



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

September 11, 2025

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

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 49, Issue 37 of the Illinois Register, dated 9/12/2025.

ADOPTED RULES

RCRA Permit Program	
35 Ill. Adm. Code 703	11329
Point of Contact: Shannon Bilbruck	
Hazardous Waste Management System: General	
35 Ill. Adm. Code 720	11338
Point of Contact: Shannon Bilbruck	
Identification and Listing of Hazardous Waste	
35 Ill. Adm. Code 721	11375
Point of Contact: Shannon Bilbruck	
Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	
35 Ill. Adm. Code 724	11384
Point of Contact: Shannon Bilbruck	
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	
35 Ill. Adm. Code 725	11403
Point of Contact: Shannon Bilbruck	
Land Disposal Restrictions	
35 Ill. Adm. Code 728	11420
Point of Contact: Shannon Bilbruck	



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

Standards for Universal Waste Management

35 Ill. Adm. Code 733

11429

Point of Contact: Shannon Bilbruck

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

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: RCRA Permit Program
- 2) Code Citation: 35 Ill. Adm. Code 703
- 3) Section Number: 703.123 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5114, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version:
703.123 delete "are among those that"
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: 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

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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.

- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Clerk's Office
Illinois Pollution Control Board
60 E Van Buren St., Suite 630
Chicago, IL 60605

312-814-3620
don.brown@illinois.gov

Copies of the Board's opinions and orders are available through the Clerk's Office On-Line (COOL) on the Board's website (<https://pcb.illinois.gov/>). You may also request copies of the Board's opinions and orders from the Clerk at the address listed above or by calling 312-814-3620. Please refer to docket number R25-22 in your request.

The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3) Section Number: 720.110 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2, 13, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5124, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: 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

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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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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED 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 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5162, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? Yes

<u>Section:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
721.141	Amendment	49 Ill. Reg. 5726; April 25, 2025

- 15) Summary and Purpose of Rulemaking: 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

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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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The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED 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 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5172, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: 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

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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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The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED 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 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5192, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: 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

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The full text of the adopted amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Land Disposal Restrictions
- 2) Code Citation: 35 Ill. Adm. Code 728
- 3) Section Number: 728.101 Adopted Action: Amendment
- 4) Statutory Authority: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendment is available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5210, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: 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

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The full text of the adopted amendment begins on the next page:

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

<u>Section Numbers:</u>	<u>Adopted 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 and 22.4, and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].
- 5) Effective Date of Rule: AUG 27 2025
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Statement of Availability: The adopted amendments are available on the Board's website (<https://pcb.illinois.gov/>) and is also on file and available for public inspection in the Board's Chicago office, 60 E. Van Buren, Suite 630, Chicago, IL 60605.
- 9) Notice of Proposal Published in Illinois Register: 49 Ill. Reg. 5220, April 18, 2025
- 10) Has JCAR issued a Statement of Objections to this rulemaking? No
- 11) Differences between proposal and final version:

733.107 Source Note, strike "Former" and "733.107", change "Repealed" to "repealed", strike "733.107" and change "Added" to "added".

733.109 FIFRA definition, strike "USC" and add "U.S.C."

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733.109 Pesticide definition, strike “USC” and add “U.S.C.” four times.

733.113 d), add “Universal Waste”

733.113 d)3)B)iii), strike “(d)(5)(A)” and add “(d)(3)(A)”.

733.113 e), add “Universal Waste”

733.113 f)3)C), remove “properly”, after “paint-related waste” add “in compliance with Section 733.137”, after “cleanup” add “in compliance with the Act and Board regulations”

733.113 f)3)D), delete “733.113(f)(1)” and add “subsection (f)(1)”.

733.113 f)3)E), delete “733.113(f)(1)” and add “subsection (f)(1)”.

733.113 f)4), add “Ignitable universal waste paint or paint-related waste.”

733.113 f)4)A), add “Except for subsection (f)(4)(D),”, after first paragraph add “B)”, after “radiant heat” add “C)”, add “D) A small quantity handler of universal waste at a retail site participating as a drop-off or collection site for universal waste paint or paint-related waste under an approved Paint Stewardship program plan is exempt from subsection (f)(4)(A).”

733.113 g), add “If a small quantity handler of universal waste paint or paint-related waste under an approved Paint Stewardship”

733.114 e), after “Each” add “universal waste”

733.133 d), add “Universal Waste”

733.133 d)3)B)iii), strike “(d)(5)(A)” and add “(d)(3)(A)”.

733.133 e), add “Universal Waste”

733.133 f), add “Universal Waste”

733.133 f)3)D), delete “733.113(f)(1)” and add “subsection (f)(1)”.

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733.133 f)3)E), delete “733.113(f)(1)” and add “subsection (f)(1)”.

733.133 f)4), add “Ignitable universal waste paint or paint-related waste.” The large paragraph was separated into A), B) and C).

733.133 f)4)B), delete “, but not limited to,”.

733.134 e), after “Each” add “universal waste”, strike “such” add “the”

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? Yes

<u>Sections:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
733.118	Amendment	49 Ill. Reg. 5737; April 25, 2025
733.138	Amendment	49 Ill. Reg. 5737; April 25, 2025
733.161	Amendment	49 Ill. Reg. 5737; April 25, 2025

- 15) Summary and Purpose of Rulemaking: 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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