NOTICE OF PROPOSED AMENDMENTS

- 1) <u>Heading of the Part</u>: Standards for the Management of Used Oil
- 2) <u>Code Citation</u>: 35 Ill. Adm. Code 739
- 3) <u>Section Numbers</u>: <u>Proposed Actions</u>: 739.142 Amendment 739.151 Amendment 739.162 Amendment 739.173 Amendment

4) <u>Statutory Authority</u>: 415 ILCS 5/7.2, 22.4, and 27

STATE OF ILLINOIS Pollution Control Board

5) <u>A Complete Description of the Subjects and Issues Involved</u>: The amendments to Part 739 are a single segment of the docket R19-11 rulemaking that also affects 35 Ill. Adm. Code 703, 720 through 725, 727, and 733. The R19-11 rulemaking updates the Illinois hazardous waste rules to incorporate amendments adopted by the United States Environmental Protection Agency (USEPA) during the second half of 2018: July 1, 2018 through December 31, 2018. A comprehensive description is contained in the Board's opinion and order of February 14, 2019, proposing amendments in docket R19-11, which opinion and order is available from the address below.

R19-11 further includes limited corrections and conforming revisions that the Board finds necessary to previously adopted rules. The Board includes non-substantive stylistic revisions to provisions opened for amendments--many of anticipate changes ordinarily requested by the Joint Committee on Administrative Rules (JCAR).

The following briefly summarizes the federal action in the update periods:

Conditional Exclusion of Airbag Waste from Regulation as Hazardous Waste— November 30, 2018 (83 Fed. Reg. 61552): By an interim final rule immediately effective on publication, USEPA conditionally excluded airbag waste from regulation as hazardous waste by amendments to 40 CFR 260, 261, and 262. The Board incorporates most of these USEPA revisions into corresponding 35 Ill. Adm. Code 720, 721, and 722. USEPA intended to avoid hazardous waste requirements impeding replacement of defective airbags in the Takata recall.

Specifically, the amendments to Part 739 standardize use of USEPA Form 8700-12 and conform the format of contact information.

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NOTICE OF PROPOSED AMENDMENTS

Tables appear in a document entitled "Identical-in-Substance Rulemaking Addendum (Proposed)" that the Board added to docket R19-11. The tables list the deviations from the literal text of the federal amendments and the several necessary corrections and stylistic revisions not directly derived from USEPA actions. Persons interested in the details of those deviations from the literal text should refer to the Identical-in-Substance Rulemaking Addendum (Proposed) in docket R19-11.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

- 6) <u>Published studies or reports, and sources of underlying data, used to compose this</u> <u>rulemaking</u>: None
- 7) <u>Does this rulemaking replace an emergency rule currently in effect</u>? No
- 8) <u>Does this rulemaking contain an automatic repeal date?</u> No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) <u>Statement of Statewide Policy Objective</u>: These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
- 12) <u>Time, Place and Manner in which interested persons may comment on this proposed</u> <u>rulemaking</u>: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R19-11 and be addressed to:

Don A. Brown, Clerk Illinois Pollution Control Board State of Illinois Center, Suite 11-500 100 W. Randolph St. Chicago IL 60601

Please direct inquiries to the following person and reference docket R19-11:

NOTICE OF PROPOSED AMENDMENTS

Michael J. McCambridge Staff Attorney Illinois Pollution Control Board 100 W. Randolph, 11-500 Chicago IL 60601

312/814-6924 e-mail: michael.mccambridge@illinois.gov

Request copies of the Board's opinion and order at 312/814-3620, or download a copy from the Board's website at pcb.illinois.gov.

