

SB3431



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3431

Introduced 2/14/2014, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

415 ILCS 5/52.5 new

Amends the Environmental Protection Act. Provides that, on and after January 1, 2015, no person may knowingly cause or allow sale at wholesale or retail of a coal tar sealant product. Provides that, on and after July 1, 2016, no person may knowingly cause or allow application of a coal tar sealant product on any surface in the State of Illinois including but not limited to a driveway, parking area, playground, sidewalk, bike trail or roadway. Provides that a city or county may adopt ordinances providing for enforcement of the requirements of this provision. Provides that any violation of this provision shall be enforceable by administrative citation. Provides that penalties for violation may not exceed \$1,000 for the first offense and \$5,000 for a second or subsequent offense. Effective immediately.

LRB098 20098 MGM 55364 b

FISCAL NOTE ACT
MAY APPLY

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 52.5 as follows:

6 (415 ILCS 5/52.5 new)

7 Sec. 52.5. Coal tar sealant use and sale prohibited.

8 (a) As used in this Section, "coal tar sealant product"
9 means a surface applied sealing product containing any amount
10 of coal tar, coal tar pitch, coal tar pitch volatiles, or any
11 variation assigned the Chemical Abstracts Service (CAS)
12 numbers 65996-93-2, 65996-89-6, or 8007-45-2.

13 (b) On and after January 1, 2015, no person may knowingly
14 cause or allow sale at wholesale or retail of a coal tar
15 sealant product.

16 (c) On and after July 1, 2016, no person may knowingly
17 cause or allow application of a coal tar sealant product on any
18 surface in the State of Illinois including but not limited to a
19 driveway, parking area, playground, sidewalk, bike trail or
20 roadway.

21 (d) A city or county may adopt ordinances providing for
22 enforcement of the requirements of subsections (b) or (c) of
23 this Section. A city or county adopting an ordinance has

1 jurisdiction concurrent with the Agency to enforce this
2 Section.

3 (e) Any violation of this Section shall be enforceable by
4 administrative citation. Penalties under this Section may not
5 exceed \$1,000 for the first offense and \$5,000 for a second or
6 subsequent offense.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.