collected by counties or municipalities at city halls and police stations to be destroyed in so-called "burn barrel" drug destruction devices along with illegal drug evidence to the extent allow under federal law.

****It must be noted that current federal guidance specifically states that burning pharmaceutical drugs OTHER than those obtained as drug evidence in a device such as a "burn barrel" constitutes the regular burning of waste, i.e., incineration, and would thus require any county or municipality to obtain a permit and comply with the highly complex and expensive requirements of operating an incinerator. In the alternative, the bill would allow counties and municipalities to burn non-drug evidence pharmaceuticals in burn barrels without a permit ONLY at such time as federal law, regulations, or guidance is changed to allow so.**** Identical to SB 680 (Althoff). Effective immediately.

HB 659 (Nekritz). *Second reading in the House.* Amends the Metropolitan Water Reclamation District (MWRD) Act. Authorizes the MWRD to participate in any nutrient trading program in the State for the purpose of meeting water quality standards, PROVIDED any actions taken by the District as part of any said program be in compliance with applicable state laws and rules, including but not limited to the State Environmental Protection Act (EPAct).

HB 706 (Bellock). *Second reading in the House.* Amends the Safe Pharmaceutical Disposal Act. Provides that in the absence of a police officer, state police officer, coroner, or medical examiner at the scene of a death, a nurse may dispose of unused medication found at the scene while engaging in the performance of his or her duties ONLY after consulting with the investigating law enforcement agency to ensure that the unused medications will not be needed as evidence during the investigation. Exempts such nurses or physicians from civil and criminal liability. Effective immediately.

HB 772 (Gordon-Booth). *Third reading in the House.* Amends the Electronic Products Recycling and Reuse Act. Provides that accreditation is not required for facilities that place CRT glass in landfill storage cells for future retrieval in accordance with specified provisions of the Act. Prohibits any organization that accredits such facilities from penalizing or taking other negative actions against any recycler, refurbisher, or collector of CEDs and EEDs based on the recycler's, refurbisher's, or collector's use of a facility that places CRT glass in storage cells for future retrieval. Identical to SB 774 (Koehler). Effective immediately.

HB 2386 (Breen/Nybo). *Passed the House; referred to the Senate Committee on Assignments.* Amends the Environmental Protection Act (EPAct). Authorizes any person to sell or offer to sell at retail any metal beverage container designed and constructed in such a manner that a part of the container is detachable in opening the container without the aid of a can opener if the part comprises substantially all of one of the ends of the metal beverage container. Effective immediately.

HB 2731 (Beiser). *Second reading in the House.* Amends the Illinois Environmental Protection Act (EPAct). Requires the Illinois EPA to conduct a study comparing airborne emission reductions of coal-fired electric generating units within Illinois between 1990 and 2016 and forecasting additional emissions reductions for the period from 2017 to 2020. Further requires the Illinois EPA to identify: 1) where and how Agency policies have led to those reductions and are likely to lead to additional reductions going forward; and 2) any Illinois regulations that are unnecessary because of more stringent federal regulations. Directs the Illinois EPA to consult with owners of coal-fired electric generating units in Illinois when compiling this information. Introduced for Dynegy. Identical to SB 2030 (Clayborne). Effective immediately.

HB 2732 (Beiser). *Second reading in the House.* Amends the Illinois Environmental Protection Act (EPAct). Provides that nothing in the EPAct is intended to limit or supersede the authority of the Illinois Emergency Management Agency (IEMA) under the Nuclear Safety Law of 2004. Introduced for the Illinois Emergency Management Agency (IEMA) to regulate exceptional quality biosolids. Identical to SB 1648 (Koehler). Effective immediately.

HB 2756 (Fortner). *Second reading in the House.* Amends the Counties Code. Changes the application of provisions concerning allowing management and mitigation of the effects of urbanization on stormwater drainage in metropolitan counties located in the area served by the Northeastern Illinois Planning Commission (NIPC) to those located in the area served by the Chicago Metropolitan Agency for Planning. Authorizes all counties (currently, only specified counties) to adopt stormwater management plans. Provides that counties' minimum standards for floodplain and stormwater management should have an emphasis on the use of cost effective, nature-based solutions, and provides examples of such solutions. Requires stormwater management plans to evaluate water quality and flooding problems caused by urban flooding. Defines "urban flooding" as the flooding of public and private land in urban areas that results from stormwater or snowmelt runoff overwhelming the existing drainage infrastructure, unrelated to the overflow of any river or lake, whether or not that land is located in or near a floodplain. Authorizes stormwater management planning committees to make grants to units of local government and landowners under specified conditions. Identical to SB 1507 (Steans).

HB 2842 (Rita). *Third reading in the House.* Amends the Environmental Protection Act (EPAct). Requires applicants for local siting approval to submit evidence to demonstrate compliance with the siting law, and to present at least one witness to testify subject to cross-examination at local siting hearings. Also requires the county board or municipality conducting the siting hearing to confirm in writing that a public hearing was held at which testimony was taken from at least one witness presented by the applicant. Introduced for Republic Waste. Effective immediately.

HB 2860 (Walsh). *Second reading in the House.* Amends the Environmental Protection Act (EPAct). Provides that the portion of a site or facility that collects, separates, stores, or converts post-use polymers into crude oil, fuels, or other valuable final or intermediate products using a pyrolysis process is not a pollution control facility under the Act. Makes changes to the definition for "municipal waste incineration" in provisions concerning municipal waste incineration emission standards. Limits the concurrent exercise of power to regulate such facilities by home rule units. Introduced for the Chemical Industry Council of Illinois (CICI). Identical to SB 1599 (McGuire). Effective immediately.

HB 2876 (Hoffman). *Passed the House; first reading in the Senate.* Amends the Environmental Protection Act (EPAct). Limits the existing ban on the landfilling of asphalt roofing shingles to landfills within a 25-mile radius of "eligible shingle recycling facilities" (rather than all sites where shingles are recycled under a Beneficial Use Determination (BUD). Defines "eligible shingle recycling facility" as a site that is approved for asphalt shingle recycling under a BUD, is in compliance with the BUD, is on IDOT's or the Illinois State Toll Highway Authority's (ISTHA) list of approved shingle recyclers, and accepts all loads of shingles delivered to it that can be processed into recycled shingles for IDOT or ISTHA. Allows a landfill ban to be lifted if a shingle recycling facility no longer meets the criteria to be an eligible shingle recycling facility. Also provides for the subsequent reinstatement of a landfill ban if a shingle recycling facility once again meets the criteria to be an eligible shingle recycling facility. Extends the repeal date of the Section by five years (rom February 1, 2018, to February 2, 2023). Introduced for the Land Reclamation and Recycling Association (LRRA). Identical to SB 1649 (Manar). Effective immediately.

HB 2880 (Beiser/Hastings). *Passed the House; referred to the Senate Committee on Assignments.* Amends the Environmental Protection Act (EPAct). Requires the Illinois EPA to propose and the Pollution Control Board to adopt rules allowing permitted clean construction or demolition debris (CCDD) sites to subdivide and close portions of a site prior to closure of the entire site. Specifies standards and criteria to be included in the rules. Specifies that the final rules shall allow an owner or operator of a CCDD site who is transferring a subdivided portion of such site to another person to be released from the permitting requirements that apply to the transferred portion of the site by: 1) filing an application for a permit modification and providing certain other information with the Agency; 2) having the portion of the site being transferred filled to within 3 feet of the final fill elevation specified in the site's permit; and 3) posting a performance bond with the Agency in an amount sufficient to cover the Agency's costs to remediate the subdivided portion of the site. Requires the final rules to specify the terms under which the State is entitled to collect on the required performance bond, and requires forfeited bond proceeds to be deposited into the Landfill Closure and Post-Closure Fund. Authorizes the Agency to grant this type of relief until the rules described above have been adopted. Introduced for the Land Reclamation and Recycling Association (LRRA). Identical to SB 1355 (Hastings).

HB 2958 (Fine). *Second reading in the House.* Amends the Environmental Protection Act (EPAct). Beginning January 1, 2018, prohibits any person from knowingly selling surface-applied sealing products or high PAH sealant products that contain coal tar, coal tar pitch, or coal tar pitch volatiles. Beginning January 1, 2019, prohibits any person from knowingly applying those products on any surface in the State. Authorizes the Illinois EPA to issue administrative citations (ACs) for violations of these requirements, with penalties not to exceed $1,000 for a first offence and $5,000 for a second offense. Similar to HB 3181 (Ammons). Effective immediately.

HB 3014 (DeLuca/Bush). *Passed the House; referred to the Senate Committee on Assignments.* Amends the Environmental Protection Act (EPAct). Beginning July 1, 2017, prohibits any person from knowingly placing any of the following materials into a container intended for collection by a residential hauler for processing at a recycling center: household sharps (needles, etc.); plastic bags, sheets, tarps, and wrap; polystyrene or Styrofoam; landscape waste, food scrap; or motor oil containers or other hazardous waste containers. Effective July 1, 2017.

HB 3042 (Hoffman). *Second reading in the House.* Creates the Energy and Environmental Security Act. Also amends the Energy Conservation and Coal Development Act. Creates the Qualified Clean Coal Technology Grant Program for the purpose of funding grants that will allow the grant recipient to: 1) meet the qualifications of a qualified clean coal facility; 2) operate an electric generating unit as a qualified clean coal facility while complying with state and federal emissions requirements; and 3) mitigate the environmental impacts of the operation of coal-fueled electric generation units. Creates the Clean Coal Development and Utilization Fund to provide funding for grants. Amends the State Finance Act to make a conforming change. Identical to SB 1840 (Manar). Effective immediately.

HB 3222 (Lang). *Third reading in the House.* Amends the Illinois Administrative Procedure Act (IAPA). Authorizes (rather than requires) the Joint Committee on Administrative Rules (JCAR) to evaluate the rules of each agency at its discretion (currently, at least once every 5 years). Provides that when JCAR determines that it will conduct a review of existing rules, it shall publish in the *Illinois Register* and on its website an announcement of the commencement of such review and list the subject matter of the rules to be reviewed. Modifies the meanings of the term "rule" and "emergency" under the Act. Effective immediately.

HB 3240 (Winger). *Third reading in the House.* Amends the Permanent Noise Monitoring Act. On or before June 30, 2018, requires each airport in the State to upgrade its permanent noise monitoring system so that it is capable of producing the data necessary to meet the requirements of Public Act 99-202. On June 30, 2018 and thereafter, requires an airport's permanent noise monitoring report and noise contour maps to be produced using the criteria under Public Act 99-202. Effective immediately.

