

Board Adopts Order Requesting Expedited Corrections of Two Hazardous Waste Generator Rules

By an opinion and order of November 7, 2024, in RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2023 through December 31, 2023), docket R24-12, the Board adopted amendments to the Illinois hazardous waste rules intended to be “identical in substance” (IIS) to amendments made by the United States Environmental Protection Agency to its corresponding hazardous waste regulations. The Board’s amendments became effective on November 7, 2024, including amendments to 35 Ill. Adm. Code 722.116 and 722.117. The heading of Section 722.116 is “Conditions for Exemption for a Small Quantity Generator That Accumulates Hazardous Waste.” And the heading of Section 722.117 is “Conditions for Exemption for a Large Quantity Generator That Accumulates Hazardous Waste.”

While reviewing the Board’s pending IIS rulemaking captioned RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2024 through December 31, 2024), docket R25-12, staff of the Joint Committee on Administrative Rules (JCAR) discovered that background text in Sections 722.116 and 722.117 did not include some of the final amendments from the Board’s concluded R24-12 rulemaking described above. Upon investigating the errors, it was determined that the Illinois Administrative Code pages filed by the Board with the Office of the Secretary of State for Sections 722.116 and 722.117 failed to include some of their respective amendments due to clerical oversight.

Accordingly, on May 7, 2026, the Board issued an order in docket R24-12 to request that JCAR certify expedited corrections of the scrivener’s errors in Sections 722.116 and 722.117 under Section 5-85(b) of the Illinois Administrative Procedure Act (5 ILCS 100/5-85(b) (2024)). The corrections appear in the Board’s May 7, 2026 [correction order](#). A Request for Expedited Correction will be published in the *Illinois Register*. And upon JCAR’s certification of the expedited correction, a Notice of Expedited Correction will be published in the *Illinois Register*. For more information, please contact Richard McGill at richard.mcgill@illinois.gov.