- 13) Initial Regulatory Flexibility Analysis:
 - A) <u>Types of small businesses, small municipalities, and not-for-profit corporations affected</u>: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
 - B) <u>Reporting, bookkeeping or other procedures required for compliance</u>: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
 - C) <u>Types of professional skills necessary for compliance</u>: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
- 14) <u>Small Business Impact Analysis</u>: Sections 1-5(c) and 5-30 of the Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30 (2018)] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
- 15) <u>Regulatory Agenda on which this rulemaking was summarized</u>: January 2019

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NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page:

JCAR350739-1902953r01 1 **TITLE 35: ENVIRONMENTAL PROTECTION** 2 SUBTITLE G: WASTE DISPOSAL 3 CHAPTER I: POLLUTION CONTROL BOARD 4 SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS 5 6 **PART 739** 7 STANDARDS FOR THE MANAGEMENT OF USED OIL 8 9 SUBPART A: DEFINITIONS 10 11 Section Definitions 12 739.100 13 14 SUBPART B: APPLICABILITY 15 16 Section 17 739.110 Applicability Used Oil Specifications 18 739.111 Prohibitions 19 739.112 20 739.113 **Electronic Reporting** 21 22 SUBPART C: STANDARDS FOR USED OIL GENERATORS 23 24 Section 739.120 25 Applicability 739.121 Hazardous Waste Mixing 26 27 739.122 Used Oil Storage 28 739.123 **On-Site Burning in Space Heaters** 29 739.124 **Off-Site Shipments** 30 31 SUBPART D: STANDARDS FOR USED OIL COLLECTION CENTERS 32 AND AGGREGATION POINTS 33 34 Section 35 739.130 Do-It-Yourselfer Used Oil Collection Centers 739.131 Used Oil Collection Centers 36 37 739.132 Used Oil Aggregate Points Owned by the Generator 38 39 SUBPART E: STANDARDS FOR USED OIL TRANSPORTER 40 AND TRANSFER FACILITIES 41 42 Section Applicability 43 739.140

1.

44	739.141	Restrictions on Transporters that Are Not Also Processors
45	739.142	Notification
46	739.143	Used Oil Transportation
47	739.144	Rebuttable Presumption for Used Oil
48	739.145	Used Oil Storage at Transfer Facilities
49	739.146	Tracking
50	739.147	Management of Residues
51		
52		SUBPART F: STANDARDS FOR USED OIL PROCESSORS
53	a	
54	Section	
55	739.150	Applicability
56	739.151	Notification
57	739.152	General Facility Standards
58	739.153	Rebuttable Presumption for Used Oil
59	739.154	Used Oil Management
60	739.155	Analysis Plan
61	739.156	Tracking
62	739.157	Operating Record and Reporting
63	739.158	Off-Site Shipments of Used Oil
64	739.159	Management of Residues
65		
66		SUBPART G: STANDARDS FOR USED OIL BURNERS THAT BURN
67		OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY
68		
69	Section	
70	739.160	Applicability
71	739.161	Restriction on Burning
72	739.162	Notification
73	739.163	Rebuttable Presumption for Used Oil
74	739.164	Used Oil Storage
75	739.165	Tracking
76	739.166	Notices
77	739.167	Management of Residues
78		
79		SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS
80		
81	Section	
82	739.170	Applicability
83	739.171	Prohibitions
84	739.172	On-Specification Used Oil Fuel
85	739.173	Notification
86	739.174	Tracking

