

First Notice

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2 SUBTITLE G: WASTE DISPOSAL
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

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83 AUTHORITY: Implementing Sections 7.2, 22.4, and 22.23e and authorized by Section 27 of the
84 Environmental Protection Act [415 ILCS 5/7.2, 22.4, 22.23e, and 27].

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86 SOURCE: Adopted in R95-20 at 20 Ill. Reg. 11291, effective August 1, 1996; amended in R96-
87 10/R97-3/R97-5 at 22 Ill. Reg. 944, effective December 16, 1997; amended in R98-12 at 22 Ill.
88 Reg. 7650, effective April 15, 1998; amended in R99-15 at 23 Ill. Reg. 9502, effective July 26,
89 1999; amended in R00-13 at 24 Ill. Reg. 9874, effective June 20, 2000; amended in R05-8 at 29
90 Ill. Reg. 6058, effective April 13, 2005; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1352,
91 effective December 20, 2006; amended in R16-7 at 40 Ill. Reg. 12268, effective August 9, 2016;
92 amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 25200, effective November 19, 2018;
93 amended in R19-11 at 43 Ill. Reg. 6095, effective May 2, 2019; amended in R20-8/R20-16 at 44
94 Ill. Reg. 15520, effective September 3, 2020; amended in R25-22 at 49 Ill. Reg. _____,
95 effective _____.

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97 SUBPART A: GENERAL

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99 **Section 733.101 Scope**

- 100 a) This Part establishes requirements for managing the following:
 - 101 1) Batteries, as described in Section 733.102;
 - 102 2) Pesticides, as described in Section 733.103;
 - 103 3) Mercury-containing equipment, as described in Section 733.104;
 - 104 4) Lamps, as described in Section 733.105; ~~and~~
 - 105 5) Aerosol cans, as described in 35 Ill. Adm. Code 733.106; ~~and~~;
 - 106 6) Paint and paint-related wastes, as described in 35 Ill. Adm. Code 733.107.
- 107 b) This Part provides an alternative set of management standards in lieu of regulation
108 under 35 Ill. Adm. Code 702 through 705 and 720 through 728.
- 109 c) Electronic Reporting. The filing of any document under any provision of this Part
110 as an electronic document is subject to 35 Ill. Adm. Code 720.104.

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121 BOARD NOTE: Subsection (c) is derived from 40 CFR 3, 271.10(b), 271.11(b),
122 and 271.12(h).

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124 (Source: Amended at 49 Ill. Reg. _____, effective _____)

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126 **Section 733.107 Applicability: Paint and Paint-related Waste~~Mercury-Containing Lamps~~**
127 **(Repealed)**

- 129 a) Paint and Paint-related Waste Covered under This Part. The requirements of this
130 Part apply to persons that manage paint and paint-related waste, as described in
131 Section 733.109, except those listed in subsection (b).
132
133 b) Paint and Paint-related Waste Not Covered under This Part. The requirements of
134 this Part do not apply to the following:
135
136 1) Paint or paint-related waste that has been mixed with solvents or other
137 materials that alter the physical properties of the paint or paint-related
138 waste.
139
140 2) Paint or paint-related waste that is not hazardous waste. Paint or paint-
141 related waste is a hazardous waste if it exhibits one or more of the
142 characteristics identified in Subpart C of 35 Ill. Adm. Code 721.
143
144 3) Paint and paint-related materials that are not regulated as a waste.
145
146 c) Generation of Paint and Paint-related Waste
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148 1) Paint and paint-related waste becomes a waste on the date it is discarded.
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150 2) Unused paint becomes a waste on the date the handler decides to discard
151 it.
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153 (Source: Former Section 733.107 Repealed at 22 Ill. Reg. 9874, effective June 20, 2000;
154 new Section 733.107 Added at 49 Ill. Reg. _____, effective _____)
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156 **Section 733.108 Applicability: Household and ~~Very~~Conditionally Exempt Small Quantity**
157 **Generator Waste**
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- 159 a) A person that manages any of the wastes listed below may, at its option, manage
160 the waste under the requirements of this Part.
161
162 1) Household wastes that are exempt under 35 Ill. Adm. Code 721.104(b)(1)
163 and which are also of the same type as the universal wastes defined at
164 Section 733.109; or
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166 2) VSQG wastes that are exempt under 35 Ill. Adm. Code 722.114 and are
167 also of the same type as the universal wastes defined at Section 733.109.
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169 b) A person that commingles the wastes described in subsections (a)(1) and (a)(2)
170 together with the same type of universal waste regulated under this Part must
171 manage the commingled waste under the requirements of this Part.

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(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 733.109 Definitions

"Aerosol can" means a non-refillable receptacle containing a gas compressed, liquefied, or dissolved under pressure, the sole purpose of which is to expel a liquid, paste, or powder, and fitted with a self-closing release device allowing the gas to eject the contents.

