



# OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

04/03/2008

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**APR 08 2008**

**STATE OF ILLINOIS**  
**Pollution Control Board**

POLLUTION CONTROL BOARD

JAMES R THOMPSON CENTER 100 W RANDOLPH ST STE 11-500  
DOROTHY GUNN  
CHICAGO, IL 60601

Dear DOROTHY GUNN

Your rules Listed below met our codification standards and have been published in Volume 32, Issue 15 of the Illinois Register, dated 04/11/2008.

## **OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER**

Notice of Public Information Pursuant to 415 ILCS 5/7.2(b)

Ill. Adm. Code

Page 6165

Point Of Contact:Erin Conley

## **PROPOSED RULES**

Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

35 Ill. Adm. Code 724

Page 5228

Point Of Contact:Erin Conley

Identification and Listing of Hazardous Waste

35 Ill. Adm. Code 721

Page 5030

Point Of Contact:Erin Conley

RCRA Permit Program

35 Ill. Adm. Code 703

Page 4915

Point Of Contact:Erin Conley

Hazardous Waste Management System: General

35 Ill. Adm. Code 720

Page 4970

Point Of Contact:Erin Conley

Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

35 Ill. Adm. Code 725

Page 5429

Point Of Contact:Erin Conley

Land Disposal Restrictions

35 Ill. Adm. Code 728

Page 5697

Point Of Contact:Erin Conley



## OFFICE OF THE SECRETARY OF STATE

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Standards Applicable to Transporters of Hazardous Waste 35 Ill. Adm. Code 723 Point Of Contact:Erin Conley	Page 5216
Standards for the Management of Used Oil 35 Ill. Adm. Code 739 Point Of Contact:Erin Conley	Page 5904
Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a RCRA Standardized Permit 35 Ill. Adm. Code 727 Point Of Contact:Erin Conley	Page 5685
Standards Applicable to Generators of Hazardous Waste 35 Ill. Adm. Code 722 Point Of Contact:Erin Conley	Page 5174
Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities 35 Ill. Adm. Code 726 Point Of Contact:Erin Conley	Page 5605

If you have any questions, you may contact the Administrative Code Division at (217) 782 - 7017.

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: RCRA Permit Program
- 2) Code citation: 35 Ill. Adm. Code 703

3)	Section Numbers:	Proposed Actions:
	703.182	Amend
	703.202	Amend
	703.212	Amend
	703.213	Amend
	703.280	Amend
	703.350	Amend
	703.352	Amend
	703.Appendix A	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The following briefly describes the subjects and issues involved in consolidated docket R07-5/R07-14 rulemaking of which the amendments to Part 703 are a single segment. Also affected are 35 Ill. Adm. Code 720, 721, 722, 723, 724, 725, 726, 727, 728, and 739, which is covered by a separate notice in this issue of the Illinois Register. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

This proceeding updates the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste rules to correspond with amendments adopted by the United States Environmental Protection Agency (USEPA) that appeared in the Federal Register during two update periods. The docket and time periods that are involved in this proceeding are the following:

R07-5	Federal RCRA Subtitle C hazardous waste amendments that occurred during the period January 1, 2006 through June 30, 2006.
R07-14	Federal RCRA Subtitle C hazardous waste amendments that occurred during the period July 1, 2006 through December 31, 2006.

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NOTICE OF PROPOSED AMENDMENTS

The consolidated R07-5/R07-14 docket amends rules in Parts 703, 720, 721, 722, 723, 724, 725, 726, 727, 728, and 739. The amendments to the various Parts are inter-related. The following table briefly summarizes the federal actions in the update period:

April 4, 2006 (71 Fed. Reg. 16862)	Paperwork reduction amendments, primarily directed towards Environmental Performance Track Program facilities.
July 14, 2006 (71 Fed. Reg. 40254)	Corrections to various rules.
July 28, 2006 (71 Fed. Reg. 42928)	Conditional exclusion of CRTs that are reused or recycled from regulation as solid waste.

In addition to the federal actions that fall within the timeframe of this docket, the Board included one additional federal action that occurred in earlier consolidated docket R06-5/R06-6/R06-7, which the Board adopted on January 5, 2006. For the reasons described in the opinion in that earlier docket, the nature of one set of federal amendments involved in that docket was such that the Board could not conclude them until after September 5, 2006.