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87	739.175	Notices
88		
89		SUBPART I: DISPOSAL OF USED OIL
90		
91	Section	
92	739.180	Applicability
93	739.181	Disposal
94	739.182	Use As a Dust Suppressant
95		
96		ΓY: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the
97	Environmen	tal Protection Act [415 ILCS 5/7.2, 22.4, and 27].
98		
99		Adopted in R93-4 at 17 Ill. Reg. 20954, effective November 22, 1993; amended in
100		8 Ill. Reg. 6931, effective April 26, 1994; amended in R94-17 at 18 Ill. Reg. 17616,
101		ovember 23, 1994; amended in R95-6 at 19 Ill. Reg. 10036, effective June 27, 1995;
102		R96-10/R97-3/R97-5 at 22 Ill. Reg. 767, effective December 16, 1997; amended in
103	R98-21/R99	0-2/R99-7 at 23 Ill. Reg. 2274, effective January 19, 1999; amended in R04-16 at 28
104		706, effective July 19, 2004; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 4094,
105		bruary 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1413, effective
106		0, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 13047, effective July 14, 2008;
107		R06-20(A) at 34 Ill. Reg. 3296, effective February 25, 2010; amended in R06-20(B)
108		g. 17381, effective October 29, 2010; amended in R13-15 at 37 Ill. Reg. 17963,
109		tober 24, 2013; amended in R17-14/R17-15/R18-12/R18-31 at 43 Ill. Reg. 667,
110	effective No	ovember 19, 2018; amended in R19-11 at 43 Ill. Reg, effective
111		
112		
113		SUBPART E: STANDARDS FOR USED OIL TRANSPORTER
114		AND TRANSFER FACILITIES
115		
116	Section 739	.142 Notification
117		
118	a)	Identification <u>Numbers</u> numbers. A used oil transporter that has not previously
119		complied with the notification requirements of RCRA section 3010 must
120		comply with these requirements and obtain a USEPA identification number
121		pursuant to RCRA section 3010 and an Illinois special waste identification
122		number.
123		
124	b)	Mechanics of Notificationnotification
125	-	
126		1) A used oil transporter that has not received a USEPA identification
127		number may obtain one by notifying USEPA Region 5 and the Agency of
128		its used oil activity by submitting either of the following:
129		

130		A)	A com	pleted Notification of RCRA Subtitle C Activities (Site
131			Identif	fication Form) (USEPA Form 8700-12) to USEPA Region 5
132			and the	e Agency; or
133				
134			BOAR	D NOTE: USEPA Form 8700-12 is available from the
135				y, Bureau of Land (217-782-6762). It is also available on-
136				r download in PDF file format: www.epa.gov/hwgenerators/
137			instruc	tions-and-form-hazardous-waste-generators-transporters-
138				eatment-storage-and. The used oil transporter that wishes to
139			use US	SEPA Form 8700-12 for notification must obtain a copy of
140				m from the Agency.
141				0
142		B)	A lette	er to USEPA Region 5 and the Agency requesting a USEPA
143		<i>.</i>		ication number. The letter should include the following
144			inform	
145				
146			i)	The transporter company name;
147			·	
148			ii)	The owner of the transporter company;
149				
150			iii)	The mailing address for the transporter;
151				
152			iv)	The name and telephone number for the transporter point of
153				contact;
154				
155			v)	The type of transport activity (i.e., transport only, transport
156				and transfer facility, or transfer facility only);
157				
158			vi)	The location of all transfer facilities at which used oil is
159				stored;
160				
161			vii)	The name and telephone number for a contact at each
162				transfer facility.
163				
164	2)	A used	l oil trai	nsporter that has not received an Illinois special waste
165		identif	ication	number may obtain one pursuant to 35 Ill. Adm. Code 809
166		by con	tacting	the Agency at the following address: Division of Land
167		Polluti	on Con	trol, Illinois EPA, 1021 North Grand Avenue, Springfield,
168		Illinois	62794	-9276 (telephone: 217-782-6761).
169				
170	(Source: Ame	ended at	43 Ill.	Reg, effective)
171				
172	SUB	PART I	F: STA	NDARDS FOR USED OIL PROCESSORS