"Ampule" means an airtight vial made of glass, plastic, metal, or any combination of these materials.

"Battery" means a device consisting of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in Sections 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for purposes of managing that category of universal waste.

"FIFRA" means the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136 through 136y).

"Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation.

"Lamp" or "universal waste lamp" is defined as the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, or infra-red regions of the electromagnetic spectrum. Common examples of universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps.

"Large quantity handler of universal waste" means a universal waste handler (as defined in this Section) that accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, lamps, ~~or~~

215 aerosol cans, or paint and paint-related waste, calculated collectively) at any time.
216 This designation as a large quantity handler of universal waste is retained through
217 the end of the calendar year in which the 5,000-kilogram limit is met or exceeded.
218

219 "Mercury-containing equipment" means a device or part of a device (including
220 thermostats, but excluding batteries and lamps) that contains elemental mercury
221 integral to its function.
222

223 "On-site" means the same or geographically contiguous property that may be
224 divided by public or private right-of-way, provided that the entrance and exit
225 between the properties is at a cross-roads intersection, and access is by crossing as
226 opposed to going along the right of way. Non-contiguous properties, owned by
227 the same person but connected by a right-of-way that that person controls and to
228 which the public does not have access, are also considered on-site property.
229

230 "Paint" means a pigmented or unpigmented powder coating, or a pigmented or
231 unpigmented mixture of binder and suitable liquid, that forms an adherent coating
232 when applied to a surface. Powder coating is a surface coating that is applied as
233 a dry powder and is fused into a continuous coating film through the use of heat.
234 "Paint" includes architectural paint as defined in the Paint Stewardship Act but
235 does not include other types of coatings such as industrial original equipment or
236 specialty coatings. [415 ILCS 5/22.23e]
237

238 "Paint-related waste" is (i) material contaminated with paint that results from the
239 packaging of paint, wholesale and retail operations, paint manufacturing, and
240 paint application or removal activities or (ii) material derived from the
241 reclamation of paint-related wastes that is recycled in a manner other than
242 burning for energy recovery or used in a manner constituting disposal. [415 ILCS
243 5/22.23e]
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245 "Pesticide" means any substance or mixture of substances intended for
246 preventing, destroying, repelling, or mitigating any pest or intended for use as a
247 plant regulator, defoliant, or desiccant, other than any article that fulfills one of
248 the following descriptions:
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250 It is a new animal drug under section 201(v) of the Federal Food, Drug
251 and Cosmetic Act (FFDCA) (21 USC 321(v)), incorporated by reference
252 in 35 Ill. Adm. Code 720.111;
253

254 It is an animal drug that has been determined by regulation of the federal
255 Secretary of Health and Human Services under FFDCA section 512(j) (21
256 USC 360b(j)), incorporated by reference in 35 Ill. Adm. Code 720.111(c),
257 to be an exempted new animal drug; or

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It is an animal feed under FFDCA section 201(w) (21 USC 321(w)), incorporated by reference in 35 Ill. Adm. Code 720.111(c), that bears or contains any substances described in either of the two preceding paragraphs of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 273.6 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug." This is very similar to the language of section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 USC 136(u)). The three exceptions, taken together, appear intended not to include as "pesticide" any material within the scope of federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"Small quantity handler of universal waste" means a universal waste handler (as defined in this Section) that does not accumulate 5,000 kilograms or more total of universal waste (batteries, pesticides, mercury-containing equipment, lamps, ~~or~~ aerosol cans, or paint and paint-related waste, calculated collectively) at any time.

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with the requirements of Section 733.113(c)(2) or 733.133(c)(2).

"Universal waste" means any of the following hazardous wastes that are subject to the universal waste requirements of this Part:

Batteries, as described in Section 733.102;

Pesticides, as described in Section 733.103;

Mercury-containing equipment, as described in Section 733.104;

Lamps, as described in Section 733.105; ~~and~~

Aerosol cans, as described in Section 733.106; ~~and~~

Paint and paint-related waste, as described in Section 733.107.

"Universal waste handler" means either of the following:

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302 A generator (as defined in this Section) of universal waste; or
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304 The owner or operator of a facility, including all contiguous property, that
305 receives universal waste from other universal waste handlers, accumulates
306 universal waste, and sends universal waste to another universal waste
307 handler, to a destination facility, or to a foreign destination.
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309 Universal waste handler does not mean:

310 A person that treats (except under Section 733.113(a) or (c) or
311 733.133(a) or (c)), disposes of, or recycles (except under Section
312 733.113(e) or 733.133(e)) universal waste; or
313