March 5, 2005 (70 Fed. Reg. 10776)	Amendments to the hazardous waste manifest system.
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Thus, the Board is acting in this consolidated R07-5/R07-14 docket on the following USEPA amendments:

April 4, 2006 (71 Fed. Reg. 16862)	Paperwork reduction amendments.
July 14, 2006 (71 Fed. Reg. 40254)	Corrections to various rules.
July 28, 2006 (71 Fed. Reg. 42928)	Conditional exclusion of CRTs that are reused or recycled from regulation as hazardous waste.
March 5, 2005 (70 Fed. Reg. 10776)	Amendments to the hazardous waste manifest system.

Specifically, the amendments to Part 703 implement segments of the federal amendments of April 4, 2006 and July 14, 2006. The amendments implement the federal paperwork reduction amendments and various USEPA corrections.

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NOTICE OF PROPOSED AMENDMENTS

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 703 are amended in the larger proceeding to which the amendments to Part 703 are a single segment, the amendments to Part 703 do not themselves affect any incorporations by reference.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

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NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant 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 consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

- 13) Initial regulatory flexibility analysis:

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code citation: 35 Ill. Adm. Code 720

3)	Section Numbers:	Proposed Actions:
	720.110	Amend
	720.111	Amend
	720.131	Amend
	720.140	Amend
	720.141	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 13, 22.4, and 27.

- 5) A Complete description of the subjects and issues involved:

The amendments to Part 720 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 721, 722, 723, 724, 725, 726, 727, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Specifically, the amendments to Part 720 implement segments of the federal amendments of March 4, 2005, April 4, 2006, July 14, 2006, and July 28, 2006. The amendments complete the amendments to the hazardous waste manifest rules, implement the regulatory burden reduction amendments, include various USEPA corrections, and implement the conditional exclusion of CRTs from the definition of solid waste.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

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NOTICE OF PROPOSED AMENDMENTS

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

Yes. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. The present amendments affect several of those incorporations. The amendments primarily update several of those incorporations to more recent editions of the documents involved. A few of the amendments add notes stating the availability of some documents from on-line sources.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board

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NOTICE OF PROPOSED AMENDMENTS

State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

Please direct inquiries to the following person and reference consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

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NOTICE OF PROPOSED AMENDMENTS

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Identification and Listing of Hazardous Waste
- 2) Code citation: 35 Ill. Adm. Code 721

3)	Section Numbers:	Proposed Actions:
	721.103	Amend
	721.104	Amend
	721.121	Amend
	721.131	Amend
	721.133	Amend
	721.138	Amend
	721.139	New
	721.140	New
	721.141	New
	721.Appendix H	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 721 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 722, 723, 724, 725, 726, 727, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Specifically, the amendments to Part 721 implement segments of the federal amendments of April 4, 2006, July 14, 2006, and July 28, 2006. The amendments implement the regulatory burden reduction amendments, include various USEPA corrections, and implement the conditional exclusion of CRTs from the definition of solid waste.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and

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NOTICE OF PROPOSED AMENDMENTS

clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 721 are amended in the larger proceeding to which the amendments to Part 721 are a single segment, the amendments to Part 721 do not themselves affect any incorporations by reference.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
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Chicago, IL 60601

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Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

- 13) Initial regulatory flexibility analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

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NOTICE OF PROPOSED AMENDMENTS

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards Applicable to Generators of Hazardous Waste
- 2) Code citation: 35 Ill. Adm. Code 722

3)	Section Numbers:	Proposed Actions:
	722.120	Amend
	722.121	Amend
	722.127	Amend
	722.132	Amend
	722.133	Amend
	722.134	Amend
	722.158	Amend
	722.160	Amend
	722.183	Amend
	722.184	Amend
	722.187	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

Specifically, the amendments to Part 722 implement segments of the federal amendments of March 4, 2005 and July 14, 2006. The amendments complete the amendments to the hazardous waste manifest rules and include various USEPA corrections.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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).

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NOTICE OF PROPOSED AMENDMENTS

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 722 are amended in the larger proceeding to which the amendments to Part 722 are a single segment, the amendments to Part 722 do not themselves affect any incorporations by reference.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
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Chicago, IL 60601

Please direct inquiries to the following person and reference consolidated docket R07-5/R07-14:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

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13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

14) Regulatory agenda on which this rulemaking was summarized:

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December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards Applicable to Transporters of Hazardous Waste
- 2) Code citation: 35 Ill. Adm. Code 723

3)	Section Numbers:	Proposed Actions:
	723.120	Amend
	723.121	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 723 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 724, 725, 726, 727, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Specifically, the amendments to Part 723 implement segments of the federal amendments of March 4, 2005. The amendments complete the amendments to the hazardous waste manifest rules.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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).

