



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

August 7, 2024

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL 60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 48, Issue 32 of the Illinois Register, dated 8/9/2024.

PROPOSED RULES

Nitrogen Oxides Emissions 35 Ill. Adm. Code 217 Point of Contact: Shannon Bilbruck	11469
Hazardous Waste Management System: General 35 Ill. Adm. Code 720 Point of Contact: Shannon Bilbruck	11559
Identification and Listing of Hazardous Waste 35 Ill. Adm. Code 721 Point of Contact: Shannon Bilbruck	11596
Standards Applicable to Generators of Hazardous Waste 35 Ill. Adm. Code 722 Point of Contact: Shannon Bilbruck	11776
Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities 35 Ill. Adm. Code 724 Point of Contact: Shannon Bilbruck	11839
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities 35 Ill. Adm. Code 725 Point of Contact: Shannon Bilbruck	11868

Index Department - Administrative Code Division - 111 East Monroe Springfield, IL 62756



OFFICE OF THE SECRETARY OF STATE

ALEXI GIANNOULIAS • Secretary of State

Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste
Management Facilities

35 Ill. Adm. Code 726

11890

Point of Contact: Shannon Bilbruck

If you have any questions, you may contact the Administrative Code Division at
(217) 782 - 7017.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3)

<u>Section Number:</u> 720.110	<u>Proposed Action:</u> Amendment
-----------------------------------	--------------------------------------
- 4) Statutory Authority: Implementing Sections 7.2, 13, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4 and 27].
- 5) A complete description of the subjects and issues involved: The Board today proposes amendments to Illinois regulations that are "identical in substance" (IIS) to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) in the second halves of 2023.

August 9, 2023 (88 FR 54086)

The USEPA issued a direct final rule effective December 7, 2023, with comprehensive non-substantive corrections and technical revisions to clarify provisions in the Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules in RCRA Subtitle C. The USEPA corrected typographical errors, incorrect citations, and ambiguous language in the three rules. The Board proposes amendments to the Illinois hazardous waste rules to reflect the USEPA's updates.

December 6, 2023 (88 FR 84710)

The USEPA withdrew eight non-substantive and technical revisions amended in the RCRA Subtitle C Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules published on August 9, 2023 (88 FR 54086) due to adverse public comments. The Board withdrew the revisions to reflect the USEPA's final amendments effective December 7, 2023.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Board relied on the Federal Registers, as listed above, to compose the rulemaking.

RECEIVED

JUL 24 2024

SOS-CODE DIV.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R24-12 and be addressed to:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

Request copies of the Board's opinion and order at 312-814-3461, or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

- 13) Initial regulatory flexibility analysis:
 - A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
 - B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendment require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].

- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendment may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
- 15) Regulatory agenda on which this rulemaking was summarized: January 2024

The full text of the proposed amendment begins on the next page:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Identification and Listing of Hazardous Waste
- 2) Code Citation: 35 Ill. Adm. Code 721
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
721.101	Amendment
721.104	Amendment
721.106	Amendment
721.111	Amendment
721.130	Amendment
721.242	Amendment
721.243	Amendment
721.247	Amendment
721.500	Amendment
721.510	Amendment
721.511	Amendment
721.520	Amendment
721.933	Amendment
721.983	Amendment
721.984	Amendment
721.989	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
- 5) A complete description of the subjects and issues involved: The Board today proposes amendments to Illinois regulations that are "identical in substance" (IIS) to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) in the second halves of 2023.

August 9, 2023 (88 FR 54086)

The USEPA issued a direct final rule effective December 7, 2023, with comprehensive non-substantive corrections and technical revisions to clarify provisions in the Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules in RCRA Subtitle C. The USEPA corrected typographical errors, incorrect citations, and ambiguous language in the three rules. The Board proposes amendments to the Illinois hazardous waste rules to reflect the USEPA's updates.

December 6, 2023 (88 FR 84710)

RECEIVED

JUL 24 2024

SOS-CODE DIV.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The USEPA withdrew eight non-substantive and technical revisions amended in the RCRA Subtitle C Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules published on August 9, 2023 (88 FR 54086) due to adverse public comments. The Board withdrew the revisions to reflect the USEPA's final amendments effective December 7, 2023.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Board relied on the Federal Registers, as listed above, to compose the rulemaking.
- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R24-12 and be addressed to:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Request copies of the Board's opinion and order at 312-814-3461, or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

13) Initial regulatory flexibility analysis:

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendment require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendment may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].

14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.

15) Regulatory agenda on which this rulemaking was summarized: January 2024

The full text of the proposed amendments begins on the next page:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards Applicable to Generators of Hazardous Waste
- 2) Code Citation: 35 Ill. Adm. Code 722
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
722.101	Amendment
722.110	Amendment
722.111	Amendment
722.114	Amendment
722.116	Amendment
722.117	Amendment
722.142	Amendment
722.182	Amendment
722.300	Amendment
722.332	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
- 5) A complete description of the subjects and issues involved: The Board today proposes amendments to Illinois regulations that are "identical in substance" (IIS) to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) in the second halves of 2023.

August 9, 2023 (88 FR 54086)

The USEPA issued a direct final rule effective December 7, 2023, with comprehensive non-substantive corrections and technical revisions to clarify provisions in the Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules in RCRA Subtitle C. The USEPA corrected typographical errors, incorrect citations, and ambiguous language in the three rules. The Board proposes amendments to the Illinois hazardous waste rules to reflect the USEPA's updates.

December 6, 2023 (88 FR 84710)

The USEPA withdrew eight non-substantive and technical revisions amended in the RCRA Subtitle C Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules published on August 9, 2023 (88 FR 54086) due to adverse public comments. The Board withdrew the revisions to reflect the USEPA's final amendments effective December 7, 2023.