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173				
174	Section 739.	151 Notificatio	n	
175				
176	a)	Identification	Numb	ersnumbers. A used oil processor or re-refiner that has not
177		previously con	mplied	with the notification requirements of RCRA section
178				JSEPA identification number pursuant to RCRA
179				and an Illinois special waste identification number.
180				
181	b)	Mechanics of	Notifi	cation notification
182	- /			
183		1) A used	l oil pr	ocessor or re-refiner that has not received a USEPA
184		identif	ication	number may obtain one by notifying USEPA Region 5 and
185				of its used oil activity by submitting either of the following:
186			,	
187		A)	A cor	npleted Notification of RCRA Subtitle C Activities (Site
188		/		fication Form) (USEPA Form 8700-12) to USEPA Region 5
189				ne Agency; or
190				
191			BOA	RD NOTE: USEPA Form 8700-12 is available from the
192				cy, Bureau of Land (217-782-6762). It is also available on-
193				or download in PDF file format: www.epa.gov/hwgenerators/
194				ctions-and-form-hazardous-waste-generators-transporters-
195				reatment-storage-and. The used oil processor or re-refiner that
196				to use USEPA Form 8700-12 for notification must obtain a
197				of USEPA Form 8700-12 from the Agency.
198			eop)	or observer of more than the regency.
199		B)	A lett	er to USEPA Region 5 and the Agency requesting a USEPA
200		2)		fication number. The letter should include the following
201				nation:
202				
203			i)	The processor or re-refiner company name;
204			-)	The proceeder of to remain company manney
205			ii)	The owner of the processor or re-refiner company;
206				The owner of the processor of to remier company,
207			iii)	The mailing address for the processor or re-refiner;
208)	The manning databes for the processor of remainer,
209			iv)	The name and telephone number for the processor or re-
210			,	refiner point of contact;
211				Four or comment,
212			v)	The type of transport activity (i.e., transport only, transport
213			• /	and transfer facility, or transfer facility only);
214				
215			vi)	The location of all transfer facilities at which used oil is
-			/	

216				stored;
217				
218			vii)	The name and telephone number for a contact at each
219			,	transfer facility.
220				······································
221		2)	A used oil pro	ocessor or re-refiner that has not received an Illinois special
222			waste identifi	cation number may obtain one by contacting the Agency at
223			the following	address: Division of Land Pollution Control, Illinois EPA,
224				Brand Avenue, Springfield, Illinois 62794-9276 (telephone:
225			217-782-676	
226			217 702 070	
227	(Sour	ce: Am	ended at 43 III	Reg, effective)
228	(2044)		onada at 15 mi.	
229	SI	IRPAR	T G. STAND	ARDS FOR USED OIL BURNERS THAT BURN
230	50			ON USED OIL FOR ENERGY RECOVERY
231		011	Si Len Ienni	ON USED OIL FOR ENERGY RECOVER I
232	Section 739.	162 No	tification	
233			tineation	
234	a)	Identi	fication Numbe	ersnumbers. A used oil burner that has not previously
235				tification requirements of RCRA <u>section</u> 3010 must
236		compl	ly with these re	quirements and obtain a USEPA identification number
237		nursu	ant to $RCRA$ se	ection Section 3010 and an Illinois special waste identification
238		numb		section sollo and an minors special waste identification
239		manno		
240	b)	Mech	anics of Notific	ationnotification. A used oil burner that has not received a
241	0)			n number may obtain one by notifying USEPA Region 5 and
242				d oil activity by submitting either of the following:
243			501109 01 115 450	a on activity by submitting cluter of the following.
244		1)	A completed	Notification of RCRA Subtitle C Activities (Site
245		1)		Form) (USEPA Form 8700-12) to USEPA Region 5 and the
246			Agency; or	
247			11601107, 01	
248			BOARD NO	TE: <u>USEPA Form 8700-12 is available from the Agency</u> ,
249				nd (217-782-6762). It is also available on-line for download
250				prmat: www.epa.gov/hwgenerators/instructions-and-form-
251				iste-generators-transporters-and-treatment-storage-and. The
252				er that wishes to use USEPA Form 8700-12 for notification
253				copy of the form from the Agency, Bureau of Land (217-
254				ad submit the completed form to USEPA Region 5.
255			. oz 0702), u	a contraction to the contraction of
256		2)	A letter to LIS	EPA Region 5 and the Agency requesting a USEPA
257		-)		number. The letter should include the following
258			information:	namoer. The fetter should merude the following
200			miorination.	

