

**IDENTICAL-IN-SUBSTANCE RULEMAKING ADDENDUM  
TO THE OPINION AND ORDER OF THE BOARD**

**R21-13: RCRA Subtitle C Update, USEPA Amendments  
(July 1, 2020 through December 31, 2020)**

**R22-13: RCRA Subtitle C Update, USEPA Amendments  
(July 1, 2021 through December 31, 2021)**

**R24-4: RCRA Subtitle C Update, USEPA Amendments  
(January 1, 2023 through June 30, 2023)**

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The tables included in this addendum supplement the Board’s March 7, 2024 proposed opinion and order in the above-cited identical-in-substance rulemaking.

**Table 1:  
Federal Amendments That Are Not Necessary in This Docket**

**40 CFR § 1.5(e)(2) through (e)(5)**

Revised (¶¶ (e)(2) and (e)(3)); added (¶¶ (e)(4) and (e)(5)). 85 Fed. Reg. 51650, 51655-56 (Aug. 21, 2020).

Note: This USEPA rule, pertaining to authority of the Environmental Appeals Board has no counterpart in the Illinois rules.

**40 CFR §§ 49.159(d)(2) and 49.172(d)(2)**

Revised. 85 Fed. Reg. 51650, 51656 (Aug. 21, 2020).

Note: This USEPA rule, pertaining to appealing permit decisions under a federal implementation plan has no counterpart in the Illinois rules.

**40 CFR § 63.14(a) and (q)(2)(i)**

Revised. 85 Fed. Reg. 40594, 40606 (Aug. 21, 2020).

Note: Outside the IIS mandate but incorporated by reference (as 40 C.F.R. 63), which the Board updates.

**40 CFR §§ 71.11(l) and 71.11(l)**

Revised. 85 Fed. Reg. 51650, 51656-57 (Aug. 21, 2020).

Note: This USEPA rule, pertaining to appeal and the record in federal program permit decisions has no counterpart in the Illinois rules.

**40 CFR § 124.19(a)(4)(i), (e), (g), (l), (m) and (n)**

Revised. 85 Fed. Reg. 51650, 51657 (Aug. 21, 2020).

Note: This USEPA rule, pertaining to appeals of USEPA permit decisions to the Environmental Appeals Board does not require revising the Illinois rules for permit appeals

to the Board. USEPA revised (1) 40 C.F.R. § 124.19(a)(4)(i) limiting review to whether the permit determination was clearly erroneous; (2) 40 C.F.R. § 124.19(e) to limit *amicus curiae* briefs to 15 pages; (3) 40 C.F.R. § 124.19(g) limiting extensions of time to a single 30-day term; and (4) 40 C.F.R. § 124.19(l) limiting the time for Environmental Appeals Board decision to 60 days after the final brief or oral argument is concluded. 85 Fed. Reg. 51650 (Aug. 21, 2020). The Environmental Appeals Board authority and procedural requirements are outside the Board's IIS mandate. The rulemaking includes no elements required in a State program. 85 Fed. Reg. at 51655.

40 CFR § 260.11(a) and (b)

Revised. 85 Fed. Reg. 40594, 40606 (July 7, 2020).

Note: USEPA's removing 40 C.F.R. 278 from applicable rules was not necessary because there is no counterpart for chat in the Illinois rules. USEPA's revisions relating to access to documents were not relevant to document access in Illinois. Removing USEPA's former reference "for purchase" and rewording and reorganization of incorporations by reference was not necessary due to the

40 CFR § 278.3(b)(1) and (d)

Revised. 85 Fed. Reg. 40594, 40608 (July 7, 2020).

Note: USEPA's rules in 40 C.F.R. 278 relate exclusively to using granular mine tailings (chat) in asphalt concrete and Portland cement for federally funded transportation construction. The Board did not incorporate 40 CFR 278 into the Illinois regulations. *See RCRA Subtitle C Update, USEPA Regulations (July 1, 2007 through December 31, 2007)*, R08-16 (May 1, 2008) (dismissing docket, observing that there is no indication that 40 C.F.R. 278 applies in Illinois).

**Table 2:**  
**Deviations from the Text of the Federal Amendments**

35 Ill. Adm. Code 705.212 Board Note: Deleted "(2017)."

35 Ill. Adm. Code 720.103 preamble: Changed "35 Ill. Adm. Code 702, 703, 720 through 728, and 733" to "35 Ill. Adm. Code 720 through 728, 730, 733, 738, and 739."

35 Ill. Adm. Code 720.111(a), API: Changed "200 Massachusetts Avenue, N.W., Suite 1100, Washington DC 20001-5571, 202-682-8000" to "1220 L Street, Northwest, Washington, DC 20005, (855) 999-9870, www.api.org."

35 Ill. Adm. Code 720.111(a), ASTM: Changed "ASTM" to "ASTM International"; changed "from American Society for Testing Materials" to "from ASTM International"; changed "610-832-9500" to "877-909-ASTM or 610-832-9500."

35 Ill. Adm. Code 720.111(a), ASTM: Changed "ASTM D 93-85" to "ASTM D 93-80"; changed "Pensky-Martens Closed Tester" to "Pensky-Martens Closed Cup Tester"; changed "approved October 25, 1985" to "approved 1980."

35 Ill. Adm. Code 720.111(a), ASTM: Added the following incorporations by reference:

“ASTM D 3828-97, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 1997, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-98, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 1998, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-02, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2002, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-05, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2005, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-07, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2007, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-07a, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2007, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-09, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2009, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-12, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2012, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-12a, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2012, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-16a, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2016, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-16, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2016, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 3828-16a, ‘Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester’, approved 2016, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 8174-18, ‘Standard Test Methods for Finite Flash Point Determination of Liquid Wastes by Small-Scale Closed Cup Tester’, approved 2018, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM D 8175-18, ‘Standard Test Methods for Finite Flash Point Determination of Liquid Wastes by Pensky-Martens Closed Cup Tester’, approved 2018, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM E 681-85, ‘Standard Practice for Concentration Limits of Flammability of Chemicals (Vapors and Gases)’, approved 1985, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM E 681-98, ‘Standard Practice for Concentration Limits of Flammability of Chemicals (Vapors and Gases)’, approved 1998, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM E 681-01, ‘Standard Practice for Concentration Limits of Flammability of Chemicals (Vapors and Gases)’, approved 2001, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM E 681-04, ‘Standard Practice for Concentration Limits of Flammability of Chemicals (Vapors and Gases)’, approved 2004, reapproved 2015, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM E 681-09, ‘Standard Practice for Concentration Limits of Flammability of Chemicals (Vapors and Gases)’, approved 1009, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

“ASTM E 681-09(2015), ‘Standard Practice for Concentration Limits of Flammability of Chemicals (Vapors and Gases)’, approved 1009, reapproved 2015, USEPA-approved for 35 Ill. Adm. Code 721.121(a).”

35 Ill. Adm. Code 720.111(a), NFPA: Changed “1 Batterymarch Park, Quincy, MA 02169-7471, 617-770-3000 or 800-344-3555” to “P.O. Box 9101, Quincy, MA 02269-9191, 800-344-3555.”

35 Ill. Adm. Code 720.111(a): Added the following entity and incorporation by reference: “USEPA, NSCEP. National Service Center for Environmental Publications, <https://www.epa.gov/nscep>.”

“‘Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar Material) by Extraction and Gravimetry’, Revision A, February 1999, USEPA publication number EPA-821/R-98-002, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721. (Search: 821r98002.) Also available from NTIS.”

“‘Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar Material) by Extraction and Gravimetry’, Revision B, February 2010, USEPA publication number EPA-821/R-10-001, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721. (Search: 821r10001.) Also available from NTIS.”

35 Ill. Adm. Code 720.111(a), NTIS, “APTI Course 415: Control of Gaseous Emissions”: Added “Also available from NSCEP” after “and 725.935.”

35 Ill. Adm. Code 720.111(a), NTIS, “Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar Material) by Extraction and Gravimetry”:

Deleted “or Revision B, February 2010, USEPA publication number EPA 821/R 10-001, NTIS document number PB2011-100735,”; added “Also available from USEPA, NSCEP.” after “35 Ill. Adm. Code 721.”

35 Ill. Adm. Code 720.111(a), NTIS: Added the following incorporation by reference: “‘Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar Material) by Extraction and Gravimetry’, Revision B, February 2010, USEPA publication number EPA-821/R-10-001, NTIS document number PB2011-100735, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721. Also available from USEPA, NSCEP.”