314 A person engaged in the off-site transportation of universal waste
315 by air, rail, highway, or water, including a universal waste transfer
316 facility.
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318 "Universal waste transfer facility" means any transportation-related facility
319 including loading docks, parking areas, storage areas, and other similar areas
320 where shipments of universal waste are held during the normal course of
321 transportation for ten days or less.
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323 "Universal waste transporter" means a person engaged in the off-site
324 transportation of universal waste by air, rail, highway, or water.
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326 (Source: Amended at 49 Ill. Reg. _____, effective _____)
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329 **SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS**
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331 **Section 733.113 Waste Management**
332

- 333 a) Universal Waste Batteries. A small quantity handler of universal waste must
334 manage universal waste batteries in a manner that prevents releases of any
335 universal waste or component of a universal waste to the environment, as follows:
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- 337 1) A small quantity handler of universal waste must contain any universal
338 waste battery that shows evidence of leakage, spillage, or damage that
339 could cause leakage under reasonably foreseeable conditions in a
340 container. The container must be closed, structurally sound, compatible
341 with the contents of the battery, and must lack evidence of leakage,
342 spillage, or damage that could cause leakage under reasonably foreseeable
343 conditions;

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- 2) A small quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):
 - A) Sorting batteries by type;
 - B) Mixing battery types in one container;
 - C) Discharging batteries so as to remove the electric charge;
 - D) Regenerating used batteries;
 - E) Disassembling batteries or battery packs into individual batteries or cells;
 - F) Removing batteries from consumer products; or
 - G) Removing electrolyte from batteries; and

 - 3) A small quantity handler of universal waste that removes electrolyte from batteries, or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed in subsection (a)(2), must determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in Subpart C of 35 Ill. Adm. Code 721.
 - A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705 and 720 through 728. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.
 - B) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (non-hazardous) waste regulations.
- BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or non-hazardous waste regulations apply to the waste. Consult the ordinances of relevant units of local government to

387 determine whether local requirements apply.

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b) Universal Waste Pesticides. A small quantity handler of universal waste must manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:

- 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
- 2) A container that does not meet the requirements of subsection (b)(1), provided that the unacceptable container is overpacked in a container that does meet the requirements of subsection (b)(1);
- 3) A tank that meets the requirements of Subpart J of 35 Ill. Adm. Code 725, except for 35 Ill. Adm. Code 725.297(c), 265.300, and 265.301; or
- 4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

c) Universal Waste Mercury-Containing Equipment. A small quantity handler of universal waste must manage universal waste mercury-containing equipment in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

- 1) A small quantity handler of universal waste must place in a container any universal waste mercury-containing equipment with non-contained elemental mercury or that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed; must be structurally sound; must be compatible with the contents of the device; must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; and must be reasonably designed to prevent the escape of mercury into the environment by volatilization or any other means.
- 2) A small quantity handler of universal waste may remove mercury-containing ampules from universal waste mercury-containing equipment provided the handler follows each of the following procedures:
 - A) It removes and manages the ampules in a manner designed to prevent breakage of the ampules;

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- B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);
 - C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules from that containment device to a container that is subject to all applicable requirements of 35 Ill. Adm. Code 702, 703, 705, and 720 through 728;
 - D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 702, 703, 705, and 720 through 728;
 - E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;
 - F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;
 - G) It stores removed ampules in closed, non-leaking containers that are in good condition; and
 - H) It packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation.
- 3) A small quantity handler of universal waste mercury-containing equipment that does not contain an ampule may remove the open original housing holding the mercury from universal waste mercury-containing equipment provided the handler does as follows:
- A) It immediately seals the original housing holding the mercury with an air-tight seal to prevent the release of any mercury to the environment; and
 - B) It follows all requirements for removing ampules and managing removed ampules under subsection (c)(2).

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- 4) Required Hazardous Waste Determination and Further Waste Management
 - A) A small quantity handler of universal waste that removes mercury-containing ampules from mercury-containing equipment or seals mercury from mercury-containing equipment in its original housing must determine whether the following exhibit a characteristic of hazardous waste identified in Subpart C of 35 Ill. Adm. Code 721:
 - i) Mercury or clean-up residues resulting from spills or leaks; or
 - ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., the remaining mercury-containing equipment).
 - B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705 and 720 through 728. The handler is considered the generator of the mercury, residues, or other waste and must manage it in compliance with 35 Ill. Adm. Code 722.
 - C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (non-hazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or non-hazardous waste regulations apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.
- d) Lamps. A small quantity handler of universal waste must manage lamps in a manner that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
 - 1) A small quantity handler of universal waste lamps must contain all lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers

516 and packages must remain closed and must lack evidence of leakage,
517 spillage, or damage that could cause leakage under reasonably foreseeable
518 conditions;