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. Although 35 Ill. Adm. Code 720.111 includes incorporations by reference for the purposes of segments of Part 723, none of those segments are involved in this proceeding.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant 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 consolidated docket R07-5/R07-14:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code citation: 35 Ill. Adm. Code 724

3)	Section Numbers:	Proposed Actions:
	724.115, 724.116, 724.118	Amend
	724.152, 724.156, 724.171	Amend
	724.172, 724.173, 724.175	Amend
	724.176, 724.197, 724.198	Amend
	724.199, 724.200, 724.213	Amend
	724.215, 724.216, 724.220	Amend
	724.240, 724.243, 724.245	Amend
	724.247, 724.274, 724.275	Amend
	724.291, 724.292, 724.293	Amend
	724.295, 724.296, 724.321	Amend
	724.323, 724.351, 724.352	Amend
	724.353, 724.380, 724.404	Amend
	724.414, 724.443, 724.447	Amend
	724.652, 724.654, 724.671	Amend
	724.673, 724.674, 724.936	Amend
	724.961, 724.962, 724.965	Amend
	724.1100, 724.1101	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 724 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 723, 725, 726, 727, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Specifically, the amendments to Part 724 implement segments of the federal amendments of March 4, 2005, April 4, 2006, and July 14, 2006. The amendments complete the amendments to the hazardous waste manifest rules, implement the regulatory burden reduction amendments, and include various USEPA corrections.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 724 are amended in the larger proceeding to which the amendments to Part 724 are a single segment, the amendments to Part 724 do not themselves affect any incorporations by reference.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

11) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant 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 consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)  
December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code citation: 35 Ill. Adm. Code 725

3)	Section Numbers:	Proposed Actions:
	725.115, 725.116, 725.119	Amend
	725.152, 725.156, 725.171	Amend
	725.172, 725.173, 725.176	Amend
	725.190, 725.193, 725.212	Amend
	725.213, 725.215, 725.220	Amend
	725.240, 725.242, 725.243	Amend
	725.245, 725.247, 725.274	Amend
	725.291, 725.292, 725.293	Amend
	725.295, 725.296, 725.301	Amend
	725.321	Amend
	725.323, 725.324	Renumber, Amend
	725.355, 725.359, 725.380	Amend
	725.401, 725.403, 725.414	Amend
	725.505, 725.541, 725.543	Amend
	725.544, 725.961, 725.962	Amend
	725.990, 725.1100, 725.1101	Amend
	725.Appendix F	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 725 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 723, 724, 726, 727, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Specifically, the amendments to Part 725 implement segments of the federal amendments of March 4, 2005, April 4, 2006, and July 14, 2006. The amendments complete the amendments to the hazardous waste manifest rules, implement the regulatory burden reduction amendments, and include various USEPA corrections.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 725 are amended in the larger proceeding to which the amendments to Part 725 are a single segment, the amendments to Part 725 do not themselves affect any incorporations by reference.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

11) Are there any other amendments pending on this Part? No.

10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant 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 consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities
- 2) Code citation: 35 Ill. Adm. Code 726

3)	Section Numbers:	Proposed Actions:
	726.180	Amend
	726.200	Amend
	726.202	Amend
	726.203	Amend
	726.205	Amend
	726.206	Amend
	726.207	Amend
	726.209	Amend
	726.Appendix C	Amend
	726.Appendix D	Amend
	726.Appendix E	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 726 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 723, 724, 725, 727, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Specifically, the amendments to Part 726 implement segments of the federal amendments of April 4, 2006 and July 14, 2006. The amendments implement the regulatory burden reduction amendments, and include various USEPA corrections.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 726 are amended in the larger proceeding to which the amendments to Part 726 are a single segment, the amendments to Part 726 do not themselves affect any incorporations by reference.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
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Chicago, IL 60601

Please direct inquiries to the following person and reference consolidated docket R07-5/R07-14:

Michael J. McCambridge  
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Illinois Pollution Control Board  
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Chicago, IL 60601  
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Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

- 13) Initial regulatory flexibility analysis:

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a RCRA Standardized Permit
- 2) Code citation: 35 Ill. Adm. Code 727

3)	<u>Section Number:</u>	<u>Proposed Action:</u>
	727.170	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 727 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 723, 724, 725, 726, 728, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. Although 35 Ill. Adm. Code 720.111 includes incorporations by reference for the purposes of segments of Part 727, none of those segments are involved in this proceeding.

