

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
AMENDMENTS TO MANIFESTING) R19-018
REQUIREMENTS: SPECIAL WASTE HAULING) (Rulemaking - Land)
35 ILL. ADM. CODE 809)

NOTICE OF FILING

TO: See attached Certificate of Service.

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board ILLINOIS EPA'S FIRST NOTICE COMMENTS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gabriel H. Neibergall
Gabriel H. Neibergall
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DATED: January 2, 2020

1021 N. Grand Ave. East
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ILLINOIS EPA'S FIRST NOTICE COMMENTS

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA" or "Agency"), by and through its counsel, and pursuant to the Illinois Pollution Control Board ("Board") Order filed November 7, 2019, submitting first notice comments in the above captioned rulemaking.

In the Board Order dated November 7, 2019 (at page 6, BOARD DISCUSSION) the Agency was asked to provide copies of its forms for the transportation of nonhazardous special waste. Drafts of these Agency forms are attached in the pages that follow: (1) Illinois Non-Hazardous Special Waste Manifest; and (2) Instructions for the Illinois Non-Hazardous Special Waste Manifest.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gabriel H. Neibergall
Gabriel H. Neibergall
Assistant Counsel
Division of Legal Counsel
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DATED: January 2, 2020

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Division of Legal Counsel

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Please print or type. NOT TO BE USED FOR RCRA HAZARDOUS OR TSCA WASTES

Illinois Non-Hazardous Special Waste MANIFEST		1. Generator Illinois ID Number	2. Page 1 of	3. Emergency Response Phone	4. Manifest Number (See Instructions) Year-Seq #	
5. Generator's Name and Mailing Address			Generator's Site Address (if different than mailing address)			
Generator's Phone:						
6. Transporter 1 Company Name				Illinois Special Waste Hauling Permit Number		
7. Transporter 2 Company Name				Illinois Special Waste Hauling Permit Number		
8. Designated Facility Name and Site Address				Facility Illinois ID Number		
Facility's Phone:						
9a.	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Illinois Waste Code
		No.	Type			
1.						
2.						
3.						
4.						
14. Special Handling Instructions and Additional Information						
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations.						
Generator's/Offoror's Printed/Typed Name			Signature		Month Day Year	
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: _____ Date leaving U.S.: _____						
17. Transporter Acknowledgment of Receipt of Materials						
Transporter 1 Printed/Typed Name			Signature		Month Day Year	
Transporter 2 Printed/Typed Name			Signature		Month Day Year	
18. Discrepancy						
18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
Manifest Reference Number:						
18b. Alternate Facility (or Generator)				U.S. EPA ID Number		
Facility's Phone:						
18c. Signature of Alternate Facility (or Generator)					Month Day Year	
19. Non-Hazardous Waste Report Management Method Codes (i.e., codes for non-hazardous waste treatment, disposal, and recycling systems)						
1.	2.	3.	4.			
20. Designated Facility Owner or Operator: Certification of receipt of non-hazardous materials covered by the manifest except as noted in Item 18a						
Printed/Typed Name			Signature		Month Day Year	

GENERATOR

TRANSPORTER INT'L

DESIGNATED FACILITY

Illinois Non-Hazardous Special Waste Manifest Instructions NOT TO BE USED FOR RCRA HAZARDOUS OR TSCA WASTES

Read all instructions before completing the Manifest.

1. Illinois law requires generators and transporters of Illinois Non-Hazardous Special Waste, and owners or operators of receiving facilities designated on the manifest, to document the transportation of the waste using a form prescribed by the Illinois EPA. The Illinois EPA has prescribed this manifest form for that purpose. Illinois Non-Hazardous Special Waste may also be manifested using USEPA's hazardous waste electronic manifesting system in lieu of this manifest form.
2. A manifest must be completed for all interstate and intrastate transportation of Illinois Special Non-hazardous waste where either the generator or the receiving facility, or both, is located in Illinois.
3. This manifest form consists of four Parts (pages):
 - The generator of the waste completes the "Generator" portion of the manifest, delivers the manifest to the transporter with the waste being transported, and retains Part 4.
 - Upon receipt of the waste from the generator, the "Transporter" portion of the manifest and retains Part 3.
 - The "Designated Facility" portion of the manifest is completed the facility that receives the waste for treatment, storage, or disposal upon receipt of the waste from a transporter. The Designated Facility keeps Part 1 of the manifest; Part 2 is to be returned to the generator by the receiving facility after the receiving facility completes its portion of the manifest; Part 3 is to be kept by the transporter after delivering the waste to the receiving facility and completing its portion of the manifest, and Part 4 is kept by the generator until Part 2 is received.
 - No part of the manifest is to be submitted to the Illinois EPA.
4. This Manifest is designed to be completed using a standard computer printer or a pen using firm handwriting.
5. Copies of this manifest form may be purchased from a third party vendor. Manifests printed by a third party vendor must be substantially identical to this form.