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520 2) A small quantity handler of universal waste lamps must immediately clean
521 up and place in a container any lamp that is broken, and the small quantity
522 handler must place in a container any lamp that shows evidence of
523 breakage, leakage, or damage that could cause the release of mercury or
524 other hazardous constituents to the environment. Any container used must
525 be closed, structurally sound, compatible with the contents of the lamps,
526 and must lack evidence of leakage, spillage, or damage that could cause
527 leakage or releases of mercury or other hazardous constituents to the
528 environment under reasonably foreseeable conditions; and

529
530 3) Small quantity handlers of universal waste lamps may treat those lamps
531 for volume reduction at the site where they were generated under the
532 following conditions:

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534 A) The lamps must be crushed in a closed system designed and
535 operated in such a manner that any emission of mercury from the
536 crushing system must not exceed 0.1 mg/m^3 when measured on the
537 basis of time weighted average over an eight-hour period;

538
539 B) The handler must provide notification of crushing activity to the
540 Agency quarterly, in a form as provided by the Agency. Such
541 notification must include the following information:

542
543 i) Name and address of the handler;

544
545 ii) Estimated monthly amount of lamps crushed; and

546
547 iii) The technology employed for crushing, including any
548 certification or testing data provided by the manufacturer of
549 the crushing unit verifying that the crushing device
550 achieves the emission controls required in subsection
551 (d)(5)(A);

552
553 C) The handler immediately transfers any material recovered from a
554 spill or leak to a container that meets the requirements of 35 Ill.
555 Adm. Code 722.115, and has available equipment necessary to
556 comply with this requirement;

557
558 D) The handler ensures that the area in which the lamps are crushed is

- 559 well-ventilated and monitored to ensure compliance with
560 applicable OSHA exposure levels for mercury;
561
- 562 E) The handler ensures that employees crushing lamps are thoroughly
563 familiar with proper waste mercury handling and emergency
564 procedures, including transfer of mercury from containment
565 devices to appropriate containers; and
566
- 567 F) The crushed lamps are stored in closed, non-leaking containers that
568 are in good condition (e.g., no severe rusting, apparent structural
569 defects or deterioration), suitable to prevent releases during
570 storage, handling, and transportation.
571
- 572 e) Aerosol Cans. A small quantity handler of universal waste must manage
573 universal waste aerosol cans in a way that prevents releases of any universal
574 waste or component of a universal waste to the environment, as follows:
575
- 576 1) A small quantity handler must accumulate universal waste aerosol cans in
577 a container that is structurally sound; compatible with the contents of the
578 aerosol cans; lacks evidence of leakage, spillage, or damage that could
579 cause leakage under reasonably foreseeable conditions; and is protected
580 from sources of heat.
581
- 582 2) A small quantity handler must package universal waste aerosol cans that
583 show evidence of leakage in a separate closed container or overpacked
584 with absorbents, or the small quantity handler must immediately puncture
585 and drain the cans in accordance with the requirements of subsection
586 (e)(4).
587
- 588 3) A small quantity handler of universal waste may conduct the following
589 activities as long as each individual aerosol can is not breached and
590 remains intact:
591
- 592 A) Sorting aerosol cans by type;
593
- 594 B) Mixing intact cans in one container; and
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- 596 C) Removing actuators to reduce the risk of accidental release; and
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- 598 4) A small quantity handler of universal waste that punctures and drains its
599 aerosol cans must recycle the empty punctured aerosol cans and meet the
600 following requirements while puncturing and draining universal waste
601 aerosol cans:

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- A) The small quantity handler must conduct puncturing and draining activities using a device specifically designed to safely puncture aerosol cans and effectively contain the residual contents and any emissions of the contents.
 - B) The small quantity handler must establish and follow a written procedure detailing how to safely puncture and drain the universal waste aerosol cans (including proper assembly, operation and maintenance of the unit, segregation of incompatible wastes, and proper waste management practices to prevent fires or releases); maintain a copy of the manufacturer's specification and instruction on site; and ensure employees operating the device are trained in the proper procedures.
 - C) The small quantity handler must ensure that puncturing the cans is done in a manner designed to prevent fires and to prevent the release of any component of universal waste to the environment. This manner includes locating the equipment on a solid, flat surface in a well-ventilated area.
 - D) The small quantity handler must immediately transfer the contents from the waste aerosol cans or puncturing device, if applicable, to a container or tank that meets the applicable requirements of 35 Ill. Adm. Code 722.114, 722.115, 722.116, or 722.117.
 - E) The small quantity handler must conduct a hazardous waste determination on the contents of the emptied aerosol can under 35 Ill. Adm. Code 722.111. Any hazardous waste generated as a result of puncturing and draining the aerosol can is subject to all applicable requirements of 35 Ill. Adm. Code 702, 703, 705, and 720 through 728. The handler is considered the generator of the hazardous waste and is subject to 35 Ill. Adm. Code 722.
 - F) If the small quantity handler determines that the contents are nonhazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid waste regulations.
 - G) The small quantity handler must have a written procedure in place in the event of a spill or leak and must provide a spill clean-up kit. The small quantity handler must promptly clean up all spills or leaks of the contents of the aerosol cans.

