

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 per- and polyfluoroalkyl substances (PFAS) may
10 cause adverse human health impacts.

11 (2) Once released, PFAS does not naturally degrade and
12 is difficult and costly to remove from the environment.

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

17 (4) Wastewater agencies do not manufacture,
18 intentionally use, or sell PFAS, but they are passive
19 receivers of PFAS and are required to accept wastewater
20 containing PFAS, including wastewater from domestic,
21 industrial, and solid waste sources.

22 (5) Wastewater treatment plants, which are generally
23 owned by wastewater agencies and funded by the customers

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

3 (6) If wastewater agencies are required to treat
4 wastewater for PFAS in the future, that treatment will
5 come at a significant operational and capital cost.

6 (b) Therefore, it is the policy of the State of Illinois
7 that, as it relates to PFAS and PFAS elimination and
8 mitigation:

9 (1) The State should follow sound science, use
10 existing source control regulatory frameworks, avoid
11 unintended negative consequences to the citizens of the
12 State, and ensure adequate funding to eliminate or
13 mitigate PFAS.

14 (2) Neither wastewater agencies nor their customers
15 should bear liability or cost relating to PFAS.

16 (3) Manufacturers of PFAS should be held responsible
17 for all liability and costs relating to PFAS, including
18 costs to implement any federal or State policy, rule, or
19 regulation relating to PFAS monitoring, elimination, and
20 mitigation, including requirements in permits issued to
21 any wastewater agency.

22 Section 10. Definitions. In this Act:

23 "Agency" means the Environmental Protection Agency.

24 "Committee" means the PFAS Wastewater Citizen Protection
25 Committee created under this Act.

1 "Director" means the Director of the Environmental
2 Protection Agency.

3 "PFAS" means per- and polyfluoroalkyl substances. "PFAS"
4 includes PFAS as defined by the United States Environmental
5 Protection Agency in 40 CFR 704.3 or any successor
6 regulations.

7 "State" means the State of Illinois.

8 "Wastewater agencies" means municipal wastewater agencies;
9 units of local government organized under the Sanitary
10 District Act of 1907, North Shore Water Reclamation District
11 Act, Sanitary District Act of 1917, Metropolitan Water
12 Reclamation District Act, Sanitary District Act of 1936,
13 Metro-East Sanitary District Act of 1974, or Eastern Will
14 Sanitary District Act; and public utilities that provide water
15 and wastewater service in Illinois.

16 Section 15. PFAS Wastewater Citizen Protection Committee.

17 (a) The PFAS Wastewater Citizen Protection Committee is
18 created within the Agency for the purposes of:

19 (1) monitoring developments and reviewing data related
20 to PFAS, PFAS regulation, and PFAS elimination and
21 mitigation technology for wastewater treatment systems;

22 (2) determining how to best implement the findings and
23 policy in Section 5 of this Act;

24 (3) determining the costs needed to install PFAS
25 elimination and mitigation technology in wastewater

1 treatment systems;

2 (4) determining how to best shift the costs needed to
3 install PFAS elimination and mitigation technology in
4 wastewater treatment systems to those who manufactured
5 PFAS;

6 (5) making recommendations regarding policies,
7 including legislation and rulemaking, necessary to
8 implement the findings and policy in Section 5 of this
9 Act; and

10 (6) making recommendations regarding the funding of
11 elimination and mitigation technology for wastewater
12 treatment systems.

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

18 (c) The Committee shall monitor the status of and, if
19 necessary, advocate for the execution of the PFAS Action Plan
20 submitted with its report under subsection (b) of this
21 Section.

22 (d) The Committee shall continue to periodically meet
23 after submittal of the PFAS Action Plan under subsection (b)
24 of this Section. The Committee shall annually update the PFAS
25 Action Plan, and shall submit a report annually to the
26 Governor's Office, the General Assembly, and the Agency with

1 any updates to the PFAS Action Plan and a summary of:

2 (1) the latest developments in related science and
3 technology, as well as the latest developments in
4 approaches to PFAS elimination and mitigation;

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

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

11 (4) any updated developments or recommendations
12 regarding shifting costs to those who manufactured PFAS.

13 Section 20. Committee membership. The Committee shall be
14 composed of the following members:

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

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

18 (3) one member appointed by the President of the
19 Senate;

20 (4) one member appointed by the Minority Leader of the
21 Senate;

22 (5) one member appointed by the Speaker of the House
23 of Representatives;

24 (6) one member appointed by the Minority Leader of the
25 House of Representatives; and

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

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

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

8 (C) 2 members who are representatives of a
9 wastewater agency with a service population of more
10 than 125,000 people;

11 (D) one member who is a representative of a
12 statewide organization representing wastewater
13 agencies;

14 (E) one member who is a representative of a
15 statewide organization representing publicly-owned
16 drinking water agencies; and

17 (F) one member who is a representative of a public
18 utility that provides water and wastewater services in
19 Illinois.

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

1 Section 25. Committee technical assistance. The Prairie
2 Research Institute's Illinois Sustainable Technology Center
3 shall provide technical assistance to the Committee.

4 Section 90. Repeal. This Act is repealed on December 31,
5 2044.

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