RECEIVED

JUL 24 2024

SOS-CODE DIV.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Board relied on the Federal Registers, as listed above, to compose the rulemaking.
- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R24-12 and be addressed to:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

Request copies of the Board's opinion and order at 312-814-3461, or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

- 13) Initial regulatory flexibility analysis:
 - A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].

- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendment require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
 - C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendment may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
 - 15) Regulatory agenda on which this rulemaking was summarized: January 2024

The full text of the proposed amendments begins on the next page:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code Citation: 35 Ill. Adm. Code 724
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
724.101	Amendment
724.112	Amendment
724.115	Amendment
724.172	Amendment
724.930	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
- 5) A complete description of the subjects and issues involved: The Board today proposes amendments to Illinois regulations that are "identical in substance" (IIS) to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) in the second halves of 2023.

August 9, 2023 (88 FR 54086)

The USEPA issued a direct final rule effective December 7, 2023, with comprehensive non-substantive corrections and technical revisions to clarify provisions in the Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules in RCRA Subtitle C. The USEPA corrected typographical errors, incorrect citations, and ambiguous language in the three rules. The Board proposes amendments to the Illinois hazardous waste rules to reflect the USEPA's updates.

December 6, 2023 (88 FR 84710)

The USEPA withdrew eight non-substantive and technical revisions amended in the RCRA Subtitle C Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules published on August 9, 2023 (88 FR 54086) due to adverse public comments. The Board withdrew the revisions to reflect the USEPA's final amendments effective December 7, 2023.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

RECEIVED

JUL 24 2024

SOS-CODE DIV.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Board relied on the Federal Registers, as listed above, to compose the rulemaking.
- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R24-12 and be addressed to:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

Request copies of the Board's opinion and order at 312-814-3461, or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

- 13) Initial regulatory flexibility analysis:
 - A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendment require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendment may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
- 15) Regulatory agenda on which this rulemaking was summarized: January 2024

The full text of the proposed amendments begins on the next page:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code Citation: 35 Ill. Adm. Code 725
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
725.101	Amendment
725.172	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
- 5) A complete description of the subjects and issues involved: The Board today proposes amendments to Illinois regulations that are "identical in substance" (IIS) to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) in the second halves of 2023.

August 9, 2023 (88 FR 54086)

The USEPA issued a direct final rule effective December 7, 2023, with comprehensive non-substantive corrections and technical revisions to clarify provisions in the Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules in RCRA Subtitle C. The USEPA corrected typographical errors, incorrect citations, and ambiguous language in the three rules. The Board proposes amendments to the Illinois hazardous waste rules to reflect the USEPA's updates.

December 6, 2023 (88 FR 84710)

The USEPA withdrew eight non-substantive and technical revisions amended in the RCRA Subtitle C Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules published on August 9, 2023 (88 FR 54086) due to adverse public comments. The Board withdrew the revisions to reflect the USEPA's final amendments effective December 7, 2023.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

RECEIVED

JUL 24 2024

SOS-CODE DIV.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Board relied on the Federal Registers, as listed above, to compose the rulemaking.
- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R24-12 and be addressed to:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

Request copies of the Board's opinion and order at 312-814-3461, or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

- 13) Initial regulatory flexibility analysis:
 - A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendment require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendment may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
- 15) Regulatory agenda on which this rulemaking was summarized: January 2024

The full text of the proposed amendments begin on the next page:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities
- 2) Code Citation: 35 Ill. Adm. Code 726
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
726.200	Amendment
726.208	Amendment
726.601	Amendment
726.602	Amendment
726.603	Amendment
726.604	Amendment
726.605	Amendment
726.606	Amendment
726.607	Amendment
726.608	Amendment
726.610	Amendment
- 4) Statutory Authority: Implementing Sections 7.2, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
- 5) A complete description of the subjects and issues involved: The Board today proposes amendments to Illinois regulations that are "identical in substance" (IIS) to hazardous waste regulations adopted by the United States Environmental Protection Agency (USEPA) in the second halves of 2023.

August 9, 2023 (88 FR 54086)

The USEPA issued a direct final rule effective December 7, 2023, with comprehensive non-substantive corrections and technical revisions to clarify provisions in the Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules in RCRA Subtitle C. The USEPA corrected typographical errors, incorrect citations, and ambiguous language in the three rules. The Board proposes amendments to the Illinois hazardous waste rules to reflect the USEPA's updates.

December 6, 2023 (88 FR 84710)

The USEPA withdrew eight non-substantive and technical revisions amended in the RCRA Subtitle C Generator Improvements, Pharmaceuticals, and Definition of Solid Waste rules published on August 9, 2023 (88 FR 54086) due to adverse public comments.

RECEIVED

JUL 24 2024

SOS-CODE DIV.

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

The Board withdrew the revisions to reflect the USEPA's final amendments effective December 7, 2023.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by JCAR.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Board relied on the Federal Registers, as listed above, to compose the rulemaking.
- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of statewide policy objectives: This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R24-12 and be addressed to:

Don A. Brown, Clerk
Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, Illinois 60605

312-814-3461
don.brown@illinois.gov

Request copies of the Board's opinion and order at 312-814-3461, or download a copy from the Board's Website at <http://www.pcb.illinois.gov>.

- 13) Initial regulatory flexibility analysis:

ILLINOIS REGISTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
 - B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendment require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
 - C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendment may require the services of an attorney, certified public accountant, chemist and registered professional engineer. This proposed amendment does not create or enlarge a state mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
 - 15) Regulatory agenda on which this rulemaking was summarized: January 2024

The full text of the proposed amendments begin on the next page: