

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of)	
)	
PROPOSED AMENDMENTS TO)	
SPECIAL WASTE REGULATIONS)	R06-20
CONCERNING USED OIL,)	
35. Ill. Adm. Code, 808, 809)	
)	

NOTICE OF FILING

To: ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on May 16, 2006 we filed the attached **PRE-FILED TESTIMONY OF VICTORIA CUSTER** with Dorothy Gunn, Clerk of the Illinois Pollution Control Board, a copy of which is herewith served upon you.

Respectfully submitted,

NORA, AN ASSOCIATION OF RESPONSIBLE
RECYCLERS

By: //Claire A. Manning
Claire A. Manning, one of its attorneys

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **PRE-FILED TESTIMONY OF VICTORIA CUSTER** was filed, electronically, with the Clerk of the Illinois Pollution Control Board, and with copies of such rule proposal being placed in the U.S. mail on May 16, 2006 and addressed to:

DOROTHY GUNN
Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

TIM FOX
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

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Springfield, Illinois 62703

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PRE-FILED TESTIMONY OF VICTORIA CUSTER

Good morning. My name is Victoria Custer and I have been employed by Southwest Oil for 31 years.

Southwest Oil is a used oil collector that has watched the used oil industry evolve and environmental regulations be established – for good reasons. In 1984 used oil recycling was largely unregulated, but the adoption of comprehensive regulatory controls, strongly supported by NORA and its members, sharply reduced inferior management practices.

Used oil has departed from a waste that the automotive industry paid a fee for removal, to a highly sought commodity ... a product with a value ... energy recovery. A commodity bought and sold in commerce is by definition valuable and is therefore handled with greater care. This used oil product is usually classified as on-specification oil that is utilized primarily as an industrial burner fuel which is completely incinerated.

I am the chairperson for NORA's Illinois Working Group and a director on the board of NORA.

NORA, an Association of Responsible Recyclers is a national trade association comprised of more than 200 companies that promotes proper recycling through education and the development of legislation at the federal, state and local levels. Founded in 1984, NORA

was active in the development of the regulations promulgated by the United States Environmental Protection Agency ("US EPA") that govern the handling and recycling of used oil.

NORA members each year commit to the following Guiding Principles in the management of sound environmental policy, a high standard of integrity, continual improvement and the implementation of six principles in conducting business activities.

1. Make health, safety and environmental considerations a top priority in planning for all existing and new facilities, processes, products and services.
2. Commitment to comply with all applicable environmental laws and regulations.
3. Identify and implement, where practicable, pollution prevention measures, source reduction and waste minimization that are appropriate to the nature, scale and environmental impacts of our activities and service.
4. Participate with government and others in creating responsible laws, regulations and standards to safeguard our community, workplace and environment.
5. Communicate this commitment to responsible recycling and these guiding principles to employees, customers and community.
6. And continually seek opportunities to improve the principles and procedures of responsible recycling by sharing experiences with others and periodically reviewing overall environmental performance.

NORA consists of eleven committees. The Illinois Working Group is a subgroup of the Used Oil Recycling Council and was created to seek revisions to the IPCB special waste regulations as they relate to the used oil recycling industry in Illinois. The Illinois Working Group's goal is to seek an Illinois program equivalent to the federal program and eliminate the burdensome special

waste hauling and manifesting requirements imposed on used oil. The inconsistency adversely impacts NORA members as it is more onerous to do business in Illinois than in neighboring states.

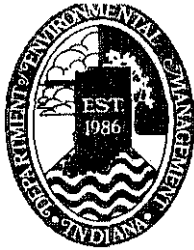
The State of Indiana is a specific example of how Illinois' treatment of used oil is more regulatorily burdensome. On January 20, 1988, Indiana's Solid Waste management Board voted to repeal Indiana's Liquid Industrial Waste Hauler Rule effective March 6, 1988. See Exhibit A. The repeal ended the requirement to have a permit to haul liquid industrial waste in the State of Indiana and the associated monthly reporting requirement. The repeal did not affect hazardous waste transportation requirements. Following the federal program without the added burden of managing additional paperwork, eased the excessive redundant responsibilities of employees.

In closing, Southwest Oil would not only benefit from the elimination of this excessive expense and redundant responsibilities required of employees, but our customer base will grow based on the fact that generators will not feel the apprehension and stigma that is associated with the manifest, even though tracking will be performed as required by the federal program, which has been adopted in Illinois.

Respectfully submitted,

/s/Victoria Custer

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NANCY A MALO LEY, Commissioner

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Indianapolis 46206-6015
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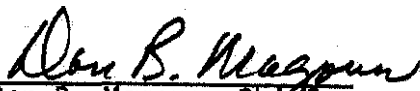
FINAL NOTICE TO LIQUID WASTE HAULER PERMIT HOLDERS

On January 20, 1988, the Solid Waste Management Board voted to repeal 330 IAC 4-10 (formerly SPC-17), Indiana's Liquid Industrial Waste Hauler Rule. This action has been approved by the Office of the Attorney General and the Governor of the State of Indiana. The final action was filed with the Indiana Secretary of State on February 5, 1988.

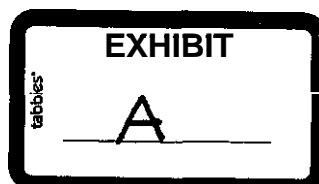
Notice is hereby given that effective March 6, 1988, 330 IAC 4-10 is repealed. This repeal ends the requirement to have a permit to haul liquid industrial waste in the State of Indiana and the associated monthly reporting requirement. This repeal does not affect hazardous waste transportation requirements as defined by 320 IAC 4.1, consistent with requirements of the Resource Conservation and Recovery Act.

If you have any questions regarding this matter, please contact Mr. Jeff McClain of this office at AC 317/232-4524.

Dated at Indianapolis, Indiana, this ~~xxx~~ day of February 1988.


Dan B. Magoun, Chief
Solid Waste Management Branch
Office of Solid and Hazardous

Waste Management



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