

PROPOSED BEVERAGE CONTAINER REGULATION

A. EXPLANATORY STATEMENT.

The attached proposed regulation deals with beverage containers. It would implement the recommendations of the Illinois Solid Waste Management Task Force. The Task Force was created pursuant to a requirement of Section 6 of the Illinois Environmental Protection Act of 1970 (Ill.Rev.Stat. ch.111 1/2, §1006). Performing its statutory duties, the Task Force considered the problem of beverage containers as they affect the environment. After its study, the Task Force adopted a specific recommendation for regulatory action by the Pollution Control Board. Section 6 provides that "the Board shall make rules and regulations... based upon such recommendations."

The Task Force recommendation reads as follows:

"That a regulation be enacted requiring that all soft drink and malt beverage containers be redeemable by the consumer for a minimum of five cents per container at the retail level of trade."

The proposed regulation would impose such a requirement. Other provisions of the proposal are included to insure that the deposit system will work.

The Task Force did not propose specific regulatory language. The proposed regulation is only one suggested means for implementing the Task Force recommendation and is offered solely to assist the Board. Under the Act, the Task Force recommendation alone is to guide the Board.

The Task Force members voting for the recommendation did so for one or more of the following reasons: (1) litter control; (2) reduction of the quantities of solid waste and of disposal burdens; (3) cost savings to consumers; (4) creation of large recycling facilities. All of these reasons focus on the policy of Section 20 of the Act, which the Board is authorized to implement by regulations, of "encouraging and effecting the recycling and reuse of waste materials." (Ill.Rev.Stat. ch.111 1/2, §§1020, 1022).

The Board has authority to adopt this proposed regulation under either Section 6 or Section 22 of the Act.

A report of the Task Force subcommittee (IIEQ Document No. TF-1) contains information concerning the recommendation. That information includes evidence that failure to recycle and reuse beverage containers leads to litter, waste of resources, and disposal burdens.