



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

July 16, 2026

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 50, Issue 29 of the Illinois Register, dated 7/17/2026.

PROPOSED RULES

Groundwater Quality	
35 Ill. Adm. Code 620	9650
Point of Contact: Shannon Bilbruck	
Standards Applicable to Generators of Hazardous Waste	
35 Ill. Adm. Code 722	9675
Point of Contact: Shannon Bilbruck	

REGULATORY AGENDA

Definitions and General Provisions	
Point of Contact: Shannon Bilbruck	10660

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Groundwater Quality
- 2) Code Citation: 35 Ill. Adm. Code 620
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
620.410	Amendment
620.420	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55/8] and authorized by Section 27 of the Illinois Environmental Protection Act [415 ILCS 5/27].
- 5) A Complete Description of the Subjects and Issues Involved: On March 20, 2025, in rulemaking docket R22-18, the Board amended 35 Ill. Adm. Code 620 by establishing groundwater quality standards for six poly- and perfluoroalkyl substances (PFAS) and four other constituents (molybdenum, lithium, aluminum, and 1-methylnaphthalene). The Board also revised groundwater quality standards for 34 more constituents. The standards for the six PFAS constituents are based on the United States Environmental Protection Agency's drinking water maximum contaminant levels and health-based water concentrations.

Requirements in the Board's landfill rules at 35 Ill. Adm. Code 811 and 814 cross-reference Part 620's groundwater quality standards. Therefore, these landfill rules ordinarily would have imposed requirements on Part 811 "new" landfills and Part 814 "existing" landfills that are based on the PFAS standards of Part 620. But because the R22-18 rulemaking record lacked sufficient information on additional compliance costs that these landfills would be expected to incur due to the new PFAS standards, the Board adopted exemptions (35 Ill. Adm. Code 620.410(f), 620.420(e)) from the PFAS standards for Part 811 and Part 814 landfills and initiated this rulemaking—sub-docket R22-18(A)—to further explore potential economic impacts on these landfills.

In this sub-docket, the Board held a public hearing and received public comments. Witnesses testified on behalf of landfills, including the National Waste & Recycling Association, regarding potential economic impacts on landfills due to the Part 620 PFAS standards. The Board posed multiple rounds of written questions to rulemaking participants, receiving lengthy and detailed written responses. In addition to compliance cost information, the Illinois Environmental Protection Agency (IEPA) provided over 11,000 pages of data relating to landfill groundwater sampling, along with maps highlighting the proximity of landfills to aquifers and public water supplies throughout

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In the original rulemaking docket, the Board found that PFAS pose a significant threat to human health and the environment. PFAS are commonly called “forever chemicals” as they do not easily degrade and are bio-accumulative, meaning they can concentrate in tissues of living organisms, including humans. Adverse health effects due to PFAS exposure include effects on the liver (e.g., liver cell death), growth and development (e.g., low birth weight), hormone levels, kidney, the immune system (reduced response to vaccines), lipid levels (e.g., high cholesterol), the nervous system, and reproduction, as well as increased risk of certain types of cancer. PFAS exposure has disproportionate health effects on children, including developmental effects on fetuses during pregnancy.

The exemptions at Sections 620.410(f) and 620.420(e) allow Part 811 and Part 814 landfills to avoid complying with otherwise applicable requirements of Part 811 or Part 814 that are based on Part 620 PFAS standards, including requirements for groundwater monitoring and corrective action. Groundwater monitoring is integral to detecting, at an early stage, any leakage of contaminants from landfill waste into the uppermost aquifer, ensuring timely corrective action is taken.

In this sub-docket R22-18(A) rulemaking, the Board thoroughly considered the potential economic impacts of requiring landfills to comply with monitoring and corrective action requirements for the Part 620 PFAS constituents. Detailed cost information is discussed in the Board’s first-notice opinion and order of June 18, 2026, which is available on the Board’s website at <https://pcb.illinois.gov/documents/dsweb/Get/Document-116306>. The Board found that potential additional costs to landfills to monitor groundwater for PFAS releases from those landfills are reasonable when weighed against the many adverse health effects of PFAS. Further, potential corrective action costs stemming from the results of PFAS monitoring at landfills are also reasonable, especially as many of the affected landfills are within proximity of potable water wells.

The Board concluded that requiring the landfills to address Part 620 PFAS constituents—as they are already required to address other constituents with Part 620 groundwater quality standards—is economically reasonable, technically feasible, and necessary to protect human health and the environment. The Board therefore proposed, for first notice, amending Part 620 by eliminating the PFAS exemptions available to landfills regulated by Part 811 or Part 814. The Board also declined the request of a landfill owner and operator to add a PFAS exemption for landfills regulated by 35 Ill. Adm. Code 807—thus, Part 807 landfills (required to close by the end of 1992 but may still be in post-closure care) would remain subject to Part 620 PFAS standards through IEPA

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permitting. Finally, the Board reiterated that landfills may pursue regulatory relief mechanisms like groundwater management zones, site-specific rules, and adjusted standards.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Do these proposed amendments contain incorporations by reference? No
- 10) Are there any proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of at least 45 days after the date of publication in the Illinois Register. Public comments should refer to Docket R22-18(A) and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at <https://pcb.illinois.gov/>. Public comments may be addressed to:

Clerk's Office
Illinois Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, IL 60605

312-814-3461
don.brown@illinois.gov

Interested persons may download copies of the Board's opinions and orders in R22-18(A) from the Board's Web site at <https://pcb.illinois.gov/> and may also request copies by calling the Clerk's office at 312-814-3620.