35 Ill. Adm. Code 720.111(a), NTIS: Deleted the following Board note: “BOARD NOTE: Also available on the Internet for free download as a PDF document from the USEPA website at [www.epagov/cwa-methods](http://www.epagov/cwa-methods). Revision A is also from the USEPA, National Service Center for Environmental Publications (NSCEP) website at [www.epa.gov/nscep](http://www.epa.gov/nscep) (search “821R10001”).”

35 Ill. Adm. Code 720.111(a), NTIS, “Methods for Chemical Analysis of Water and Wastes”: Added “Also available from USEPA, NSCEP.” after “35 Ill. Adm. Code 725.192”; deleted the Board note.

35 Ill. Adm. Code 720.111(a), NTIS, “Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities”:

Added “Also available from USEPA, NSCEP.” after “35 Ill. Adm. Code 725.192.”

35 Ill. Adm. Code 720.111(a), NTIS, “Screening Procedures for Estimating the Air Quality Impact of Stationary Sources”:

Added “Also available from USEPA, NSCEP and USEPA, Receptor Analysis Branch.” after “35 Ill. Adm. Code 726.204 and 726.206”; deleted the Board note.

35 Ill. Adm. Code 720.111(a), NTIS, “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods:

Added the following incorporations by method:

Method 1010B (December 2018) (Test Methods for Flash Point by Pensky-Martens Closed Cup Tester), USEPA-approved for 35 Ill. Adm. Code 721.121 and Appendix I to 35 Ill. Adm. Code 721.

Method 1020C (December 2018) (Test Methods for Flash Point by Pensky-Martens Closed Cup Tester), USEPA-approved for 35 Ill. Adm. Code 721.121 and Appendix I to 35 Ill. Adm. Code 721.

Deleted the following incorporation by reference:

Method 1010A November 2004) (Test Methods for Flash Point by Pensky-Martens Closed Cup Tester), USEPA approved for Appendix I to 35 Ill. Adm. Code 721.

35 Ill. Adm. Code 720.111(a), OECD: Changed “www.oecd.org/washington” to “www.oecd-ilibrary.org.”

35 Ill. Adm. Code 720.111(a), USEPA: Changed “Office of Ground Water and Drinking Water” to “OGWDW.”

35 Ill. Adm. Code 720.111(b): Updated the years for all of the citations in this subsection to “2023.”

35 Ill. Adm. Code 720.111(b), Appendix A to 40 CFR 60: Added the following incorporation by reference:

“Method 23 (Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources) referenced in 35 Ill. Adm. Code 726.204.”

35 Ill. Adm. Code 721.121(a)(1): Changed “other than an aqueous solution” to “other than a solution”; changed “less than 24 percent alcohol by volume and has a flash point” to “less than 24 percent alcohol by and at least 50 percent water by weight, that has a flash point”; “as determined by a Pensky-Martens Closed Cup Tester, using the method specified in ASTM D 93-85 (Standard Test Methods for Flash Point by Pensky-Martens Closed Tester), or a Setaflash Closed Cup Tester, using the test method specified in ASTM D 3828-87, (Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester)” to “as determined by one of the following ASTM standards: D 93-79, D 93-80, D 3278-78, D 8174-18, or D 8175-18, each incorporated by reference in 35 Ill. Adm. Code 720.111(a), as specified in SW-846 Test Methods 1010B or 1020C.”

35 Ill. Adm. Code 721.121(a)(3): Changed “It is a flammable gas, as defined in federal 49 CFR 173.115 (Class 2, Divisions 2.1, 2.2, and 2.3 – Definitions), incorporated by reference in 35 Ill. Adm. Code 720.111(b), and as determined by the test methods described in that regulation or equivalent test methods approved by the Board (35 Ill. Adm. Code 720.120)” to “It is an ignitable gas”; deleted the Board note.

35 Ill. Adm. Code 721.121(a)(3)(A): Added this subsection to the rule text and added the following language: “The term ‘compressed gas’ designates any material or mixture having in the container an absolute pressure exceeding 40 p.s.i. at 70°F or, regardless of the pressure at 70 °F, having an absolute pressure exceeding 104 p.s.i. at 130 °F. Alternatively, the term ‘compressed gas’ designates any liquid flammable material having a vapor pressure exceeding 40 p.s.i. absolute at 100 °F, as determined by ASTM D 323.”

- 35 Ill. Adm. Code 721.121(a)(3)(B): Added this subsection to the rule text and added the following language: “A compressed gas is characterized as ignitable if any one of the following occurs:”
- 35 Ill. Adm. Code 721.121(a)(3)(B)(i): Added this subsection to the rule text and added the following language: “Either a mixture of 13 percent or less (by volume) with air forms a flammable mixture or the flammable range with air is wider than 12 percent regardless of the lower limit. These limits must be determined at atmospheric temperature and pressure. The method of sampling and test procedure must be ASTM E 681-85, incorporated by reference in 35 Ill. Adm. Code 720.111, or other equivalent methods approved by the Associate Administrator, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation.”
- 35 Ill. Adm. Code 721.121(a)(3)(B)(ii): Added this subsection to the rule text and added the following language: “It is determined to be flammable or extremely flammable using 49 CFR 173.115(l), incorporated by reference in 35 Ill. 720.111.”
- 35 Ill. Adm. Code 721.121(a)(4): Deleted the Board note.
- 35 Ill. Adm. Code 721.121(a)(4)(A)(i): Changed “material meets the definition of a explosive” to “material is a Division 1.1, 1.2, or 1.3 explosive.”
- 35 Ill. Adm. Code 722.181 “disposal operations”: Changed “Blending or mixing” to “Interim blending or mixing”; changed “Repackaging” to “Interim repackaging”; changed “operations D1 through D13” to “operations D1 through D12”; deleted “(for transboundary movements other than with Canada)”; changed “DC15” to “DC1”; changed “DC16” to “DC2”; deleted “DC 17 Interim storage, prior to any of operations D1 through D12 (for transboundary movements with Canada only).”
- 35 Ill. Adm. Code 722.181 “recovery operations”: Changed “R1 through R10 (for transboundary shipments other than with Canada)” to “R1 through R10 or RC 1”; changed “Exchange of wastes for submission to any of the operations numbered R1 through R11 (for transboundary shipments other than with Canada)” to “Interim exchanges of wastes before recycling using any of the operations numbered R1 through R11 or RC1”; changed “Accumulation of material” to “Interim accumulation of material”; changed “R1 through R12 (for transboundary shipments other than with Canada)” to “R1 through R11 or RC1”; changed “RC14” to “RC1”; changed “RC15” to “RC2”; changed “RC16” to “RC3.”
- 35 Ill. Adm. Code 722.183(b)(3): Deleted “RC16” before “or interim disposal operations”; deleted “DC17” before “, the notification submitted according to subsection (b)(1)”; changed “R11, RC14 to RC15, D1 through D12, and DC15 to DC16” to “R1 through R11, RC1 to RC2, D1 through D12, and DC1 to DC2.”
- 35 Ill. Adm. Code 722.183(f)(6): Changed “RC16, or interim disposal operations D13 through D15 or DC17” to “RC3, or interim disposal operations D13 through D15.”

- 35 Ill. Adm. Code 722.183(f)(6)(B): Changed “RC16 or one of the disposal operations D1 through D12, DC15, or DC16” to “RC1 or one of disposal operations D1 through D12, DC1, or DC2.”
- 35 Ill. Adm. Code 722.184(b)(2): Changed “R12, or R13 or interim disposal operations” to “R12, R13, or RC3 or interim disposal operations”; changed “R1 through R1 and D1 through D12” to “R1 through R11, RC1, and D1 through D12.”
- 35 Ill. Adm. Code 722.184(f)(5): Changed “R12, R13, or RC16 or interim disposal operations D13 through D15 or DC15 through DC17” to “R12, R13, or RC3 or interim disposal operations D13 through D15.”
- 35 Ill. Adm. Code 722.184(g)(2): Changed “R12, R13, or RC16, or disposal operations D13 through D15, or DC17” to “R12, R13, or RC3, or disposal operations D13 through D15.”
- 35 Ill. Adm. Code 722.184(h)(2)(C): Changed “R12, R13, or RC16, or disposal operations D13 through D15, or DC17” to “R12, R13, or RC3, or disposal operations D13 through D15.”
- 35 Ill. Adm. Code 724.112(a)(4)(B): Changed “R12, R13, or RC16 or disposal operations D13 through D15 or D17” to “R12, R13, or RC3 or disposal operations D13 through D15”; changed “the owner or operator must promptly, within one year” to “the owner or operator must promptly send copies of the confirmation of recovery or disposal that it receives from the final recovery or disposal facility within one year”; changed “R1 through R11 or RC16 or one of disposal operations D1 through D12 or DC15 or DC16, send copies of the confirmation of recovery or disposal that it receives from the final recovery or disposal facility to the competent authority” to “R1 through R11 or RC1 to RC2, or one of disposal operations D1 through D2 or DC1 to DC2, to the competent authority”; changed “USEPA electronically using USEPA’s WIETS” to “USEPA electronically using USEPA’s WIETS, or its successor system.”
- 35 Ill. Adm. Code 725.112(a)(4)(B): Changed “R12, R13, or RC16 or disposal operations D13 through D15 or DC17” to “R12, R13, or RC3 or disposal operations D13 through D15”; changed “R1 through R11 or RC16 or one of disposal operations D1 through D12, or DC15 to DC16” to “R1 through R11 or RC1 or one of disposal operations D1 through D12, or DC1 to DC2”; changed “USEPA’s WIETS” to “USEPA’s WIETS, or its successor system.”
- 35 Ill. Adm. Code 726.204(e)(1) (Board): Added “or Method 23 (Determination of Polychlorinated Dibenzo-*p*-Dioxins and Polychlorinated Dibenzofurans from Stationary Sources),” before “incorporated by reference”; changed “35 Ill. Adm. Code 720.111(a)” to “35 Ill. Adm. Code 720.111(b).”

