

May 23, 2019

ILLINOIS POLLUTION CONTROL BOARD

Re: Amendments to Manifesting Requirements: Special Waste Hauling 35 ILL ADM. Code 809, Rulemaking R19-18

Stericycle, Inc. (Stericycle) appreciates and supports the undertaking by the Illinois Environmental Protection Agency (the Agency) for identifying the issue of using a Uniform Hazardous Waste Manifest for shipment of special wastes in Illinois. As a hauler of both hazardous and non-hazardous special wastes, the adoption of The United States Environmental Protection Agency's (USEPA) electronic manifest (e-Manifest) Act has impacted us financially and increased administrative burden to our transportation and disposal facilities that receive these wastes nationwide. We understand this is beyond the control of the Agency regarding hazardous special waste, however, we appreciate the effort with this proposed rulemaking to remove these burdens for non-hazardous special wastes.

Stericycle also appreciated the opportunity to be present and submit testimony at the Illinois Pollution Control Board's (the Board) hearing on May 9, 2019. Stericycle is taking this opportunity to supplement the verbal testimony of Wade Scheel, Director of Governmental Affairs for Stericycle, presented at this hearing with these additional comments.

On May 7, 2019, Stericycle received a series of questions from the Board. The questions are repeated below with comments for the record in addition to the verbal testimony from the May 9, 2019 hearing.

1. *On page 1, you note that in Illinois, Stericycle has several PIMW and document destruction facilities. The Board regulations at 35 Ill. Adm. Code 1420.104(d) and the Act at Section 56.1 require PIMW manifests for transporting PIMW. Please explain whether Stericycle must complete dual manifests or whether the special waste manifest satisfies the PIMW manifest requirements.*

Stericycle Response: Stericycle, and other PIMW service providers, would not be submitting dual manifests for special waste and PIMW. There is a separate special waste manifest form that is specifically designed for PIMW and required by the State for documenting the shipment of PIMW. This specific PIMW special waste manifest form would continue to be used. In addition, all other Illinois Special Waste is required to be shipped on a Uniform Hazardous Waste Manifest

2. *Regarding concerns with the USEPA's e-Manifesting System, has Stericycle approached USEPA to alleviate the financial and administrative burdens? If so, please comment on any response you have received from USEPA.*

Stericycle Response: Stericycle did not approach the USEPA and did not submit comments to alleviate the burdens of the e-Manifest System. The financial requirements of the e-Manifest Act were specifically required by legislation to cover the cost for EPA to develop and administer the e-Manifest Project, and Stericycle determined the e-Manifest System was most certainly going to become a reality there was minimal opportunity to affect the financial requirements under the Act.

3. *On page 1, 3rd paragraph, you mention the "e-Manifest Act". Please provide a complete citation to that Act for the record.*

Stericycle Response: The EPA's e-Manifest Act is the Hazardous Waste Electronic Manifest Establishment Act, which was adopted October 5th of 2012, and that's Public Law 112-195.

4. *On page 2, you note that there are many forms available that meet the proposed requirements without increased burden or cost.*

a. *Please clarify whether these are third-party forms that you must purchase. If so, how much do they cost?*

Stericycle Response: Yes, these are third-party forms that we must purchase. The cost varies of course by quantity purchased, but the costs range from \$0.15 to \$0.40 each. In comparison, Uniform Hazardous Waste Manifest costs range from \$0.30 to \$0.50 each.

We would encourage the Board to allow the regulated community some flexibility in the type of manifest or shipping document required for documenting Illinois Nonhazardous Special Waste shipments. Industry waste disposal service providers already have systems and processes in place for creating shipping documents and using their own systems for printing the information on the manifests or shipping documents they normally use for non-hazardous waste shipments. If the Board and ILEPA develop a separate form and require the use of that form for Illinois Nonhazardous Special Waste, then the industry will be burdened with additional IT development projects and potential system changes and equipment upgrades to accommodate the specific form. Therefore, Stericycle would request the flexibility on the use of non-hazardous waste manifests, bills of lading, or other shipping papers that are already commonly used by industry waste service providers. There are many forms available and in-use today that would meet this requirement without an increased burden or cost and would be equally effective in tracking the waste.

b. *Please explain whether utilizing a separate state level electronic reporting system for nonhazardous special waste, instead of paper forms, would ease the administrative burden for a generator or transporter.*

Stericycle Response: We would support the Illinois EPA's position to continue to utilize an annual reporting process to capture the information necessary for gathering information on Illinois Nonhazardous Special Waste shipments and volumes. Stericycle does not support submitting paper forms to the Agency as an effective way of gathering the information and this would certainly add an additional administrative and financial burden to generators and service providers. There may be an additional administrative burden, depending upon how the information is required to be submitted. Electronic submittals are always better than paper forms, although the state level reporting would likely require IT system development and testing to accommodate the state level system requirements.

We appreciate the opportunity to submit testimony on this important rule. If you have any further questions or comments please feel free to contact me at 612-590-5039 or via email at wscheel@stericycle.com; or contact my colleague Cara Simaga at 312-720-6213 or via email csimaga@stericycle.com

Sincerely,



Wade Scheel, Director of Governmental Affairs