



July 28, 2006

Ms. Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

RE: R2006-020
Reform to using a DOT Bill of Lading for used oil shipments

To Whom It May Concern:

Heritage-Crystal Clean, LLC is writing to express support for the Amendments to the Board's Special Waste Rules Concerning Used Oil proposal, 35 Ill. Adm. Code 808, 809, RC 06-20. Thank you for this opportunity to provide additional comments in the above-referenced rulemaking.

In almost all states, used oil is transported under Department of Transportation (DOT) shipping papers. DOT requires that specific information be included on shipping papers, but DOT does not require use of a specific form. The advantage of such an approach is that shipping papers may fulfill both regulatory requirements and business needs. Shipment information and business transaction information may be combined on one piece of paper. This is the approach that is taken in almost all states.

Current Illinois regulations require use of a hazardous waste manifest for used oil. This means that both a manifest and another business transaction document (such as a work order) must be used for each transaction.

The definition of used oil is outlined in U.S. Environmental Protection (U.S. EPA) regulations found at 40 CFR 279. Used oil includes used oil, oily water, and other used oil soaked debris and absorbent. Illinois has requirements for equivalency to these Federal regulations. In order to promote recycling of used oil, U.S. EPA does not require a hazardous waste for shipments of used oil. Illinois has overreached its statutory authorities by imposing requirements that go beyond Federal requirements for used oil.

The use of hazardous waste manifests for used oil does not promote additional recycling and does not provide additional environmental protection or integrity of the regulatory framework. The requirement to use hazardous waste manifests is wasteful and puts an undue burden on Illinois businesses. Current manifesting requirements are not a good use of the resources of the State of Illinois.

In closing, Heritage-Crystal Clean supports the NORA proposal for the elimination of hazardous waste manifests for used oil shipments in Illinois. We urge the Illinois Pollution Control Board to also support this regulatory improvement.

If you have further questions or comments, please contact me at 847-783-5949 or catherine.mccord@crystal-clean.com.

Sincerely,

Catherine A. McCord
Vice President
Environment, Health & Safety