

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
AMENDMENTS TO MANIFESTING) R19-018
REQUIREMENTS: SPECIAL WASTE HAULING) (Rulemaking - Land)
35 ILL. ADM. CODE 809)

NOTICE OF FILING

TO: See attached Certificate of Service.

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board ILLINOIS EPA'S POST-HEARING COMMENTS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gabriel H. Neibergall
Gabriel H. Neibergall
Assistant Counsel
Division of Legal Counsel
Gabriel.Neibergall@illinois.gov

DATED: June 26, 2019

1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

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ILLINOIS EPA'S POST-HEARING COMMENTS

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA” or “Agency”), by and through its counsel, and pursuant to the Illinois Pollution Control Board (“Board”) Hearing Officer’s instructions given June 6, 2019, submitting post-hearing comments in the above captioned rulemaking.

In the Hearing Officer Order dated May 7, 2019 (at page 2, Questions for IEPA, 1.b.) and during the subject rulemaking’s first hearing (*see* Transcript of May 9, 2019 Hearing at 10–13) the Agency was asked to provide a list of entities or organizations that either contacted the Agency or were contacted by the Agency in relation to e-Manifest system issues. That list includes: the Illinois Association of Wastewater Agencies (IAWA), the Illinois Environmental Regulatory Group (IERG), the National Solid Wastes Management Association (NSWMA), and Waste Management.

Additionally, the Agency was asked to provide a copy of the Agency’s nonhazardous special waste manifest form if it had been developed before the close of the record in this rulemaking. *See* Hearing Officer Order, May 7, 2019, at 5, Rule Language, 2.a.; Transcript of May 9, 2019 Hearing at 40. Said form has not yet been developed as of the date of this filing because pending legislation may affect the form’s design and content. *See* 101st Ill. Gen. Assem., House Bill 2764, 2019 Session.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gabriel H. Neibergall
Gabriel H. Neibergall
Assistant Counsel
Division of Legal Counsel
Gabriel.Neibergall@illinois.gov

DATED: June 26, 2019

Gabriel H. Neibergall, #6323183
Division of Legal Counsel
Illinois Environmental Protection Agency
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P.O. Box 19276
Springfield, IL 62794-9276
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CERTIFICATE OF SERVICE

I, the undersigned, an attorney, affirm that I have served the attached NOTICE OF FILING and ILLINOIS EPA'S POST-HEARING COMMENTS, on behalf of the Illinois EPA, upon the following person(s) by e-mail to the e-mail address(es) indicated below or, if no e-mail address is provided, by placing true copies, in an envelope duly addressed and bearing proper first class postage, in the United States mail at Springfield, Illinois on June 26, 2019:

TO:

Illinois Pollution Control Board
Don Brown, Clerk
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
don.brown@illinois.gov

Illinois Department of Natural Resources
Office of Legal Services
One Natural Resources Way
Springfield, Illinois 62702-1271
renee.snow@illinois.gov

Office of the Attorney General
Environmental Bureau North
69 West Washington Street, Suite 1800
Chicago, Illinois 60602
mdunn@atg.state.il.us

Heplerbroom, LLC
4340 Acer Grove Drive
Springfield, Illinois 62711
melissa.brown@heplerbroom.com

I affirm that my e-mail address is gabriel.neibergall@illinois.gov; the number of pages in the e-mail transmission is 5; and the e-mail transmission took place today before 4:30 PM. If you prefer service by mail, please contact me and a copy will be mailed to you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gabriel H. Neibergall
Gabriel H. Neibergall

Assistant Counsel
Division of Legal Counsel
Gabriel.Neibergall@illinois.gov

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