**Table 3:**  
**Board Housekeeping Amendments**

- 35 Ill. Adm. Code 705.212(c) (Board): Changed “set forth” to “provided.”

35 Ill. Adm. Code 705.212(d) (Board): Deleted “the provisions of.”

35 Ill. Adm. Code 720.101(b)(1) (Board): Changed “Section 720.102 sets forth the rules” to “Section 720.102 provides the rules”; deleted “sets forth” before “the requirements that a generator”; changed “for the purposes of compliance with 35 Ill. Adm. Code 720” to “for the purpose of complying with 35 Ill. Adm. Code 720.”

35 Ill. Adm. Code 720.101(b)(2) (Board): Changed “for the purposes of compliance with 35 Ill. Adm. Code 720” to “for the purpose of complying with 35 Ill. Adm. Code 720.”

35 Ill. Adm. Code 720.102(a) (Board): Changed “Sections 7 and 7.1 of the Environmental Protection Act” to the defined short-form “Sections 7 and 7.1 of the Act.”

35 Ill. Adm. Code 720.102(b) (Board): Changed “in accordance with this Part” to “under this Part”; changed “a claim of business confidentiality covering part or all of that information” to “a claim of business confidentiality”; changed “the procedures set forth in 35 Ill. Adm. Code 130” to “the procedures in 35 Ill. Adm. Code 130”; changed “information covered by such a claim” to “information covered by the claim”; changed “set forth in 35 Ill. Adm. Code 130” to “provided in 35 Ill. Adm. Code 130.”

35 Ill. Adm. Code 720.102(c)(2) (Board): Changed “in accordance with 35 Ill. Adm. Code 722.120(a)(3)” to “under 35 Ill. Adm. Code 720.120(a)(3).”

35 Ill. Adm. Code 720.102(d)(1) (Board): Changed “No person may assert any claim” to “A person may not assert any claim”; changed “with respect to information contained” to “for the information contained.”

35 Ill. Adm. Code 720.103(a) (Board): Changed “Words in the masculine also the other two feminine and neuter genders” to “Words in any of the masculine, feminine, or neuter genders also includes the other two.”

35 Ill. Adm. Code 720.104 preamble (Board): Changed “Where the state in which waste is generated” to “If the state in which waste is generated”; changed “must do all of the following” to “must do the following.”

35 Ill. Adm. Code 720.105(a) (Board): Deleted “purposes of” before “this Section.”

35 Ill. Adm. Code 720.105(b) (Board): Changed “track the shipment and transportation of a state-only regulated waste” to “track the shipping and transporting a state-only regulated waste”; changed “facility receiving such a waste shipment” to “facility receiving the waste shipment.”

35 Ill. Adm. Code 720.109(a)(1) (Board): Changed “allow for the submission of any document” to “allow for submitting any document”; changed “require submission of electronic documents” to “require submitting of electronic documents”; changed “Section sets forth the

requirements for the optional electronic submission of any document” to “Section specifies the requirements for any document.”

35 Ill. Adm. Code 720.109(a)(3) (Board): Changed “whether or not the document” to “whether the document.”

35 Ill. Adm. Code 720.109(a)(3)(B) (Board): Changed “optical media, such as diskette, compact disc, digital video disc, or tape” to “optical media, e.g., a diskette, compact disc, digital video disc, or tape.”

35 Ill. Adm. Code 720.109(a)(4) (Board): Changed “approval for the submission of any types of documents” to “approval for submitting any types of documents”; changed “In the event of written cessation of USEPA approval for receiving any type of document” to “If USEPA ceases approval in writing for receiving any type of document”; changed “the Agency must similarly cause publication of a Notice of Public Information” to “the Agency must similarly publish a Notice of Public Information.”

35 Ill. Adm. Code 720.109(b) (Board): Deleted “the purposes of” before “this Section.”

35 Ill. Adm. Code 720.109(c) (Board): Changed “Procedures for Submission of Electronic Documents” to “Procedures for Submitting Electronic Documents.”

35 Ill. Adm. Code 720.109(c)(1) (Board): Changed “satisfies the requirements of 40 CFR 3.10” to “complies with 40 CFR 3.10.”

35 Ill. Adm. Code 720.109(d) (Board): Changed “Procedures for Submission of Electronic Documents” to “Procedures for Submitting Electronic Documents.”

35 Ill. Adm. Code 720.109(d)(1) (Board): Deleted “, but is not required to,” after “Board or the Agency may”; changed “rules for the electronic submission of documents” to “rules for submitting electronic documents”; changed “establish any such procedural rules” to “establish any procedural rules.”

35 Ill. Adm. Code 720.109(e) (Board): Changed “Effects of Submission of an Electronic Document” to “Effects of Submitting an Electronic Document.”

35 Ill. Adm. Code 720.109(e)(1) (Board): Changed “comply with the requirements of this Section” to “comply with this Section.”

35 Ill. Adm. Code 720.109(f) (Board): Changed “including, but not limited to, the following” to “including the following.”

35 Ill. Adm. Code 720.109(f)(5) (Board): Changed “The Environmental Protection Act” to the defined short-form “The Act.”

35 Ill. Adm. Code 720.109(f)(7) (Board): Changed “rules relating to protection of trade secrets” to “rules relating to protecting trade secrets.”

35 Ill. Adm. Code 720.110 “aboveground tank” (Board): Changed “situated in such a way that the entire surface area” to “situated so that the entire surface area.”

35 Ill. Adm. Code 720.110 “ancillary equipment” (Board): Changed “any device, including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps, that is used to distribute, meter, or control the flow of hazardous waste” to plural “any devices, like piping, fittings, flanges, valves, and pumps, that are used to distribute, meter, or control the flow of hazardous waste.”

35 Ill. Adm. Code 720.110 “authorized representative” (Board): Changed “the person responsible for the overall operation of a facility” to “the person overall responsible for operating a facility.”

35 Ill. Adm. Code 720.110 “battery” (Board): Changed “plus such connections (electrical and mechanical) as may be needed” to “plus those connections (electrical and mechanical) that are needed.”

35 Ill. Adm. Code 720.110 “boiler” (Board): Changed “primary energy recovery sections (such as waterwalls and superheaters)” to “primary energy recovery sections (like waterwalls and superheaters)”; changed “secondary energy recovery sections (such as economizers or air preheaters)” to “secondary energy recovery sections (like economizers or air preheaters).”

35 Ill. Adm. Code 720.110 “closed portion” (Board): Changed “closed in accordance with the approved facility” to “closed in compliance with the approved facility.”

35 Ill. Adm. Code 720.110 “contained” (Board): Changed “not covered by a permit (such as a permit to discharge to water or air) and may include, but are not limited to, releases through surface transport” to “not covered by a permit (e.g., a permit to discharge to water or air) and may include releases through surface transport”; changed “a system (such as a log) to immediately identify the hazardous secondary materials” to “a system (like a log) to immediately identify the hazardous secondary materials.”

35 Ill. Adm. Code 720.110 “corrosion expert” (Board): Changed “Such a person must be certified as being qualified” to “The person must be certified as being qualified.”

35 Ill. Adm. Code 720.110 “CRT collector” (Board): Changed “a person who receives used, intact CRTs” to “a person that receives used, intact CRTs.”

35 Ill. Adm. Code 720.110 “CRT exporter” (Board): Changed “arranging for such export” to “arranging for the export.”

35 Ill. Adm. Code 720.110 “CRT processing” (Board): Changed “conducting all of the following activities” to “conducting the following activities.”

35 Ill. Adm. Code 720.110 “designated facility” (Board): Changed “waste in accordance with 35 Ill. Adm. Code 724.172(f)” to “waste according to 35 Ill. Adm. Code 724.172(f)”; changed “to accept such waste” to “to accept the waste.”

35 Ill. Adm. Code 720.110 “destination facility” (Board): Changed “for the purposes of managing that category” to singular “for the purpose of managing that category.”

35 Ill. Adm. Code 720.110 “disposal” (Board): Changed “so that such solid waste or hazardous waste or any constituent thereof may enter the environment” to “so that the solid waste or hazardous waste or any of its constituent may enter the environment.”

35 Ill. Adm. Code 720.110 “elementary neutralization unit” (Board): Changed “device of which the following is true” to “device that meets the following.”

35 Ill. Adm. Code 720.110 “existing hazardous waste management (HWM) facility” (Board): Changed “A facility had commenced construction if the owner or operator had obtained the federal, State, and local approvals or permits necessary to begin physical construction” to “A facility commenced construction if the owner or operator obtained the federal, State, and local approvals or permits necessary to begin physically constructing the facility”; changed “either of the following had occurred” to “either of the following occurred”; changed “physical construction program had begun” to “physical construction program began”; changed “owner or operator had entered into contractual obligations” to “owner or operator entered contractual obligations”; changed “without substantial loss for physical construction of the facility” to “without substantial loss for physically constructing the facility.”

35 Ill. Adm. Code 720.110 “existing portion” (Board): Changed “Part A permit application” to “RCRA Part A permit application.”

35 Ill. Adm. Code 720.110 “existing tank system” (Board): Changed “permits necessary to begin physical construction of the site or installation of the tank system” to “permits necessary to begin physically constructing the site or installing the tank system”; changed “the owner or operator has entered into contractual obligations” to “the owner or operator entered contractual obligations”; changed “without substantial loss for physical construction of the site or installation of the tank system” to “without substantial loss for physically constructing the site or installing the tank system.”

35 Ill. Adm. Code 720.110 “explosives or munitions emergency” (Board): Changed “Such situations may require immediate and expeditious action” to “These situations may require immediate and expeditious action.”

35 Ill. Adm. Code 720.110 “explosives or munitions emergency response” (Board): Changed “delay in the completion of an explosives or munitions emergency response” to “delay in completing an explosives or munitions emergency response.”

35 Ill. Adm. Code 720.110 “facility” (Board): Changed “A facility may consist of several treatment, storage, or disposal operational units” to “A facility may comprise several treatment, storage, or disposal operational units”; changed “Notwithstanding the immediately-preceding paragraph” to “Despite the immediately-preceding paragraph”; changed “the site is located within such a facility” to “the site is located in the facility.”

35 Ill. Adm. Code 720.110 “federal, State, and local approvals or permits necessary to begin physically constructing” (Board): Changed the defined term “federal, State, and local approvals or permits necessary to begin physical construction” to “federal, State, and local approvals or permits necessary to begin physically constructing.”

Note: The defined term is used only in the definition of “existing hazardous waste management (HWM) facility” in this Section and in the definition of “existing tank system” in this Section and 35 Ill. Adm. Code 702.110.

35 Ill. Adm. Code 720.110 “hazardous secondary material generator” (Board): Deleted both “for purposes of” in this definition.

35 Ill. Adm. Code 720.110 “incinerator” (Board): Changed “any enclosed device of which the following is true” to “any enclosed device that”; changed “The facility uses controlled flame combustion, and both of the following are true of the facility” to “Uses controlled flame combustion, and the device”; changed “The facility does not meet the criteria” to “Does not meet the criteria”; changed “The facility is not listed” to “Is not listed”; changed “The facility meets the definition” to “Meets the definition.”

35 Ill. Adm. Code 720.110 “individual generator site” (Board): Changed the defined term “individual generation site” to “individual generator site” (three times); changed “such as a large manufacturing plant” to “like a large manufacturing plant.”

Note: The term “individual generation site” was use only in this definition itself and in 35 Ill. Adm. Code 721.111(a)(3)(H), which simply states the criteria USEPA has said it applies in determining to list a hazardous waste. The concept of the individual generator site but not the term is used for waste delisting in 35 Ill. Adm. Code 722.111(c). Neither the concept nor term is not for determining generator category in 35 Ill. Adm. Code 722.113 or exemption for on-site accumulation in 35 Ill. Adm. Code 722.114 and 722.116. The term is not needed for satellite accumulation because 35 Ill. Adm. Code 722.115(a) uses the narrower term “at or near any point of generation.” The term is immaterial for the large quantity generator accumulation rule in 35 Ill. Adm. Code 722.117 because amounts of hazardous waste accumulated is not a factor, only the accumulation time.

35 Ill. Adm. Code 720.110 “industrial furnace” (Board): Changed “including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces” to including pyrometallurgical devices like cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces”; changed “Halogen acid furnaces (HAFs) for the production of acid” to “Halogen acid furnaces (HAFs) for producing acid”; changed “Any other such device as the Agency determines to be an industrial furnace” to “Any other device that the Agency determines to be an industrial furnace.”

- 35 Ill. Adm. Code 720.110 “inground tank” (Board): Changed “a . . . tank whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground” to “a . . . tank with any portion of the tank wall situated within the ground, so that the ground prevents visually inspecting that external surface area of the tank.”
- 35 Ill. Adm. Code 720.110 “installation inspector” (Board): Changed “supervise the installation of tank systems” to “supervise installing tank systems.”
- 35 Ill. Adm. Code 720.110 “international shipment” (Board): Changed “the transportation of hazardous waste into or out of the jurisdiction” to “transporting hazardous waste into or out of the jurisdiction.”
- 35 Ill. Adm. Code 720.110 “lamp” (Board): Changed “lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-pressure sodium, and metal halide lamps” to “lamps include fluorescent, high intensity discharge, neon, mercury vapor, high-pressure sodium, and metal halide lamps.”
- 35 Ill. Adm. Code 720.110 “land treatment facility” (Board): Changed “such facilities are disposal facilities” to “these facilities are disposal facilities.”
- 35 Ill. Adm. Code 720.110 “landfill cell” (Board): Changed “uses a liner to provide isolation of wastes” to “uses a liner to isolate wastes.”
- 35 Ill. Adm. Code 720.110 “leak-detection system” (Board): Changed “Such a system must employ operational controls” to “The system must employ operational controls”; changed “consist of an interstitial monitoring device” to “comprise an interstitial monitoring device.”
- 35 Ill. Adm. Code 720.110 “mining overburden returned to the mine site” (Board): Changed “used for reclamation of a surface mine” to “used for reclaiming a surface mine.”
- 35 Ill. Adm. Code 720.100 “new tank system” (Board): Changed “except, however, for purposes of 35 Ill. Adm. Code 724.293(g)(2)” to “except for 35 Ill. Adm. Code 724.293(g)(2).”
- 35 Ill. Adm. Code 720.110 “on-ground tank” (Board): Changed “tank that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected” to “tank whose bottom is situated on the same level as the adjacent surrounding surfaces so that visually inspecting the external tank bottom is not possible.”
- 35 Ill. Adm. Code 720.110 “open burning” (Board): Changed “the combustion of any material” to “combusting any material”; changed “Control of combustion air” to “Controlling combustion air”; changed “Containment of the combustion reaction” to “Containing the combustion reaction”; changed “Control of emission” to “Controlling emission.”