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- f) Paint and Paint-related waste. A small quantity handler of universal waste must manage universal waste paint and paint-related waste in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) The small quantity handler of universal waste must collect and store universal waste paint and paint-related waste in containers that are structurally sound, compatible with the universal waste paint and paint-related waste and lack evidence of leakage or damage that could cause leakage under reasonably foreseeable conditions.
 - 2) The small quantity handler of universal waste must ensure that containers in which the universal waste paint and paint-related waste are contained do not leak and remain closed, except when wastes are being added, consolidated, or removed from the container.
 - 3) The small quantity handler of universal waste, upon detection of a release of universal waste paint or paint-related waste, must do the following:
 - A) Stop the release.
 - B) Contain the released universal waste paint or paint-related waste.
 - C) Clean up and properly manage the released universal waste paint or paint-related waste, and other materials generated from the cleanup.
 - D) Remove any leaking container from service by transferring the contents to a container that meets the requirements of 733.113(f)(1).
 - E) Repair any leaking container to meet the requirements of 733.113(f)(1) before returning it to service.
 - 4) A small quantity handler of universal waste must locate containers holding ignitable universal waste paint or paint-related waste at least 50 feet from the facility property line, unless the small quantity handler obtains written approval from the authority having jurisdiction over the local fire code to allow ignitable universal waste paint or paint-related waste to be located within 50 feet of the facility property line. The small quantity handler must maintain a record of the written approval as long as universal waste

687 paint or paint-related waste is located within 50 feet of the facility
688 property line.

689
690 A small quantity handler of universal waste must take precautions to
691 prevent accidental ignition of universal waste paint or paint-related waste.
692 The small quantity handler must separate and protect universal waste paint
693 and paint-related waste from sources of ignition, including, but not limited
694 to, the following: open flames, smoking, cutting and welding, hot surfaces,
695 frictional heat, sparks (static, electrical, or mechanical), or radiant heat.
696 While handing universal waste paint or paint-related waste, the small
697 quantity handler must confine smoking and open flames to specifically
698 designated locations. The small quantity handler must conspicuously place
699 "No Smoking" signs wherever there is an ignitability hazard from
700 universal waste paint or paint-related waste.

701
702 5) A small quantity handler of universal waste must manage universal waste
703 paint or paint-related waste that is incompatible in separate containers.

704
705 6) A small quantity handler of universal waste must design, maintain, and
706 operate areas of its facility where universal waste paint or paint-related
707 waste is collected or stored in a manner that minimizes the possibility of a
708 fire, explosion, or unplanned sudden or non-sudden release of universal
709 waste or hazardous constituents to air, soil, or surface water which could
710 threaten human health or the environment.

711
712 (Source: Amended at 49 Ill. Reg. _____, effective _____)

713
714 **Section 733.114 Labeling and Marking**

715
716 A small quantity handler of universal waste must label or mark the universal waste to identify the
717 type of universal waste, as follows:

- 718
719 a) Universal waste batteries (i.e., each battery) or a container in which the batteries
720 are contained must be labeled or marked clearly with any one of the following
721 phrases: "Universal Waste – Batteries", "Waste Batteries", or "Used Batteries".
722
723 b) A container (or multiple container package unit), tank, transport vehicle, or vessel
724 in which recalled universal waste pesticides, as described in Section
725 733.103(a)(1), are contained must be labeled or marked clearly, as follows:
726
727 1) The label that was on or accompanied the product as sold or distributed;
728 and
729

- 730 2) The words "Universal Waste – Pesticides" or "Waste – Pesticides".
731
732 c) A container, tank, or transport vehicle, or vessel in which unused pesticide
733 products, as described in Section 733.103(a)(2), are contained must be labeled or
734 marked clearly, as follows:
735
736 1) Pesticide Labeling
737
738 A) The label that was on the product when purchased, if still legible;
739
740 B) If using the labels described in subsection (c)(1)(A) is not feasible,
741 the appropriate label as required under USDOT regulation 49 CFR
742 172 (Hazardous Materials Table, Special Provisions, Hazardous
743 Materials Communications, Emergency Response Information, and
744 Training Requirements), incorporated by reference in 35 Ill. Adm.
745 Code 720.111(b); or
746
747 C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B)
748 is not feasible, another label prescribed or designated by the waste
749 pesticide collection program administered or recognized by a state;
750 and
751
752 2) The words "Universal Waste – Pesticides" or "Waste – Pesticides".
753
754 d) Universal Waste Mercury-Containing Equipment and Universal Waste
755 Thermostat Labeling
756
757 1) Universal waste mercury-containing equipment (i.e., each device) or a
758 container in which the equipment is contained must be labeled or marked
759 clearly with any one of the following phrases: "Universal Waste –
760 Mercury-Containing Equipment", or "Waste Mercury-Containing
761 Equipment", or "Used Mercury-Containing Equipment".
762
763 2) Universal waste thermostats (i.e., each thermostat) or a container in which
764 the thermostats are contained must be labeled or marked clearly with any
765 one of the following phrases: "Universal Waste – Mercury Thermostats",
766 or "Waste Mercury Thermostats", or "Used Mercury Thermostats".
767
768 e) Each lamp or a container or package in which such lamps are contained must be
769 labeled or clearly marked with one of the following phrases: "Universal Waste –
770 Lamps", "Waste Lamps", or "Used Lamps".
771
772 f) A small quantity handler must clearly label or mark its universal waste aerosol