HB 3248 (Winger). *Third reading in the House.* Amends the Department of Transportation Law of the Civil Administrative Code of Illinois and the Environmental Protection Act (EPAct). Requires the Illinois EPA, with the assistance of the Illinois Department of Transportation (IDOT), to conduct a study of the environmental, noise, and human health impacts caused by runways and air traffic at O'Hare Airport. Additionally, the bill requires the monitoring of noise levels experienced in 2018 and 2019. Requires the Agency, when conducting this study, to pay particular attention to the impact of air pollution, noise pollution, the emission of gases and fluids by aircraft, and similar factors on the quality of life, health, and property values of persons who live adjacent to the flight paths used by Chicago O'Hare International Airport. The study is to be submitted to the General Assembly by no later than October 31, 2019. Effective immediately.

HB 3325 (Ives). *Passed the House; first reading in the Senate.* Amends the Public Water District Act. Provides that a general manager of a public water district may be discharged at a meeting of the board of trustees upon a majority vote of the members present (currently, by a unanimous vote of the board of trustees). Identical to SB 952 (Connelly). Effective immediately.

HB 3656 (Bourne). *Passed the House; first reading in Senate.* Creates the new Flue Gas Desulfurization (FGD) Task Force to study the costs and benefits of equipping new and existing stacks at coal-fired power plants with FGD scrubber technology for the purpose of safely burning more Illinois coal. The Task Force would include the Directors of the Department of Natural Resources (IDNR) and the Illinois EPA. Additionally, IDNR and the Illinois EPA would be required to provide administrative and other support to the Task Force. The Task Force would be required to report its findings and recommendations to the General Assembly by December 31, 2017. Effective immediately.

HB 3922 (K. Burke). *Second reading in the House.* Amends the Illinois Municipal Code. Creates the *Municipal Task Force on Recycling Strategies to Reduce Greenhouse Gas Emissions* to review the status of municipal policies and programs that reduce greenhouse gas (GHG) emissions nationally and internationally. Provides that the review shall include, but not be limited to, specified greenhouse gas initiatives. Requires the Task Force to prepare a report that

summarizes its work and makes recommendations resulting from its review, and submit the report of its findings and recommendations to the Governor and the General Assembly no later than one year after the effective date of the bill (by January 1, 2019). Requires the members of the Task Force to be appointed no later than 90 days after the effective date of the amendatory Act (by March 31, 2018). Provides that the provisions creating and concerning the Task Force shall be repealed 2 years after the effective date of the bill (by January 1, 2020). Identical to SB 1775 (Harmon).

HB 3946 (Durkin). *Referred to the House Appropriations-General Services Committee.* This is the Illinois EPA's and Pollution Control Board's FY18 operations budget. Makes appropriations for the ordinary and contingent expenses of the Environmental Protection Agency and the Pollution Control Board for the fiscal year beginning July 1, 2017, as follows: other state funds $282,011,900; federal funds $82,223,600; total $364,235,500. Identical to SB 2128 (Radogno). Effective July 1, 2017.

HB 3997 (Durkin). *Referred to the House Appropriations-Public Safety Committee.* This bill contains the Illinois EPA's FY18 capital budget. Makes capital appropriations and reappropriations for the fiscal year beginning July 1, 2017. Identical to SB 2166 (Radogno). Effective July 1, 2017.

SB 190 (Connelly). *Third reading in the Senate.* Amends the Alternate Fuels Act. This bill repeals the requirement that the Department of Commerce and Economic Opportunity's (DCEO) administer the Clean Fuel Education Program, in coordination with the Illinois EPA and Chicago Area Clean Cities (Section 32 of the Alternate Fuels Act (415 ILCS 120/32). Funding was to come from the State's General Revenue Fund. Introduced for the Department of Commerce and Economic Opportunity (DCEO). Effective immediately.

SB 611 (S. Bennett). *Third reading in the Senate.* Creates the Mahomet Aquifer Protection Task Force. Establishes a Task Force consisting of representatives from the General Assembly, the Illinois EPA, the waste and recycling industry, an environmental organization, a non-profit Mahomet Aquifer sustainability group, the Illinois State Water Survey, a community healthcare organization, and local governments. The duties of the Task Force are to: 1) develop a plan to maintain aquifer groundwater quality; 2) "maintain safe levels of toxic chemicals" in the aquifer groundwater; 3) identify threats of contamination; and 4) make legislative recommendations for aquifer protection. The Task Force would be required to submit a report of findings and recommendations to the General Assembly on or before January 1, 2018. The Task Force would sunset on July 1, 2019. Effective immediately.

SB 680 (Althoff). *Third reading in the Senate.* Amends the Safe Pharmaceutical Disposal Act and the Environmental Protection Act (EPAct). Allows unused pharmaceuticals that are collected by counties or municipalities at city halls and police stations to be destroyed in so-called "burn barrel" drug destruction devices along with illegal drug evidence <u>to the extent allow under federal law</u>.

****It must be noted that current federal guidance specifically states that burning pharmaceutical*

*drugs OTHER than those obtained as drug evidence in a device such as a "burn barrel" constitutes the regular burning of waste, i.e., incineration, and would thus require any county or municipality to obtain a permit and comply with the highly complex and expensive requirements of operating an incinerator. In the alternative, the bill would allow counties and municipalities to burn non-drug evidence pharmaceuticals in burn barrels without a permit ONLY at such time as federal law, regulations, or guidance is changed to allow so.****** Identical to HB 524 (B. Wheeler). Effective immediately.

SB 774 (Koehler). *Referred to the Senate Environment & Conservation Committee.* Amends the Electronic Products Recycling and Reuse Act. Provides that accreditation is not required for facilities that place CRT glass in landfill storage cells for future retrieval in accordance with specified provisions of the Act. Prohibits any organization that accredits such facilities from penalizing or taking other negative actions against any recycler, refurbisher, or collector of CEDs and EEDs based on the recycler's, refurbisher's, or collector's use of a facility that places CRT glass in storage cells for future retrieval. Identical to HB 772 (Gordon-Booth). Effective immediately.

SB 836 (Mulroe). *Second reading in the Senate.* Amends the Vehicle Emissions Inspection (VEI) Law of 2005 within the Illinois Vehicle Code. Provides that if the Illinois EPA operates or contracts to operate emission testing stations (which it does), requires the Illinois EPA to locate emission testing stations such that the owners of vehicles subject to inspection reside within five (5) miles (rather than the current twelve (12) miles) of an emission testing station.

SB 1272 (Koehler). *Referred to the Senate Environment & Conservation Committee.* Amends the environmental Protection Act (EPAct). Requires any new livestock management facility, also known as confined animal feeding operations (CAFOs), of from 300 up to 1,000 animal units to keep a waste management plan on file at the facility. Requires new livestock management facilities as well as existing livestock management facilities that expand up to capacity of from 1,000 up to 5,000 animal units to submit a waste management plan to the Illinois Department of Agriculture. Requires waste management plans for these two types of facilities to be made available on a publically accessible website. In certain cases, provides owners and operators of existing livestock management facilities with 6 months from the effective date of the bill to develop and submit the waste management plan.

Also requires any new or expanded livestock management facilities of 1,000 animal units or greater, or that propose constructing a new livestock waste lagoon, to include a waste management plan in the registration submitted to the Department of Agriculture 37 days prior to anticipated date of construction. The waste management plan is to comply with the requirements for handling, storage and disposing of livestock waste under rules adopted under the Environmental Protection Act (Act) concerning agricultural related pollution according to the bill. Effective immediately.

SB 1273 (Koehler). *Referred to the Senate Environment & Conservation Committee.* Amends the Environmental Protection Act (EPAct). Requires registration and annual reporting to the Illinois EPA for large and medium Concentrated Animal Feeding Operations (CAFOs). Defines "large concentrated animal feeding operation," "medium concentrated animal feeding

operation," and "animal unit" the same as defined in the current CAFO regulations under the Illinois EPA's NPDES (water pollution discharge) permit program. The bill requires the owners or operators of animal feeding operations (AFOs) confining 300 animal units or more or AFOs "meeting the size threshold to qualify" as a large or medium CAFO (i.e., confining the number and type of animals to meet the animal number requirement portion of the definitions of large and medium CAFOs), prior to operation, to submit reporting forms and supporting information to the Agency.

Establishes a registration and annual reporting program for large and medium CAFOs as follows.

- Requires all owners or operators of all animal feeding operations that confine 300 animal units or more, or AFOs that meet the size threshold to qualify as large or medium CAFOs, to submit reporting forms and supporting information to the Agency prior to operation.
- Requires all large and medium CAFOs to register annually and any facilities constructed after March 31 of each year to register during the next available period of registration.
- Requires large and medium CAFOs to provide current address and contact information within 15 working days of a change.
- Requires AFOs that have provided information to the Agency under the registration and annual reporting program to provide notices of termination upon ceasing operation.
- Requires the submittal of waste management plans.
- Requires the submittal of the number of acres under the control of the owner or operator available for land application.
- Authorizes the Illinois EPA to appropriate filing fees for initial and annual information filings. *A fee is **not** required by the bill.*
- The bill does not specify a process for handling incomplete submittals and obtaining the information that has not been provided.

Effective immediately.

SB 1355 (Hastings). *Third reading in the Senate.* Amends the Environmental Protection Act (EPAct). Requires the Illinois EPA to propose and the Pollution Control Board to adopt rules allowing permitted clean construction or demolition debris (CCDD) sites to subdivide and close portions of a site prior to closure of the entire site. Specifies standards and criteria to be included in the rules. Specifies that the final rules shall allow an owner or operator of a CCDD site who is transferring a subdivided portion of such site to another person to be released from the permitting requirements that apply to the transferred portion of the site by: 1) filing an application for a permit modification and providing certain other information with the Agency; 2) having the portion of the site being transferred filled to within 3 feet of the final fill elevation specified in the site's permit; and 3) posting a performance bond with the Agency in an amount sufficient to cover the Agency's costs to remediate the subdivided portion of the site. Requires the final rules to specify the terms under which the State is entitled to collect on the required performance bond, and requires forfeited bond proceeds to be deposited into the Landfill Closure and Post-Closure Fund. Authorizes the Agency to grant this type of relief until the rules described above have been adopted. Introduced for the Land Reclamation and Recycling Association (LRRA). Identical to HB 2880 (Beiser).

SB 1372 (Harmon). *Third reading in the Senate.* Amends the Mercury Switch Removal Act. Pushes up the Act's repeal date from January 1, 2027, to January 1, 2022. Effective immediately.