- 13) Initial Regulatory Flexibility Analysis:

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- A) Description of the type of small businesses, not for profit corporations, or small municipalities subject to the proposed amendment: The proposed amendments to 35 Ill. Adm. Code 620 would eliminate the PFAS exemptions available to any small business, small municipality, or not-for-profit corporation that owns or operates a landfill regulated by 35 Ill. Adm. Code 811 or 814. IEPA states that it does not maintain records identifying any Part 811 or Part 814 landfill as “small business” or identifying any municipal Part 811 or Part 814 landfill as “small municipality.”
- B) Description of the proposed reporting, bookkeeping and other procedures required for compliance with the amendment: Once the PFAS exemptions at 35 Ill. Adm. Code 620.410(f) and 620.420(e) are eliminated as proposed, the reporting, recordkeeping, permitting, and financial assurance requirements of the landfill rules at 35 Ill. Adm. Code 811 and 814 will apply regarding Part 620 PFAS constituents—as these requirements already apply regarding other Part 620 constituents.
- C) Description of the types of professional skills necessary for compliance: Once the PFAS exemptions at 35 Ill. Adm. Code 620.410(f) and 620.420(e) are eliminated as proposed, an environmental scientist, information technology professional, accounting professional, administrative professional, and a professional engineer or professional geologist will be necessary for compliance with the requirements of the landfill rules at 35 Ill. Adm. Code 811 and 814 regarding Part 620 PFAS constituents—as these professionals are already necessary for compliance with the landfill rule requirements regarding other Part 620 constituents.
- 14) Small Business Economic Impact Analysis:
Determine whether the rulemaking has an adverse impact on small business (fewer than 50 full-time employees or less than \$4,000,000 in gross annual sales). An adverse impact is one that can be reasonably foreseen on small businesses including, but not limited to, a loss of customers, loss of revenue, or increased business expenses. If the proposed amendment has an adverse impact on small business, the agency must provide an economic impact analysis including:
- A) Types of businesses subject to the proposed amendment (Check all that apply):
Once the PFAS exemptions at 35 Ill. Adm. Code 620.410(f) and 620.420(e) are

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eliminated as proposed, landfills regulated by 35 Ill. Adm. Code 811 and 814 will be subject to those landfill rules regarding Part 620 PFAS constituents.

Land and Lakes Co. identified both itself and its affiliated company, Stony Island Reclamation Co., as privately owned, for-profit businesses with less than ten employees. According to Land and Lakes Co., both companies own Part 811 landfills that no longer accept waste or have operating revenue.

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- B) Estimated number of small business subject to the proposed amendment: IEPA reports that there are 91 landfills subject to Part 811 or Part 814 permits. IEPA states that it does not maintain records identifying any Part 811 or Part 814 landfill as "small business." Land and Lakes Co. identified both itself and its affiliated company, Stony Island Reclamation Co., as "small business."
- C) Categories that the agency reasonably believes the rulemaking will impact, including (Check all that apply):
- ii. regulatory requirements;
 - iii. purchasing;
 - vi. equipment and material needs;
 - viii. record keeping;
- D) Projected reporting, recordkeeping and other administrative costs for compliance with the proposed amendment: Once the PFAS exemptions at 35 Ill. Adm. Code 620.410(f) and 620.420(e) are eliminated as proposed, the cost of compliance with the reporting, recordkeeping, permitting, and financial assurance requirements of the landfill rules at 35 Ill. Adm. Code 811 and 814 regarding Part 620 PFAS constituents should be comparable to the compliance costs incurred when the Board established or revised Part 620 groundwater quality standards last year for 38 constituents other than PFAS in the original rulemaking docket (R22-18).
- E) Type of professional skills necessary for preparation of any report or record required for compliance with the proposed amendment: Once the PFAS exemptions at 35 Ill. Adm. Code 620.410(f) and 620.420(e) are eliminated as proposed, an environmental scientist, information technology professional,

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accounting professional, and administrative professional will be necessary for compliance with reporting and recordkeeping requirements of the landfill rules at 35 Ill. Adm. Code 811 and 814 regarding Part 620 PFAS constituents—as these professionals are already necessary for compliance with those landfill rule requirements regarding other Part 620 constituents.

- F) Statement of the probable positive or negative economic effect on small business: Probable negative economic effects for landfills regulated by 35 Ill. Adm. Code 811 or 814 may include increased costs to monitor groundwater due to the addition of PFAS parameters and may include increased corrective action costs to address groundwater contamination due to PFAS releases from these landfills. See No. 5 above. Probable positive economic effects for Part 811 and Part 814 landfills may include lower or avoided corrective action costs and reduced liability exposure due to earlier groundwater monitoring detection of landfill PFAS releases.
 - G) Description of any less intrusive or costly alternative methods of achieving the purposes of the rule: The Board is unaware of any less intrusive or less costly alternative set of generally applicable rules for protecting human health and the environment from landfill PFAS releases. Landfills may pursue regulatory relief mechanisms like groundwater management zones, site-specific rules, and adjusted standards.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking did not appear in the two most recent Regulatory Agendas.
- 16) Any other information or justification for the proposed amendment that the agency believes would be helpful to the public regarding the proposed amendment. For example, a discussion or analysis of the benefits the proposed amendment is projected to have on the Illinois public, consumers, investors or other similar groups. See 5.

The full text of the proposed amendments begins on the next page: