



**Adopted in House Comm. on Mar 09, 2005**

09400HB2572ham001

LRB094 11168 DRJ 43199 a

1 AMENDMENT TO HOUSE BILL 2572

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2572 on page 2,  
3 after line 15, by inserting the following:

4 "(c) Subsections (a) and (b) of this Section do not apply  
5 to the following:

6 (1) The sale by a business, charity, or private party  
7 of any used product containing PBDE.

8 (2) The manufacture, processing, or distribution in  
9 commerce of any new product or product component containing  
10 recycled or used materials with decaBDE. Products  
11 containing any new PBDEs do not qualify for an exemption  
12 under this paragraph (2)."; and

13 on page 2, after line 19, by inserting the following:

14 "Section 25. Exemption for specific use of decaBDE. A  
15 manufacturer or user of decaBDE may apply for an exemption for  
16 a specific use of decaBDE by filing a written petition with the  
17 Illinois Environmental Protection Agency. An exemption may be  
18 granted for a term not to exceed 3 years and may be renewed for  
19 one additional 3-year term upon written application if the  
20 Illinois Environmental Protection Agency finds that the  
21 specific use of decaBDE continues to meet the criteria set  
22 forth in paragraphs (1) and (2) of this Section and the  
23 manufacturer or other persons continue to comply with the  
24 conditions of its original approval. The Illinois

1 Environmental Protection Agency may grant an exemption for a  
2 specified use of decaBDE with or without conditions upon a  
3 finding that the petitioner has demonstrated that:

4 (1) a technically feasible alternative to the use of  
5 decaBDE is not available at reasonable cost; or

6 (2) the potential harm to public health and the  
7 environment directly posed by a technically feasible and  
8 available alternative is greater than the potential harm  
9 posed by decaBDE.

10 Section 30. Transportation of products containing PBDEs.  
11 Nothing in this Act restricts a manufacturer, importer, or  
12 distributor from transporting products containing PBDEs  
13 through this State or storing PBDEs in this State for further  
14 distribution.".