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STATE OF ILLINOIS  
Pollution Control Board

PC #69

206-20

Sept. 24, 2008

Mr. Timothy J Fox  
Hearing Officer – IPCB  
100 W. Randolph St.  
Suite 11-500  
Chicago, IL 60601

Mr. Fox:

Safety-Kleen is North America's leading provider of responsible used oil collection, re-refining and recycling. In addition, SK along with other collectors, transporters and recyclers manage other oily wastes and waste-waters as used oil under 40 CFR 279. As such we are in firm support of NORA's position to eliminate the manifest requirements in Illinois for any material managed as used oil.

While the IPCB has agreed to some extent with NORA's position, IEPA still wants to require a manifest for Oily Wastewaters even though they are managed as used oil and the valuable oil portion is recovered. Under NORA's proposal all relevant information and more than that required by a manifest would be set forth in a tracking document such as a bill of lading or other Waste Tracking Document. The basics of SK's and NORA's position are:

- The tracking documents currently used by collectors/transporters in Illinois contain all the information required by the manifest.
- There is no logical or process related reason why materials otherwise regulated as used oil (e.g. oily wastewater should not be handled as used oil.
- No other states have such an odd and confusing system (i.e. used oil would not need a manifest but other materials regulated and managed as used oil would require a manifest).
- There is no evidence of any environmental problems or concerns in the states bordering Illinois that do not require manifest for materials managed as used oils.
- IEPA has regulations to cover well defined special wastes that require a manifest. The Used Oil and Oily Water management program already has explicit boundaries that preclude unauthorized waste
- IEPA does not even want copies of the manifests for purposes of monitoring the generators, collectors/transporters or processors yet it creates a cumbersome, unnecessary and economically burdensome paper-trail.

Representatives of Safety Kleen will attend the hearing on this matter that is scheduled before the IPCB for October 1 in Chicago. My notes indicate that the Docket reference is: Proposed Amendments to the Board's Special Waste Regulations Concerning Used Oil, 35 Ill. ADM. Code 808, 809. R06-20 (Rulemaking – Land). If I am in error or there has been changes please let me know via phone call or e-mail as soon as possible

Sincerely,

Thomas Rubasky  
Director Oil Operations – West Group  
219-712-5829  
[Tom.Rubasky@safety-kleen.com](mailto:Tom.Rubasky@safety-kleen.com)

Safety-Kleen Systems, Inc.

601 Riley Road

East Chicago, IN 46312-1698

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Fax 219.391.6180



**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATER OF:	)	
PROPOSED AMENDMENTS TO THE	)	
BOARD'S SPECIAL WASTE REGULATIONS	)	R06-20
CONCERNING USED OIL	)	(Rulemaking – Land)
35 ILL. ADM. CODE 808, 809	)	
	)	
COMMENTS OF VARIOUS ENTITIES	)	
PRE-FILED TESTIMONY	)	

**NOTICE OF FILING**

Office of the Attorney General  
69 West Washington Street, Suite 1800  
Chicago, Illinois 60602

Ms. Deirdre K. Hirner  
Executive Director  
Illinois Pollution Control Board  
100 Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Mr. Matthew J. Dunn  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P. O. Box 19276  
Springfield, Illinois 62794

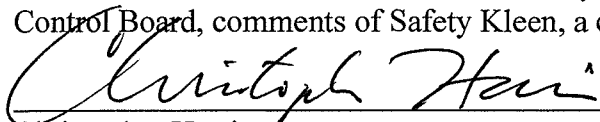
Ms. Dorothy Gunn  
Clerk of Illinois Pollution Control  
Board  
100 Randolph Street Suite 11-500  
Chicago, Illinois 60601

Stephanie Flowers, Esquire  
Brown, Hay and Stephens, L.L.P.  
700 First Mercantile Bank Building  
205 South Fifth Street  
P. O. Box 2459  
Springfield, Illinois 62705

Tim Fox, Esquire  
Hearing Officer  
Illinois Pollution Control Board  
100 Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Claire A. Manning, Esquire  
Illinois Environmental Regulatory Group  
215 East Adams Street  
Springfield, Illinois 62701

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board, comments of Safety Kleen, a copy of which is herewith served upon you.

  
\_\_\_\_\_  
Christopher Harris  
September 25, 2008

2001 South Tracy  
Bozeman, Montana 59715  
Telephone: (406) 586-9902

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached comments of Safety Kleen, by U. S. mail, upon the following persons:

Office of the Attorney General  
69 West Washington Street, Suite 1800  
Chicago, Illinois 60602

Mr. Matthew J. Dunn  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P. O. Box 19276  
Springfield, Illinois 62794

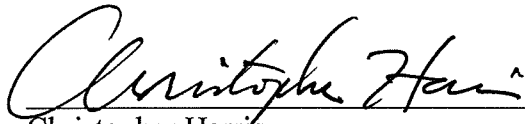
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\_\_\_\_\_  
Christopher Harris  
September 25, 2008