

## **Board Adopts Amendments to Used Oil and Special Waste Regulations**

On February 18, 2010, the Illinois Pollution Control Board adopted a final order amending its special waste regulations and corresponding used oil management provisions. The amendments are intended to exempt from the manifesting requirements of Parts 808 and 809 both used oil defined by and managed in accordance with Part 739 and specific mixtures of used oil and other materials.

NORA, formally known as the National Oil Recycling Association, filed the original proposed rulemaking on December 13, 2005. On August 20, 2009, the Board adopted a second first notice proposal in Proposed Amendments to the Board's Special Waste Regulations Concerning Used Oil, 35 Ill. Adm. Code 808, 809 (R06-20). On December 17, 2009, the Board adopted its second notice opinion and order, and opened a subdocket in order to add definitions to Sections 739.100, 808.110, and 809.103, which the Board did not include in its second first notice opinion and order. Subdocket (B) is not addressed in this final opinion and order dated February 18, 2010.

Specifically, the Board adopted regulations exempting from the manifesting requirements of Parts 808 and 809 the following: (1) used oil, defined by and managed in accordance with Part 739; (2) mixtures of used oil and hazardous waste, both mixed and generated by a conditionally exempt small quantity generator, provided that mixture contains more than 50 percent used oil by volume or weight; (3) used oil containing characteristic hazardous waste, with a BTU per pound content greater than 5000 prior to mixture, where the characteristic (*e.g.* ignitability) has been extinguished in the resulting mixture, and both the used oil and the characteristic hazardous waste has been generated and mixed by the same generator, and which contain more than 50 percent of used oil by weight or volume; (4) mixtures of used oil and fuels or other fuel products; and (5) used oil contaminated by or mixed with nonhazardous wastewater, both generated by the same generator and where the mixture results from use or unintentional contamination. In addition, the Board amended the Part 739 tracking requirements to include information required by a manifest in tracking documents.

The Board directed the Clerk to file the adopted amendments with the Secretary of State for publication in the *Illinois Register*.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at the following address:

Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street, Suite 11-500  
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In addition, documents filed in this rulemaking are available free of charge through the Clerk's Office On-Line (COOL) at [www.ipcb.state.il.us](http://www.ipcb.state.il.us).