

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

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

NOTICE OF FILING

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

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

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

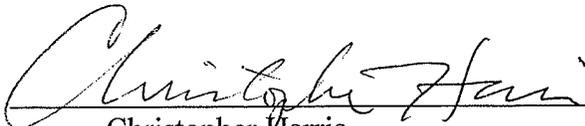
Ms. Dorothy Gunn
Clerk of Illinois Pollution Control
Board
100 Randolph Street Suite 11-500
Chicago, Illinois 60601

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

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

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

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board, comments of: Independent Lubricant Manufacturers Assoc., Noble Oil Services,


Christopher Harris

September 22, 2008

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

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SEP 26 2008

FROM : EMC OIL CO

FAX NO. : 3054779418

Sep. 18 2008 08:51PM P1

STATE OF ILLINOIS
Pollution Control Board



EMC
OIL CORP.
Licensed & Insured

P.O. Box 520882 • Miami, FL 33152 0882
Date: 305-477-7497
Toll Free: 1-800-344-8668

PC 47

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF MARIA E. LEON

On behalf of the recyclers and generators of used oil in Illinois, *your company name* is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations - especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils - but would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out

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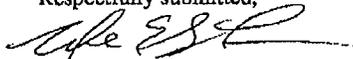
The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated - we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,



MARIA E. LEON-PRES.
E.M.C. OIL CO.

Dated: September 19, 2008



USED OIL SERVICES, INC.
Providing Recycling Solutions

Corporate Headquarters
25903 S. Ridgeland Avenue
Monee, Illinois 60449

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STATE OF ILLINOIS
Pollution Control Board

PC

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
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REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF RONALD A. WINKLE

On behalf of the recyclers and generators of used oil in Illinois, **RS Used Oil Services, Inc.** is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

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For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,


Ronald A. Winkle
President
RS Used Oil Services, Inc.

Dated: September 16, 2008



PC #9

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF *Roger L. Wilson*

On behalf of the recyclers and generators of used oil in Illinois, *Holston Environmental Services, Inc.* is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators.

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Roger L. Wilson

Roger L. Wilson
Operations Manager
Holston Environmental Services, Inc.

September 18, 2008

NOBLE
OIL SERVICES®

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

PC 50

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF James J. Noble

On behalf of the recyclers and generators of used oil in Illinois, Noble Oil Services, Inc. is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

James J. Noble
President
Noble Oil Services, Inc.
September 18, 2008



The Responsible Solution

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

PC 51

September 16, 2008

ILLINOIS POLLUTION CONTROL BOARD

RE: PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

To whom it may concern,

Thermo Fluids Inc. (TFI) is asking the Illinois Pollution Control Board to eliminate the above proposed amendments that would necessitate a uniform hazardous waste manifests for all used oil shipments and require a special facility permit to accept certain used oil mixtures. These requirements are already addressed by the Federal Used Oil Management System which Illinois has adopted. TFI feels these amendments are unwarranted and will not promote protection of human health and the environment.

TFI is a used oil recycler who operates in the Western United States. TFI has the ability to service used oil generators in Illinois. With certainty, TFI can claim used oil is a valuable commodity aggressively sought after to produce Recycled Fuel Oil (RFO), Marine Diesel Oil (MDO), and Re-refined industrial base lube. In the current market, used oil generators get paid for their oil. The competition for this used oil proves its value as a commodity. Certainly a commodity that can be easily recycled would have more used oil recycling facilities able to accept it. Most importantly, used oil *is* being recycled and the recycling program at the state level *works*. Requiring uniform hazardous waste manifests and special permits to handle used oil in Illinois will burden the state, used oil generators, transporters and processors, thereby reducing the effectiveness of the program.

Oil recycling facilities in Illinois already have agency reporting requirements, agency inspections, waste analysis plans and other permit conditions (by rule) that IPCB regulates. That said, it would seem prudent to determine if a need for more rules are truly warranted. A Life Cycle Analysis (LCA) drafted from agency and stake holder cooperation would be one resource that could produce clear results. For example, there may be additional used oil generator, transporter and processor operating costs and compliance costs to consider. Further, there may be additional agency costs to roll out this type of program. Both industry and agency costs and their long term benefits (if any) should be examined in an LCA before significant changes to a working program are considered. Presently it is unclear what additional permitting and waste tracking forms will accomplish.

TFI will argue that states that have implemented and run a used oil program that is stricter than the Federal standards are not any more successful than those of states who regulate only by the Federal standards. States that do not require used oil to be transported on a waste manifest or received by a special permitted facility *have* successful programs. This point could be further substantiated in the LCA.

If Illinois continues to unnecessarily burden generators and recyclers, the less likely the market will promote recycling. This is seen in California who has only three permitted used oil recycling facilities in the state. In

Mountain States Region
3534 West 500 South
Salt Lake City, UT 84104
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Fax: (801) 433-1120

Northwest Region
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Ph: (503) 788-4612
Fax: (503) 788-4629

South Central Region
9900 North Crowley
Crowley, TX 76036
Ph: (806) 637-9336
Fax: (806) 637-4505

Southwest Region
4301 West Jefferson St
Phoenix, AZ 85043
Ph: (602) 272-2400
Fax: (602) 272-5590



The Responsible Solution

the California market the state provides incentives to used oil generators born from taxes. Contrary to what the State of Illinois has suggested, market experience has shown over-regulation is counter-intuitive and damaging to the recycling initiatives. A recent report authored in May 2008 by Lawrence Livermore National Laboratory (LLNL) will support this point.

TFI does not see any significance by the Illinois Pollution Control Board (IPCB) to require manifests for used oil shipments. If there was a need to track these shipments further, Illinois EPA would receive, analyze and track used oil manifests. At the present time I am not aware of this happening. It is note worthy to mention the state of Arizona tried to track used oil manifests and quickly rescinded the requirement.

TFI challenges the thought that use of a waste manifest would allow for better tracking of the used oil mixture volumes. We respectfully disagree with this unsubstantiated statement and submit that Illinois used oil rules would offer no more protection of human health than the Federal program. For example, some states, such as Arizona, require similar used oil tracking. In fact, the Arizona quarterly used oil report requires transporters, used oil processors and marketers to provide the same if not more oil collection detail than Illinois EPA. TFI would like to see a report that acknowledges there is evidence of a direct connection between the use of a hazardous waste manifest and the elimination of used oil pollution. Again, I point to the need of an LCA to provide facts.

TFI feels that before these amendments are fully considered a formal LCA be commissioned. The LCA should be developed by state agency and stakeholders to address the current status of the Illinois used oil recycling program before additional amendments are made. Inaccurate or lack of research into the need for more rules may result in proposed amendments that overly burden state resources, negatively affect the used oil recycling market (including used oil mixtures) and ultimately impair a working state recycling program. Should you have any further questions or comments please contact me at (602) 477-8623.

Sincerely,
THERMO FLUIDS INC.

Troy Hacker
Corporate Environmental, Health & Safety

Mountain States Region
3534 West 500 South
Salt Lake City, UT 84104
Ph: (801) 433-1114
Fax: (801) 433-1120

Northwest Region
12533 SE Carpenter Dr.
Clackamas, OR 97015
Ph: (503) 788-4612
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9900 North Crowley
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Ph: (806) 637-9336
Fax: (806) 637-4505

Southwest Region
4301 West Jefferson St
Phoenix, AZ 85043
Ph: (602) 272-2400
Fax: (602) 272-5590

Ricky's Oil Service, Inc.

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SEP 26 2008
STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PC 52

PRE-FILED TESTIMONY OF CHRIS RICCI

On behalf of the recyclers and generators of used oil in Illinois, **Ricky's Oil Service, Inc.** is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Chris Ricci
President
Ricky's Oil Service, Inc.

