



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1880

Introduced 1/29/2025, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

New Act

Creates the Phosphorus Credit Trading Program Act. Creates the Phosphorus Credit Trading Committee for several purposes, including developing a framework for the trading of phosphorus reduction credits generated through phosphorus reductions in excess of those required by permit and limiting the trading of phosphorus reduction credits to trading among wastewater agencies. Provides that the Phosphorus Credit Trading Committee shall submit a report to the Governor, the Environmental Protection Agency, and the General Assembly. Provides for Committee membership. Provides that the Prairie Research Institute's Illinois Sustainable Technology Center shall provide technical assistance to the Committee. Provides that the Agency shall, within one year after its receipt of the Committee's report, propose rules to establish a program to facilitate phosphorus reduction credit trading among wastewater agencies, and that the Pollution Control Board shall adopt rules within one year after receipt of the Agency's proposal. Provides that the rules shall accomplish certain purposes. Makes findings. Defines terms. Effective immediately.

LRB104 03049 BDA 13067 b

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 Phosphorus Credit Trading Program Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) Wastewater agencies in Illinois have made substantial
8 investments to reduce the discharge of phosphorus into waters
9 of the State.

10 (2) Those efforts have allowed phosphorus reductions that
11 are ahead of schedule and in excess of those that are required
12 by permit.

13 (3) Wastewater agencies should be allowed to trade with
14 one another the credits generated through these phosphorus
15 reductions.

16 Section 10. Definitions. In this Act:

17 "Agency" means the Environmental Protection Agency.

18 "Board" means the Pollution Control Board.

19 "Committee" means the Phosphorus Credit Trading Committee
20 created under this Act.

21 "Director" means the Director of the Environmental
22 Protection Agency.

1 "Phosphorus" means a nonmetallic element of the nitrogen
2 family with atomic number 15.

3 "State" means the State of Illinois.

4 "Wastewater agencies" means municipal wastewater agencies
5 and units of local government formed under the Sanitary
6 District Act of 1907, North Shore Water Reclamation District
7 Act, Sanitary District Act of 1917, Metropolitan Water
8 Reclamation District Act, Sanitary District Act of 1936,
9 Metro-East Sanitary District Act of 1974, and Eastern Will
10 Sanitary District Act.

11 Section 15. Phosphorus Credit Trading Committee.

12 (a) The Phosphorus Credit Trading Committee is created
13 within the Agency for the purpose of:

14 (1) developing a framework for the trading of
15 phosphorus reduction credits generated through phosphorus
16 reductions in excess of those required by permit;

17 (2) limiting the trading of phosphorus reduction
18 credits to trading among wastewater agencies; and

19 (3) making recommendations to the Agency regarding the
20 framework it develops.

21 (b) Upon completion of the framework described in
22 subsection (a), the Phosphorus Credit Trading Committee shall
23 submit a report containing the framework and its
24 recommendations to the Governor, the Environmental Protection
25 Agency, and the General Assembly.

1 Section 20. Committee membership. The Committee shall be
2 composed of the following members:

3 (1) the Governor or his or her designee, who shall
4 serve as chairperson;

5 (2) the Director or his or her designee;

6 (3) one member appointed by the President of the
7 Senate;

8 (4) one member appointed by the Minority Leader of the
9 Senate;

10 (5) one member appointed by the Speaker of the House
11 of Representatives;

12 (6) one member appointed by the Minority Leader of the
13 House of Representatives; and

14 (7) the following members appointed by the Director:

15 (A) 2 members who are representatives of a
16 wastewater agency with a service population of 25,000
17 or less;

18 (B) 2 members who are representatives of a
19 wastewater agency with a service population of more
20 than 25,000 but less than or equal to 125,000;

21 (C) 2 members who are representatives of a
22 wastewater agency with a service population of more
23 than 125,000; and

24 (D) 2 members who are representatives of a
25 statewide organization representing wastewater

1 agencies.

2 Appointments to the Committee shall be made within 30 days
3 after the effective date of this Act. The Committee shall meet
4 at the call of the chairperson. Committee members shall serve
5 without compensation. If a vacancy occurs in the Committee
6 membership, the vacancy shall be filled in the same manner as
7 the original appointment for the remainder of the Committee.

8 Section 25. Committee technical assistance. The Prairie
9 Research Institute's Illinois Sustainable Technology Center
10 shall provide technical assistance to the Committee.

11 Section 30. Rules to establish a phosphorus credit trading
12 program.

13 (a) After consulting with the Committee, the Agency shall,
14 within one year after its receipt of the Committee's report,
15 propose rules to establish a program to facilitate phosphorus
16 reduction credit trading among wastewater agencies. Within one
17 year after receipt of the Agency's proposal, the Board shall
18 adopt rules establishing a program to facilitate phosphorus
19 reduction credit trading among wastewater agencies.

20 (b) The rules adopted under this Section shall:

21 (1) reduce, in as cost-effective manner as possible,
22 the discharge of phosphorus into waters of the State;

23 (2) establish a program for the trading of phosphorus
24 reduction credits generated through phosphorus reductions

1 in excess of those required by permit; and
2 (3) limit participation in the program to wastewater
3 agencies.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.