

HB4818



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4818

Introduced 1/27/2022, by Rep. LaToya Greenwood

SYNOPSIS AS INTRODUCED:

415 ILCS 5/22.62 new

Amends the Environmental Protection Act. Provides that the disposal by incineration of any perfluoroalkyl and polyfluoroalkyl substance, including, but not limited to, aqueous film forming foam, is prohibited. Provides the Illinois Environmental Protection Agency with rulemaking authority. Provides that if a rule or regulation is published by the USEPA regarding all or part of the subjects of these provisions, the rule or regulation shall be controlling over these provisions. Effective immediately.

LRB102 25097 CPF 34357 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 5. The Environmental Protection Act is amended by
5 adding Section 22.62 as follows:

6 (415 ILCS 5/22.62 new)

7 Sec. 22.62. PFAS; incineration.

8 (a) As used in this Section:

9 "Incineration" includes, but is not limited to,
10 burning, combustion, pyrolysis, gasification, or the use
11 of an acid recovery furnace or oxidizer, ore roaster,
12 cement kiln, lightweight aggregate kiln, industrial
13 furnace, boiler, or process heater, but does not include
14 thermal oxidizers when they are operated as a pollution
15 control or resource recovery device at a facility that is
16 using PFAS chemicals.

17 "Perfluoroalkyl and polyfluoroalkyl substances" or
18 "PFAS" means a class of fluorinated organic chemicals
19 containing at least one fully fluorinated carbon atom the
20 list of PFAS defined in the US EPA's Toxic Release
21 Inventory (TRI) developed under Section 313 of the
22 Emergency Planning and Community Right-To-Know Act (EPCRA)
23 and codified in 40 CFR 372.65 and also specifically

1 excludes liquid or gaseous fluorocarbon or
2 chlorofluorocarbon products, used chiefly as refrigerants.

3 (b) The disposal by incineration of any perfluoroalkyl and
4 polyfluoroalkyl substance, including, but not limited to,
5 aqueous film forming foam, is prohibited in Illinois. The
6 Agency may propose, and the Board may adopt, any rules or
7 regulations it deems necessary in order to carry out the
8 provisions of this Section.

9 (c) If a rule or regulation is published by the USEPA in
10 the Federal Register regarding all or part of the subjects of
11 this Section, one year after its publication the rule or
12 regulation shall be controlling over the provisions of this
13 Section and any part of this Section conflicting therewith
14 shall be inoperative.

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