773 cans (i.e., each aerosol can), or a container in which the aerosol cans are
774 contained, with any of the following phrases: "Universal Waste – Aerosol Cans",
775 "Waste Aerosol Cans", or "Used Aerosol Cans".
776

777 g) Each container in which universal waste paint or paint-related waste is contained
778 must be labeled or clearly marked with one of the following phrases: "Universal
779 Waste – Paint" or "Universal Waste - Paint-related Waste" or "Waste Paint" or
780 "Paint-related Waste".
781

782 (Source: Amended at 49 Ill. Reg. _____, effective _____)
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784 SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

785 **Section 733.132 Notification**

- 786
- 787 a) Written Notification of Universal Waste Management
- 788
- 789
- 790 1) Except as provided in subsections (a)(2) and (a)(3), a large quantity
791 handler of universal waste must have sent written notification of universal
792 waste management to the Agency, and received a USEPA Identification
793 Number, before meeting or exceeding the 5,000-kilogram (11,000-pound)
794 storage limit.
795
- 796 2) A large quantity handler of universal waste that has already notified the
797 Agency of its hazardous waste management activities and that has
798 received a USEPA Identification Number is not required to renotify under
799 this Section.
800
- 801 3) A large quantity handler of universal waste that manages recalled
802 universal waste pesticides, as described in Section 733.103(a)(1), and that
803 has sent notification to the Agency, as required by federal 40 CFR 165, is
804 not required to notify for those recalled universal waste pesticides under
805 this Section.
806
- 807 b) This notification must include the following:
- 808
- 809 1) The universal waste handler's name and mailing address;
810
- 811 2) The name and business telephone number of the person at the universal
812 waste handler's site who should be contacted regarding universal waste
813 management activities;
814
- 815 3) The address or physical location of the universal waste management

- 816 activities;
- 817
- 818 4) A list of all of the types of universal waste managed by the handler (e.g.,
- 819 batteries, pesticides, mercury-containing equipment, lamps, ~~or~~ aerosol
- 820 cans, or paint and paint-related waste); and
- 821
- 822 5) A statement indicating that the handler is accumulating more than 5,000
- 823 kilograms of universal waste at one time.
- 824

825 BOARD NOTE: At 60 Fed. Reg. 25520-21 (May 11, 1995), USEPA explained

826 that the generator or consolidation point may use Notification of RCRA Subtitle C

827 Activities (Site Identification Form) (USEPA Form 8700-12) for notification.

828 The generator or consolidation point must notify the Agency, either by submitting

829 USEPA Form 8700-12 or by some other means. USEPA Form 8700-12 is

830 available ~~from the Agency, Bureau of Land (217-782-6762). It is also available~~

831 on-line for download in PDF file format:

832 [www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and)

833 [transporters-and-treatment-storage-and](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and). USEPA further explained that it is not

834 necessary for the handler to aggregate the amounts of waste at multiple non-

835 contiguous sites for the purposes of the 5,000 kilogram determination.

836

837 (Source: Amended at 49 Ill. Reg. _____, effective _____)

838

839 **Section 733.133 Waste Management**

840

- 841 a) Universal Waste Batteries. A large quantity handler of universal waste must
- 842 manage universal waste batteries in a manner that prevents releases of any
- 843 universal waste or component of a universal waste to the environment, as follows:
- 844
- 845 1) A large quantity handler of universal waste must contain any universal
- 846 waste battery that shows evidence of leakage, spillage, or damage that
- 847 could cause leakage under reasonably foreseeable conditions in a
- 848 container. The container must be closed, structurally sound, compatible
- 849 with the contents of the battery, and must lack evidence of leakage,
- 850 spillage, or damage that could cause leakage under reasonably foreseeable
- 851 conditions.
- 852
- 853 2) A large quantity handler of universal waste may conduct the following
- 854 activities, as long as the casing of each individual battery cell is not
- 855 breached and remains intact and closed (except that cells may be opened
- 856 to remove electrolyte but must be immediately closed after removal):
- 857
- 858 A) Sorting batteries by type;

