

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DC# 79

IN THE MATTER OF: )  
PROPOSED AMENDMENTS TO THE )  
BOARD'S SPECIAL WASTE REGULATIONS )  
CONCERNING USED OIL )  
35 ILL. ADM. CODE 739,808, 809 )

R06-20  
(Rulemaking – Land)

RECEIVED  
CLERK'S OFFICE

SEP 28 2009

STATE OF ILLINOIS  
Pollution Control Board

COMMENTS OF NORA,  
AN ASSOCIATION OF RESPONSIBLE RECYCLERS

In response to the Board's request (in its August 20, 2009 Opinion and Order) for comments on the Board's proposed amendments to its used oil management standards, NORA, An Association of Responsible Recyclers, Inc. ("NORA") hereby submits its comments.

Despite the Board's lengthy and detailed Opinion and Order and the apparent complexity of the regulatory issues in this matter, there is a simple and straightforward purpose to the Board's proposed amendments: reducing unnecessary and expensive paperwork. At the same, in proposing amendments that would eliminate the requirement for manifests for used oil and certain materials regulated as used oil, the Board was careful not to undermine basic protections of human health and the environment. It is clear that the Board and its staff gave very careful consideration to the comments and testimony of the numerous persons and organizations who are concerned with used oil regulations.

It is worth emphasizing that NORA's proposal, first formally articulated at the Board's October 1, 2008 hearing on this matter, constitutes a compromise designed to address the stated concerns expressed by the Illinois Environmental Protection Agency. NORA's original proposal was to eliminate the manifest requirement for used oil and *all* materials regulated as used oil. NORA's original proposal, if adopted, would have placed Illinois regulations in line with the federal used oil management standards as well as virtually all other states – thereby creating a more manageable and uniform tracking system. The compromise, while highly useful and important, is indeed a compromise. There may come a time when there is a general recognition that eliminating manifests for all materials regulated as used oil would be sensible. In the meantime, NORA and its members are committed to fully complying with the Board's proposed rule (assuming it is adopted).

Although NORA commends the Board and its staff for their hard work and thorough deliberations on NORA's proposal, we recognize that some issues may arise in the implementation of this rule (if adopted). This, of course, is also the situation with many environmental protection regulations. If any such issues arise, NORA and its members intend to work with the Illinois Environmental Protection Agency to seek a harmonious resolution. For example, while the design of individual tracking documents (replacing the need for manifests under the proposed rule) is left to each company's discretion, NORA will fully cooperate with

the Board and IEPA in an attempt ensure that implementation of the rule proceeds as smoothly as possible.

Again, NORA commends the Board for proposing these amendments and recommends their adoption by the Board without any changes.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christopher Harris".

Christopher Harris

General Counsel

NORA, An Association of Responsible Recyclers

1511 West Babcock

Bozeman, Montana 59715

September 25, 2009

PC#80

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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IN THE MATTER OF: )  
PROPOSED AMENDMENTS TO THE )  
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R06-20  
(Rulemaking - Land)

STATE OF ILLINOIS  
Pollution Control Board

COMMENTS OF Safety-Kleen Systems, Inc.

Safety-Kleen Systems, Inc. commends the Board for its carefully considered proposal to improve used oil regulations in the State of Illinois. In addition to eliminating the requirement for unnecessary and duplicative manifests to reduce paperwork and costs it would also promote the responsible collection, recycling and re-refining of used oil rather than a paperwork free "dump it somewhere" approach. This is especially important for small businesses under the current economic climate where they are struggling to survive. Under the Board's proposed amendments, the tracking of used oil shipments will continue - but will be much more generator friendly, collector/transporter efficient and cost-effective.

The proposed amendments will help level the playing field by reducing the burden on businesses in Illinois. These burdens are not imposed on businesses in other states.

Safety-Kleen Systems, Inc. urges the Board to adopt its proposed amendments without any changes.



Tom Rubasky  
Director Oil Operations, West Group.  
219-391-6113

Date: 9/25/09

Address: 601 Riley Rd., East Chicago, IN 46312



*PC#81*

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STATE OF ILLINOIS  
Pollution Control Board

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 739, 808, 809

R06-20  
(Rulemaking - Land)

COMMENTS OF LUKE STAENGL, PRESIDENT AND CEO, PESCO-BEAM

I commend the Board for its carefully considered proposal to improve used oil regulations in the State of Illinois. This change will make the process of documenting and tracking used oil shipments much more efficient and cost-effective, and is of great benefit, especially for small businesses.

Eliminating the requirement for unnecessary and duplicative manifests will reduce paperwork and costs. This is especially important for small businesses. Under the Board's proposed amendments the tracking of used oil shipments will continue – but it will be a much improved and effective process.

The proposed amendments will help level the playing field by reducing the burden on businesses in Illinois. These burdens are not imposed on businesses in other states.

I therefore urge the Board to adopt its proposed amendments without any changes.

Yours truly,

\_\_\_\_\_  
Luke Staengl, President and CEO,  
PESCO-BEAM Environmental Solutions, Inc.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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35 ILL. ADM. CODE 739, 808, 809 )

R06-20  
(Rulemaking – Land)

*PC 182*

COMMENTS OF FUTURE ENVIRONMENTAL, INC.

