

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO) R2022-018
GROUNDWATER QUALITY) (Rulemaking – Public Water Supply)
(35 Ill Adm. Code 620))

NOTICE

TO: SEE ATTACHED CERTIFICATE OF SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the AMERICAN CHEMISTRY COUNCIL'S final POST HEARING COMMENTS in the matter of the Illinois Environmental Protection Agency's proposed amendments to groundwater quality, a copy of which is herewith served upon you.

Dated: February 11, 2023

Respectfully Submitted,

AMERICAN CHEMISTRY COUNCIL

By: /s/ Stephen P. Risotto
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**POST-HEARING COMMENTS
OF THE AMERICAN CHEMISTRY COUNCIL**

In response to questions from the Illinois Environmental Protection Agency during the December 7, 2022 hearing related to restrictions on the import of products containing certain per- and polyfluoroalkyl substances (PFAS), the American Chemistry Council submits the following chronology of Significant New Use Restrictions (SNURs) -

- March 2002 The US Environmental Protection Agency (USEPA) published a rule requiring notification before any future manufacture (including import) of 13 PFAS chemicals specifically included in the voluntary phase out of perfluorooctane sulfonic acid (PFOS) by 3M that took place between 2000 and 2002. This SNUR allowed the continuation of a few specifically limited, highly technical uses of these chemicals for which no alternatives were available, and which were characterized by very low volume, low exposure, and low releases. (*67 Federal Register* 11008, March 11, 2002)
- December 2002 USEPA published a rule requiring notification before any future manufacture (including import) of 75 PFAS chemicals specifically included in the voluntary phase out of PFOS by 3M that took place between 2000 and 2002. This SNUR allowed the continuation of a few specifically limited, highly technical uses of these chemicals for which no alternatives were available, and which were characterized by very low volume, low exposure, and low releases. (*67 Federal Register* 72854, December 9, 2002)
- October 2007 USEPA finalized a rule prohibiting manufacture or import of 183 PFAS chemicals believed to no longer be manufactured or used in the United States. (*72 Federal Register* 57222, October 9, 2007)
- October 2013 USEPA issued a rule requiring companies to report all new uses of long-chain perfluoroalkyl carboxylate substances as part of carpets or for treating carpets. Under the rule, companies must report their intent to manufacture (including import) these chemical substances intended for use

as part of carpets or to treat carpets, as well as import carpets already containing these chemical substances. (*78 Federal Register* 62443, October 22, 2013)

July 2020

USEPA promulgated a rule requiring notice and Agency review before the use of long-chain PFAS that have been phased out in the United States can begin again. Additionally, the rule no longer allows the import of products containing certain long-chain PFAS as a surface coating and carpet containing perfluoroalkyl sulfonate chemical substances without USEPA review. As a result of this action, articles like textiles, carpet, furniture, electronics, and household appliances that could contain certain PFAS chemicals cannot be imported into the United States unless they are reviewed and approved for the use or the Agency puts in place the necessary restrictions to address any unreasonable risks. (*85 Federal Register* 45109, July 27, 2020)

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have today filed the attached POST-HEARING COMMENTS in PCB R2022-18 upon the below service list by electronic mail.

Dated: February 11, 2023

Respectfully Submitted,

AMERICAN CHEMISTRY COUNCIL

By: /s/ Stephen P. Risotto
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