

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 PFAS
5 Wastewater Citizen Protection Act.

6 Section 5. Findings; policy.

7 (a) The General Assembly finds that:

8 (1) Current scientific research suggests that exposure
9 to certain perfluoroalkyl and polyfluoroalkyl substances
10 (PFAS) may cause adverse human health impacts.

11 (2) Once released, PFAS do not naturally degrade and
12 may be difficult and costly to remove from the
13 environment.

14 (3) PFAS enter wastewater treatment plants through
15 wastewater discharges associated with consumer products,
16 industrial products, and solid waste streams, such as
17 landfill leachate.

18 (4) Wastewater agencies do not manufacture,
19 intentionally use, or sell PFAS.

20 (5) Landfills do not manufacture, intentionally use,
21 or sell PFAS.

22 (6) Wastewater treatment plants, which are generally
23 owned by wastewater agencies and funded by taxpayers and

1 customers within a specific service area, are not designed
2 for or easily adapted to treat wastewater for PFAS.

3 (7) Wastewater agencies are incurring monitoring,
4 staff, and other costs. If wastewater agencies are
5 required to treat wastewater for PFAS in the future, that
6 treatment will come at a significant operational and
7 capital cost that taxpayers and customers must recoup.

8 (b) It is the policy of the State of Illinois that, as it
9 relates to PFAS, PFAS elimination, and PFAS mitigation in
10 wastewater:

11 (1) The State should follow sound science, use
12 existing source control regulatory frameworks, avoid
13 unintended negative consequences to the citizens of the
14 State, and facilitate funding to eliminate or mitigate
15 PFAS in wastewater.

16 (2) The economic impact upon wastewater agencies and
17 Illinois citizens for the costs to implement any federal
18 or State policy, rule, or regulation relating to PFAS
19 monitoring, elimination, and mitigation, including
20 requirements in permits issued to any wastewater agency,
21 should be minimized to the extent practicable.

22 (3) All stakeholders, including wastewater agencies
23 and their customers, industry, and regulators benefit from
24 increased understanding and advancements in PFAS
25 remediation and destruction technology.

26 (4) Compliance with this Act should not relieve any

1 person of responsibility for compliance with the
2 Environmental Protection Act or any other applicable
3 federal, State, or local law.

4 Section 10. Definitions. In this Act:

5 "Agency" means the Environmental Protection Agency.

6 "Committee" means the PFAS Wastewater Citizen Protection
7 Committee created under this Act.

8 "Director" means the Director of the Environmental
9 Protection Agency.

10 "PFAS" means perfluoroalkyl and polyfluoroalkyl
11 substances. "PFAS" includes PFAS as defined by the United
12 States Environmental Protection Agency in 40 CFR 705.3 or any
13 successor regulations.

14 "State" means the State of Illinois.

15 "Wastewater agencies" means municipal wastewater agencies;
16 units of local government organized under the Sanitary
17 District Act of 1907, North Shore Water Reclamation District
18 Act, Sanitary District Act of 1917, Metropolitan Water
19 Reclamation District Act, Sanitary District Act of 1936,
20 Metro-East Sanitary District Act of 1974, or Eastern Will
21 Sanitary District Act; and public utilities that provide water
22 and wastewater service in Illinois.

23 Section 15. PFAS Wastewater Citizen Protection Committee.

24 (a) The PFAS Wastewater Citizen Protection Committee is

1 created within the Agency for the purposes of:

2 (1) monitoring developments and reviewing data related
3 to PFAS, PFAS regulation, and PFAS elimination and
4 mitigation technology for wastewater treatment systems;

5 (2) determining how to best implement the findings and
6 policy in Section 5 of this Act, including in relation to
7 federal statutes and regulations;

8 (3) determining the range of options to mitigate the
9 presence of PFAS, including, if necessary, costs to
10 install treatment technology to reduce PFAS in wastewater
11 treatment systems and costs for PFAS sampling, analysis,
12 research, monitoring, and record keeping;