- 11) Are there any other amendments pending on this Part? No.

- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
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Chicago, IL 60601

Please direct inquiries to the following person and reference consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board

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NOTICE OF PROPOSED AMENDMENTS

100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
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Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)  
December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Land Disposal Restrictions
- 2) Code citation: 35 Ill. Adm. Code 728

3)	Section Numbers:	Proposed Actions:
	728.102	Amend
	728.104	Amend
	728.107	Amend
	728.109	Amend
	728.Table C	Amend
	728.Table F	Amend
	728.Table T	Amend
	728.Table U	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 728 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 723, 724, 725, 726, 727, and 739, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Specifically, the amendments to Part 728 implement segments of the federal amendments of April 4, 2006 and July 14, 2006. The amendments implement the regulatory burden reduction amendments, and include various USEPA corrections.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 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) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect?  
No.
- 8) Does this rulemaking contain an automatic repeal date?: No.
- 9) Do these proposed amendments contain incorporations by reference?

No. The Board has centrally located all incorporations by reference at 35 Ill. Adm. Code 720.111 for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, and 739. While some incorporations by reference in 35 Ill. Adm. Code 720.111 used for the purposes of segments of Part 728 are amended in the larger proceeding to which the amendments to Part 728 are a single segment, the amendments to Part 728 do not themselves affect any incorporations by reference.

- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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 consolidated docket R07-5/R07-14 and be addressed to:

John T. Therriault, Assistant Clerk

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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 consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

13) Initial regulatory flexibility analysis:

A) Types of small businesses, small municipalities, and not-for-profit corporations affected:

This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

B) Reporting, bookkeeping or other procedures required for compliance:

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 805/3(b) (2006)].

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

C) Types of professional skills necessary for compliance:

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 805/3(b) (2006)].

14) Regulatory agenda on which this rulemaking was summarized:

July 7, 2006, at 30 Ill. Reg. 11895, 11951-54 (docket R07-5)

December 29, 2007, at 30 Ill. Reg. 19787, 19832-35 (docket R07-14)

The full text of the proposed amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for the Management of Used Oil
- 2) Code citation: 35 Ill. Adm. Code 739

3)	Section Numbers:	Proposed Actions:
	739.110	Amend
	739.111	Amend
	739.143	Amend
	739.144	Amend
	739.145	Amend
	739.152	Amend
	739.155	Amend
	739.159	Amend
	739.164	Amend

- 4) Statutory authority: 415 ILCS 5/7.2, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved:

The amendments to Part 739 are a single segment of the consolidated docket R07-5/R07-14 rulemaking that also affects 35 Ill. Adm. Code 703, 720, 721, 722, 723, 724, 725, 726, 727, and 728, each of which is covered by a separate notice in this issue of the Illinois Register. To save space, a more detailed description of the subjects and issues involved in the consolidated docket R07-5/R07-14 rulemaking in this Illinois Register only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of March 20, 2008, proposing amendments in consolidated docket R07-5/R07-14, which opinion and order is available from the address below.

Specifically, the amendments to Part 739 implement segments of the federal amendments of July 14, 2006. The amendments include various USEPA corrections.

Tables appear in the Board's opinion and order of March 20, 2008 in consolidated docket R07-5/R07-14 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the March 20, 2008 opinion and order in consolidated docket R07-5/R07-14.

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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- 11) Are there any other amendments pending on this Part? No.
- 10) Statement of statewide policy objectives:

These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2006)].

- 12) Time, Place and manner in which interested persons may comment on this proposed rulemaking:

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John T. Therriault, Assistant Clerk

ILLINOIS REGISTER

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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 consolidated docket R07-5/R07-14:

Michael J. McCambridge  
Staff Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
Phone: 312-814-6924  
E-mail: [mccambm@ipcb.state.il.us](mailto:mccambm@ipcb.state.il.us)

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POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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The full text of the proposed amendments begins on the next page:

Due to the volume of this pleading,

please contact the Clerk's Office

at

312/814-3629

to view this file.