- 859
- 860 B) Mixing battery types in one container;
- 861
- 862 C) Discharging batteries so as to remove the electric charge;
- 863
- 864 D) Regenerating used batteries;
- 865
- 866 E) Disassembling batteries or battery packs into individual batteries or
- 867 cells;
- 868
- 869 F) Removing batteries from consumer products; or
- 870
- 871 G) Removing electrolyte from batteries.
- 872

873 3) A large quantity handler of universal waste that removes electrolyte from
874 batteries or that generates other solid waste (e.g., battery pack materials,
875 discarded consumer products) as a result of the activities listed in
876 subsection (a)(2) must determine whether the electrolyte or other solid
877 waste exhibits a characteristic of hazardous waste identified in Subpart C
878 of 35 Ill. Adm. Code 721.

- 879
- 880 A) If the electrolyte or other solid waste exhibits a characteristic of
- 881 hazardous waste, it must be managed in compliance with all
- 882 applicable requirements of 35 Ill. Adm. Code 702 through 705 and
- 883 720 through 728. The handler is considered the generator of the
- 884 hazardous electrolyte or other waste and is subject to 35 Ill. Adm.
- 885 Code 722.
- 886
- 887 B) If the electrolyte or other solid waste is not hazardous, the handler
- 888 may manage the waste in any way that is in compliance with
- 889 applicable federal, State, or local solid (non-hazardous) waste
- 890 regulations.
- 891

892 BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807
893 through 817 to determine whether additional facility siting, special
894 waste, or non-hazardous waste regulations apply to the waste.
895 Consult the ordinances of relevant units of local government to
896 determine whether local requirements apply.

- 897
- 898 b) Universal Waste Pesticides. A large quantity handler of universal waste must
- 899 manage universal waste pesticides in a manner that prevents releases of any
- 900 universal waste or component of a universal waste to the environment. The
- 901 universal waste pesticides must be contained in one or more of the following:

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- 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
 - 2) A container that does not meet the requirements of subsection (b)(1), provided that the unacceptable container is overpacked in a container that does meet the requirements of subsection (b)(1);
 - 3) A tank that meets the requirements of Subpart J of 35 Ill. Adm. Code 725, except for 35 Ill. Adm. Code 725.297(c), 725.300, and 725.301; or
 - 4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- c) Universal Waste Mercury-Containing Equipment. A large quantity handler of universal waste must manage universal waste mercury-containing equipment in a manner that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) A large quantity handler of universal waste must place in a container any universal mercury-containing equipment with non-contained elemental mercury or that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed; must be structurally sound; must be compatible with the contents of the device; must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; and must be reasonably designed to prevent the escape of mercury into the environment by volatilization or any other means.
 - 2) A large quantity handler of universal waste may remove mercury-containing ampules from universal waste mercury-containing equipment, provided the handler follows each of the following procedures:
 - A) It removes the ampules in a manner designed to prevent breakage of the ampules;
 - B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);
 - C) It ensures that a mercury clean-up system is readily available to

- 945 immediately transfer any mercury resulting from spills or leaks
946 from broken ampules from the containment device to a container
947 that is subject to all applicable requirements of 35 Ill. Adm. Code
948 702, 703, 705, and 720 through 728;
949
- 950 D) It immediately transfers any mercury resulting from spills or leaks
951 from broken ampules from the containment device to a container
952 that meets the requirements of 35 Ill. Adm. Code 702, 703, 705,
953 and 720 through 728;
954
- 955 E) It ensures that the area in which ampules are removed is well
956 ventilated and monitored to ensure compliance with applicable
957 OSHA exposure levels for mercury;
958
- 959 F) It ensures that employees removing ampules are thoroughly
960 familiar with proper waste mercury handling and emergency
961 procedures, including transfer of mercury from containment
962 devices to appropriate containers;
963
- 964 G) It stores removed ampules in closed, non-leaking containers that
965 are in good condition; and
966
- 967 H) It packs removed ampules in the container with packing materials
968 adequate to prevent breakage during storage, handling, and
969 transportation.
970
- 971 3) A large quantity handler of universal waste mercury-containing equipment
972 that does not contain an ampule may remove the open original housing
973 holding the mercury from universal waste mercury-containing equipment
974 provided the handler does as follows:
975
- 976 A) It immediately seals the original housing holding the mercury with
977 an air-tight seal to prevent the release of any mercury to the
978 environment; and
979
- 980 B) It follows all requirements for removing ampules and managing
981 removed ampules under subsection (c)(2).
982
- 983 4) Required Hazardous Waste Determination and Further Waste
984 Management
985
- 986 A) A large quantity handler of universal waste that removes mercury-
987 containing ampules from mercury-containing equipment or seals

988 mercury from mercury-containing equipment in its original
989 housing must determine whether the following exhibit a
990 characteristic of hazardous waste identified in Subpart C of 35 Ill.
991 Adm. Code 721:

- 992
- 993 i) Mercury or clean-up residues resulting from spills or leaks;
 - 994 or
 - 995
 - 996 ii) Other solid waste generated as a result of the removal of
 - 997 mercury-containing ampules (e.g., the remaining mercury-
 - 998 containing equipment).
 - 999

1000 B) If the mercury, residues, or other solid waste exhibits a
1001 characteristic of hazardous waste, it must be managed in
1002 compliance with all applicable requirements of 35 Ill. Adm. Code
1003 702 through 705 and 720 through 728. The handler is considered
1004 the generator of the mercury, residues, or other waste and must
1005 manage it in compliance with 35 Ill. Adm. Code 722.