- 35 Ill. Adm. Code 720.110 “operator” (Board): Changed “overall operation of a facility” to “overall operating a facility.”
- 35 Ill. Adm. Code 720.110 “partial closure” (Board): Changed “hazardous waste management unit in accordance with the applicable closure requirements” to “hazardous waste management unit in compliance with the applicable closure requirements.”
- 35 Ill. Adm. Code 720.110 “personnel” (Board): Changed “result in noncompliance with 35 Ill. Adm. Code 724” to “result in not complying with 35 Ill. Adm. Code 724.”
- 35 Ill. Adm. Code 720.110 “physical construction” (Board): Added the definition of a term used in the rules.  
 Note: The Board changed the term “physical construction” to “physically constructing” where found in the rules, in 35 Ill. Adm. Code 702.110 (definitions of “existing hazardous waste management (HWM) facility” (twice) and “federal, State, and local approvals or permits necessary to begin physically constructing”), 703.126, 703.151 (three times), 703.303 (twice), and 720.110 (definitions of “existing hazardous waste management (HWM) facility” (twice), “existing tank system” (twice), and “federal, State, and local approvals or permits necessary to begin physically constructing”).
- 35 Ill. Adm. Code 720.110 “point source” (Board): Changed “conveyance, including, but not limited to, any pipe, ditch, . . . or vessel” to “conveyance, including any pipe, ditch, . . . or vessel.”
- 35 Ill. Adm. Code 720.110 “qualified groundwater scientist” (Board): Changed “state registration, professional certifications, or completion of accredited university courses” to “state registration, professional certification, or completing accredited university courses.”
- 35 Ill. Adm. Code 720.110 “qualified groundwater scientist” Board note (Board): Changed “includes, but is not limited to, registration as a professional engineer” to “includes registration as a professional engineer”; changed “certification includes, but is not limited to, certification under the certified groundwater professional program” to “certification includes certification under the certified groundwater professional program.”
- 35 Ill. Adm. Code 720.110 “remanufacturing” (Board): Changed “processing a higher-value hazardous secondary material in order to manufacture a product” to “processing a higher-value hazardous secondary material to manufacture a product.”  
 Note: The text of corresponding 40 C.F.R. § 270.20(c) has combined past participle and future tenses in passive-voice “how the unit is or will be designed, constructed, operated, and maintained.” See the entry for 35 Ill. Adm. Code 703.202(g) above in this Table 3.  
 Note: 720.110 “remediation waste management site”
- 35 Ill. Adm. Code 720.110 “replacement unit” (Board): Changed “all or substantially all of the waste is removed” to “substantially all waste is removed.”

- 35 Ill. Adm. Code 720.110 “SIC code” (Board): Changed “as set forth in its publication” to “as provided in.”
- 35 Ill. Adm. Code 720.110 “thermostat” (Board): Changed “removed from such a temperature control device in compliance with 35 Ill. Adm. Code 733.113(c)(2)” to “removed from the temperature control device complying with 35 Ill. Adm. Code 733.113(c)(2).”
- 35 Ill. Adm. Code 720.110 “transport vehicle” (Board): Changed “used for the transportation of cargo” to “used for transporting cargo.”
- 35 Ill. Adm. Code 720.110 “transporter” (Board): Changed “engaged in the off-site transportation of hazardous waste” to “engaged in transporting hazardous waste off-site.”
- 35 Ill. Adm. Code 720.110 “treatability study” (Board): Deleted “the purpose of” before “35 Ill. Adm. Code 721.104(e).”
- 35 Ill. Adm. Code 720.110 “treatment” (Board): Deleted “so as” before “to neutralize the waste.”
- 35 Ill. Adm. Code 720.110 “universal waste handler” (Board): Changed “engaged in the off-site transportation of universal waste” to “engaged in transporting universal waste off-site.”
- 35 Ill. Adm. Code 720.110 “universal waste transporter” (Board): Changed “engaged in the off-site transportation of universal waste” to “engaged in transporting universal waste off-site.”
- 35 Ill. Adm. Code 720.110 “used oil” (Board): Changed “as a result of such use” to “because of this use.”
- 35 Ill. Adm. Code 720.110 “USEPA identification number” (Board): Changed “upon notification in compliance with the requirements of section 3010” to “upon notification complying with section 3010”; changed “section 3010 of RCRA (42 USC 6930)” to “section 3010 of RCRA” for the defined statute.
- 35 Ill. Adm. Code 720.110 “user of the Electronic Manifest System” (Board): Changed “is required to use a manifest” to “must use a manifest”; changed “data from such a paper copy” to “data from the paper copy.”
- 35 Ill. Adm. Code 720.110 “vessel” (Board): Changed “used as a means of transportation” to “used for transporting.”
- 35 Ill. Adm. Code 720.110 “wastewater treatment unit” (Board): Changed “means a device of which the following is true” to “means a device that”; changed “It is part of a wastewater treatment facility” to “Is part of a wastewater treatment facility”; changed “It receives and treats” to “Receives and treats”; changed “It meets the definition of tank” to “Meets the definition of tank.”

35 Ill. Adm. Code 720.110 “water (bulk shipment)” (Board): Changed “the bulk transportation of hazardous waste that is loaded or carried on board a vessel” to “transporting bulk hazardous waste loaded or carried on board a vessel.”

35 Ill. Adm. Code 720.110 “well injection” (Board): Changed “(See ‘underground injection.’)” to “means ‘underground injection.’”

35 Ill. Adm. Code 720.110 “zone of engineering control” (Board): Changed “upon detection of a hazardous waste release” to “upon detecting a hazardous waste release.”

35 Ill. Adm. Code 720.111(a) (Board):

35 Ill. Adm. Code 720.120(a) (Board): Changed “newly-adopted” to “newly adopted”; changed “rulemaking pursuant to 35 Ill. Adm. Code 102” to “rulemaking under 35 Ill. Adm. Code 102”; changed “through 728, 733, or 739, pursuant to Section 22.4(a) of the Environmental Protection Act” to “through 728, 733, or 739, under Section 22.4(a) of the Act.”

35 Ill. Adm. Code 720.120(b) (Board): Changed “Such proposal must conform” to “The proposal must conform”; changed “Title VII of the Environmental Protection Act” to “the Act.”

35 Ill. Adm. Code 720.121(a) (Board): Changed “requires rulemaking pursuant to Section 720.120” to “requires rulemaking under Section 720.120.”

35 Ill. Adm. Code 720.122(a)(2) (Board): Changed “that such factors do not warrant” to “that these factors do now warrant.”

35 Ill. Adm. Code 720.122(b) (Board): Changed “Where the waste is a mixture” to “If the waste is a mixture.”

35 Ill. Adm. Code 720.122(c)(2) (Board): Changed “that such factors do not warrant” to “that these factors do not warrant.”

35 Ill. Adm. Code 720.122(d)(1) (Board): Changed “waste fulfills the following criteria” to “waste meets the following.”

35 Ill. Adm. Code 720.122(d)(2) (Board): Changed “that such factors do not warrant” to “that these factors do not warrant.”

35 Ill. Adm. Code 720.122(d)(4) (Board): Changed “waste that is so excluded, however” to “waste that is excluded under this subsection (d), however.”

35 Ill. Adm. Code 720.122(e)(2) (Board): Changed “that such factors do not warrant” to “that these factors do not warrant.”

- 35 Ill. Adm. Code 720.122(e)(4) (Board): Added “under this subsection (e)” after “that is so excluded.”
- 35 Ill. Adm. Code 720.122(h) (Board): Changed “samples must consist of enough representative samples” to “samples must include enough representative samples”; changed “taken over a period of time sufficient” to “taken over a period sufficient.”
- 35 Ill. Adm. Code 720.122(i)(7) (Board): Changed “where the demonstration is based” to “if the demonstration is based.”
- 35 Ill. Adm. Code 720.122(i)(9) (Board): Changed “techniques used for extraction, containerization, and preservation of the samples” to “techniques used for extracting, containerizing, and preserving the samples.”
- 35 Ill. Adm. Code 720.122(m) (Board): Changed “identical in substance pursuant to Section 720.120(a)” to “identical in substance under Section 720.120(a).”
- 35 Ill. Adm. Code 720.122(n) (Board): Changed “the Board pursuant to a petition for adjusted standard pursuant to Section 28.1” to “the Board under a petition for adjusted standard under Section 28.1.”
- 35 Ill. Adm. Code 720.122(o) (Board): Changed “Such a finding is evidence” to “This Agency finding is evidence.”
- 35 Ill. Adm. Code 720.123(b)(1) (Board): Changed “the petitioner must demonstrate each of the following” to “the petitioner must demonstrate that regulation under the universal waste regulations of 35 Ill. Adm. Code 733.”
- 35 Ill. Adm. Code 720.123(b)(1)(A) (Board): changed “That regulation under the universal waste regulations of 35 Ill. Adm. Code 733 is appropriate for the waste” to “Is appropriate for the waste.”
- 35 Ill. Adm. Code 720.123(b)(1)(C) (Board): Changed “That regulation under 35 Ill. Adm. Code 733 will improve management practices” to “Will improve management practices.”
- 35 Ill. Adm. Code 720.123(b)(1)(C) (Board): Changed “That regulation under 35 Ill. Adm. Code 733 will improve implementation of the hazardous waste program” to “Will improve implementing the hazardous waste program.”
- 35 Ill. Adm. Code 720.123(c) (Board): Changed “the following with regard to regulation” to “the following regarding regulation.”
- 35 Ill. Adm. Code 720.123(c)(2) (Board): Changed “category of waste,” to “category of waste;.”
- 35 Ill. Adm. Code 720.123(c)(3) (Board): Changed “improve implementation of the hazardous waste program” to “improve implementing the hazardous waste program.”