SB 1417 (Althoff). *Second reading in the Senate.* Amends the Electronic Products Recycling and Reuse Act. Authorizes retailers to collect a fee for each covered electronic device or eligible electronic device collected. Also authorizes municipalities, townships, and other units of local government that are acting as collectors to collect a fee for each covered electronic device or eligible electronic device collected. Deletes corresponding prohibition on charging individual consumers a fee for bringing covered electronic devices or eligible electronic devices to collection sites. Provides that retailers shall be considered to have complied with specified provisions prohibiting the sale of computers, computer monitors, printers, or televisions if certain conditions are met. Identical to HB 2879 (Beiser). Effective immediately.

SB 1433 (Schimpf). *Second reading in the Senate.* Amends the Environmental Protection Act (EPAct). Authorizes small entities, as defined in the federal Small Business Regulatory Enforcement Fairness Act of 1996, to obtain a 100% reduction in the non-economic portion of penalties imposed under the Act when they timely and voluntarily disclose the non-compliance that resulted in the penalty, correct the non-compliance, and satisfy other specified conditions. Effective immediately.

SB 1456 (J. Morrison). *Second reading in the Senate.* Amends the Environmental Protection Act (EPAct). Provides that the term pollution control facility does not include the portion of a site or facility for which a permit application is submitted to Illinois EPA to modify an existing permit for the transfer of landscape waste to also include, on a demonstration basis not to exceed 24 months each time a permit is issued, the transfer of commingled landscape waste and food scrap or for which a permit application is submitted to the Agency within 6 months after the effective date of this bill (currently, January 1, 2016). Limits the applicability of the bill to any facility located entirely within a home rule unit having a population according to the 2010 federal census of not less than 25,000 but not more than 30,000. Introduced for the Illinois Environmental Council (IEC) for the Village of West Chicago. Effective immediately.

SB 1507 (Steans). *Referred to the Senate Local Government Committee.* Amends the Counties Code. Changes the application of provisions concerning allowing management and mitigation of the effects of urbanization on stormwater drainage in metropolitan counties located in the area served by the Northeastern Illinois Planning Commission (NIPC) to those located in the area served by the Chicago Metropolitan Agency for Planning. Authorizes all counties (currently, only specified counties) to adopt stormwater management plans. Provides that counties' minimum standards for floodplain and stormwater management should have an emphasis on the use of cost effective, nature-based solutions, and provides examples of such solutions. Requires stormwater management plans to evaluate water quality and flooding problems caused by urban flooding. Defines "urban flooding" as the flooding of public and private land in urban areas that results from stormwater or snowmelt runoff overwhelming the existing drainage infrastructure, unrelated to the overflow of any river or lake, whether or not that land is located in or near a floodplain. Authorizes stormwater management planning committees to make grants to units of local government and landowners under specified conditions. Identical to HB 2756 (Fortner).

SB 1561 (Koehler). *Second reading in the Senate.* Amends the Solid Waste Planning and Recycling Act (SWPRA). Creates a new section of the SWPRA that provides that nothing in the Act shall be construed to permit a county with a population of less than 2,000,000 residents (any county other than Cook County) the power to regulate the operations of pollution control facilities or recycling centers. Introduced for Waste Management. Effective immediately.

SB 1597 (Link). *Second reading in the Senate.* Creates the Compostable Bags in Retail Establishments Act. Prohibits retail establishments from using, providing, or selling polyethylene or other non-compostable plastic film bags tinted green to customers. Requires any plastic film bags meeting the definition of compostable that retail establishments provide to customers to be tinted green and be clearly labeled "COMPOSTABLE." This requirement would include language following the Federal Trade Commission's (FTC) "Green Guides." Prohibits film bags that retail establishments provide to customers from being labeled with the term "biodegradable," "degradable," "decomposable," or any similar terms, or in any way implying that the product will break down, fragment, biodegrade, or decompose in a landfill or other environment. Effective January 1, 2018.

SB 1599 (McGuire). *Referred to the Senate Environment & Conservation Committee.* Amends the Environmental Protection Act (EPAct). Provides that the portion of a site or facility that collects, separates, stores, or converts post-use polymers into crude oil, fuels, or other valuable final or intermediate products using a pyrolysis process is not a pollution control facility under the Act. Makes changes to the definition for "municipal waste incineration" in provisions concerning municipal waste incineration emission standards. Limits the concurrent exercise of power to regulate such facilities by home rule units. Introduced for the Chemical Industry Council of Illinois (CICI). Identical to HB 2860 (Walsh). Effective immediately.

SB 1648 (Koehler). *Second reading in the Senate.* Amends the Illinois Environmental Protection Act (EPAct). Provides that nothing in the EPAct is intended to limit or supersede the authority of the Illinois Emergency Management Agency (IEMA) to regulate exceptional quality biosolids under the Nuclear Safety Law of 2004. Introduced for the Illinois Emergency Management Agency (IEMA). Identical to HB 2732 (Beiser). Effective immediately.

SB 1649 (Manar). *Referred to the Senate Environment & Conservation Committee.* Amends the Environmental Protection Act (EPAct). Alters the existing ban on the landfilling of asphalt roofing shingles so it applies only to landfills within a 25-mile radius of "eligible shingle recycling facilities" (rather than sites where shingles are recycled under a Beneficial Used Determination or "BUD"). Defines "eligible shingle recycling facility" as a site that is approved for asphalt shingle recycling under a Beneficial Use Determination (BUD) issued by the Illinois EPA, is in compliance with the BUD, is approved to accept shingles from more than a single source, and is actively accepting shingles for recycling. Deletes the provision that repeals the landfill ban on February 1, 2018. Introduced for the Land Reclamation and Recycling Association (LRRA). Identical to HB 2876 (Hoffman). Effective immediately.

SB 1679 (Sandoval). *Referred to the Senate Appropriations I Committee.* Amends the State Finance Act. Authorizes transfers from the designated funds into the Commitment to Human Services Fund for the sole purpose of providing funding for domestic violence programs funded

by the Department of Human Services (DHS) through the end of FY17. Specific to the Illinois EPA, authorizes transfers of $1 million from the Solid Waste Management Fund, $1 million from the Used Tire Management Fund, and $500,000 from the Vehicle Inspection Fund. Identical to SB 1679 (Sandoval). Effective immediately.

SB 1775 (Harmon). *Second reading in the Senate.* Amends the Illinois Municipal Code. Creates the *Municipal Task Force on Recycling Strategies to Reduce Greenhouse Gas Emissions* to review the status of municipal policies and programs that reduce greenhouse gas (GHG) emissions nationally and internationally. Provides that the review shall include, but not be limited to, specified greenhouse gas initiatives. Requires the Task Force to prepare a report that summarizes its work and makes recommendations resulting from its review, and submit the report of its findings and recommendations to the Governor and the General Assembly no later than one year after the effective date of the bill (by January 1, 2019). Requires the members of the Task Force to be appointed no later than 90 days after the effective date of the amendatory Act (by March 31, 2018). Provides that the provisions creating and concerning the Task Force shall be repealed 2 years after the effective date of the bill (by January 1, 2020). Identical to SB 3922 (K. Burke).

SB 1807 (Harmon). *Referred to the Senate Local Government Committee.* Amends the Illinois Municipal Code. Prohibits any municipality from awarding any private entity a franchise for the collection of general construction or demolition debris from residential or non-residential locations within the community. Also prohibits any municipality from entering into any new contracts with any other unit of local government, by intergovernmental agreement or otherwise, or with any business or person relating to the collection and final disposition of general construction or demolition debris. Prohibits any municipality from providing by ordinance for any methods that award a franchise for the collection or final disposition of general construction or demolition debris. In all cases, allows such municipalities to extend or renew any such contracts that were entered into prior to the effective date of this bill. ***Exempts the City of Chicago***.

SB 1840 (Manar). *Second reading in the Senate.* Creates the Energy and Environmental Security Act. Also amends the Energy Conservation and Coal Development Act. Creates the Qualified Clean Coal Technology Grant Program for the purpose of funding grants that will allow the grant recipient to: 1) meet the qualifications of a qualified clean coal facility; 2) operate an electric generating unit as a qualified clean coal facility while complying with state and federal emissions requirements; and 3) mitigate the environmental impacts of the operation of coal-fueled electric generation units. Creates the Clean Coal Development and Utilization Fund to provide funding for grants. Amends the State Finance Act to make a conforming change. Identical to HB 3042 (Hoffman). Effective immediately.

SB 1936 (Althoff). *Second reading in the Senate.* Specific to the Illinois EPA, the bill makes the following changes:

1. Amends the Environmental Protection Act (EPAct). Deletes the requirement that the Illinois EPA and the Department of Commerce and Economic Opportunity (DCEO) investigate the manner in which liquid used oil is currently being utilized and potential prospects for future use.
2. Deletes an obsolete paragraph (Section 17.6 of the EPAct) enacted in 1991 that listed the maximum water contaminant levels for barium, fluoride and radionuclides in statute. *This provision has long been obsolete, since the Illinois EPA has had the authority since 1983 (set forth in a separate section of the EPAct) to adopt such contaminant levels via identical-in-substance rulemaking whenever required to change the standards under the federal Clean Water Act.*
3. Deletes references throughout the EPAct to the Industrial Materials Exchange Service (IMES) which ceased being maintained years ago. *In part because a facility's participation in IMES was a prerequisite to eligibility for carrying out certain activities regulated under the EPAct, some owners and operators of facilities might find it difficult or impossible to qualify for certain exemptions. When IMES was functioning, several IMES-related exemptions were added to the EPAct such as one preventing certain recyclable metals from having to be managed as special waste, as well as authorizing the landfilling of white goods and used and waste tires.*
4. Amends the Illinois Solid Waste Management Act. Deletes the authority of DCEO to provide technical assistance *(presumably to local governments)* in siting pollution control facilities (landfills, waste incinerators, waste transfer stations).
5. Amends the Illinois Solid Waste Management Act. Deletes the requirement that DCEO, in consultation with the Illinois EPA, maintain an information clearinghouse for solid waste research and planning, management practices, markets for recyclable products, and intergovernmental cooperation.
6. Amends the Illinois Solid Waste Management Act. Deletes the requirement that DCEO conduct a study of, provide a public education program for, and report to the Governor and the General Assembly regarding waste paint disposal options for small businesses, and recommendations for the management and reduction of waste paint.
7. Amends the Illinois Solid Waste Management Act. Deletes the requirement that DCEO establish a wet/dry waste collection pilot project intended to divert source separated recyclables and compostable nontoxic organic materials from the residential and commercial waste streams.
8. Amends the Illinois Solid Waste Management Act. Deletes the requirement that DCEO develop and administer a Recycling Economic Development [grant] Program.
9. Repeals the Green Infrastructure for Clean Water Act. *This Act required the Illinois EPA, in consultation with the Department of Natural Resources (IDNR), the Department of Transportation (IDOT), and the Capital Development Board (CDB), to submit a report to the Governor and the General Assembly by June 30, 2010. Because this report was submitted long ago and because the Act did not require anything else, the Act is no longer necessary.*
10. Deletes references within the Environmental Toxicology Act to the now obsolete State Remedial Action Priority List (SRAPL) which was effectively thrown out by the courts

over 20 years ago. *The State Remedial Action Priority List was originally intended to serve as an informational tool for use by the Illinois EPA in identifying sites that appeared to present a significant risk to public health, welfare, or the environment, however, the Illinois EPA's rules that contained procedures for creating the State Remedial Action Priorities List (35 Ill. Adm. Code Part 860) were declared void in 1992 in States Land Improvement Corp. v. Environmental Protection Agency, 596 N.E.2d 1164, 173 Ill. Dec. 285 (4th Dist. 1992). As a result, the Illinois EPA subsequently repealed the rules. 25 Ill. Reg. 1262 (January 12, 2001). Because the Illinois EPA no longer maintains a State Remedial Action Priority List, this proposal would repeal references within the Environmental Toxicology Act.*

11. Amends the EPAct. Deletes a requirement that retailers who sell lead-acid batteries must also accept used lead-acid batteries from customers for recycling. This section being deleted also prohibited the disposal of lead-acid batteries in landfills.
12. Repeals the Degradable Plastic Act. *The Act, enacted in 1989, required DCEO, in consultation with the Illinois EPA, to conduct research to evaluate the degradation process and environmental impact of degradable plastics.*
13. Repeals the Recycled Newsprint Use Act. *The Act, enacted in 1990, required newspaper companies to use certain percentages of recycled newsprint.*
14. Deletes a provision within the Alternate Fuels Act that required DCEO to administer an ethanol fuel research program.
15. Deletes a provision in the Interstate Ozone Transport Oversight Act that required DCEO to study the impacts on the State's economy which could result from implementation of the emissions reduction strategies contained within any proposed State Implementation Plan (SIP) relating to ozone.
16. Amends the Illinois Vehicle Code. Deletes the authority of the Department of State Police (DSP) to conduct unscheduled emission inspections of trucks. Also deletes the provisions regarding fines for trucks that fail unscheduled emission inspections, as well as deleting the Diesel Emissions Testing Fund into which such fine revenues are deposited.

Effective immediately.

SB 1943 (Koehler). *Second reading in the Senate.* Amends the Illinois Plumbing License Law, the Environmental Protection Act (EPAct) and the Environmental Toxicology Act to clarify which laboratories can analyze drinking water samples for the presence of lead, streamline three separate Illinois EPA reporting requirements, and delete obsolete language as follows:

1. Amends the Illinois Plumbing License Law. Allows school officials to submit drinking water samples for mandatory lead testing to any laboratories accredited by a national laboratory accreditation body (rather than only to laboratories accredited by the Illinois EPA). *All laboratories certified by the Agency already meet national accreditation standards.* Specifies test methods that are to be used to perform the required lead testing. Directs school officials to provide final analytical results to the Department of Public Health (IDPH) within 7 days after their receipt.

2. Amends Section 39.5 of the EPAct to eliminate a duplicative requirement that entities subject

to the Illinois EPA's Title V air permitting program file a certificate of compliance with both the USEPA and the Illinois EPA every year. Because of a recent change in federal rules, such entities will now only have to file such certificates with the Illinois EPA each year.

3. Amends Section 21(J) of the EPAct to allow units of local government to submit annual, instead of semiannual, reports to the Agency identifying the volume of sludge transported during the reporting period, the hauler of the sludge, and the disposal sites to which it was transported.

4. Amends Section 12.4 of the EPAct to require a generator of vegetable by-products utilizing land application to maintain an annual report for 5 years identifying the quantity of vegetable by-products transported for land application ***instead of*** annually filing the report with the Agency.

5. Deletes an obsolete paragraph (Section 17.6 of the EPAct) enacted in 1991 that listed the maximum water contaminant levels for barium, fluoride and radionuclides in statute. This provision has long been obsolete, since the Illinois EPA has had the authority since 1983 (set forth in a separate section of the EPAct) to adopt such contaminant levels via identical-in-substance rulemaking whenever required to change the standards under the federal Clean Water Act.

6. Deletes references throughout the EPAct to the Industrial Materials Exchange Service (IMES) which ceased being maintained years ago. In part because a facility's participation in IMES was a prerequisite to eligibility for carrying out certain activities regulated under the EPAct, some owners and operators of facilities might find it difficult or impossible to qualify for certain exemptions. When IMES was functioning, several IMES-related exemptions were added to the EPAct such as one preventing certain recyclable metals from having to be managed as special waste, as well as authorizing the landfilling of white goods and used and waste tires.

7. Deletes references within the Environmental Toxicology Act to the now obsolete State Remedial Action Priority List (SRAPL) which was effectively thrown out by the courts over 20 years ago. The State Remedial Action Priority List was originally intended to serve as an informational tool for use by the Illinois EPA in identifying sites that appeared to present a significant risk to public health, welfare, or the environment, however, the Illinois EPA's rules that contained procedures for creating the State Remedial Action Priorities List (35 Ill. Adm. Code Part 860) were declared void in 1992 in *States Land Improvement Corp. v. Environmental Protection Agency,* 596 N.E.2d 1164, 173 Ill. Dec. 285 (4th Dist. 1992). As a result, the Illinois EPA subsequently repealed the rules. 25 Ill. Reg. 1262 (January 12, 2001). Because the Illinois EPA no longer maintains a State Remedial Action Priority List, this proposal would repeal references within the Environmental Toxicology Act to the list in the statutory provisions cited below.

This is an Illinois EPA agency bill. Effective immediately.

SB 1969 (S. Bennett). *Second reading in the Senate.* Amends the Environmental Protection Act (EPAct). Restricts the residential exemption storing used or waste tires from 12 to four tires on site, and further requires that such tires must be covered and kept dry. *Under current law, the prohibition on allowing water to accumulate in used or waste tires does not apply residential households that store 12 or fewer tires, nor are such tires required to be kept dry.*

Changes the current Used Tire Management Fund allocation formula such that monies in the Fund up to $4 million (currently up to from $2 million) would be distributed (all subject to appropriation) as follows: 38% to the Illinois EPA for tire cleanups and enforcement; 23% to the State's General Revenue Fund (GRF); 25% to the Department of Public Health (IDPH) to research and combat diseases caused by the accumulation of used and waste tires; 2% to the Department of Agriculture for its activities under the Illinois Pesticide Act; 2% to the Pollution Control Board for adjudication of used or waste tire violations; 10% to University of Illinois for the Prairie Research Institute for research related to tire-breeding diseases. *Other than raising the threshold from up to $4 million from up to $2 million, the only change this part of the bill makes to the allocation formula is to redirect the final 10% for research related to tire-breeding diseases from IDNR for the Natural History Survey to University of Illinois for the Prairie Research Institute, a change made necessary by the fact that the Illinois Natural History Survey is now part of the Prairie Research Institute at University of Illinois and no longer IDNR.*

Changes the current Used Tire Management Fund allocation formula such that monies in the Fund in excess of $4 million (currently in excess of $2 million) would be distributed (again, subject to appropriation) as follows: 55% to the Illinois EPA for tire cleanups and enforcement, AND to provide grants to public universities for disease vector-related research, disease-related research, and for related laboratory-based research equipment and field-based equipment; and 45% to GRF. *Other than raising the threshold from in excess of $4 million from in excess of $2 million, the only change this part of the bill makes to the allocation formula is to add as a new purpose for the Illinois EPA's allocation providing grants to public universities for disease vector-related research, disease-related research, and for related laboratory-based research equipment and field-based equipment.*

Effective immediately.

SB 2030 (Clayborne). *Second reading in the Senate.* Amends the Illinois Environmental Protection Act (EPAct). Requires the Illinois EPA to conduct a study comparing airborne emission reductions of coal-fired electric generating units within Illinois between 1990 and 2016 and forecasting additional emissions reductions for the period from 2017 to 2020. Further requires the Illinois EPA to identify: 1) where and how Agency policies have led to those reductions and are likely to lead to additional reductions going forward; and 2) any Illinois regulations that are unnecessary because of more stringent federal regulations. Directs the Illinois EPA to consult with owners of coal-fired electric generating units in Illinois when compiling this information. Introduced for Dynegy. Identical to HB 2731 (Beiser). Effective immediately.

SB 2128 (Radogno). *Referred to the Senate Committee on Assignments.* This is the Illinois EPA's and Pollution Control Board's FY18 operations budget. Makes appropriations for the ordinary and contingent expenses of the Environmental Protection Agency and the Pollution Control Board for the fiscal year beginning July 1, 2017, as follows: other state funds $282,011,900; federal funds $82,223,600; total $364,235,500. Identical to HB 3946 (Durkin). Effective July 1, 2017.

SB 2166 (Radogno). *Referred to the Senate Committee on Assignments.* This bill contains the Illinois EPA's FY18 capital budget. Makes capital appropriations and reappropriations for the fiscal year beginning July 1, 2017. Identical to HB 3997 (Durkin). Effective July 1, 2017.

BILLS THAT ARE EFFECTIVELY DEAD

HB 354 (McSweeney). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Creates the School Water Supply Testing Act. Requires "water supplies available for drinking water use in all classroom-instruction school buildings" to be tested annually for lead. Requires this testing to be performed "at one location within each free-standing building in which classroom instruction is performed . . . ." Makes water suppliers responsible for the testing but authorizes suppliers to contract with others to perform the required testing. Specifies that the testing is to be performed at the expense of the water supplier but authorizes any public agency or privately-owned utility to seek rate relief after pursuing specified types of reimbursement from the School Water Supply Testing Fund. Specifies that test results obtained through the testing are public documents. Requires water suppliers to post test results on a publicly accessible website and to provide them without charge to the Illinois EPA and the applicable school district.

Establishes the School Water Supply Testing Fund as a special fund outside of the state treasury. Directs federal moneys allocated to the State of Illinois for lead testing of public school drinking water supplies to be deposited into the Fund. Requires amounts deposited into the Fund to be used to provide reimbursement grants and to ensure that school water supplies are safe from lead contamination. Authorizes the Illinois EPA to adopt any rules needed to implement the bill, including rules setting forth guidelines and procedures to distribute moneys in the Fund to local water authorities. Effective immediately.

HB 667 (T. Morrison). *Defeated twice in the House Energy Committee.* Repeals the Alternate Fuels Act. Also amends the State Finance Act to eliminate the Alternate Fuels Fund. Amends the Illinois Vehicle Code to eliminate funding of alternate fuel rebates and grants as a purpose of the Vehicle Emissions Inspection Law of 2005. Eliminates the Illinois EPA's alternate fuel and alternate-fueled vehicle rebate. Introduced for the Department of Commerce and Economic Opportunity (DCEO). Effective immediately.

HB 718 (Phelps). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Amends the Environmental Protection Act (EPAct). Exempts cities with a population of 10,000 or less from paying annual National Pollutant Discharge Elimination System (NPDES) fees. Effective immediately.

HB 754 (Davidsmeyer). *Re-referred to the House Rules Committee after never being called in the House Appropriations-General Services Committee.* Amends Public Acts 98-679, 98-680, and 98-681. Adds supplemental appropriations to various agencies for personal services and state contributions to Social Security to cover certain unpaid union (AFSCME) raises from past fiscal years. Specific to the Illinois EPA, appropriates $1,260 in General Revenue Funds (GRF) for an Illinois EPA employee (who long since left the Agency) who did not receive his union increase while employed at another GRF state agency. (The Illinois EPA does not receive any GRF for its annual budget.) Effective immediately.

HB 790 (Wehrli). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Amends the Electronic Products Recycling and Reuse Act. Provides that, *if* manufacturers meet their recycling goals prior to the end of the year *and* recyclers no longer pick up recyclable electronic waste without charge, municipalities, townships, and other units of local government that are acting as collectors shall be allowed to collect a fee from consumers who drop off electronic waste for recycling. Effective immediately.

HB 2770 (McAsey). *Re-referred to the House Rules Committee after never being called in the House Environmental Regulations Subcommittee.* Amends the Illinois Environmental Protection Act (EPAct). Deletes a provision that requires clean construction or demolition debris (CCDD) to be placed below grade in order for it to be considered non-waste. Requires the Illinois EPA to propose, and the Pollution Control Board to adopt, rules for the protection of groundwater at CCDD fill operations and uncontaminated soil fill operations. Requires the rules to include groundwater monitoring and remedial action procedures. Increases the tipping fees for CCDD fill sites from 20 cents to 95 cents per cubic yard, or from 14 cents to $2 per ton of CCDD or uncontaminated soil accepted at CCDD fill sites. Effective immediately.

HB 2816 (Sente). *Re-referred to the House Rules Committee after never being called in the Construction Industry & Code Enforcement Committee.* Creates the Materials Reuse and Recycling Act. Requires the Illinois EPA to require that at least 5% of the materials used for all new construction projects are reused materials. Prohibits any municipality or county from adopting a building code that requires the use of all new materials in the building's construction. Requires any model building code adopted by a municipality or county to be adapted to allow for use of reused materials, recycled materials, and reclaimed materials. Specifically authorizes any municipal, county, or statewide building codes to require the use of used, recycled, or reclaimed construction materials as of the effective date of the bill. Requires the Illinois EPA to prepare an annual report to the General Assembly on the amount of construction and demolition waste created in the State that includes specified information. Effective immediately.

HB 2835 (McAsey). *Re-referred to the House Rules Committee after never being called in the House Environment Environmental Regulations Subcommittee.* Creates the Crude Oil Pipeline Environmental Liability Act. Requires an owner of a pipeline transporting at least 100,000 barrels per day of bitumen to provide pipeline-related reporting to the Illinois EPA and to maintain environmental impairment liability insurance (or the equivalent) at specified levels, including a level that may be determined by the Agency based upon its determination of a worst-

case oil spill scenario. Requires the Illinois EPA to take steps to address a deficiency in the amount of insurance coverage maintained by a pipeline owner and the amount of coverage needed for a worst-case oil spill scenario. Effective January 1, 2108.

HB 2879 (Beiser). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Amends the Electronic Products Recycling and Reuse Act. Authorizes retailers to collect a fee for each covered electronic device or eligible electronic device collected. Also authorizes municipalities, townships, and other units of local government that are acting as collectors to collect a fee for each covered electronic device or eligible electronic device collected. Deletes corresponding prohibition on charging individual consumers a fee for bringing covered electronic devices or eligible electronic devices to collection sites. Provides that retailers shall be considered to have complied with specified provisions prohibiting the sale of computers, computer monitors, printers, or televisions if certain conditions are met. Identical to SB 1417 (Althoff). Effective immediately.

HB 2915 (Fortner). *Re-referred to the House Rules Committee after never being called in the House Cybersecurity Data Analysis, & Information Technology Committee.* Amends the Illinois Electronic Products Recycling and Reuse Act. Provides that, in the definition of "tablet computer," human interface with a tablet computer is achieved through a touch-screen and video display screen greater than 4 (instead of 6) inches in size. Defines a mobile telephone as a cell phone or smart phone. Specifies that a cell phone is a wireless device that has the primary function of making or receiving calls without a physical connection to a network. Specifies that a smart phone is a cell phone with a mobile operating system that is capable of running downloaded applications.

HB 3056 (McDermed). *Re-referred to the House Rules Committee after never being called in the House Environment Environmental Regulations Subcommittee.* Amends the Environmental Protection Act (EPAct). Requires the Illinois Pollution Control Board (IPCB) to amend its rules to require groundwater monitoring at all clean construction or demolition debris (CCDD) fill operations and all uncontaminated soil fill operations. This is an Illinois EPA agency bill. Effective immediately.

HB 3132 (Sente). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Amends the Solid Waste Planning and Recycling Act. Authorizes county revised solid waste management plans to provide for the specified collection of residential food scrap and may include a plan for access to source separated collection of residential food scrap by all county residents within five years. Specifies information that shall be included in revised waste management plans. Effective immediately.

HB 3154 (Harper). *Re-referred to the House Rules Committee after never being called in the House Transportation- Roads & Bridges Committee.* Amends the Illinois Vehicle Code. Provides that local authorities, with respect to highways under their jurisdiction, may limit the operation of trucks or other commercial vehicles in areas with poor air quality. Defines "poor air quality."

HB 3181 (Ammons). *Re-referred to the House Rules Committee after never being called in the House Environment Environmental Regulations Subcommittee.* Amends the Environmental Protection Act (EPAct). Beginning January 1, 2018, prohibits any person from knowingly selling surface-applied sealing products that contain coal tar, coal tar pitch, or coal tar pitch volatiles. Beginning January 1, 2019, prohibits any person from knowingly applying those products on any surface in the State. Authorizes the Illinois EPA to issue administrative citations (ACs) for violations of these requirements, with penalties not to exceed $1,000 for a first offence and $5,000 for a second offense. Similar to HB 2958 (Fine). Effective immediately.

HB 3214 (Wallace). *Re-referred to the House Rules Committee after never being called in the House Human Services-Appropriations Committee.* Amends the State Finance Act. Authorizes transfers from the designated funds into the Commitment to Human Services Fund for the sole purpose of providing funding for domestic violence programs funded by the Department of Human Services (DHS) through the end of FY17. Specific to the Illinois EPA, authorizes transfers of $1 million from the Solid Waste Management Fund, $1 million from the Used Tire Management Fund, and $500,000 from the Vehicle Inspection Fund. Identical to SB 1679 (Sandoval). Effective immediately.

HB 3389 (Gordon-Booth). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Creates the Beverage Container Deposit Act. Requires consumers to pay a refundable deposit when purchasing beverages for off-site consumption. The deposit would be refunded to the consumer when the container is returned to the point of sale or a redemption center. Beverage distributors would be responsible for accepting returned beverage containers and reimbursing the return site for each returned container. Requires beverage containers to be marked with the deposit value. Requires the Department of Agriculture to provide for the disposal of beverage containers, with priority given to recycling to the extent possible. Effective July 1, 2107.

HB 3445 (Beiser). *Re-referred to the House Rules Committee after never being called in the House Revenue & Finance Committee.* Amends the Property Tax Code. Provides that the effective date of certification as a pollution control facility shall be January 1 of the year in which the facility is certified. Deletes provisions that required the Illinois Department of Revenue (IDOR) to consider actual or probable net earnings attributable to a pollution control facility when calculating its assessed valuation. Clarifies that for the purpose of receiving the property tax certification and credit under the Property Tax Code, pollution control facilities also include equipment that is designed, constructed, installed, or operated for the purpose of complying with federal or state requirements enacted or promulgated to eliminate, prevent, or reduce air pollution or water pollution. Introduced for the Illinois Manufacturers Association (IMA). Effective immediately.

HB 3679 (Costello). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Amends the Environmental Protection Act (EPAct). Clarifies that steel and iron slag products are not discarded materials, and should not be regulated as wastes under the Environmental Protection Act, when they are managed as an item of value in a controlled manner and not as a discarded material, except as may be required by federal law or regulation. Changes "slag" to "coal slag" in the definition of "coal combustion waste". Provides

that a beneficial use determination is not required to use steel or iron slags for land reclamation purposes. Introduced for the Illinois Manufacturers Association (IMA) on behalf of Nucor Steel. Effective immediately.

HB 3770 (Ammons). *Re-referred to the House Rules Committee after never being called in the House Environment Environmental Regulations Subcommittee.* Amends the Environmental Protection Act (EPAct). Prohibits anyone from causing or allowing the storage or disposal of coal combustion waste over any USEPA-designated sole source aquifer or within the limits of that aquifer's recharge area, or causing or allowing the use of coal combustion waste as any daily cover for any waste disposal site located over any designated sole source aquifer or within the limits of that aquifer's recharge area. Makes an exception to this prohibition for coal combustion waste deposited on power plant property in a legally-permitted cell or impoundment associated with a power plant operating with valid permits, BUT once such power plant is closed, requires all coal combustion waste to be removed and relocated to a location outside the designated sole source aquifer, and placed in a lined facility or landfill designed according to scientifically-proven best practices and an Illinois EPA-approved closure plan. Prohibits anyone from causing or allowing the storage or disposal of coal combustion waste outside a designated sole source aquifer or a United States-designated sole source aquifer's recharge area, unless specified conditions apply (currently, the specified conditions apply to all persons that cause or allow the storage or disposal of coal combustion waste). Effective immediately.

HB 3881 (Guzzardi). *Re-referred to the House Rules Committee after never being called in the House Environment Committee.* Amends the Electronic Products Recycling and Reuse Act. Requires (rather than allows) the Illinois EPA to monitor compliance with the Act. Also requires the Agency to perform quarterly reviews of the items collected by collectors, processed by recyclers and refurbishers, and assigned to manufacturers. Requires the Illinois EPA to publish the results of the quarterly review on its website, along with specified information. Makes corresponding changes requiring manufacturers, recyclers and refurbishers, and collectors to submit quarterly reports to the Agency.

SB 952 (Connelly). *Re-referred to the Senate Committee on Assignments from the Senate Local Government Committee.* Amends the Public Water District Act. Provides that a general manager of a public water district may be discharged at a meeting of the board of trustees upon a majority vote of the members present (currently, by a unanimous vote of the board of trustees). Identical to HB 3325 (Ives). Effective immediately.

SB 1293 (Hutchinson). *Referred to the Senate Committee on Assignments.* Amends the Illinois Municipal Code. Requires the City of Chicago to make grants from moneys transferred to the City under the proposed Chicago Casino Development Authority Act (currently introduced in Senate Bill 7) for water infrastructure grants to municipalities that meet specified eligibility requirements. The Bill provides that a municipality that is part of a group of municipalities that jointly act for the purpose of obtaining or treating water is not eligible for a grant and limits the amount of grants to $3,000,000 annually. ***The bill specifically states that it would take effect IF AND ONLY IF Senate Bill 7 which would create Chicago Casino Development Authority Act becomes law.*** Effective immediately.

SB 1977 (Haine). *Re-referred to the Senate Committee on Assignments from the Senate Executive Committee.* Amends the Freedom of Information Act (FOIA). Provides that all records of (instead of "in the custody or possession of") a public body are presumed to be open to inspection or copying. Changes the definition of "public records" by removing the inclusion of material having been or being used by, received by, in the possession of, or under the control of any public body.

RESOLUTIONS

HR 68 (Gordon-Booth). *Tabled.* Urges the Basel Action Network and the e-Stewards Leadership Council to approve a pending petition submitted by Kuusakoski Recycling and Peoria Disposal Company (PDC) to the two recycling certification boards to allow the placement of treated CRT glass into a dedicated retrievable storage cell in a permitted disposal facility. Identical to HR 108 (Gordon-Booth) and SR 128 (Koehler).

HR 108 (Gordon-Booth). *Tabled.* Urges the Basel Action Network and the e-Stewards Leadership Council to approve a pending petition submitted by Kuusakoski Recycling and Peoria Disposal Company (PDC) to the two recycling certification boards to allow the placement of treated CRT glass into a dedicated retrievable storage cell in a permitted disposal facility. Identical to HR 68 (Gordon-Booth) and SR 128 (Koehler).

HR 123 (Moeller). *Referred to the House Environment Committee.* Urges Enbridge and any other pipeline company transporting fossil fuels to have an environmental impact study (EIS) conducted by a third-party scientific organization with no ties to the industry before they lay any new section of pipe and before any section of existing pipe begins to transport tar sands oil or natural gas extracted by fracking. Requires the EIS to include the long-term impact of burning fossil fuels on the looming climate crisis, and requires Enbridge and any other pipeline company to be held fully responsible for any environmental damages caused by leaks or spills or for agricultural damage to the farms through which their pipelines pass.

HR 161 (Gordon-Booth). *Order of resolutions in the House.* Urges the SERI (Sustainable Electronics Recycling International) and the TAC (the R2 Technical Advisory Committee) to amend the R2 Standard to create an option for management of CRT glass through beneficial use, including its uses such as landfill construction aggregate and alternative daily cover (ADC), and placement of treated CRT glass into a dedicated retrievable storage cell in a permitted disposal facility. Identical to SR 170 (Koehler).

HR 234 (Welch). *Referred to the House Rules Committee.* Urges the creation of an environmental justice agenda. Identical to SR 353 (Collins).

HR 268 (Fine). *Referred to the House Rules Committee.* Urges President Trump and the United States Congress to fully fund the Great Lakes Restoration Initiative.

SR 118 (Castro). *Order of Secretary's Desk-Resolutions in the Senate.* Urges the State of Illinois to monitor and, where feasible, cooperate with the federal agencies that are studying the

long-term effects of crumb rubber exposure on human health. Also urges the owners and operators of indoor or outdoor facility that has artificial turf containing crumb rubber infill and that is used by children to post a notice that: 1) states that the facility uses an artificial turf with crumb rubber; 2) informs users about the 2016 multi-agency federal study regarding chemical exposure to children playing on crumb rubber; and 3) directs persons to a site where more information about said 2016 federal study can be obtained.

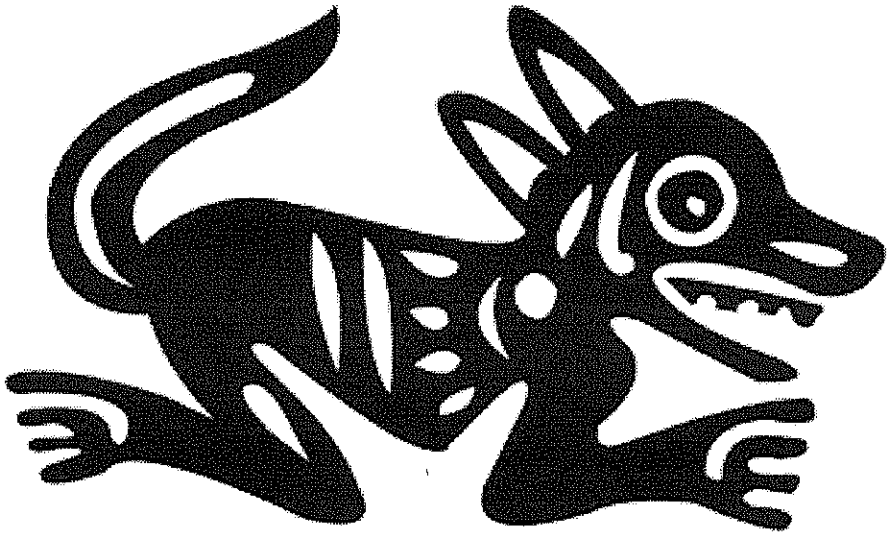
SR 128 (Koehler). *Referred to the Senate Environment & Conservation Committee.* Urges the Basel Action Network and the e-Stewards Leadership Council to approve a pending petition submitted by Kuusakoski Recycling and Peoria Disposal Company (PDC) to the two recycling certification boards to allow the placement of treated CRT glass into a dedicated retrievable storage cell in a permitted disposal facility. Identical to HR 68 (Gordon-Booth) and HR 108 (Gordon-Booth).

SR 170 (Koehler). *Referred to the Senate Environment & Conservation Committee.* Urges the SERI (Sustainable Electronics Recycling International) and the TAC (the R2 Technical Advisory Committee) to amend the R2 Standard to create an option for management of CRT glass through beneficial use, including its uses such as landfill construction aggregate and alternative daily cover (ADC), and placement of treated CRT glass into a dedicated retrievable storage cell in a permitted disposal facility. Identical to HR 161 (Gordon-Booth).

SR 353 (Collins). *Referred to the Senate Committee on Assignments.* Urges the creation of an environmental justice agenda. Identical to HR 234 (Welch).

Drinking Water in Chicago

Agua potable en Chicago



P.E.R.R.O.

Agenda

P.E.R.R.O.

- PERRO
- Lead in the Water
- Q/A

What is PERRO?

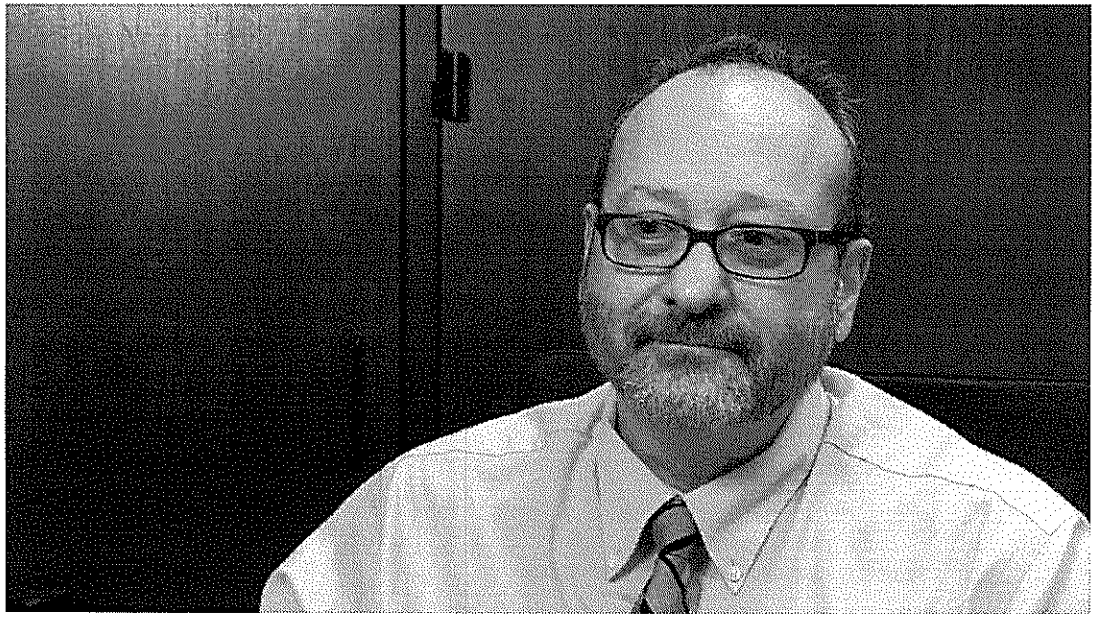
¿Cuál es PERRO?

- PERRO stands for:
  - **Pilsen Environmental Rights and Reform Organization**
- Grassroots community group
- Formed in 2004
- Fighting pollution in Pilsen
- Believe all people have the right to live in a clean and healthy environment, regardless of their race and class.
- Our mission is to spread awareness about this concept of environmental justice and make Pilsen a healthier place to live, work, and raise children.