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250			
259 260		A >	The human commons non-
260		A)	The burner company name;
262		B)	The owner of the burner company;
262		D)	The owner of the burner company,
263		C)	The mailing address for the burner;
265		0)	The manning address for the burner,
266		D)	The name and telephone number for the burner point of contact;
267		D)	The name and telephone number for the burner point of contact,
268		E)	The type of used oil activity; and
269		<i>L</i>)	The type of used on derivity, and
270		F)	The location of the burner facility.
271		-)	The robutton of the burner rubinty.
272	c) A	A used oil bu	rner that has not previously obtained an Illinois special waste
273			number may obtain one by contacting the Agency at the following
274			ision of Land Pollution Control, Illinois EPA, 1021 North Grand
275			ngfield, Illinois 62794-9276 (telephone: 217-782-6761).
276		× 1	
277	(Source:	Amended a	t 43 Ill. Reg, effective)
278	·		
279	SU	BPART H:	STANDARDS FOR USED OIL FUEL MARKETERS
280			
281	Section 739.173	8 Notificatio	n
282			
282 283	a) A	A used oil fue	el marketer subject to the requirements of this Section that has not
282 283 284	a) A	A used oil fue previously co	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA section
282 283 284 285	a) A p 3	A used oil fue previously co 010 must co	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>sectionSection</u> mply with these requirements and obtain a USEPA identification
282 283 284 285 286	a) A p 3 n	A used oil fuo reviously co 010 must co umber pursu	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> mply with these requirements and obtain a USEPA identification to RCRA <u>section</u> 3010 and an Illinois special waste
282 283 284 285 286 287	a) A p 3 n	A used oil fue previously co 010 must co	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> mply with these requirements and obtain a USEPA identification to RCRA <u>section</u> 3010 and an Illinois special waste
282 283 284 285 286 287 288	a) A p 3 n ic	A used oil fue oreviously co 010 must co umber pursu dentification	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>sectionSection</u> mply with these requirements and obtain a USEPA identification to RCRA <u>sectionSection</u> 3010 and an Illinois special waste number.
282 283 284 285 286 287 288 289	a) A p 3 n ic b) A	A used oil fue previously co 010 must co umber pursu dentification A used oil ma	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> mply with these requirements and obtain a USEPA identification to RCRA <u>section</u> Section 3010 and an Illinois special waste number.
282 283 284 285 286 287 288 289 290	a) A p 3 n ic b) A o	A used oil fue oreviously co 010 must co umber pursu dentification A used oil ma btain one by	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>sectionSection</u> mply with these requirements and obtain a USEPA identification ant to RCRA <u>sectionSection</u> 3010 and an Illinois special waste number. arketer that has not received a USEPA identification number may notifying the USEPA Region 5-and the Agency of its used oil
282 283 284 285 286 287 288 289 290 291	a) A p 3 n ic b) A o	A used oil fue oreviously co 010 must co umber pursu dentification A used oil ma btain one by	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> mply with these requirements and obtain a USEPA identification to RCRA <u>section</u> Section 3010 and an Illinois special waste number.