35 Ill. Adm. Code 720.123(d) (Board): Changed “that set forth in 35 Ill. Adm. Code 733.181” to “that provided in 35 Ill. Adm. Code 733.181.”

35 Ill. Adm. Code 720.131(a) (Board): Changed “speculatively without sufficient amounts being recycled” to “speculatively without enough being recycled”; changed “demonstrates that sufficient amounts of the material” to “demonstrates that enough material”; changed “Such a determination is valid” to “This Board determination is valid.”

35 Ill. Adm. Code 720.131(b)(3) (Board): Changed “The time periods between generating” to “The periods between generating.”

35 Ill. Adm. Code 720.131(c) (Board): Changed “whether all of the following decision criteria” to “whether the following decision criteria.”

35 Ill. Adm. Code 720.131(c)(2) (Board): Changed “the partially-reclaimed material” to “the partially reclaimed material.”

35 Ill. Adm. Code 720.131(c)(3) (Board): Changed “the partially-reclaimed material” to “the partially reclaimed material”; “materials which is used” to “materials that is used.”

35 Ill. Adm. Code 720.131(c)(4) (Board): Changed “the partially-reclaimed material” to “the partially reclaimed material”; changed “such as bills of lading” to “like bills of landing.”

35 Ill. Adm. Code 720.131(c)(5) (Board): Changed “the partially-reclaimed material” to “the partially reclaimed material.”

35 Ill. Adm. Code 720.133(c) (Board): Changed “In the event of a change in circumstances” to “If a change of circumstances”; changed “the applicant must send a description” to “the applicant must submit a description”; changed “requests modification of the previously granted solid waste” to “requests modifying the previously granted solid waste.”

35 Ill. Adm. Code 720.134(a) (Board): Changed “Board pursuant to this Section, Section 720.133” to “Board under this Section, Section 720.133”; “changed “determination pursuant to Section 720.131” to “determination under Section 720.131”; changed “Board pursuant to this Section becomes effective” to “Board under this Section becomes effective.”

35 Ill. Adm. Code 720.134(a)(2) (Board): Changed “granted such authorization” to “granted authorization”; changed “fulfillment of all of the following conditions” to “fulfillment of the following conditions.”

35 Ill. Adm. Code 720.134(a)(2)(A) (Board): Changed “standard which determines” to “standard that determines.”

35 Ill. Adm. Code 720.134(b) (Board): Changed “determined pursuant to Section 720.143” to “determined under Section 720.143.”

- 35 Ill. Adm. Code 720.134(b)(4) (Board): Changed “factors which demonstrate that the hazardous secondary material” to “factors that demonstrate that the hazardous secondary material.”
- 35 Ill. Adm. Code 720.134(c) (Board): Changed “determine pursuant to Section 720.143” to “determined under Section 720.143.”
- 35 Ill. Adm. Code 720.134(c)(5) (Board): Changed “factors which demonstrate” to “factors that demonstrate.”
- 35 Ill. Adm. Code 720.140(a) (Board): Changed “regulated pursuant to 35 Ill. Adm. Code 721.106(b) and (c) rather than pursuant to the provisions of Subpart F” to “regulated under 35 Ill. Adm. Code 721.106(b) and (c) rather under the provisions of Subpart F.”
- 35 Ill. Adm. Code 720.140(a)(1) (Board): Changed “types of materials accumulated or stored” to “types and amounts of materials accumulated or stored.”
- 35 Ill. Adm. Code 720.140(b) (Board): Changed “decision are set forth in Section 720.141” to “decision are provided in Section 720.141.”
- 35 Ill. Adm. Code 720.141(a) (Board): Changed “a notice setting forth the factual basis” to “a notice stating the factual basis”; deleted “such” after “Upon receiving”; changed “stating whether or not compliance with 35 Ill. Adm. Code 722 is required, and setting forth the reasons” to “stating whether complying with 35 Ill. Adm. Code 722 is required, and stating the reasons”; changed “Such memorandum of decision” to “The memorandum of decision”; changed “Proceedings before the Board must be in general accordance with the rules set forth in 35 Ill. Adm. Code 105” to “Proceedings before the Board must be according to the rules in 35 Ill. Adm. Code 105.”
- 35 Ill. Adm. Code 720.141(b) (Board): Changed “six months of notice, as specified in the notice” to “six months after notice, as specified in the notice.”
- 35 Ill. Adm. Code 720.142(a) (Board): Changed “hazardous secondary materials which are excluded” to “hazardous secondary materials that are excluded.”
- 35 Ill. Adm. Code 720.142(a)(3) (Board): Deleted “BOARD NOTE:.”
- 35 Ill. Adm. Code 720.142(a)(5) (Board): Changed “managing hazardous secondary materials in accordance with 35 Ill. Adm. Code 721.104(a)(24)” to “managing hazardous secondary materials under 35 Ill. Adm. Code 721.104(a)(24).”
- 35 Ill. Adm. Code 720.142(b) (Board): Changed “managing hazardous secondary materials in accordance with a regulation” to “managing hazardous secondary materials in compliance with a regulation”; deleted “purposes of” before “this Section.”

35 Ill. Adm. Code 720.143(a) (Board): Deleted “purpose of the” after “hazardous secondary materials for the”; deleted “all the requirements of” after “must address”; deleted “the requirements of” after “must consider.”

35 Ill. Adm. Code 720.143(a)(3) (Board): Changed “Where there is an analogous raw material” to “If there is an analogous raw material”; changed “Where there is no analogous raw material” to “If there is no analogous raw material”; changed “the environment and which are not recovered” to “the environment and that are not recovered.”

35 Ill. Adm. Code 720.143(b) (Board): Changed “making a determination as to the overall legitimacy” to “determining the overall legitimacy.”

35 Ill. Adm. Code 720.143(b)(1) (Board): Deleted “all of” after “recycling process fulfills.”

35 Ill. Adm. Code 720.143(b)(2) (Board): Changed “making a determination that a hazardous secondary material” to “determining that a hazardous secondary material”; changed “after careful evaluation of these considerations” to “after carefully evaluating these considerations.”

35 Ill. Adm. Code 721 Appendix I, Table A heading (Board): Changed “USEPA pursuant to 40 CFR 260.20” to “USEPA under 40 CFR 260.20.”

35 Ill. Adm. Code 721 Appendix I, Table B heading (Board): Changed “USEPA pursuant to 40 CFR 260.20” to “USEPA under 40 CFR 260.20.”

35 Ill. Adm. Code 721 Appendix I, Table C heading (Board): Changed “USEPA pursuant to 40 CFR 260.20” to “USEPA under 40 CFR 260.20.”

35 Ill. Adm. Code 721.120(a) (Board): Changed “which is not excluded” to “that is not excluded.”

35 Ill. Adm. Code 721.120(a) Board note (Board): Changed “35 Ill. Adm. Code 722.111 sets forth the generator’s responsibility” to “35 Ill. Adm. Code 722.111 states the generator’s responsibility.”

35 Ill. Adm. Code 721.120(b) (Board): Changed “USEPA hazardous waste number that is applicable as set forth in this Subpart C” to “USEPA hazardous waste number that is applicable as specified in this Subpart C.”

35 Ill. Adm. Code 721.120(c) (Board): Deleted “purposes of” before “this Subpart C.”

35 Ill. Adm. Code 721.121(a)(2) (Board): changed “absorption of moisture” to “absorbing moisture.”

- 35 Ill. Adm. Code 721.121(a)(4)(A)(ii) (Board): Changed “The material is forbidden to be offered for transportation according to 49 CFR 172.101 and 49 CFR 173.21,” to “Offering the material for transportation is forbidden under 49 CFR 172.101 and 49 CFR 173.21;”
- 35 Ill. Adm. Code 721.121(a)(4)(A)(iii) (Board): Changed “It is determined that the predominant hazard” to “The predominant hazard”; added a period after “hazard in transportation.”
- 35 Ill. Adm. Code 721.124(a) (Board): Changed “Where the waste contains less than 0.5 percent filterable solids” to “If the waste contains less than 0.5 percent filterable solids”; changed “is considered to be the extract for the purpose of this Section” to “is the extract for this Section.”
- 35 Ill. Adm. Code 722.181 preamble (Board): Deleted “this” before “Subpart H”; deleted “this” before “Part 722.”
- 35 Ill. Adm. Code 722.181 definitions (Board): Fixed the quotation marks around each definition.
- 35 Ill. Adm. Code 722.181 “export” (Board): Deleted “purposes of” before “recovery or disposal operations at the destination.”
- 35 Ill. Adm. Code 722.181 “exporter” (Board): Changed “accordance with Section 722.183(d)” to “compliance with Section 722.183(d)”; changed “accordance with Subpart B” to “compliance with Subpart B.”
- 35 Ill. Adm. Code 722.181 “foreign exporter” (Board): Changed “movement commences, possession or other forms” to “movement starts, possession or other forms.”
- 35 Ill. Adm. Code 722.181 “foreign importer” (Board): Changed “hazardous waste upon receipt of the exported hazardous waste in the country of import” to “hazardous waste once the exported hazardous waste is received in the country of import.”
- 35 Ill. Adm. Code 722.181 “foreign receiving facility” (Board): Deleted “applicable” before “domestic law to receive.”
- 35 Ill. Adm. Code 722.181 “import” (Board): Deleted “purposes of” before “recovery or disposal operations at the destination.”
- 35 Ill. Adm. Code 722.181 “OECD guidance manual” (Board): Changed “which set forth the substantive requirements” to “which state the substantive requirements.”
- 35 Ill. Adm. Code 722.181 “receiving facility” (Board): Deleted “applicable” before “domestic laws.”