Dated: September 17, 2008



ORRCO

Oil Re-Refining
Company

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

PC 53

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF BILL BRIGGS

On behalf of the recyclers and generators of used oil in Illinois, ORRCO is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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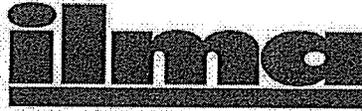
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Respectfully submitted,

Bill Briggs
President
Oil Re-Refining Company

Dated: September 16th, 2008



INDEPENDENT LUBRICANT MANUFACTURERS ASSOCIATION

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CLERK'S OFFICE
SEP 26 2008
STATE OF ILLINOIS
Pollution Control Board

September 19, 2008

Mr. Scott Parker
NORA
5965 Amber Ridge Road
Haymarket, Virginia 20169

PC 54

President
Anwer Hussain
CHS Inc.

Vice President
Ronald M. Powell
Moroil Technologies

Treasurer
Catherine C. Novak
Eastern Oil Company

Secretary
Rhett Francisco
Cincinnati Vulcan Company

Immediate Past President
Greg T. Julian
Advanced Lubrication
Specialties

Executive Director
Celeste M. Powers, CAE

General Counsel
Jeffrey L. Leiter

Re: Illinois Rule Proposal R06-20

Dear Scott:

The Independent Lubricant Manufacturers Association ("ILMA") supports the efforts of NORA to make the Illinois used oil management program equivalent to the Federal used oil management program. ILMA agrees that the Illinois EPA's proposed rule should be modified so that all materials classified as used oil would not need a manifest.

ILMA, established in 1948, is a national trade association of 142 manufacturing member companies. The overwhelming majority of these companies are "small businesses" as defined by the Small Business Administration. As a group, ILMA member companies blend, compound and sell over 25 percent of the United States' lubricant needs and over 75 percent of the metalworking fluids utilized in the country.

Independent lubricant manufacturers by definition are neither owned nor controlled by companies that explore for or refine crude oil to produce lubricant base stocks. Base oils are purchased from refiners and rerefiners, who are also competitors in the sale of finished products. Independent lubricant manufacturers succeed by manufacturing and marketing high-quality, often specialized, lubricants. Their success in this competitive market also is directly attributable to their tradition of providing excellent, individualized service to their customers.

The Association has been involved with used oil regulatory issues at the national and state levels for more than 28 years. ILMA consistently has sought the promulgation of used oil management standards that encourage the proper handling and recycling of used oil as a non-hazardous waste.

ILMA agrees that the current Illinois EPA's Used Oil Manifesting Program is a burden to generators, transporters, transfer facilities, processors and end-users. Accordingly, the Association supports NORA's efforts to have the Illinois EPA modify its proposed rule such that no manifest would be required for used oil that is properly managed and recycled – that is, the rules are parallel to the Federal used oil management standards.

Please let me know if ILMA can be of further assistance on this matter.

Sincerely,

Celeste M. Powers, CAE
Executive Director

400 N. Columbus Street
Suite 201
Alexandria, VA 22314
phone: 703/684-5574
fax: 703/836-8503
email: ilma@ilma.org
web: www.ilma.org

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

Gencor Industries
5201 N. OBT
Orlando, Fl 32810

PC / SS

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF MARK HOWARD

On behalf of the recyclers and generators of used oil in Illinois, Gencor Industries is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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Respectfully submitted,
Mark Howard
VP of Sales
Gencor Industries

Dated: September 17, 2008

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STATE OF ILLINOIS
Pollution Control Board

EXCEL ENVIRONMENTAL INCORPORATED

Waste Oil
Services

Oil Cleaning
and Recycling

Environmental
Consulting



pc 56

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF KENNETH B. PETRUCK

On behalf of the recyclers and generators of used oil in Illinois, Excel Environmental, Inc. is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

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The Illinois EPA has proposed to discontinue manifesting used oils – *but* would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems,

and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Kenneth B. Petruck
President
Excel Environmental, Inc.

Dated: September 16, 2008



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STATE OF ILLINOIS
Pollution Control Board

Chicago Petroleum Club

51

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF The Chicago Petroleum Club

On behalf of the recyclers and generators of used oil in Illinois, *The Chicago Petroleum Club* is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

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Chicago Petroleum Club

severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

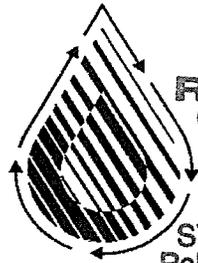
For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Maureen McGovern
President
The Chicago Petroleum Club

Dated: September 16, 2008

Consolidated Recycling Co. Inc.



CORPORATE OFFICE
P.O. BOX 3642
EVANSVILLE, IN 47735-3642
812-464-4446 EXT 222
812-465-5895 FAX

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SEP 26 2008

FACILITY ADDRESS
11210 SOLOMON ROAD
TROY, IN 47588

STATE OF ILLINOIS
Pollution Control Board
www.chem-group.com

pc 58

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF DAVID CARSON

On behalf of the recyclers and generators of used oil in Illinois, Consolidated Recycling Co. Inc. is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils – *but* would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

David E. Carson
CEO
Consolidated Recycling Co. Inc.

Dated: September 15, 2008

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STATE OF ILLINOIS
Pollution Control Board

pc 59

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809PRE-FILED TESTIMONY OF Lyle Salsbury

On behalf of the recyclers and generators of used oil in Illinois, *your company name* is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations - especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils - *but* would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put

Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,



Lyle Salsbury
General Manager
Usher Oil Company

Dated: September 18, 2008

Usher Oil Company
Detroit, Michigan
U.S.A.

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STATE OF ILLINOIS
Pollution Control Board

PC 60



- Roll Off
- Disposal
- Recycling
- Box Truck
- Bulk Tanker
- Burner Fuel
- Environmental Transportation
- Vacuum Tanker
- Waste to Energy

IN THE MATTER OF

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF WILLIAM DARLING

On behalf of the recyclers and generators of used oil in Illinois, Mosner Energy Alternative, Inc. is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations - especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes (under mixtures that are considered used oil under the Federal Regulations) does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils - but would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest - but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

6017 Industrial Highway • Gary, IN 46406 • 219-977-1151 • Fax: 219-977-1196 • Toll-Free: 866-WASTE-79

www.MosnerEnv.com

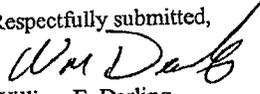
The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,


William E. Darling
President
Mosner Energy Alternative, Inc.

Dated: September 18, 2008

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

Gateway Petroleum Co., Inc.

7200 West Main
Belleville, Illinois 62223
(314) 231-2756
(618) 397-8340
(618) 397-9590 Fax

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL. 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF ROLAND A. ODENWALD JR.

Gateway Petroleum believes that used oil could be manifested under a multi-stop log sheet. Each truckload of used oil could be manifested with one manifest per truck. A used oil log would be used to identify each generator.

On behalf of the recyclers and generator of used oil in Illinois, Gateway Petroleum Co., Inc. is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulation - especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oil - but would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest - - but all relevant information would be set forth in a tracking document (bill of lading).

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discouraged recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The loss of revenue to Illinois

PC 61

will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

Respectfully submitted,



Roland A. Odenwald Jr.
Vice President
Gateway Petroleum Co., Inc.

Dated: September 19, 2008

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board



ISO 14001 CERTIFIED

PC 62

September 19, 2008

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

Dear Illinois Pollution Control Board:

I am writing in support of the petition by NORA to improve the used oil recycling system in Illinois by dispensing with the manifest for **used oil and materials regulated as used oil**. All of the information that IEPA might need will be put on a bill of lading or other tracking document. There is no need for duplicative paperwork which, by the way, IEPA does not receive and never looks at. The federal used oil regulations don't require a manifest and neither do any of the states that border Illinois. There is absolutely no environmental benefit from the manifest. It's an expensive waste of paper that imposes an unfair burden on Illinois used oil generators and transporters.

