

AN ACT concerning safety.

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

Section 5. The Environmental Protection Act is amended by changing Section 17.8 as follows:

(415 ILCS 5/17.8)

Sec. 17.8. Environmental laboratory certification assessment.

(a) The Agency shall collect an annual administrative assessment from each laboratory requesting certification for meeting the minimum standards established under the authority of subsection (n) of Section 4. The Agency also shall collect an annual certification assessment for each certification requested, as listed below. Until the Agency establishes ~~and the Environmental Laboratory Certification Committee establish~~ administrative and certification assessment schedules in accordance with the procedures of subsections (c) and (d-5) of this Section, the following assessment schedules shall remain in effect:

(1) For certification to conduct public water supply analyses:

- (A) \$1,000 per year for inorganic parameters; and
- (B) \$1,000 per year for organic parameters.

(2) For certification to conduct water pollution analyses:

(A) \$1,000 per year for inorganic parameters; and

(B) \$1,000 per year for organic parameters.

(3) For certification to conduct analyses of solid or liquid samples for hazardous or other waste parameters:

(A) \$1,000 per year for inorganic parameters; and

(B) \$1,000 per year for organic parameters.

(4) An administrative assessment of \$2,400 per year from each laboratory requesting certification, provided that the administrative assessment shall be \$3,900 if the laboratory was not certified at any time during the 6 months immediately preceding its application for certification.

(b) Until the Agency establishes ~~and the Environmental Laboratory Certification Committee establish~~ administrative and certification assessment schedules in accordance with the procedures of subsections (c) and (d-5) of this Section, the following payment schedules shall remain in effect. The administrative and certification assessments shall be paid at the time the laboratory submits an application for certification or renewal of certification. Assessments paid under this Section may not be refunded.

(c) The Agency may establish procedures relating to the certification of laboratories, analyses of samples, development of alternative assessment schedules, assessment

schedule dispute resolution, and collection of assessments. No assessment for the certification of environmental laboratories shall be due under this Section from any department, agency, or unit of State government. No assessments shall be due from any municipal government for certification to conduct public water supply analyses. The Agency's cost for certification of laboratories that are exempt from the assessment shall be excluded from the calculation of the alternative assessment schedules.

(d) All moneys collected by the Agency under this Section shall be deposited into the Environmental Laboratory Certification Fund, a special fund hereby created in the State treasury. Subject to appropriation, the Agency shall use the moneys in the Fund to pay expenses incurred in the administration of laboratory certification duties. All interest or other income earned from the investment of the moneys in the Fund shall be deposited into the Fund.

(d-5) ~~The Agency, with the concurrence with the Environmental Laboratory Certification Committee,~~ shall determine the assessment schedules for participation in the environmental laboratory certification program. The Agency, ~~with the concurrence of the Committee,~~ shall base the assessment schedules upon actual and anticipated costs for certification under State and federal programs and the associated costs of the Agency ~~and Committee. If the Committee concurs with the Agency's assessment schedule determination,~~

~~it shall thereupon take effect.~~

~~(c) The Director shall establish an Environmental Laboratory Certification Committee consisting of (i) one person representing accredited county or municipal public water supply laboratories, (ii) one person representing the Metropolitan Water Reclamation District of Greater Chicago, (iii) one person representing accredited sanitary district or waste water treatment plant laboratories, (iv) 3 persons representing accredited environmental commercial laboratories duly incorporated in the State of Illinois and employing 20 or more people, (v) 2 persons representing accredited environmental commercial laboratories duly incorporated in the State of Illinois employing less than 20 people, and (vi) one person representing the Illinois Association of Environmental Laboratories, all appointed by the Director. If no accredited laboratories are available to fill one of the categories under item (iv) or (v) then any laboratory that has applied for accreditation may be eligible to fill that position. Beginning in 2002, the Director shall appoint 3 members of the Committee for a one year term, 3 members of the Committee for 2 year terms, and 3 members of the Committee for 3 year terms. Thereafter, all terms shall be for 3 years, provided that all appointments made on or before December 31, 2012 shall end on December 31, 2012. Beginning on January 1, 2013, the Director shall appoint all members of the Committee for 6 year terms. In the case of a vacancy, the Director may appoint a successor~~

~~to fill the remaining term of the vacancy. Members of the Committee shall serve until a successor is appointed by the Director. No member of the Committee shall serve more than 6 consecutive years. The Committee shall select from its members a Chairperson and any other officers that it deems necessary. The Committee shall meet at the call of the Chairperson or the Director. The Agency shall provide the Committee with any supporting services that the Director and the Chairperson may designate. Members of the Committee shall be reimbursed for ordinary and necessary expenses incurred in the performance of their duties. The Committee shall have the following duties:~~

~~(1) To consider any alternative assessment schedules submitted by the Agency pursuant to subsection (c) of this Section;~~

~~(2) To review and evaluate the financial implications of current and future State and federal requirements for certification of environmental laboratories;~~

~~(3) To review and evaluate management and financial audit reports relating to the certification program and to make recommendations regarding the Agency's efforts to implement alternative assessment schedules;~~

~~(4) To consider appropriate means for long-term financial support of the laboratory certification program and to make recommendations to the Agency regarding a preferred approach;~~

~~(5) To provide technical review and evaluation of the~~

~~laboratory certification program;~~

~~(6) To hold meetings at times and places designated by
the Director or the Chairperson of the Committee; and~~

~~(7) To conduct any other activities as may be deemed
appropriate by the Director.~~

(Source: P.A. 97-1081, eff. 8-24-12.)