



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2487

Introduced 2/4/2025, by Rep. Janet Yang Rohr

SYNOPSIS AS INTRODUCED:

415 ILCS 5/21.9 new

Amends the Environmental Protection Act. Bans the sale at wholesale or retail, beginning October 1, 2026, of coal tar sealant products labeled as containing coal tar and designed to be applied on driveways or parking areas. Bans the application on driveways or parking areas, beginning October 1, 2027, of coal tar sealant products labeled as containing coal tar and designed to be applied on driveways or parking areas. Provides that a person may request an exemption by submitting a written request to the Director of the Environmental Protection Agency who may grant the request if the person is involved in certain types of research and the coal tar sealant product is required for the research. Provides that units of local government may adopt ordinances that incorporate by reference and provide for the enforcement of the provisions of this amendatory Act, with certain support from the Environmental Protection Agency. Defines terms.

LRB104 04504 BDA 14531 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 5. The Environmental Protection Act is amended by
5 adding Section 21.9 as follows:

6 (415 ILCS 5/21.9 new)

7 Sec. 21.9. Coal tar sealant product ban.

8 (a) In this Section:

9 "Coal tar" means a viscous substance obtained by the
10 destructive distillation of coal and containing levels of
11 polycyclic aromatic hydrocarbons in excess of 10,000
12 milligrams per kilogram. "Coal tar" includes, but is not
13 limited to, refined coal tar, high-temperature coal tar and
14 coal tar pitch.

15 "Coal tar sealant product" means a surface-applied sealant
16 product that contains coal tar or coal tar pitch volatiles.

17 "Polycyclic aromatic hydrocarbons" means a group of
18 compounds that are by-products of incomplete combustion, that
19 include several carcinogens, and that are designated as
20 hazardous substances under the federal Comprehensive
21 Environmental Response, Compensation, and Liability Act of
22 1980, 42 U.S.C. 9602(a), and federal regulations promulgated
23 under that Act.

1 "Director" means the Director of the Environmental
2 Protection Agency.

3 (b) Beginning October 1, 2026, a person may not sell at
4 wholesale or retail a coal tar sealant product that is labeled
5 as containing coal tar and that is designed to be applied on a
6 driveway or parking area.

7 (c) Beginning October 1, 2027, a person may not apply on a
8 driveway or parking area a coal tar sealant product that is
9 labeled as containing coal tar and that is designed to be
10 applied on a driveway or parking area.

11 (d) A person may request an exemption from the
12 prohibitions in subsections (b) and (c) by submitting a
13 written request to the Director. The request must include the
14 reason an exemption is needed. The Director may exempt a
15 person from the prohibitions in subsections (b) and (c) if the
16 Director determines that the person is researching the effects
17 of a coal tar sealant product on the environment or the person
18 is developing an alternative technology and the use of a coal
19 tar sealant product is required for research or development.

20 (e) Units of local government may adopt ordinances that
21 incorporate by reference and provide for the enforcement of
22 the provisions of this Section. The Agency may provide
23 technical support to units of local government for compliance
24 and enforcement of this Section. The Agency may respond to
25 compliance and enforcement cases transcending jurisdictional
26 boundaries, cases requiring statewide corrective actions, or

1 requests for assistance or referrals from units of local
2 government.