Future Environmental commends the Board for its carefully considered proposal to improve used oil regulations in the State of Illinois. Eliminating the requirement for unnecessary and duplicative manifests will reduce paperwork and costs. This is especially important for small businesses. Under the Board's proposed amendments the tracking of used oil shipments will continue – but will be much more efficient, cost-effective and less confusing.

The proposed amendments will hopefully help level the playing field by more clearly identifying what is and what is not considered to be handled as "used oil" in Illinois and reducing the burden on businesses with facilities in Illinois. Hopefully, the agency will not attempt to regulate used oil or the four categories of manifest-exempted mixtures under any additional regulation. This will allow Illinois-based recyclers to compete with out-of-state used oil recycling companies. With the adoption of this Opinion and Order, Illinois will still ensure more stringent regulation of used oil than the surrounding states, but regulation that meshes with surrounding states' regulations and should not cause any interstate commerce issues.

Future Environmental urges the Board to adopt its proposed amendments without any changes.

Sincerely,

Michael Lenz  
Future Environmental, Inc.

19701 South 97<sup>th</sup> Avenue  
Mokena, Illinois 60448



**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 739, 808, 809**

**R060-20 (Rulemaking – Land)**

**COMMENTS OF: Heritage-Crystal Clean, LLC**

Heritage-Crystal Clean, LLC provides environmental waste services, with our national corporate headquarters located in Elgin, Illinois. With our 60 facilities, Heritage-Crystal Clean services the majority of the country and thus, we have a broad perspective on the regulatory frameworks of many states.

Heritage-Crystal Clean fully supports the Proposed Amendments of the Board's Special Waste Regulations to allow shipping papers for used oil, in lieu of hazardous waste manifests. Heritage-Crystal Clean urges the Board to adopt the proposed amendments, without any changes. This rulemaking will align Illinois with a well-tested system used in almost all other states for nearly the last 25 years.

This regulatory improvement will eliminate a paperwork burden on the businesses of Illinois, an approach that did not provide any additional environmental protection. In Illinois, businesses will be able to use a standardized Department of Transportation (DOT) shipping paper for the transportation of material classified as used oil. The businesses of Illinois will now be on a level playing field with surrounding states and the rest of the country.

Under the Board's proposed amendments the tracking of used oil shipments will continue - but will be much more efficient and cost-effective. This regulatory improvement will make it easier to collect and recycle used oil from Illinois generators.

In conclusion, we believe that this proposal is in the best interests of the citizens of the State of Illinois and the wise use of our environmental protection dollars. We support the finalization of this rule.

September 24, 2009

Catherine A. McCord

Vice-President  
Environment, Health, and Safety

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STATE OF ILLINOIS  
Pollution Control Board

PC#83



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STATE OF ILLINOIS  
Pollution Control Board

**Before The Illinois Pollution Control Board**

**In The Matter Of:** Proposed Amendments to The Board's Special Waste Regulations  
Regarding Used Oil

35 ILL. ADM. CODE 739, 808, 809

R06-20  
(Rulemaking - Land)

*Pct#84*

Intergulf Corporation would like to express our gratitude to the Board for working diligently on the used oil regulations in the State of Illinois. Expensive and time-consuming manifest duplication is definitely not in the spirit of recycling and is totally unnecessary. Regulatory inefficiencies in this current economic climate cannot be tolerated as we are all trying to recover from the downturn all businesses have experienced. The Board's proposed amendments regarding the tracking of used oil will be much more efficient and less burdensome on businesses serving Illinois' recycling needs.

It is our request that the Board adopt its proposed amendments without change.

Sincerely,

Brandon Velek, Vice President

**Intergulf Corp.**

**10020 Bayport Blvd**

**Pasadena, Texas 77507**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**IN THE MATTER OF:**

**PROPOSED AMENDMENTS TO THE  
SPECIAL WASTE REGULATIONS  
CONCERNING USED OIL  
35 ILL. ADM. CODE, PARTS 739, 808, 809**

**RECEIVED  
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SEP 28 2009  
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Pollution Control Board**

**CERTIFICATE OF SERVICE**

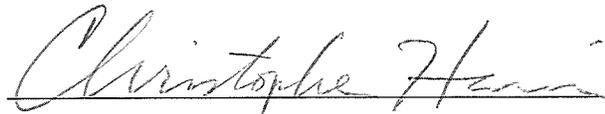
I, CHRISTOPHER HARRIS, an attorney, hereby certify that I filed with the Office of the Clerk of the Illinois Pollution Control Board the following documents:

1. Comments of NORA, An Association of Responsible Recyclers Concerning Opinion and Order of the Illinois Pollution Control Board and Proposed Rule (August 20, 2009)
2. Comments of Safety-Kleen Systems, Inc.
3. Comments of PESCO-BEAM
4. Comments of First Environmental, Inc.
5. Comments of Heritage-Crystal Clean, LLC
6. Intergulf Corporation

and will cause the same to be served upon the following persons by sending it via first class mail, United States Postal Service on September 25, 2009.

John T. Therriault, Assistant Clerk  
Tim Fox, Esq., Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Suite 11-500  
Chicago, Illinois 60601

Stephanie Flowers, Esq.  
Illinois Environmental Protection Agency  
P.O. Box 19276  
Springfield, Illinois 62794-9276



Christopher Harris  
1511 West Babcock  
Bozeman, Montana 59715