SB3360

LRB10336221LNS66314b

103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3360

Introduced 2/7/2024, by Sen. Laura Ellman

SYNOPSIS AS INTRODUCED:

415 ILCS 170/45 new

Amends the PFAS Reduction Act. Authorizes the Environmental Protection Agency to participate in a safe chemical clearinghouse and to cooperate with the clearinghouse to take specified actions. Directs manufacturers of PFAS or products or product components containing intentionally added PFAS to register the PFAS or the product or product component containing intentionally added PFAS and to provide certain additional information through a data collection interface established cooperatively by the clearinghouse and the Agency. Establishes civil penalties for violations by manufacturers. Authorizes the Agency to adopt rules and enter contracts to implement these provisions. Exempts certain products from these requirements.

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A BILL FOR

AN ACT concerning safety.

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

Section 5. The PFAS Reduction Act is amended by adding Section 45 as follows:

(415 ILCS 170/45 new)

Sec. 45. Publicly accessible data collection program.

(a) The Agency may participate, along with other states and governmental entities, in an interstate clearinghouse to promote safer chemicals in consumer products and may cooperate with the interstate clearinghouse to:

(1) organize and manage available data on chemicals, including information on uses, hazards, environmental concerns, safer alternatives, and model policies and programs concerning specific chemicals;

(2) provide technical assistance regarding chemical safety to businesses, consumers, and policymakers;

(3) establish a data collection interface for use in the manner described in this Section; and

(4) undertake any other activities in support of State programs to promote chemical safety.

(b) The Agency may enter into any contracts necessary to implement this Section by January 1, 2026. To the extent

reasonable and feasible, the data collection interface established under subsection (a) shall streamline and facilitate data reporting required by this Section with similar data reporting required by other states and jurisdictions.

(c) The Agency may adopt rules necessary to implement this Section.

(d) The Agency may provide technical assistance to manufacturers in complying with this Section.

(e) The Agency may use rules adopted under subsection (c) or technical assistance provided under subsection (d) to clarify the reporting requirements established under this Section and to ensure that the data collected are not duplicative among the reporting entities.

(f) On or before July 1, 2026, and on or before July 1 of each year thereafter, a manufacturer of PFAS or a product or product component containing intentionally added PFAS that, during the prior calendar year, is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the State shall register the PFAS or the product or product component containing intentionally added PFAS on the publicly accessible data collection interface established under subsection (a), along with all of the following information, as applicable:

(1) the name and type of product or product component containing intentionally added PFAS;

(2) the universal product code of the product or product component containing intentionally added PFAS;

(3) the purpose or function for which the intentionally added PFAS are used in the product or product component;

(4) the identity and a reasonable estimate of the amount of all PFAS compounds in the product or product component containing intentionally added PFAS;

(5) the amount of the product or product component or the number of products or product components sold, delivered, or imported into the State in the prior calendar year; and

(6) the name and address of the manufacturer and the name, address, and phone number of a contact person for the manufacturer.

When reporting the identity of a PFAS compound under paragraph (4), the manufacturer shall provide (i) the brand name of the formulation that contains PFAS and the name of the manufacturer of the formulation and (ii) the chemical formula or standardized name of the PFAS compound.

When reporting the amount or weight of a PFAS compound under paragraph (4), the manufacturer shall provide (i) the amount or weight of each intentionally added PFAS compound or (ii) if the amount or weight of each intentionally added PFAS compound is not known, the total organic fluorine in the product or product component containing intentionally added

PFAS.

(g) A violation of this Section is subject to a civil penalty under Section 35.

(h) This Section does not apply to any of the following:

(1) a product regulated as a drug, medical device, or dietary supplement by the United States Food and Drug Administration;

(2) any medical equipment or product used in medical settings that is regulated by the United States Food and Drug Administration; or

(3) a product intended for animals that is regulated as animal drugs, biologics, parasiticides, medical devices, and diagnostics used to treat or are administered to animals under the Federal Food, Drug, and Cosmetic Act, the federal Virus-Serum-Toxin Act, or the Federal Insecticide, Fungicide, and Rodenticide Act.