282 283 284 285 286 287 288 289 290 291 292	a) A p 3 n ic b) A o a	A used oil fue reviously co 010 must co umber pursu dentification A used oil ma btain one by ctivity by su	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> mply with these requirements and obtain a USEPA identification to RCRA <u>section</u> Section 3010 and an Illinois special waste number. arketer that has not received a USEPA identification number may notifying the USEPA Region 5- and the Agency of its used oil bmitting either of the following:
282 283 284 285 286 287 288 289 290 291 292 293	a) A p 3 n ic b) A o	A used oil fue oreviously co 010 must co number pursu dentification A used oil ma btain one by ctivity by su) A con	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> Section mply with these requirements and obtain a USEPA identification nant to RCRA <u>section</u> Section 3010 and an Illinois special waste number. Arketer that has not received a USEPA identification number may notifying the USEPA Region 5-and the Agency of its used oil bmitting either of the following:
282 283 284 285 286 287 288 289 290 291 292 293 294	a) A p 3 n ic b) A o a	A used oil fue previously co 010 must co umber pursu dentification A used oil ma btain one by ctivity by su) A con <u>Identi</u>	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> Section mply with these requirements and obtain a USEPA identification ant to RCRA <u>section</u> Section 3010 and an Illinois special waste number. Arketer that has not received a USEPA identification number may notifying the USEPA Region 5-and the Agency of its used oil bmitting either of the following: hpleted <u>Notification of RCRA Subtitle C Activities (Site</u> fication Form) (USEPA Form 8700-12) to USEPA Region 5 and the
282 283 284 285 286 287 288 289 290 291 292 293 294 295	a) A p 3 n ic b) A o a	A used oil fue oreviously co 010 must co number pursu dentification A used oil ma btain one by ctivity by su) A con	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> Section mply with these requirements and obtain a USEPA identification ant to RCRA <u>section</u> Section 3010 and an Illinois special waste number. Arketer that has not received a USEPA identification number may notifying the USEPA Region 5-and the Agency of its used oil bmitting either of the following: hpleted <u>Notification of RCRA Subtitle C Activities (Site</u> fication Form) (USEPA Form 8700-12) to USEPA Region 5 and the
282 283 284 285 286 287 288 289 290 291 292 293 294 295 296	a) A p 3 n ic b) A o a	A used oil fue oreviously co 010 must co umber pursu dentification A used oil ma btain one by ctivity by su) A con <u>Identi</u> Ageno	el marketer subject to the requirements of this Section that has not mplied with the notification requirements of RCRA <u>section</u> Section mply with these requirements and obtain a USEPA identification to RCRA <u>sectionSection</u> 3010 and an Illinois special waste number. Arketer that has not received a USEPA identification number may notifying the USEPA Region 5-and the Agency of its used oil bmitting either of the following: hpleted <u>Notification of RCRA Subtitle C Activities (Site</u> fication Form) (USEPA Form 8700-12) to USEPA Region 5- and the cy; or
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308 309			inform		nd mendde the fonowing
310 311			A)	The marketer company name;	
312 313			B)	The owner of the marketer;	
314 315			C)	The mailing address for the m	arketer;
316 317			D)	The name and telephone numl and	per for the marketer point of contact;
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320 321			L)	off-specification used oil to a	
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324		addres	s: Divi	ion of Land Pollution Control,	Illinois EPA, 1021 North Grand
325		Avenu	ie, Spri	ngfield, Illinois 62794-9276 (te	lephone: 217-782-6761).
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327	(Sourc	ce: Am	ended at	43 Ill. Reg, effective)

