

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. TRI-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. "Incineration" does
14 not include the use of a thermal oxidizer as a pollution
15 control or resource recovery device at a facility that is
16 using perfluoroalkyl or polyfluoroalkyl substances or
17 chemicals containing perfluoroalkyl or polyfluoroalkyl
18 substances.

19 "Toxic Release Inventory Perfluoroalkyl and
20 Polyfluoroalkyl Substances" or "TRI-PFAS" means the
21 chemicals on the list of perfluoroalkyl and
22 polyfluoroalkyl substances set forth in the USEPA's Toxic
23 Release Inventory rules, developed under Section 313 of

1 the federal Emergency Planning and Community Right-To-Know
2 Act (EPCRA) and codified in 40 CFR 372.65, excluding
3 liquid or gaseous fluorocarbon or chlorofluorocarbon
4 products used chiefly as refrigerants.

5 (b) No person shall dispose of any TRI-PFAS by
6 incineration, including, but not limited to, aqueous
7 film-forming foam that contains TRI-PFAS. The Agency may
8 propose, and the Board may adopt, any rules it deems necessary
9 to carry out the provisions of this Section.

10 (c) Nothing in this Section applies to the incineration of
11 (i) landfill gas from the decomposition of waste that may
12 contain any perfluoroalkyl or polyfluoroalkyl substances at a
13 permitted sanitary landfill, (ii) landfill gas in a landfill
14 gas recovery facility that is located at a sanitary landfill,
15 (iii) waste at a permitted hospital, medical, and infectious
16 waste incinerator that meets the requirements of Subpart HHH
17 of 40 CFR Part 62, Subpart Ec of 40 CFR Part 60, or the
18 Board-adopted State Plan requirements for hospital, medical,
19 and infectious waste incinerators, as applicable, or (iv)
20 sludges, biosolids, or other solids or by-products generated
21 at or by a municipal wastewater treatment plant or facility.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.