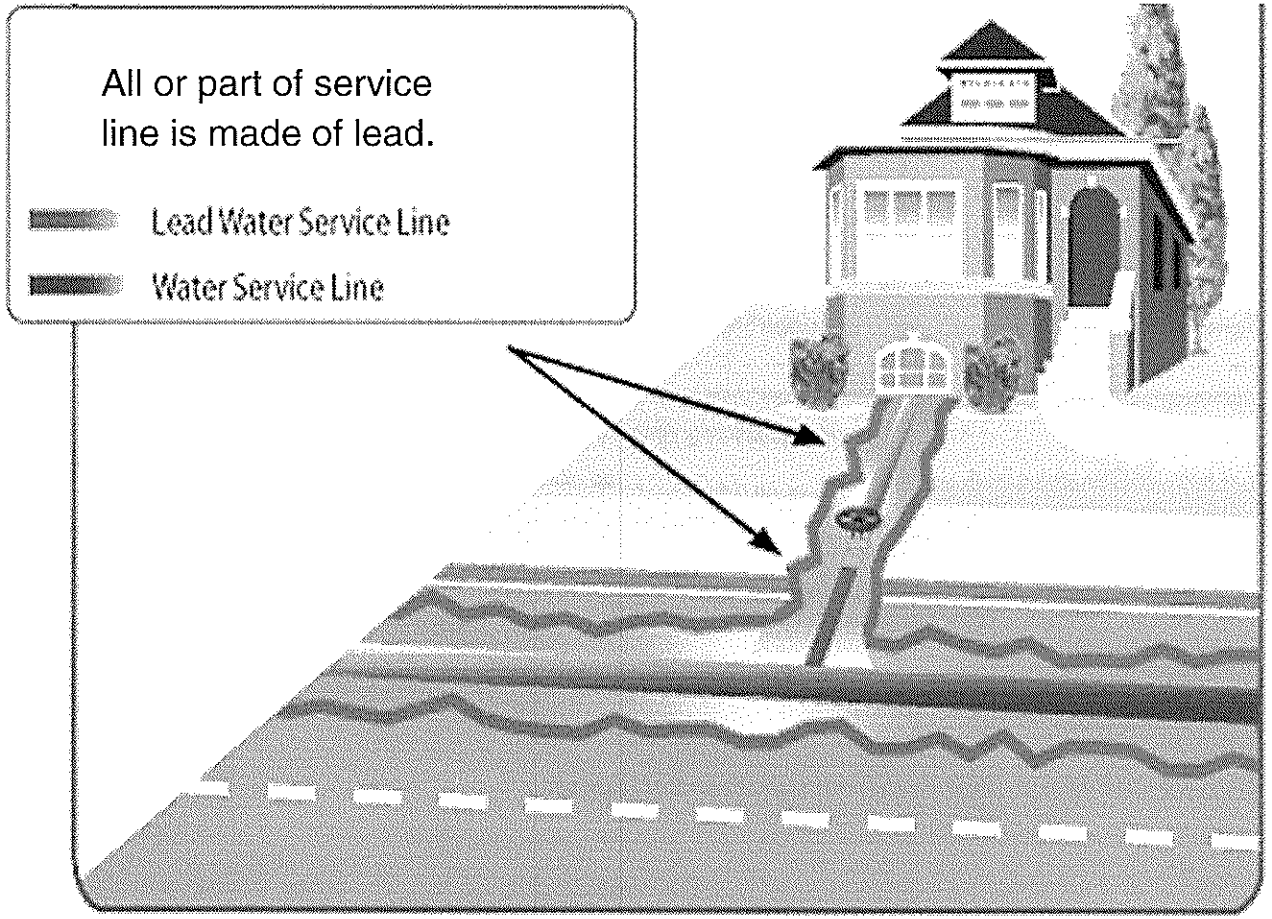
What has PERRO done?

¿Que acciones ha tomado PERRO?

- **Miguel Del Toral – EPA Lead Expert**



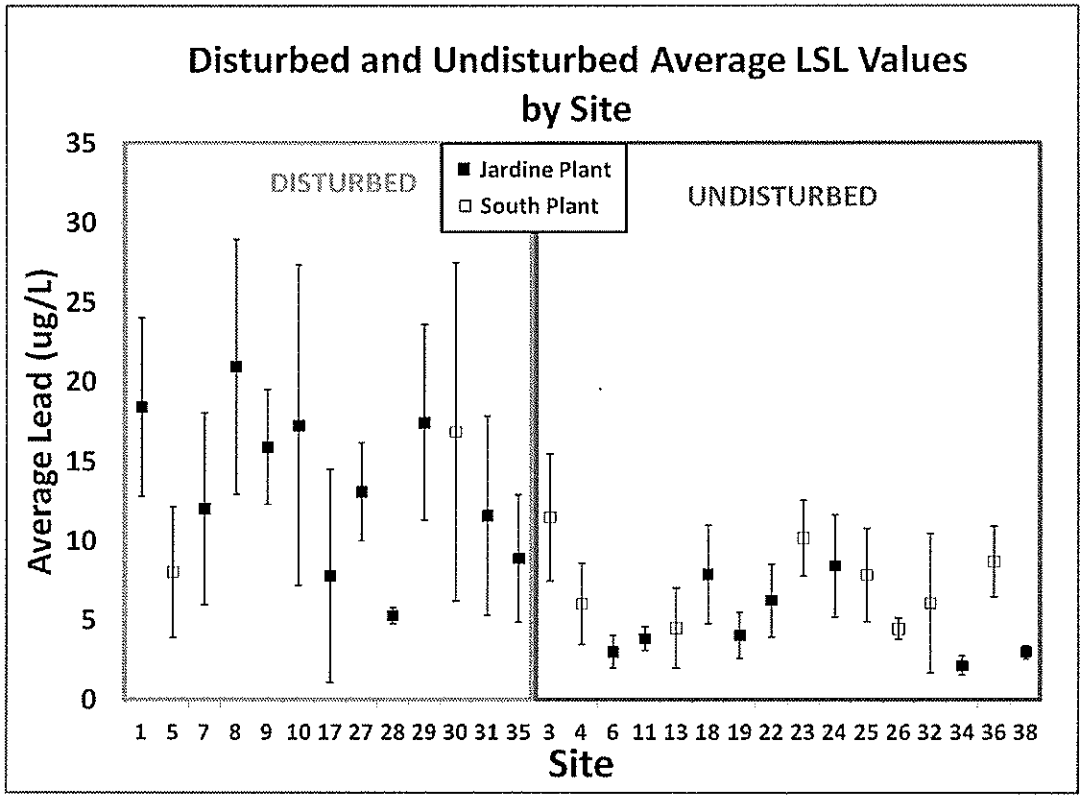
Study Findings



Disturbed LSL Sites had Highest Pb
What is a 'Disturbed LSL Site'?

Disturbed LSL Sites

- Street excavation in front of home (e.g., main replacement)
- External service shut-off valve repair/replacement
- Service line leak repair
- Meter installation or replacement
- Auto-meter-reader (AMR) installation



Indeterminate Sites	Total Samples Collected	No. Samples above Lead AL
12	27	17
21	27	7
33	27	6

What has PERRO done?

¿Que acciones ha tomado PERRO?

- **Dr. David E. Jacobs**
- Chief Scientist at the National Center for Healthy Housing
- Adjunct associate professor at the University of Illinois at Chicago School of Public Health
- One of the nation's foremost authorities on childhood lead poisoning prevention
- Principal author of the President's Task Force Report in 2000 and the Healthy Homes Report to Congress in 1999
- Dr. Jacobs is the former director of the Office of Lead Hazard Control and Healthy Homes at the U.S. Department of Housing and Urban Development

What did Dr. Jacobs Say?

¿Qué dijo el Dr. Jacobs?

- **Chicago has the worst lead abatement program in the country.**
- **Chicago tiene el peor programa de reducción del plomo en el país.**
- **We use you guys to test for lead!**
- **Utilizamos ustedes para poner a prueba para el plomo!**
- **Crime is correlated with lead exposure.**
- **El crimen está correlacionada con la exposición al plomo.**

What has PERRO done?

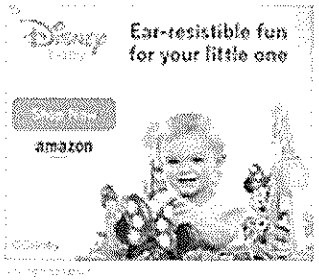
¿Que acciones ha tomado PERRO?

- **Dr. Michael Tiboris**
- Fellow, Global Water, Chicago Council on Global Affairs
- His research concerns primary resource stability as a foreign policy objective, and is particularly focused on water resource policy, cooperative resource governance, and global justice.
- Made the mistake of getting into local politics

What did Dr. Tiboris Say?

¿Qué dijo el Dr. Tiboris?

Chicago should remove all lead service lines to ensure safe water



By Michael Tiboris

The water crisis in Flint, Mich., and one in Washington, D.C., before it make us acutely aware that lead pipes are a widespread public health hazard and a slow-motion environmental disaster. Cities such as Chicago have a moral obligation to remove them completely. This is the only sure and equitable solution. It will be expensive, but failure to act is a breach of public trust.

In case you missed it

To be a child in Syria: Gas attacks and a world that tolerates them

Headscarves? Yes. Make mug shots public? No

Put the hurt on distracted drivers: Current penalties are too light to discourage screen-obsessed scofflaws

See More

What does PERRO want?

¿Qué quiere PERRO?

- New water meters/water mains pose a threat.
- Nuevos medidores de agua / red de agua representan una amenaza.
- City is asking for volunteers to test their water.
- Ciudad está pidiendo voluntarios para probar su agua.
- Not enough! Distraction!
- ¡No es suficiente! Distraccion!
- Filters for lead should be provided to residents with disturbed service lines; i.e. new water meters/mains
- Filtros para el plomo deben ser proporcionados a los residentes con líneas de servicio perturbado; es decir, los nuevos medidores de agua.

What does PERRO want?

¿Qué quiere PERRO?