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TITLE 35: ENVIRONMENTAL PROTECTION SUBTITLE G: WASTE DISPOSAL CHAPTER I: POLLUTION CONTROL BOARD SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS PART 739 STANDARDS FOR THE MANAGEMENT OF USED OIL SUBPART A: DEFINITIONS Section 739.100 Definitions SUBPART B: APPLICABILITY Section 739.110 Applicability 739.111 Used Oil Spec 739.112 Prohibitions Used Oil Specifications 739.113 Electronic Reporting SUBPART C: STANDARDS FOR USED OIL GENERATORS Section 739.120 Applicability 739.121 Hazardous Waste Mixing 739.122Used Oil Storage739.123On-Site Burning in Space Heaters 739.124 Off-Site Shipments SUBPART D: STANDARDS FOR USED OIL COLLECTION CENTERS AND AGGREGATION POINTS Section 739.130Do-It-Yourselfer Used Oil Collection Centers739.131Used Oil Collection Centers 739.132 Used Oil Aggregate Points Owned by the Generator SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES Section 739.140 Applicability
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739.144 Rebuttable Presumption for Used Oil
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739.146 Transhing 739.146 Tracking Management of Residues 739.147 SUBPART F: STANDARDS FOR USED OIL PROCESSORS

Section 739.150 Applicability 739.151 Notification 739.152 General Facility Standards 739.153 Rebuttable Presumpt:
739.154 Used Oil Management
739.155 Analysis Plan Rebuttable Presumption for Used Oil 739.156 Tracking 739.157 Operating Record and Reporting Off-Site Shipments of Used Oil 739.158 739.159 Management of Residues SUBPART G: STANDARDS FOR USED OIL BURNERS THAT BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY Section 739.160 Applicability 739.161 Restriction on Burning 739.162 Notification 739.163 Rebuttable Presumption for Used Oil739.164 Used Oil Storage 739.165 Tracking 739.166 Notices Management of Residues 739.167 SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS Section Applicability Prohibitions 739.170 739.171 739.172 On-Specification Used Oil Fuel 739.173 Notification 739.174 Tracking 739.175 Notices SUBPART I: DISPOSAL OF USED OIL Section 739.180 Applicability 739.181 Disposal 739.182 Use As a Dust Suppressant Implementing Sections 7.2 and 22.4 and authorized by Section AUTHORITY: 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4, and 27].

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SOURCE: Adopted in R93-4 at 17 Ill. Reg. 20954, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6931, effective April 26, 1994; amended in R94-17 at 18 Ill. Reg. 17616, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 10036, effective June 27, 1995; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 767, effective December 16, 1997; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 2274, effective January

19, 1999; amended in R04-16 at 28 Ill. Reg. 10706, effective July 19, 2004; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 4094, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1413, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 13047, effective July 14, 2008; amended in R06-20(A) at 34 Ill. Reg. 3296, effective February 25, 2010; amended in R06-20(B) at 34 Ill. Reg. 17381, effective October 29, 2010; amended in R13-15 at 37 Ill. Reg. 17963, effective October 24, 2013; amended in R17-14/R17-15/R18-12/R18-31 at 43 Ill. Reg. 667, effective November 19, 2018; amended in R19-11 at 43 Ill. Reg. _____, effective

SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

Section 739.142 Notification

a) Identification Numbers numbers. A used oil transporter that has not previously complied with the notification requirements of RCRA Sectionsection 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA Sectionsection 3010 and an Illinois special waste identification number.

b) Mechanics of Notification notification.

1) A used oil transporter that has not received a USEPA identification number may obtain one by notifying USEPA Region 5 and the Agency of its used oil activity by submitting either of the following:

A) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to USEPA Region 5 and the Agency; or

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format: www.epa.gov/?hwgenerators/?instructions-and-form-hazardous-waste-generat ors-transporters-and-treatment-storage-and. The used oil transporterthat wishes to use USEPA Form 8700 12 for notification must obtain a copy of the form from the Agency.

B) A letter to USEPA Region 5 and the Agency requesting a USEPA identification number. The letter should include the following information:

i) The transporter company name;

ii) The owner of the transporter company;

iii) The mailing address for the transporter;

iv) The name and telephone number for the transporter point of contact;

v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);

vi) The location of all transfer facilities at which used oil is stored;

vii) The name and telephone number for a contact at each transfer facility.

2) A used oil transporter that has not received an Illinois special waste identification number may obtain one pursuant to 35 Ill. Adm. Code 809 by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 1021 North Grand Avenue, Springfield, Illinois 62794-9276 (telephone: 217-782-6761).

(Source: Amended at 43 Ill. Reg. ____, effective

SUBPART F: STANDARDS FOR USED OIL PROCESSORS

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Section 739.151 Notification

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a) Identification Numbers numbers. A used oil processor or re-refiner that has not previously complied with the notification requirements of RCRA Sectionsection 3010 must obtain a USEPA identification number pursuant to RCRA Sectionsection 3010 and an Illinois special waste identification number.

b) Mechanics of Notification notification.