- 35 Ill. Adm. Code 722.181 “recognized trader” (Board): Changed “legal control of such wastes” to “legal control of the wastes”; changed “such a person may act” to “the person may act.”
- 35 Ill. Adm. Code 722.181 “recovery facility” (Board): Deleted “applicable” before “domestic law.”
- 35 Ill. Adm. Code 722.181 “recovery operations” (Board): Changed “Uses of residual materials” to “Use of residual materials.”
- 35 Ill. Adm. Code 722.183(a)(6) (Board): Changed “in accordance with” to “in compliance with.”
- 35 Ill. Adm. Code 722.183(b)(1)(E) (Board): Fixed the quotation marks for “U.S.” and “USA01.”
- 35 Ill. Adm. Code 722.183(b)(2) (Board): Deleted “allowable” before “methods listed in subsection (b)(1).”
- 35 Ill. Adm. Code 722.183(b)(3) (Board): Deleted “foregoing” before “foreign receiving facilities.”
- 35 Ill. Adm. Code 722.183(b)(4) (Board): Deleted “allowable” before “methods in subsection (b)(1).”
- 35 Ill. Adm. Code 722.183(b)(7) (Board): Changed “in accordance with subsection (b)(1)” to “in compliance with subsection (b)(1).”
- 35 Ill. Adm. Code 722.183(b)(8) (Board): Deleted “in order” before “to respond to a notification.”
- 35 Ill. Adm. Code 722.183(c)(1) (Board): Changed “In lieu of the name” to “Instead of the name.”
- 35 Ill. Adm. Code 722.183(d)(1) (Board): Changed “foreign importer prior to shipment” to “foreign importer before shipment.”
- 35 Ill. Adm. Code 722.183(d)(2)(G) (Board): Changed “date movement commenced” to “date movement started.”
- 35 Ill. Adm. Code 722.183(d)(2)(N) (Board): Changed “movement commences until” to “movement starts until.”
- 35 Ill. Adm. Code 722.183(e) (Board): Changed “completed in accordance with the terms” to “completed in compliance with the terms”; deleted “such” before “other period of time”; changed “in accordance with subsection (h)” to “in compliance with subsection (h).”

- 35 Ill. Adm. Code 722.183(f)(3)(A) (Board): “facility having actual possession or physical control” to “facility in possession of or physical control.”
- 35 Ill. Adm. Code 722.183(f)(5) (Board): Changed “but no later than thirty days after completing recovery” to “within thirty days after completing recovery”; changed “no later than one calendar year following receipt of the waste” to “within one calendar year after receiving the waste.”
- 35 Ill. Adm. Code 722.183(f)(6)(A) (Board): changed “prior to any re-export of the hazardous wastes” to “before any re-export of the hazardous wastes.”
- 35 Ill. Adm. Code 722.183(f)(7) (Board): Changed “in accordance with applicable national or international law requirements” to “in compliance with national or international law requirements.”
- 35 Ill. Adm. Code 722.183(f)(7) Board note (Board): Changed “competent authorities are intended to provide” to “competent authorities are intended to provide”; deleted “as foreseen” after “recovery operations cannot be carried out”; deleted “such” after “The United States does not require.”
- 35 Ill. Adm. Code 722.183(f)(8) (Board): Deleted “this” before “Subpart H.”
- 35 Ill. Adm. Code 722.183(g) (Board): Changed “USEPA no later than March 1” to “USEPA by March 1”; deleted “such” after “an ultimate destination of all”; changed “Prior to December 31, 2018” to “Before December 31, 2018”; changed “AES per subsection (a)(6)(A)(i)” to “AES under subsection (a)(6)(A)(i)”; deleted “of” before “the following information.”
- 35 Ill. Adm. Code 722.183(g)(5) (Board): Changed “provided pursuant to Section 722.141” to “provided under Section 722.141.”
- 35 Ill. Adm. Code 722.183(g)(5)(A) (Board): Changed “efforts undertaken during the year” to “efforts taken during the year.”
- 35 Ill. Adm. Code 722.183(g)(5)(B) (Board): Changed “waste actually achieved during the year” to “waste achieved during the year”; changed “to the extent such information is available for years prior to 1984” to “to the extent the information is available for years before 1984.”
- 35 Ill. Adm. Code 722.183(h)(1) (Board): Changed “exception report in lieu of the requirements” to “exception report instead of the requirements.”
- 35 Ill. Adm. Code 722.183(h)(1)(B) (Board): Changed “receiving facility in accordance with subsection (d)” to “receiving facility in compliance with subsection (d).”
- 35 Ill. Adm. Code 722.183(h)(1)(C) (Board): Changed “one day prior to the date the return shipment commences” to “one day before the date the return shipment starts.”

35 Ill. Adm. Code 722.183(h)(2) (Board): Changed “Prior to December 31, 2018” to “Before December 31, 2018.”

35 Ill. Adm. Code 722.183(g)(1)(A) (Board): Deleted “for a period of” after “USEPA AOC.”

35 Ill. Adm. Code 722.183(g)(1)(B) (Board): Deleted “for a period of” after “copy of each annual report.”

35 Ill. Adm. Code 722.183(g)(1)(E) (Board): Changed “per Section 722.185 for at least three years from the expiration date of the contract” to “under Section 722.185 for at least three years after the date the contract expires.”

35 Ill. Adm. Code 722.183(g)(2) (Board): Changed “recordkeeping requirements by retaining electronically submitted documents” to “recordkeeping requirements by keeping electronically submitted documents”; changed “provided that copies are readily available” to “if the copies are readily available”; changed “No exporter may be held liable for the inability to produce such documents” to “An exporter may not be held liable for the inability to produce the documents”; changed “for which the exporter bears no responsibility” to “for which the exporter has no responsibility.”

35 Ill. Adm. Code 722.183(g)(3) (Board): Changed “Board review pursuant to Section 40” to “Board review under Section 40.”

35 Ill. Adm. Code 722.184(a)(1) (Board): Changed “With the exception of subsection (a)(5)” to “Except for subsection (a)(5)”; deleted “such time” before “the approval period expires.”

35 Ill. Adm. Code 722.184(a)(2) (Board): Changed “USEPA in accordance with subsection (b)” to “USEPA in accordance with subsection (b).”

35 Ill. Adm. Code 722.184(b) (Board): Deleted “, thus,” after “waste as hazardous waste and”; deleted “to it” after “does not require the foreign exporter to submit.”

