

# HB3278



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3278

Introduced 2/18/2025, by Rep. Joyce Mason

### SYNOPSIS AS INTRODUCED:

415 ILCS 5/29.5 new  
5 ILCS 100/5-45.65 new

Specifies that the amendatory Act may be referred to as the Plastic Pellet Free Waters Act. Amends the Environmental Protection Act. Requires the Environmental Protection Agency to adopt rules establishing effluent limitations for wastewater, spills, and runoff associated with the production, transport, and packaging of plastic pellets and other preproduction plastic materials. Amends the Illinois Administrative Procedure Act to grant the Agency emergency rulemaking powers. Effective immediately.

LRB104 11856 BDA 21946 b

A BILL FOR

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. References to Act. This Act may be referred to  
5 as the Plastic Pellet Free Waters Act.

6 Section 5. The Environmental Protection Act is amended by  
7 adding Section 29.5 as follows:

8 (415 ILCS 5/29.5 new)

9 Sec. 29.5. Rules establishing effluent limitations for  
10 wastewater, spills, and runoff associated with the production,  
11 transport, and packaging of plastic pellets or other  
12 preproduction plastic materials. Not later than 60 days after  
13 the effective date of this amendatory Act of the 104th General  
14 Assembly, the Environmental Protection Agency shall adopt  
15 rules to ensure that:

16 (1) the discharge of plastic pellets or other  
17 preproduction plastic materials, including discharge into  
18 wastewater and runoff, from facilities regulated under 40  
19 CFR 414 or 40 CFR 463, as in effect on the effective date  
20 of this Act, is prohibited in this State;

21 (2) the discharge of plastic pellets or other  
22 preproduction plastic materials, including discharge into

1 wastewater and other runoff, from a point source, as  
2 defined in the Federal Water Pollution Control Act, that  
3 makes, uses, packages, or transports those plastic pellets  
4 and other preproduction plastic materials is prohibited in  
5 this State; and

6 (3) the requirements under paragraphs (1) and (2) are  
7 reflected in:

8 (A) all wastewater, stormwater, and other permits  
9 issued by the Agency under this Act or pursuant to the  
10 Federal Water Pollution Control Act to facilities and  
11 other point sources, as defined in the Federal Water  
12 Pollution Control Act, that make, use, package, or  
13 transport plastic pellets or other preproduction  
14 plastic materials, as determined by the Director, in  
15 addition to other applicable limits and standards; and

16 (B) all standards of performance promulgated under  
17 Section 312(p) of the Federal Water Pollution Control  
18 Act (33 U.S.C. 1322(p)) that are applicable to point  
19 sources, as defined in Section 502 of that Act (33  
20 U.S.C. 1362 and 33 U.S.C. 1329), that make, use,  
21 package, or transport plastic pellets or other  
22 preproduction plastic materials, as determined by the  
23 Director of the Environmental Protection Agency of the  
24 State of Illinois.

25 Section 10. The Illinois Administrative Procedure Act is

1 amended by adding Section 5-45.65 as follows:

2 (5 ILCS 100/5-45.65 new)

3 Sec. 5-45.65. Emergency rulemaking; Plastic-Pellet-Free  
4 Waters Act. To provide for the expeditious and timely  
5 implementation of this amendatory Act of the 104th General  
6 Assembly, emergency rules implementing Section 29.5 of the  
7 Environmental Protection Act may be adopted by the  
8 Environmental Protection Agency in accordance with Section  
9 5-45. The adoption of emergency rules authorized by Section  
10 5-45 and this Section is deemed to be necessary for the public  
11 interest, safety, and welfare.

12 This Section is repealed one year after the effective date  
13 of this amendatory Act of the 104th General Assembly.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.