Instructions for Generators

Item 1. Generator's Illinois Identification Number

Enter the generator's state identification number if the generator site does not have an EPA identification number.

Item 2. Page 1 of ___

Enter the total number of pages used to complete the manifest.

Item 3. Emergency Response Phone Number

Enter a phone number at which emergency response information can be obtained in the event of an incident during transportation. The emergency response phone number must:

1. Be the number of the generator or the number of an agency or organization who is capable of and accepts responsibility for providing detailed information about the generated waste;
2. Reach a phone that is monitored 24 hours a day at all times the waste is in transit (including transportation related storage); and
3. Reach someone who is either knowledgeable of the waste being shipped and has comprehensive emergency response and spill cleanup/incident mitigation information for the material being shipped or has immediate access to a person who has that knowledge and information about the shipment.

Emergency Response phone number information should only be entered in Item 3 when there is one phone number that applies to all the waste materials described in Item 9b. If a more than one Emergency Response phone number applies to the various wastes listed on the manifest, the phone numbers associated with each specific material should be entered after its description in Item 9b.

Item 4. Manifest Tracking Number

This unique tracking number may either be pre-printed on the manifest by the form's printer or may be manually added by the generator. Manually added numbers should consist of two: the year of the shipment and the sequential number unique to the manifest.

For example, the manifest for the first shipment from an Illinois generator in calendar year 2019 would be numbered "2019-1".

Item 5. Generator's Mailing Address, Phone Number and Site Address

Enter the name of the generator, the mailing address to which the completed manifest signed by the designated facility should be mailed, and the generator's telephone number. The telephone number should be the normal business number for the generator, or the number where the generator

or its authorized agent may be reached to provide instructions in the event the receiving facility rejects some or all of the shipment. This item should also include the physical site address from which the shipment originates, if different from the mailing address.

Item 6 and 7. Transporter Company Name and Illinois Special Waste Hauling Permit Number

Enter the company name and four digit Illinois Special Waste Hauling Permit number of each transporter that will transport the waste identified on the manifest. If more than two transporters are needed, use a second manifest.

Item 8. Designated Facility Name, Site Address, and Illinois ID Number

Enter the company name and site address of the facility designated to receive the waste listed on the manifest. Also enter the facility's phone number and the Illinois ten-digit identification number of the facility.

Item 9. U.S. DOT Information

Item 9a. This field is intentionally left blank.

Item 9b. Enter the U.S. DOT Proper Shipping Name, Hazard Class or Division, Identification Number (UN/NA) and Packing Group for each waste as identified in 49 CFR 172. Include technical name(s) and reportable quantity references, if applicable. If not regulated by U.S.DOT, enter "non-hazardous" followed by a generic description of the waste.

If additional space is needed for waste descriptions, enter that information on a second manifest. If more than one Emergency Response phone number applies to the wastes described in either Item 9b or Item 27, enter applicable Emergency Response phone numbers in Item 9b, immediately following the shipping descriptions for those Items.

Item 10. Containers (Number and Type)

Enter the number of containers for each waste and the appropriate abbreviation from Table I (below) for the type of container.

Table I. Types of Containers

BA = Burlap, cloth, paper, or plastic bags.	DT = Dump truck.
CF = Fiber or plastic boxes, cartons, cases.	DW = Wooden drums, barrels, kegs.
CM = Metal boxes, cartons, cases (including roll-offs).	HG = Hopper or gondola cars.
CW = Wooden boxes, cartons, cases.	TC = Tank cars
CY = Cylinders.	TP = Portable tanks.

DF = Fiberboard or plastic drums, barrels, kegs. TT = Cargo tanks (tank trucks).

DM = Metal drums, barrels, kegs.

Item 11. Total Quantity

Enter, in designated boxes, the total quantity of waste transported. Round partial units to the nearest whole unit. Waste quantities entered should be based on actual measurements or reasonably accurate estimates of actual quantities shipped. Container capacities are not acceptable as estimates.

Item 12. Units of Measure (Weight/Volume)

Enter, in designated boxes, the appropriate abbreviation from Table II (below) for the unit of measure of the waste transported.

Table II. Units of Measure

G = Gallons (liquids only)	N = Cubic Meters
K = Kilograms	P = Pounds
L = Liters (liquids only)	T = Tons (2000 Pounds)
M = Metric Tons (1000 Kilograms)	Y = Cubic Yards

Item 13. Waste Codes

Each waste stream itemized on the manifest should be accompanied by a waste code. The non-hazardous special waste codes are identified below.

IL01	Leaking Underground Storage Tank contaminated soil, sand and clay	IL11	Food processing waste, off-spec food products
IL02	Other contaminated soil, sand or clay	IL12	Antifreeze
IL03	Other contaminated materials	IL13	Waste/used oil
IL04	PCB solids such as capacitors/carcasses	IL14	Other organic liquids
IL05	PCB liquids such as transformer& capacitor oils	IL15	Other organic solids or sludges
IL06	Lab Packs	IL16	Liquids with other metals
IL07	Leachate	IL17	Solids or sludges with other metals
IL08	Ashes, incinerator or boiler	IL18	Other inorganic liquids
IL09	Municipal WW treatment sludges	IL19	Other inorganic solids or sludges
IL10	Industrial WW treatment sludges	IL20	Containerized Gas
		IL21	Household Hazardous Waste from collections

Item 14. Special Handling Instructions and Additional Information

Generators may enter any of the following in Item 14:

- Special handling or shipment-specific information necessary for the proper management

or tracking of the transported waste. This information could include waste profile numbers, container codes, bar codes, or response guide numbers.

- Information about the transported materials, such as chemical names, constituent ratios, physical state, or specific gravity of wastes identified with volume units in Item 12.
- Information for which there is no specific space provided on the manifest, including any alternate facility designations; the manifest tracking number of the original manifest for rejected wastes and residues that are re-shipped under a second manifest.

Item 15. Generator's/Offeror's Certifications

1. The generator must read, sign, and date required attestation that the shipment has been properly prepared and is in proper condition for transportation (the shipper's certification). The content of the shipper's certification statement is as follows: "I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked, and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. When a party other than the generator prepares the shipment for transportation, this party may also sign the shipper's certification statement as the offeror of the shipment.
2. Generator or Offeror personnel may preprint the words, "On behalf of" in the signature block or may hand write this statement in the signature block prior to signing the generator/offeror certification, to indicate that the individual signs as the employee or agent of the named principal.

All of the above information except the handwritten signature required in Item 15 may be pre-printed.

Instructions for International Shipment

For export shipments, the primary exporter must check the export box in Item 16, and enter the point of exit (city and state) from the United States. For import shipments, the importer must check the import box and enter the point of entry (city and state) into the United States. For exports, the transporter must sign and date the manifest to indicate the day the shipment left the United States. Transporters of hazardous waste shipments must deliver a copy of the manifest to the U.S. Customs when exporting the waste across U.S. borders.

Instructions for Transporters

Transporters must complete Item 17 by entering the name of the person accepting the waste on behalf of the transporter. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt. Only one signature per transportation company is required. Signatures are not required to track the movement of wastes in and out of transfer facilities, unless there is a change of custody between transporters.

If applicable, enter the name of the person accepting the waste on behalf of the second transporter. That person must acknowledge acceptance of the waste described on the manifest by signing and entering the date of receipt.

Transporters carrying imports, who are acting as importers, may have responsibilities to enter information in the International Shipments Block. Transporters carrying exports may also have responsibilities to enter information in the International Shipments Block. See above instructions for Item 16.

Instructions for Receiving Facilities

Item 18a. Discrepancy Indication

1. The authorized representative of the designated (or alternate) facility's owner or operator must note in this space any discrepancies between the waste described on the manifest and the waste actually received at the facility. Manifest discrepancies include:
 - significant differences between the quantity or type of waste designated on the manifest or shipping paper and the quantity and type of waste a facility actually receives;
 - rejected wastes; and
 - container residues.
2. For rejected loads, check the appropriate box if the shipment is a rejected load or a regulated residue that cannot be removed from a container. Enter the reason for the rejection or the inability to remove the residue and a description of the waste in the space below the checked box. The authorized representative should include the manifest tracking number for any additional manifests used to track the rejected waste or residue shipment on the original manifest. The original manifest tracking number should also be identified in Item 14, the Special Handling Block and Additional Information Block of the additional manifests.

Item 18b. Alternate Facility (or Generator) for Receipt of Full Load Rejections

Enter the name, address, phone number, and Illinois EPA or USEPA Identification Number of the Alternate Facility which the rejecting facility has designated, after consulting with the generator, to receive a fully rejected waste shipment. In the event that a fully rejected shipment is returned to the generator, the rejecting facility may enter the generator's site information in this space. This field is not to be used for partially rejected loads or residue waste shipments.

Item 18c. Alternate Facility (or Generator) Signature

The authorized representative of the alternate facility (or the generator in the event of a returned shipment) must sign and date this field of the form to acknowledge receipt of the fully rejected wastes or residues identified by the initial facility.

Item 19. Special Waste Report Management Method Codes

Enter the most appropriate Non-Hazardous Special Waste Report Management Method code for each waste listed in Item 9. The Non-Hazardous Special Waste Report Management Method code is to be entered by the first facility that receives the waste and is the code that best describes the way in which the waste is to be managed when received by the facility.

01	Metals recovery	09	Landfill
02	Solvent recovery	10	Transfer station
03	Other recovery	11	Storage (long-term)
04	Incineration	12	Other, describe in comments
05	Burning to recover BTU value	13	Used Oil regeneration
06	Blending to fuel specs	14	Used oil on-spec fuel blending
07	Chemical, physical, or biological treatment	15	Used oil off-spec fuel blending
08	Land treatment, application	16	Used oil that is incorporated into Hazardous waste fuel blending

Item 20. Designated Facility Owner or Operator Certification of Receipt (Except As Noted in Item 18a)

Enter the name of the person receiving the waste on behalf of the owner or operator of the facility. That person must acknowledge receipt or rejection of the waste described on the manifest by signing and entering the date of receipt or rejection where indicated. This certification should be signed for both waste receipt and waste rejection, with the rejection being noted and described in the space provided in Item 18a. Fully rejected wastes may be forwarded or returned using Item 18b after consultation with the generator. Enter the name of the person accepting the waste on behalf of the owner or operator of the alternate facility or the original generator. That person must acknowledge receipt or rejection of the waste described on the manifest by signing and entering the date they received or rejected the waste in Item 18c. Partially rejected wastes and residues must be re-shipped under a new manifest, to be initiated and signed by the rejecting facility as offeror of the shipment.

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IN THE MATTER OF:)	
AMENDMENTS TO MANIFESTING)	R19-018
REQUIREMENTS: SPECIAL WASTE HAULING)	(Rulemaking - Land)
35 ILL. ADM. CODE 809)	

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, affirm that I have served the attached NOTICE OF FILING and ILLINOIS EPA'S FIRST NOTICE COMMENTS, on behalf of the Illinois EPA, upon the following person(s) by e-mail to the e-mail address(es) indicated below or, if no e-mail address is provided, by placing true copies, in an envelope duly addressed and bearing proper first class postage, in the United States mail at Springfield, Illinois on January 2, 2020:

TO:

Illinois Pollution Control Board
Don Brown, Clerk
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
don.brown@illinois.gov

Illinois Department of Natural Resources
Office of Legal Services
One Natural Resources Way
Springfield, Illinois 62702-1271
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Office of the Attorney General
Environmental Bureau North
69 West Washington Street, Suite 1800
Chicago, Illinois 60602
mdunn@atg.state.il.us

Heplerbroom, LLC
4340 Acer Grove Drive
Springfield, Illinois 62711
melissa.brown@heplerbroom.com

I affirm that my e-mail address is gabriel.neibergall@illinois.gov; the number of pages in the e-mail transmission is 15; and the e-mail transmission took place today before 4:30 PM. If you prefer service by mail, please contact me and a copy will be mailed to you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Gabriel H. Neibergall
Gabriel H. Neibergall

Assistant Counsel
Division of Legal Counsel
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DATED: January 2, 2020

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