FOX6 NOW.COM NEWS POLITICS DOSE OF REALITY SPORTS WAKEUP REAL MKE CONTESTS LINKS EVENTS CLOSINGS WEATHER 42°

Live in home with a lead service line? FREE water filtration products distributed on north, south sides

POSTED 7:00 AM, NOVEMBER 29, 2016 BY ANGELICA SANCHEZ, *UPDATED AT 08:22PM, NOVEMBER 29, 2016*

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CONTENT AT THE FAUCET

Wisconsin launches effort to replace aging lead pipes to safeguard water

$11.8 million program will help water utilities remove lead pipes that can leach the dangerous metal into drinking water, cause brain damage in children

By Dee J. Hall April 27, 2016

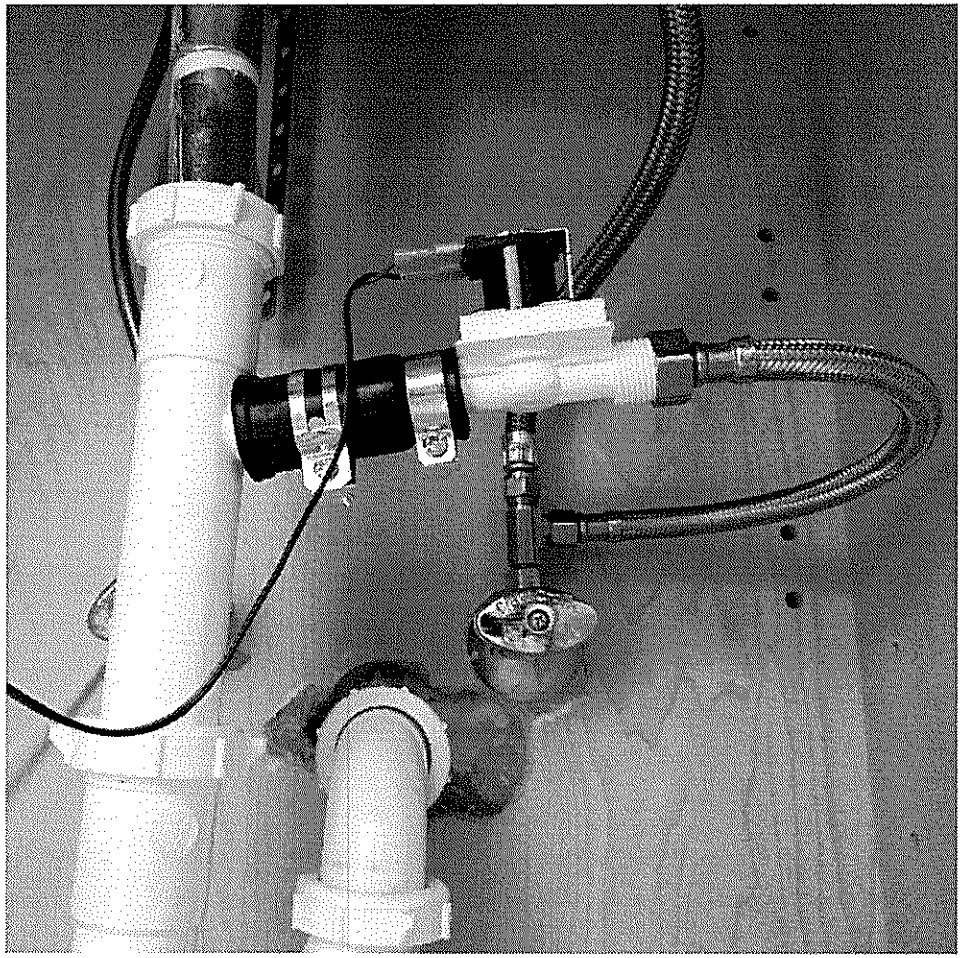
What can you do?

¿Qué puedes hacer?

- **If you live in a house or small building, let your water run for 5 minutes when you wake up or come home from school.**
- Si usted vive en una casa o edificio pequeño, dejar que el agua de su marcha durante 5 minutos cuando se despierta o regresan de la escuela.
- **If there was construction, get a water filter.**
- Si había una construcción, obtener un filtro de agua.
- **Call your Alderman.**
- Llame a su regidor.

What can you do?

¿Qué puedes hacer?

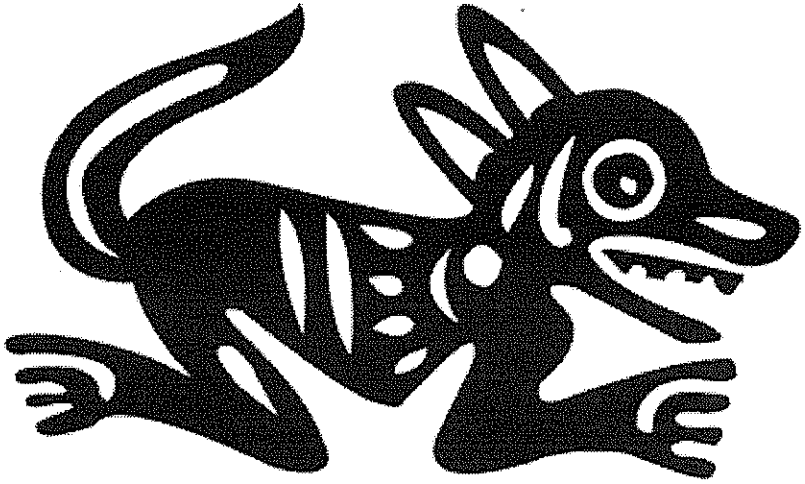


https://danwahl.github.io/pipe-dream

Thank you!

¡Gracias!

- **Questions?**
- **¿Preguntas?**



P.E.R.R.O.

Metal Shredders in Pilsen

Trituradoras de metal en Pilsen

Metal Shredders in Pilsen

Trituradoras de metal en Pilsen

Danger in air near metal recyclers

Metal recyclers emit carcinogenic pollutant

By Ingrid Lobet | December 29, 2012 | Updated: January 9, 2013 2:54pm

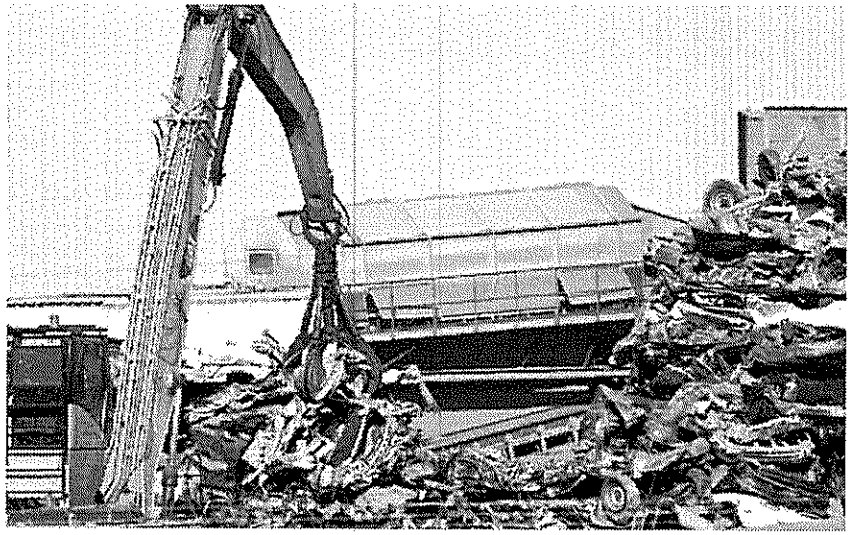


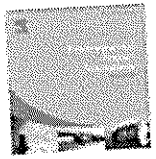
Photo: Nick De La Torre, Staff

Metal Shredders in Pilsen

Trituradoras de metal en Pilsen

Environmental Impact Assessment Review

Volume 41, July 2013, Pages 70–77



Unanticipated potential cancer risk near metal recycling facilities

Loren Raun[a], Karl Pepple[b, 1], Daniel Hoyt[c, 2], Donald Richner[d, 3], Arturo Blanco[e, 4], Jiao Li[f]

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http://dx.doi.org/10.1016/j.eiar.2013.03.001

Metal Shredders in Pilsen

Trituradoras de metal en Pilsen

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A response from the STRANGE ANGLO against the metal shredder

Posted on February 16, 2014

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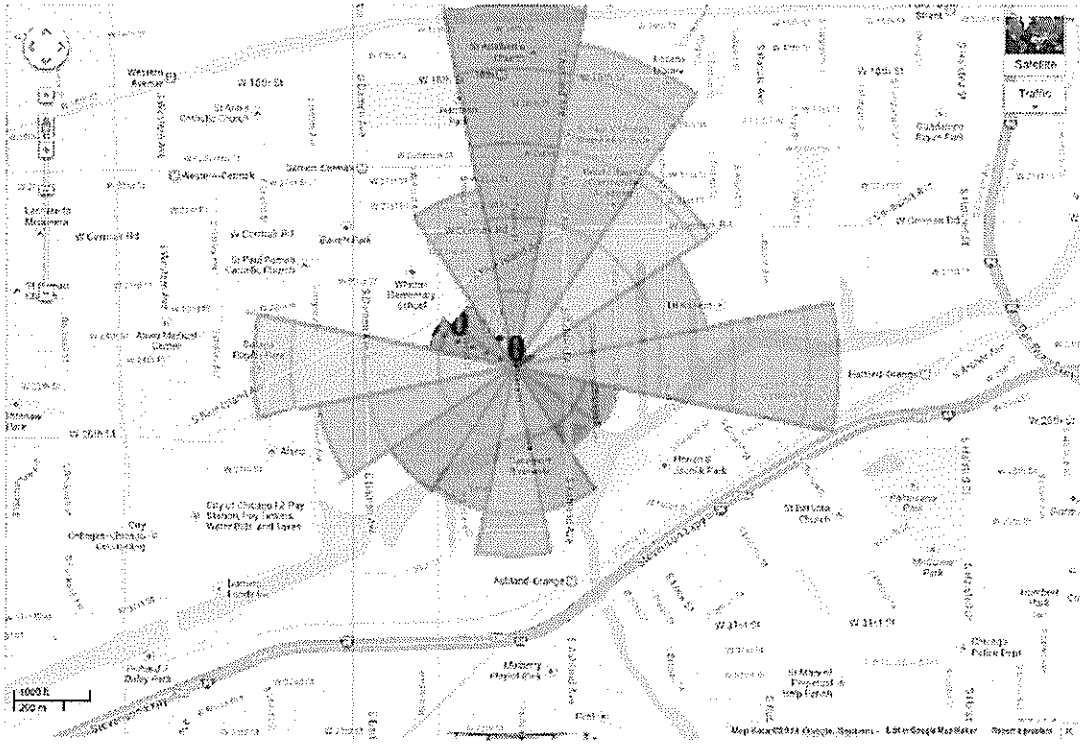
Trituradoras de metal en Pilsen



Metal Shredders in Pilsen

Trituradoras de metal en Pilsen

Fire out at North Side scrap yard

OCTOBER 6, 2019, 7:55 AM

A fire that started at an auto scrap yard Sunday morning is out, and no one was injured.

Metal Shredders in Pilsen

Trituradoras de metal en Pilsen

April 28, 2016

City shuts down General Iron scrap yard, but owner vows to reopen

By MICAH MAIDENBERG

City officials have shuttered a scrap yard in the fast-gentrifying Clybourn Corridor, calling the controversial operation dangerous and unsafe. Yet the owner of the metal facility is vowing to reopen....

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