

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: RCRA Permit Program
- 2) Code Citation: 35 Ill. Adm. Code 703
- 3) Section Number: 703.123                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? 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

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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 R25-22 and be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website at [www.pcb.illinois.gov](http://www.pcb.illinois.gov). Public comments may be addressed to:

Clerk's Office  
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[don.brown@illinois.gov](mailto:don.brown@illinois.gov)

Interested persons may download copies of the Board's opinions and orders in R25-22 from the Board's Web site at [www.pcb.illinois.gov](http://www.pcb.illinois.gov) and may also request copies by calling the Clerk's office at (312) 814-3620.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3) Section Number: 720.110                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 13, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: These proposed amendments do not create or

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## NOTICE OF PROPOSED AMENDMENT

enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Identification and Listing of Hazardous Waste
- 2) Code Citation: 35 Ill. Adm. Code 721
- 3) Section Number: 721.109                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? 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

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

805/3].

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code Citation: 35 Ill. Adm. Code 724
- 3) Section Number: 724.101                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: These proposed amendments do not create or

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enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3].

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- 13) Initial Regulatory Flexibility Analysis:
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  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code Citation: 35 Ill. Adm. Code 725
- 3) Section Number: 725.101                      Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
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- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Land Disposal Restrictions
- 2) Code Citation: 35 Ill. Adm. Code 728
- 3) Section Number: 728.101                      Proposed Action:  
Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: No
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? 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

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- 13) Initial Regulatory Flexibility Analysis:
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  - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendments in this rulemaking will not themselves require recordkeeping or reporting procedures for compliance.
  - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rule did not appear in the previous two regulatory agendas.

The full text of the Proposed Amendment begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for Universal Waste Management
- 2) Code Citation: 35 Ill. Adm. Code 733
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
733.101	Amendment
733.107	New Section
733.108	Amendment
733.109	Amendment
733.113	Amendment
733.114	Amendment
733.132	Amendment
733.133	Amendment
733.134	Amendment
733.139	Amendment
733.162	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 103-372 created the Paint Stewardship Act, which requires manufacturers of architectural paint sold at retail in the State of Illinois to establish and operate a post-consumer paint stewardship program. Public Act 103-887 allows collection of oil-based paints as universal waste. IEPA is required to propose rules within in 60 days of the effective date of the Public Act, and the Board is required to adopt the rules within 180 days of receipt of the IEPA proposal. IEPA explains that universal waste management is material-specific and applies only to specific wastes identified in the Board's universal waste rules. The universal waste rules are structured in a way that allows new wastes to be added and currently, the Board's universal waste rules apply to: batteries, pesticides, mercury-containing equipment, lamps, certain household wastes, and certain very small quantity generator (VSQG) wastes. IEPA proposed to add "paint and paint-related waste" (PPRW) to list of universal wastes and to make PPRW subject to the requirements of other designated universal wastes. IEPA proposed amendments to Part 733 to incorporate PPRW as a universal waste. In addition, amendments are being proposed to Parts 703, 720, 721, 724, 725, and 728 to reflect PPRW as a universal waste.
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- C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: The Board does not expect that the proposed rules will impact small business.
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