1) A used oil processor or re-refiner that has not received a USEPA identification number may obtain one by notifying USEPA Region 5 and the Agency of its used oil activity by submitting either of the following:

A) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to USEPA Region 5 and the Agency; or

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format: www.epa.gov/?hwgenerators/?instructions-and-form-hazardous-waste-generat ors-transporters-and-treatment-storage-and. The used oil processor or

re refiner that wishes to use USEPA Form 8700 12 for notification must obtain a copy of USEPA Form 8700 12 from the Agency.

B) A letter to <u>USEPA Region 5 and</u> the Agency requesting a USEPA identification number. The letter should include the following information:

i) The processor or re-refiner company name;

ii) The owner of the processor or re-refiner company;

iii) The mailing address for the processor or re-refiner;

iv) The name and telephone number for the processor or re-refiner point of contact;

v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);

vi) The location of all transfer facilities at which used oil is stored;

vii) The name and telephone number for a contact at each transfer facility.

2) A used oil processor or re-refiner that has not received an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 1021 North Grand Avenue, Springfield, Illinois 62794-9276 (telephone: (217-782-6761).

(Source: Amended at 43 Ill. Reg. ____, effective

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SUBPART G: STANDARDS FOR USED OIL BURNERS THAT BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY

Section 739.162 Notification

a) Identification Numbers <u>numbers</u>. A used oil burner that has not previously complied with the notification requirements of RCRA <u>Sectionsection</u> 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA <u>Sectionsection</u> 3010 and an Illinois special waste identification number.

b) Mechanics of Notification notification. A used oil burner that has not received a USEPA identification number may obtain one by notifying USEPA Region 5 and the Agency of its used oil activity by submitting either of the following:

1) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to USEPA Region 5 and the Agency; or

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format: www.epa.gov/2hwgenerators/2instructions-and-form-hazardous-waste-generat ors-transporters-and-treatment-storage-and. The used oil burner that wishes to use USEPA Form 8700 12 for notification must obtain a copy of the form from the Agency, Bureau of Land (217-782-6762), and submit the completed form to USEPA Region 5.

2) A letter to <u>USEPA Region 5 and</u> the Agency requesting a USEPA identification number. The letter should include the following information:

A) The burner company name;

B) The owner of the burner company;

C) The mailing address for the burner;

D) The name and telephone number for the burner point of contact;

E) The type of used oil activity; and

F) The location of the burner facility.

c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 1021 North Grand Avenue, Springfield, Illinois 62794-9276 - (telephone: (217-782-6761).

(Source: Amended at 43 Ill. Reg. ____, effective

SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

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Section 739.173 Notification

a) A used oil fuel marketer subject to the requirements of this Section that has not previously complied with the notification requirements of RCRA Sectionsection 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA Sectionsection 3010 and an Illinois special waste identification number.

b) A used oil marketer that has not received a USEPA identification number may obtain one by notifying the USEPA Region 5 and the Agency of its used oil activity by submitting either of the following:

1) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to USEPA Region 5 and the Agency; or

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format: www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generator s-transporters-and-treatment-storage-and. The used oil fuel marketer that wishes to use USEPA Form 8700-12 for notification must obtain a copy of the form from the Agency, Bureau of Land (217-782-6762), and submit the completed form to USEPA Region 5.

2) A letter to USEPA Region 5 and the Agency requesting a USEPA identification number. The letter should include the following information:

A) The marketer company name;

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B) The owner of the marketer;

C) The mailing address for the marketer;

D) The name and telephone number for the marketer point of contact; and

E) The type of used oil activity (i.e., generator directing shipments of off-specification used oil to a burner).

c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 1021 North Grand Avenue, Springfield, Illinois 62794-9276 (telephone: (217-782-6761).

(Source: Amended at 43 Ill. Reg. ____, effective

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Statistics:			
	Count		
Insertions	14		
Deletions	47		
Moved from	0		
Moved to	0		
Style change	0		
Format changed	0		
Total changes	61		