



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2076

Introduced 2/25/2005, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

New Act

Creates the Elimination of Phosphorus in Detergents Act. Provides that on and after January 1, 2007, no person may use, sell, manufacture, or distribute for sale any cleaning agent containing more than 0% phosphorus by weight, expressed as elemental phosphorus, in Illinois, except as provided under this Act. Sets forth certain exceptions. Provides that the Pollution Control Board may authorize the use of certain cleaning agents containing phosphorus under certain conditions and shall promulgate rules for the administration and enforcement of this Act. Effective immediately.

LRB094 10713 RSP 41117 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning safety.

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

4 Section 1. Short title. This Act may be cited as the
5 Elimination of Phosphorus in Detergents Act.

6 Section 5. Prohibition; definition; exceptions.

7 (a) On and after January 1, 2007, no person may use, sell,
8 manufacture, or distribute for sale any cleaning agent
9 containing more than 0% phosphorus by weight, expressed as
10 elemental phosphorus, in Illinois, except as otherwise
11 provided in this Section.

12 (b) As used in this Section, "cleaning agent" means a
13 laundry detergent, laundry additive, dishwashing compound,
14 cleanser, household cleaner, metal cleaner or polish,
15 degreasing compound, commercial cleaner, industrial cleaner,
16 or other substance that is used or intended to be used for
17 cleaning purposes.

18 (c) This Section does not apply to cleaning agents that are
19 used:

20 (1) In agricultural or dairy production.

21 (2) To clean commercial food or beverage processing
22 equipment or containers.

23 (3) In hospitals, clinics, nursing homes, other health
24 care facilities, or veterinary hospitals or clinics.

25 (4) In any medical, biological, chemical, engineering,
26 or other such laboratory, including those associated with
27 any academic or research institution.

28 (5) In commercial laundries that provide cleaning
29 services for a hospital, health care facility, or
30 veterinary hospital.

31 (6) As water softeners, antiscaling agents, or corrosion
32 inhibitors, if that use is in a closed system such as a

1 boiler, air conditioner, cooling tower, or hot water
2 heater.

3 (7) As industrial or institutional sanitizers, metal
4 brighteners, or metal cleaning or metal conditioning,
5 including products containing phosphoric acid or trisodium
6 phosphate.

7 (d) This Section does not apply to cleaning agents that:

8 (1) contain phosphorus in an amount not exceeding 0.5%,
9 expressed as elemental phosphorus by weight, that are
10 incidental to manufacturing; or,

11 (2) are manufactured, stored, sold, or distributed for
12 use solely outside the State.

13 (e) The Illinois Pollution Control Board may authorize the
14 use of a cleaning agent that contains phosphorus of an amount
15 exceeding 0.5% by weight upon finding that there is no adequate
16 substitute for that cleaning agent or that compliance with this
17 Section would otherwise be unreasonable or create a significant
18 hardship on the user. The Illinois Pollution Control Board
19 shall promulgate rules for the administration and enforcement
20 of the provisions of this Section.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.