



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3101

Introduced 1/29/2026, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

415 ILCS 5/Tit. XIX heading new
415 ILCS 5/60 new
415 ILCS 5/60.1 new
415 ILCS 5/60.2 new
415 ILCS 5/60.3 new
415 ILCS 5/60.4 new

Amends the Environmental Protection Act. Creates the PFAS Biosolids Testing and Land Application Standards Title within the Act. Provides that a facility that intends to land apply biosolids in the State must collect and analyze at least one representative sample of finished biosolids for PFAS before land application in each calendar year, with required submission to the Environmental Protection Agency at least 14 days before land application on a farm or parcel of land. Provides that, for biosolids designated as Exceptional Quality (EQ), sampling and submission must be quarterly. Sets conditions for land application pursuant to the results of the PFAS test based on PFAS concentration. Requires written notification to the landowner or person responsible for the land, and retention of records by the facility. Requires the Agency to propose and the Pollution Control Board to adopt rules. Contains findings. Defines terms. Effective immediately.

LRB104 18818 BDA 32261 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 Title XIX as follows:

6 (415 ILCS 5/Tit. XIX heading new)

7 TITLE XIX.

8 PFAS BIOSOLIDS TESTING AND LAND APPLICATION STANDARDS

9 (415 ILCS 5/60 new)

10 Sec. 60. Findings; definitions.

11 (a) The General Assembly finds that:

12 (1) Biosolids are nutrient-rich organic materials
13 resulting from the treatment of domestic sewage and may
14 contain perfluoroalkyl and polyfluoroalkyl substances
15 (PFAS).

16 (2) PFAS chemicals, including perfluorooctanoic acid
17 and perfluorooctane sulfonate, are persistent in the
18 environment and present human health and ecological risks
19 if not managed properly.

20 (3) Current interim strategies, such as that developed
21 by the Michigan Department of Environment, Great Lakes,
22 and Energy, set thresholds for PFAS concentrations in

1 biosolids and specify land application requirements to
2 protect public health and the environment.

3 (4) Codifying standards based on these thresholds will
4 improve transparency, ensure consistent regulatory action,
5 and protect farmers, landowners, and communities.

6 As used in this Title:

7 "Agency" means Illinois Environmental Protection Agency.

8 "Biosolids" means treated residuals from a wastewater
9 treatment plant that are suitable for land application after
10 stabilization and pathogen reduction.

11 "PFAS" means perfluoroalkyl and polyfluoroalkyl
12 substances, including, at a minimum, perfluorooctanoic acid
13 and perfluorooctane sulfonate.

14 "Representative sample" means a biosolids sample collected
15 in accordance with Agency procedures that accurately reflects
16 the finished biosolids product for PFAS analysis.

17 (415 ILCS 5/60.1 new)

18 Sec. 60.1. PFAS testing requirements for biosolids.

19 (a) A facility that intends to land apply biosolids in the
20 State must collect and analyze at least one representative
21 sample of finished biosolids for PFAS before land application
22 in each calendar year.

23 (b) The results of the PFAS analysis under subsection (a)
24 shall be submitted to the Agency at least 14 days before land
25 application of biosolids on a farm or parcel of land.

1 (c) A facility that intends to land apply biosolids
2 designated as Exceptional Quality (EQ) as defined under
3 Section 3.560 of this Act must sample quarterly and submit
4 quarterly PFAS results to the Agency under this Section.

5 (415 ILCS 5/60.2 new)

6 Sec. 60.2. PFAS concentration thresholds and land
7 application standards.

8 (a) In this Section:

9 "Elevated PFAS concentration" means perfluorooctanoic acid
10 or perfluorooctane sulfonate concentrations at or above 20
11 micrograms per kilogram but below 100 micrograms per kilogram.

12 "Low PFAS concentration" means perfluorooctanoic acid and
13 perfluorooctane sulfonate concentrations below 20 micrograms
14 per kilogram.

15 "Industrially impacted PFAS concentration" means
16 perfluorooctanoic acid or perfluorooctane sulfonate
17 concentrations at or above 100 micrograms per kilogram.

18 (b) Conditions for land application pursuant to the
19 results of the PFAS test and analysis under Section 60.1 are as
20 follows:

21 (1) Low PFAS concentration pursuant to the PFAS test
22 and analysis under Section 60.1 shall have the following
23 consequences:

24 (A) land application of biosolids at agronomic
25 rates is permitted without additional rate

1 restrictions beyond standard agronomic requirements;
2 and

3 (B) the landowner or farmer shall be informed of
4 the PFAS test results before application.

5 (2) Elevated PFAS concentration pursuant to the PFAS
6 test and analysis under Section 60.1 shall have one of the
7 following consequences:

8 (A) land application of biosolids may proceed only
9 at a reduced rate not exceeding 1.5 dry tons per acre;

10 (B) the facility may submit an alternative risk
11 mitigation strategy for Agency approval at least 14
12 days before land application; or

13 (C) the facility must implement a source reduction
14 plan and additional sampling of the source effluent to
15 investigate PFAS sources, as required by the Agency.

16 (3) Industrially impacted PFAS concentration pursuant
17 to the PFAS test and analysis under Section 60.1 shall
18 have the following consequences:

19 (A) biosolids in this category are prohibited from
20 being land applied in the State; and

21 (B) the facility shall arrange alternative
22 treatment and disposal and implement a source
23 reduction plan.

24 (415 ILCS 5/60.3 new)

25 Sec. 60.3. Landowner notification and records. Before the

1 land application of biosolids, the facility that intends to
2 land apply biosolids must provide written notification to the
3 landowner or person responsible for the land identifying:

4 (1) the PFAS concentrations in the biosolids; and

5 (2) any rate restrictions or conditions applicable
6 under Section 60.2.

7 Facilities must retain records of all PFAS sampling
8 results, notifications, and mitigation plans for a minimum of
9 5 years and make these records available upon request by the
10 Agency.

11 (415 ILCS 5/60.4 new)

12 Sec. 60.4. Rulemaking. The Agency shall propose and the
13 Board shall adopt any rules necessary to implement,
14 administer, and enforce the provisions of this Title,
15 including analytical methods, sampling protocols, reporting
16 procedures, and compliance timelines.

17 Section 97. Severability. The provisions of this Act are
18 severable under Section 1.31 of the Statute on Statutes.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.