Please adopt NORA's petition. It is sensible, fair and will end a big paperwork headache.

Thanks for your consideration.

Sincerely,

Patrick Kotter
Compliance Manager

SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

CURRAN

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

pc63

Dear Illinois Pollution Control Board:

I am writing in support of the petition by NORA to improve the used oil recycling system in Illinois by dispensing with the manifest for **used oil and materials regulated as used oil**. All of the information that IEPA might need will be put on a bill of lading or other tracking document. There is no need for duplicative paperwork which The IEPA does review, store, track or analyze. The federal used oil regulations don't require a manifest and neither do any of the states that border Illinois. There is absolutely no environmental benefit from the manifest. It's an expensive waste of paper that imposes an unfair burden on Illinois used oil generators and transporters.

Please adopt NORA's petition. It is sensible, fair and will end a big paperwork headache.

Thanks for your consideration.

Sincerely,
John Simon

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STATE OF ILLINOIS
Pollution Control Board



September 16, 2008

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

To: ILLINOIS POLLUTION CONTROL BOARD

On behalf of the recyclers and generators of used oil in Illinois, **Universal Lubricants, LLC** is asking the Illinois Pollution Control Board to change the language in the state regulations that causes an unreasonable and expensive regulatory burden to the regulated community. The current Illinois regulations require additional documentation and facility permitting above and beyond the current Federal regulations. The current regulations do not increase compliance, especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The problem is that the regulations for used oil and used oil mixtures, does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils, *but* would require a manifest for mixtures of used oil and other contaminants. In addition, these mixtures are required to go to permitted facilities. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest as all relevant information would be on a bill of lading. In addition, the requirement that only permitted facilities can handle such materials will put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors.

Universal Lubricants, Inc 2824 N. OHIO / P.O. BOX 2920 / WICHITA, KS 67201-2920
316-832-0151 / FAX 316-832-0301 / 800-444-OILS / www.UniversalLubes.co

PC 24

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering will cause an unreasonable and expensive burden for Illinois generators for transportation and handling of used oil mixtures.

Unfortunately, the Illinois EPA language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The loss of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators.

We agree with the proposed language NORA is submitting today. We feel that it is very important that the board give consideration to this language.

Respectfully submitted,



Ron Smith
Environmental Compliance Manager
Universal Lubricants, LLC

c: Gary Cain, President

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

PC *ls*

VALLEY ENVIRONMENTAL SERVICES
12041 130TH STREET
BURLINGTON, IA 52601
800-362-0734

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF VALLEY ENVIRONMENTAL SERVICES

On behalf of the recyclers and generators of used oil in Illinois, *Valley Environmental Services* is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils – *but* would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out

of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Ken Reif
President
Valley Environmental Services

Dated: September 16, 2008

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SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board



PC 66

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF Howard Miller

On behalf of the recyclers and generators of used oil in Illinois, **Solvent Systems International** is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations -- especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils -- *but* would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

70 King Street • Elk Grove Village, Illinois 60007 • (847)437-1100 • Fax (847)437-1101

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated – we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Howard Miller
Sales Consultant
Solvent Systems International, Inc. _____

Dated: September 16, 2008

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STATE OF ILLINOIS
Pollution Control Board

North Branch Environmental, a division of Van Hoesen Industries, Inc.
7N458 Garden Avenue
Roselle, Illinois 60172
Phone: 630-529-0240 Fax: 630-529-0837
E-Mail: jvanhoesen@aol.com

September 16, 2008

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

North Branch Environmental

On behalf of the recyclers and generators of used oil in Illinois, North Branch Environmental is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by current rules. These requirements are already address by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations – especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible waste under (mixture that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulation.

