

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING

Office of the Attorney General
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Chicago, Illinois 60602

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

Christopher Harris
September 25, 2008

2001 South Tracy
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Electronic Filing - Received, Clerk's Office, December 15, 2008

Hanson = PC # 72 and Moore = PC # 73



October 27, 2008

Material Service

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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**

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,

A handwritten signature in black ink, appearing to read "R. Boisvert", written over a horizontal line.

Randall J. Boisvert
Environmental Manager

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Hanson = PC # 72 and Moore = PC # 73

There's **M**ore to **M**ore Than Oil

IN THE MATTER OF:

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

On behalf of the recyclers and generators of used oil in Illinois, *Moore Oil 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 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.

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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,

Mark Whitmore
General Manager
Moore Oil Environmental

Dated: September 25, 2008