

What is the state law regarding illegal dumping?

Section 21 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/21, prohibits the open dumping of waste. Sections 44(a) and 44(p)(1)(A) provide for the classification of illegal dumping to be either a Class A misdemeanor or a Class 4 felony. In addition, Section 47-5 of the Illinois Criminal Code provides that dumping garbage, rubbish, refuse or trash on someone else’s property without their consent is a Class B misdemeanor for the first offense, a Class A misdemeanor for the second offense and a Class 4 felony for the third or subsequent offense.

Which authorities may enforce against illegal dumping?

All law enforcement officers are authorized and obligated to administer and enforce the provisions explained in the first response (above). That includes local police, county sheriffs, Illinois State Police and Illinois Conservation Police, state’s attorneys, local zoning and code enforcement offices, county health and solid waste departments, as well as the Illinois EPA and the Office of the Illinois Attorney General.

- Used Tires and Mosquito-related Disease

(March 2016)

Improperly managed used tires provide a prime breeding habitat for disease-carrying mosquitoes. Used tires that contain water and organic matter (leaves, grass, etc.) serve as an ideal “incubator” for mosquito eggs and larvae. Mosquitoes proliferate by laying eggs on the surface of stagnant water. The eggs “hatch” to form larvae, which develop into pupae, and then develop into adult mosquitoes. The life cycle from laying of eggs to the formation of adult mosquitoes is approximately 10-14 days. The most prominent disease-carrying mosquito species are also “container breeders,” which means they lay their eggs in the stinky, stagnant water found in artificial containers, including used and waste tires. Over the course of one breeding season, tens of thousands of potential disease-carrying mosquitoes can be generated from a single

improperly managed used tire. Adult mosquitoes can travel up to one mile from their original breeding habitat.

Artificial container-breeding mosquito species such as *Culex pipiens* (West Nile virus), *Aedes albopictus* (West Nile virus and possibly Zika virus), and *Aedes aegypti* (Zika virus), are well-recognized vectors of diseases throughout the world and are found in Illinois. *Culex pipiens*, also known as the Northern House mosquito, and *Aedes albopictus*, also known as the Asian Tiger mosquito, are particularly prevalent in Illinois and pose a threat to human health as disease-carrying vectors.

Proper management of used tires will help reduce the proliferation of disease-carrying mosquitoes in Illinois. All Illinoisans can take the following steps to help eliminate breeding habitats for known disease-carrying mosquitoes:

- Don't leave tires outside. Keep them inside a building or fully enclosed container so they can't accumulate water.
- If tires must be kept outdoors, alter the tires so they can't accumulate water.
- Dispose of used tires at an [Illinois EPA-permitted commercial used tire processing facility](#).
- Report improperly managed used tires or waste tire dumps to the Illinois EPA.
- If your business accepts or stores used tires, store the tires inside a building or fully enclosed container to reduce the risk of exposure to mosquito-related diseases by your employees, customers, and nearby citizens.
- Visit the [Illinois EPA Used Tire Program web site](#) for more information.

Since the inception of Illinois' Used Tire program in 1989, the Illinois EPA has removed and properly disposed of more than 20 million used and waste tires that were improperly discarded in Illinois. To report improperly managed or discarded tires, please refer to the [Used Tired Program](#) contact information.

Please visit the Illinois Department of Public Health website at www.idph.illinois.gov for additional information about prevention of mosquito-related diseases.

Alternatives to Open Dumping

Garbage

Individuals sometimes dump garbage from their own households or businesses rather than disposing of it legally. This practice carries both environmental and legal risks. The responsible alternative is to hire a company to haul away the garbage and dispose of it legally. But be careful. Although most garbage disposal and hauling companies comply with environmental laws, not all haulers are reputable. Household garbage is often found in open dumps. Disreputable haulers find that they can make a bigger profit by illegally dumping the garbage rather than paying the disposal fees to the landfills. Regardless of whether the generator of the garbage has contracted with the hauler, the generator can be held responsible for the garbage if it is illegally disposed.



As a waste generator, take action to reduce your liability:

- Contract with a licensed and reputable waste hauler.
- Always ask for a receipt.
- Reduce, reuse, and recycle as much of your daily garbage as possible.
- Choose durable, long lasting goods over less expensive, disposable goods.

Landscape Waste

Landscape waste has been banned from landfills since July 1, 1990. There are many landscape waste disposal options:

- Leave grass clippings and leaves on the lawn as a nutrient.
- Mulch grass clippings, leaves, and wood chips for lawn and garden application.
- Take landscape waste to a permitted compost facility.
- Participate in community landscape waste collections.
- Construct an on-site, well maintained, household compost bin. Use the compost as a soil amendment.

Used Tires

Tires were banned from landfills on July 1, 1994. More than 14 used million tires are generated each year in Illinois. Consequently, many are not disposed of properly. Used tire dumps become havens for disease carrying mosquitos, and open burning of tires causes air and water pollution.