The Illinois EPA has proposed to discontinue manifesting used oils – but would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest – but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

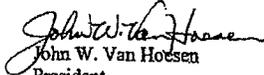
PC 67

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased cost for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequence for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated -- we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully Submitted,



John W. Van Hoesen

President

Van Hoesen Industries, Inc.

d.b.a. North Branch Environmental

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SEP 26 2008

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T-780 P.001/002 F-669

STATE OF ILLINOIS
Pollution Control Board

Modal Marketing Inc.
303 N. Fourth Street
Pekin, Illinois 61554

9-19-08

PC 68

IN THE MATTER OF:

PROPOSED AMENDMENTS TO THE
BOARD'S SPECIAL WASTE
REGULATIONS CONCERNING
USED OIL, 35 ILL. ADM. CODE 808, 809

PRE-FILED TESTIMONY OF Keith Dunkelbarger

On behalf of the recyclers and generators of used oil in Illinois, **Modal Marketing Inc.** is asking the Illinois Pollution Control Board to mitigate the unreasonable and expensive regulatory burden of additional documentation and special facility permitting imposed by the current rules. These requirements are already addressed by the Federal Regulatory System. The current duplicative Illinois regulations do not increase compliance with existing Federal Regulations — especially when the Illinois EPA does not receive, analyze or track manifests and their data.

The fundamental problem is that the regulations that the Illinois EPA has proposed to regulate used oil and compatible wastes under (mixtures that are considered used oil under the Federal Regulations), does not allow for any type of Illinois non-hazardous transfer facilities and processors to operate under just the used oil regulations.

The Illinois EPA has proposed to discontinue manifesting used oils — *but* would require a manifest for mixtures regulated as used oil and require those materials to go to specially permitted facilities in Illinois. NORA proposes that all materials classified as used oil (under the federal regulations) would NOT need a manifest -- but all relevant information would be set forth in a tracking document (bill of lading). In addition, the requirement of specially permitted facilities to handle such materials, if based in Illinois would put Illinois based recyclers at a severe disadvantage when compared to their out of state competitors, who would not be subject to this expensive requirement.

The language that the Illinois EPA proposes and the Illinois Pollution Control Board is considering does not address the unreasonable and expensive burden, and would increase recycling costs to Illinois generators due to transportation costs of common and compatible waste often mixed with used oil, even including water.

Unfortunately, the Illinois Environmental Protection Agency language discourages recyclers from basing their business in Illinois. Illinois businesses will relocate to a state that addresses used oil recycling with the simplicity of the Federal Regulatory System. The lost of revenue to Illinois will only compound Illinois extreme financial problems, and generators in rural areas would lose service options and face increased costs for recycling.

NORA started out these discussions with the Illinois EPA believing we were dealing with mainly a paperwork issue to rectify some problems. Now it has also become a permitting issue as well, with much more serious potential consequences for Illinois based recyclers and generators. Why can't Illinois be like other states?

For all the reasons NORA has articulated - we agree with the need of NORA's proposed language being submitted today and the importance of it being adopted by the board and added to the state regulations.

Respectfully submitted,

Keith Dunkelbarger


President
Modal Marketing Inc.

Dated: September 22, 2008

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Comments and letters (Pre-filed Testimony) from NORA, Southwest Oil, Future Environmental, Independent Lubricant Manufacturers Assoc., Noble Oil Services, RS Used Oil Services, Inc., Holston Environmental Services, Inc., Thermo Fluids, Ricky's Oil Service, Inc., Oil Re-Refining Co., Gencor Industries, Excel Environmental, Inc., Consolidated Recycling Co., Inc., Chicago Petroleum Club, Usher Oil Co., Mosner Services, Gateway Petroleum Co., ESI Environmental, Valley Environmental Services, Universal Lubricants, Inc., Solvent Systems International, Inc., North Branch Environmental, Modal Marketing, Inc., Curran and E.M.C Oil Corp.

by U. S. mail, upon the following persons:

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Christopher Harris
September 23, 2008