35 Ill. Adm. Code 722.184(b)(1) (Board): Deleted “of” before “the following information.”

35 Ill. Adm. Code 722.184(b)(1)(E) (Board): Fixed the quotation marks around “U.S.” and “USA01.”

35 Ill. Adm. Code 722.184(b)(1)(F) (Board): Changed “country name alpha-2 codee” to “country name alpha-2 code.”

35 Ill. Adm. Code 722.184(b)(1)(M) (Board): Changed “that states as follows” to “that states the following.”

- 35 Ill. Adm. Code 722.184(b)(3) (Board): Changed “When the foreign exporter wishes to change” to “If the foreign exporter wishes to change”; deleted “allowable” before “methods in subsection (b)(1).”
- 35 Ill. Adm. Code 722.184(b)(5) (Board): Changed “Where USEPA and the countries of transit consent” to “If USEPA and the countries of transit consent”; changed “Where any of the countries of transit or USEPA objects” to “If any of the countries of transit or USEPA objects.”
- 35 Ill. Adm. Code 722.184(c)(4) (Board): Changed “USEPA in accordance with 35 Ill. Adm. Code 724.171(a)(3)” to “USEPA in compliance with 35 Ill. Adm. Code 724.171(a)(3).”
- 35 Ill. Adm. Code 722.184(c)(5) (Board): Changed “In lieu of the requirements” to “Instead of the requirement”; changed “where a shipment cannot be delivered” to “if a shipment cannot be delivered.”
- 35 Ill. Adm. Code 722.184(d)(1) (Board): Changed “importer must ensure that a movement document” to “importer must make sure that a movement document”; changed “importer prior to shipment” to “importer before shipment.”
- 35 Ill. Adm. Code 722.184(d)(2)(G) (Board): Changed “date movement commenced” to “date movement started.”
- 35 Ill. Adm. Code 722.184(d)(2)(N) (Board): Changed “movement commences until” to “movement starts until.”
- 35 Ill. Adm. Code 722.184(e) (Board): Changed “When a transboundary movement of hazardous wastes” to “If a transboundary movement of hazardous wastes”; changed “completed in accordance with the terms” to “completed in compliance with the terms.”
- 35 Ill. Adm. Code 722.184(f)(1) (Board): Deleted “the purposes of” after “contract or equivalent arrangements is valid for.”
- 35 Ill. Adm. Code 722.184(f)(3) (Board): Changed “document in accordance with Section” to “document in compliance with Section.”
- 35 Ill. Adm. Code 722.184(f)(4) (Board): Changed “In such cases, the contract must specify each of the following” to “In these cases, the contract must specify the following.”
- 35 Ill. Adm. Code 722.184(f)(4)(A) (Board): Changed “receiving facility having actual possession” to “receiving facility in possession.”
- 35 Ill. Adm. Code 722.184(f)(6) (Board): Changed “in accordance with applicable national” to “in compliance with applicable national.”

- 35 Ill. Adm. Code 722.184(f)(6) Board note (Board): Deleted “such” before “financial guarantees at this time.”
- 35 Ill. Adm. Code 722.184(f)(7) (Board): Deleted “applicable” after “contracting party to comply with all”; delete “this” before “Subpart H.”
- 35 Ill. Adm. Code 722.184(g)(1) (Board): Deleted the extra comma after “country of export”; “changed “but no later than thirty days after completing recovery” to “within thirty days after completing recovery”; changed “no later than one calendar year following receipt of the waste” to “within one calendar year after receiving the waste.”
- 35 Ill. Adm. Code 722.184(h)(1)(A) (Board): Deleted “for a period of” after “USEPA AOC the importer receives in response.”
- 35 Ill. Adm. Code 722.184(h)(1)(B) (Board): Changed “the expiration date of the contract or equivalent arrangement” to “the date the contract expires or equivalent arrangement.”
- 35 Ill. Adm. Code 722.184(h)(2)(D) (Board): Changed “established per subsection (f)” to “established under subsection (f)”; changed “from the expiration date of the contract or equivalent arrangement” to “from after the contract expires or equivalent arrangement.”
- 35 Ill. Adm. Code 722.184(h)(3) (Board): Changed “An importers or receiving facility” to “An importer or receiving facility”; changed “requirements by retaining electronically submitted documents” to “requirements by keeping electronically submitted documents”; changed “provided that copies are readily available” to “if the copies are readily available”; changed “No importer or receiving facility may be held liable” to “An importer or receiving facility may not be held liable”; changed “produce such documents for inspection” to “produce the documents for inspection”; changed “receiving facility bears no responsibility” to “receiving facility has no responsibility.”
- 35 Ill. Adm. Code 722.184(h)(4) (Board): Changed “during the course of any unresolved enforcement action” to “during any unresolved enforcement action.”
- 35 Ill. Adm. Code 722.184(h)(4) Board note (Board): Changed “Board review pursuant to Section 40” to “Board review under Section 40.”
- 35 Ill. Adm. Code 724.112(a)(1) (Board): Changed “such owner or operator of the facility” to “the owner or operator of the facility”; deleted “allowable” before “methods listed in 35 Ill. Adm. Code 722.182(e).”
- 35 Ill. Adm. Code 724.112(a)(2) (Board): Changed “document bearing all required signatures within three working days after receipt of the shipment” to “document with all the required signatures within three working days after receiving the shipment”; changed “provided that copies are readily available for viewing and production if request by any USEPA or Agency inspector” to “if copies are readily available for viewing and production upon request by any USEPA or Agency inspector”; changed “No owner or operator of a facility may be held

liable” to “An owner or operator of a facility may not be held liable”; changed “USEPA’s WIETS for which the owner or operator of a facility bears no responsibility” to “USEPA’s WIETS and the owner or operator of a facility has no responsibility.”

35 Ill. Adm. Code 724.112(a)(3) (Board): Changed “such owner or operator of the facility must inform USEPA, using the allowable methods listed” to “the owner or operator of the facility must inform USEPA, using the methods listed.”

35 Ill. Adm. Code 724.112(a)(4)(A) (Board): Changed “but no later than 30 days after completing recovery” to “within 30 days after completing recovery”; changed “no later than one calendar year following receipt of the waste” to “within one calendar year after receiving the waste.”

35 Ill. Adm. Code 725.112(a)(1) (Board): Deleted “allowable” before “methods listed in 35 Ill. Adm. Code 722.184(b)(1).”

35 Ill. Adm. Code 725.112(a)(2) (Board): Changed “movement document bearing all required signatures within three working days after receipt of the shipment” to “movement document with all the required signatures within three working days after receiving the shipment”; changed “provided that copies are readily available for viewing and production if requested by any USEPA or Agency inspector” to “if copies are readily available for viewing and production upon request by any USEPA or Agency inspector”; changed “No owner or operator of a facility may be held liable” to “An owner or operator of a facility may not be held liable.”

35 Ill. Adm. Code 725.112(a)(3) (Board): Changed “such owner or operator of the facility must inform USEPA, using the methods listed” to “the owner or operator of the facility must inform USEPA, using the methods listed.”

35 Ill. Adm. Code 725.112(a)(4) (Board): Changed “such owner or operator must” to “the owner or operator must.”

35 Ill. Adm. Code 725.112(a)(4)(A) (Board): Changed “but no later than thirty days” to “but within thirty days”; changed “no later than one calendar year following receipt of the waste” to “within one calendar year after receiving the waste.”

35 Ill. Adm. Code 725.112(a)(4)(B) (Board): Changed “as an export of hazardous waste. On or after the electronic import-export reporting” to “as an export of hazardous waste; on or after the electronic import-export reporting”; changed “disposal operations in this paragraph” to “disposal operations in this subsection.”

35 Ill. Adm. Code 726.204(a) (Board): Changed “DRE Standard” to “Destruction Removal Efficiency (DRE) Standard.”

- 35 Ill. Adm. Code 726.204(a)(1) (Board): Changed “Except as provided in subsection (a)(3), a BIF burning hazardous waste” to “Except for subsection (a)(3), a boiler and industrial furnace (BIF) burning hazardous waste.”
- 35 Ill. Adm. Code 726.204(a)(2) (Board): Changed “Section must be demonstrated in a trial burn in conformance with procedures” to “Section must be demonstrated in a trial burn in compliance with procedures.”
- 35 Ill. Adm. Code 726.204(a)(3) (Board): Changed “must achieve a destruction and removal efficiency (DRE)” to “must achieve a DRE.”
- 35 Ill. Adm. Code 726.204(b)(1) (Board): Changed “Except as provided in subsection (c)” to “Except for subsection (c).”
- 35 Ill. Adm. Code 726.204(b)(2) (Board): Changed “monitored in conformance with” to “monitored according to.”
- 35 Ill. Adm. Code 726.204(c)(1) (Board): Changed “100 ppmv limit provided that stack gas concentrations of HCs do not exceed 20 ppmv, except as provided by subsection (f)” to “100 ppmv limit if stack gas concentrations of HCs do not exceed 20 ppmv, except for subsection (f).”
- 35 Ill. Adm. Code 726.204(c)(3) (Board): Changed “HC must be continuously monitored in conformance with” to “HC must be continuously monitored according to”; changed “monitored in conformance with subsection (b)(2)” to “monitored accordance to subsection (b)(2).”
- 35 Ill. Adm. Code 726.204(d) (Board): Changed “HC limits provided by subsection (c)” to “HC limits of subsection (c).”
- 35 Ill. Adm. Code 726.204(f) (Board): Changed “duct provided that the following conditions are fulfilled” to “duct if the following conditions are met.”