- Allow your tire retailer to dispose of your used tires for you. Retailers are required by law to accept your used tires in an amount equal to the number of new tires purchased. However, they typically charge you a small fee to offset the tire disposal costs.

White Goods (appliances)

Items that fall under the classification of "white goods" include refrigerators, freezers, ranges, water heaters, air conditioners, humidifiers, and other similar domestic and commercial large appliances. White goods that have not had their components removed were banned from landfills on July 1, 1994. These components are mercury switches, chlorofluorocarbon (CFC) refrigerant gas (Freon), and polychlorinated biphenyls (PCBs).

You can arrange to have the appliance hauled to a scrap yard where the metal can be reclaimed.

Lead Acid Batteries

Lead acid motor vehicle batteries were banned from landfills on September 1, 1990.

- Exchange old motor vehicle batteries for new when purchasing a battery. Retailers must accept the old battery in exchange for a new one.
- Sell used motor vehicle batteries to a salvage yard or recycling center.

Motor Oil

Motor oil (<http://www.epa.illinois.gov/topics/waste-management/waste-disposal/used-oil/index>) was banned from landfills on July 1, 1996.

- Save the used oil in a leak-proof container. Some service stations and recycling centers accept used oil.
- Have your oil changed at a service station or a lube center that recycles and properly disposes of used oil.
- Some township offices accept used oil to burn as heating oil.

Do not dump used oil in the street, alleyway, on the ground, down the sewer, or use it for dust control. Doing so can pollute waterways and subject you to substantial penalties.

Household Hazardous Waste

Long term collection sites (<http://www.epa.illinois.gov/topics/waste-management/waste-disposal/household-hazardous-waste/collections/index>) are located in Naperville, Rockford, Chicago, and Lake County. These locations are open to provide area residents with ongoing locations to take their household hazardous waste.

Universal Wastes

Universal wastes are widely generated and characterized as hazardous wastes. This category of wastes includes:

- batteries
- pesticides
- thermostats
- fluorescent and high intensity discharge light bulbs (<http://www.epa.illinois.gov/topics/waste-management/factsheets/fluorescent-lamps/index>)

Although the universal waste management standards are not applicable to household generated wastes, even small quantities of these wastes are a potential threat to the environment if they are not managed properly.

Construction and Demolition Debris

Landfills accept both clean and general construction and demolition debris

(<http://www.epa.illinois.gov/topics/waste-management/waste-disposal/ccdd/index>). CCDD can be disposed of at CCDD disposal sites with IEPA authorization (<http://www.epa.illinois.gov/topics/forms/land-forms/ccdd/index>). The cost is usually about one-tenth of the cost of landfill disposal. It is illegal to open dump either clean or general construction or demolition debris.

Clean construction and demolition debris can be recycled, buried below grade provided it is outside of a groundwater well setback zone, or disposed of in a landfill. If the material is recycled, make sure the recycler is a bona fide recycler; otherwise, the generator, hauler and property owner where the material is placed may be subject to substantial penalties. If buried below grade outside of a groundwater well setback zone, the construction and demolition debris must be covered with sufficient uncontaminated soil to support vegetation within 30 days of the completion of the burial. Broken concrete without protruding metal bars may be used for erosion control.

General construction or demolition debris is defined as non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following:

- soil
- wall coverings
- reclaimed asphalt pavement
- rock
- plaster
- glass
- non-hazardous painted wood
- drywall
- plastics
- non-hazardous treated wood

- plumbing fixtures
- electrical wiring
- non-hazardous coated wood
- non-asbestos insulation
- bricks
- wood products
- roofing shingles
- concrete
- general roof coverings

If you choose to dispose of construction or demolition debris in a landfill make sure the cost of proper disposal is specified in the contractor's bid. As a precaution, get receipts from your contractor.

For more information about construction and demolition debris disposal management, contact the Illinois EPA's Permit Section at 217-524-3300 or your Illinois EPA Regional Field office (<http://www.epa.illinois.gov/about-us/locations/regional-offices/index>).

Local Assistance

For local assistance contact your local authorities:

- City Police
 - City Public Health Department
 - County Sheriff
 - County Public Health Department
 - State's Attorney
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Quick Links

- Emergency Response (<http://www.epa.illinois.gov/topics/emergency-response/index>)
- Freedom Of Information Act (<http://www.epa.illinois.gov/foia/index>)
- Pollution Complaints (<http://www.epa.illinois.gov/pollution-complaint/index>)
- Forms (<http://www.epa.illinois.gov/topics/forms/index>)
- A to Z Topic List (<http://www.epa.illinois.gov/topics/a-to-z-list>)

State Government

- State of Illinois
- Office of the Governor
- Inspector General
- Illinois Business Portal
- Get Covered Illinois

Contact Us

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