

AN ACT concerning safety.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Environmental Protection Act is amended by adding Section 22.62 as follows:

(415 ILCS 5/22.62 new)

Sec. 22.62. TRI-PFAS; incineration.

(a) As used in this Section:

"Incineration" includes, but is not limited to, burning, combustion, pyrolysis, gasification, or the use of an acid recovery furnace or oxidizer, ore roaster, cement kiln, lightweight aggregate kiln, industrial furnace, boiler, or process heater. "Incineration" does not include the use of a thermal oxidizer as a pollution control or resource recovery device at a facility that is using perfluoroalkyl or polyfluoroalkyl substances or chemicals containing perfluoroalkyl or polyfluoroalkyl substances.

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

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

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

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

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