13 (4) determining how to offset the costs to wastewater
14 agencies needed to install PFAS elimination and mitigation
15 technology in wastewater treatment systems by identifying
16 all potential sources of funding, including indirect
17 discharge fees, State and federal funding, and
18 manufacturers and commercial and industrial users of PFAS;

19 (5) making recommendations regarding policies,
20 including legislation and rulemaking, necessary to
21 implement the findings and policy in Section 5 of this
22 Act; and

23 (6) making recommendations regarding the funding of
24 elimination and mitigation technology for wastewater
25 treatment systems and recovering taxpayer and customer
26 costs for PFAS.

1 (b) No later than one year after the effective date of this
2 Act, the Committee shall issue a report containing a PFAS
3 Action Plan based on the purposes stated in subsection (a) of
4 this Section. The report shall be submitted to the Governor's
5 Office, the General Assembly, and the Agency.

6 (c) The Committee shall monitor the status of and, if
7 necessary, advocate for the execution of the PFAS Action Plan
8 submitted with its report under subsection (b) of this
9 Section.

10 (d) The Committee shall continue to periodically meet
11 after submittal of the PFAS Action Plan under subsection (b)
12 of this Section. The Committee shall annually update the PFAS
13 Action Plan, and shall submit a report annually to the
14 Governor's Office, the General Assembly, and the Agency with
15 any updates to the PFAS Action Plan and a summary of:

16 (1) the latest developments in related science and
17 technology, as well as the latest developments in
18 approaches to PFAS elimination and mitigation in
19 wastewater;

20 (2) any updated policy recommendations the Committee
21 feels necessary to implement the findings and policy in
22 Section 5 of this Act;

23 (3) any cost updates for addressing any policy
24 recommendations the Committee feels necessary to implement
25 the findings and policy in Section 5 of this Act; and

26 (4) any updated developments or recommendations

1 regarding the identification of potential sources of
2 funding to offset the costs to wastewater agencies.

3 Section 20. Committee membership. The Committee shall be
4 composed of the following members:

5 (1) the Governor or the Governor's designee, who shall
6 serve as chairperson;

7 (2) the Director or the Director's designee;

8 (3) one member appointed by the President of the
9 Senate;

10 (4) one member appointed by the Minority Leader of the
11 Senate;

12 (5) one member appointed by the Speaker of the House
13 of Representatives;

14 (6) one member appointed by the Minority Leader of the
15 House of Representatives; and

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

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

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

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

1 (D) one member who is a representative of a
2 statewide organization representing wastewater
3 agencies;

4 (E) one member who is a representative of a
5 statewide organization representing publicly owned
6 drinking water agencies;

7 (F) one member who is a researcher from a
8 university in the Great Lakes region who specializes
9 in PFAS;

10 (G) one member who is a representative of a public
11 utility that provides water and wastewater services in
12 Illinois;

13 (H) one member who is a representative of a
14 statewide organization representing the solid waste
15 and recycling industry; and

16 (I) one member who is a representative of a
17 statewide organization representing the manufacturing
18 industry.

19 Appointments to the Committee shall be made within 30 days
20 after the effective date of this Act. The Committee shall meet
21 at the call of the chairperson. Committee members shall serve
22 without compensation. If a vacancy occurs in the Committee
23 membership, the vacancy shall be filled in the same manner as
24 the original appointment for the remainder of the Committee.

25 Section 25. Committee technical assistance. The Prairie

1 Research Institute's Illinois Sustainable Technology Center
2 shall provide technical assistance to the Committee.

3 Section 85. Applicable federal, State, and local laws.
4 Compliance with this Act does not relieve any person of
5 responsibility for compliance with the Environmental
6 Protection Act or any other applicable federal, State, or
7 local law.

8 Section 90. Repeal. This Act is repealed on December 31,
9 2044.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.