1006

1007 C) If the mercury, residues, or other solid waste is not hazardous, the
1008 handler may manage the waste in any way that is in compliance
1009 with applicable federal, State, or local solid (non-hazardous) waste
1010 regulations.

1011

1012 BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807
1013 through 817 to determine whether additional facility siting, special
1014 waste, or non-hazardous waste regulations apply to the waste.
1015 Consult the ordinances of relevant units of local government to
1016 determine whether local requirements apply.

1017

1018 d) Lamps. A large quantity handler of universal waste must manage lamps in a
1019 manner that prevents releases of any universal waste or component of a universal
1020 waste to the environment, as follows:

1021

- 1022 1) A large quantity handler of universal waste lamps must contain all lamps
- 1023 in containers or packages that are structurally sound, adequate to prevent
- 1024 breakage, and compatible with the contents of the lamps. Such containers
- 1025 and packages must remain closed and must lack evidence of leakage,
- 1026 spillage, or damage that could cause leakage under reasonably foreseeable
- 1027 conditions;
- 1028

1029 2) A large quantity handler of universal waste lamps must immediately clean
1030 up and place in a container any lamp that is broken, and the large quantity

- 1031 handler must place in a container any lamp that shows evidence of
 1032 breakage, leakage, or damage that could cause the release of mercury or
 1033 other hazardous constituents to the environment. Any container used must
 1034 be closed, structurally sound, compatible with the contents of the lamps,
 1035 and must lack evidence of leakage, spillage, or damage that could cause
 1036 leakage or releases of mercury or other hazardous constituents to the
 1037 environment under reasonably foreseeable conditions; and
 1038
- 1039 3) Large quantity handlers of universal waste lamps may treat those lamps
 1040 for volume reduction at the site where they were generated under the
 1041 following conditions:
 1042
- 1043 A) The lamps must be crushed in a closed system designed and
 1044 operated in such a manner that any emission of mercury from the
 1045 crushing system must not exceed 0.1 mg/m³ when measured on the
 1046 basis of time weighted average over an 8-hour period;
 1047
- 1048 B) The handler must provide notification of crushing activity to the
 1049 Agency quarterly, in a form as provided by the Agency. Such
 1050 notification must include the following information:
 1051
- 1052 i) Name and address of the handler;
 1053
- 1054 ii) Estimated monthly amount of lamps crushed; and
 1055
- 1056 iii) The technology employed for crushing, including any
 1057 certification or testing data provided by the manufacturer of
 1058 the crushing unit verifying that the crushing device
 1059 achieves the emission controls required in subsection
 1060 (d)(5)(A);
 1061
- 1062 C) The handler immediately transfers any material recovered from a
 1063 spill or leak to a container that meets the requirements of 35 Ill.
 1064 Adm. Code 722.115, and has available equipment necessary to
 1065 comply with this requirement;
 1066
- 1067 D) The handler ensures that the area in which the lamps are crushed is
 1068 well-ventilated and monitored to ensure compliance with
 1069 applicable OSHA exposure levels for mercury;
 1070
- 1071 E) The handler ensures that employees crushing lamps are thoroughly
 1072 familiar with proper waste mercury handling and emergency
 1073 procedures, including transfer of mercury from containment

- 1074 devices to appropriate containers; and
1075
1076 F) The crushed lamps are stored in closed, non-leaking containers that
1077 are in good condition (e.g., no severe rusting, apparent structural
1078 defects or deterioration), suitable to prevent releases during
1079 storage, handling and transportation.
1080
- 1081 e) Aerosol Cans. A large quantity handler of universal waste must manage universal
1082 waste aerosol cans in a way that prevents releases of any universal waste or
1083 component of a universal waste to the environment, as follows:
1084
- 1085 1) The large quantity handler must accumulate universal waste aerosol cans
1086 in a container that is structurally sound; is compatible with the contents of
1087 the aerosol cans; lacks evidence of leakage, spillage, or damage that could
1088 cause leakage under reasonably foreseeable conditions; and is protected
1089 from sources of heat.
1090
- 1091 2) The large quantity handler must package universal waste aerosol cans that
1092 show evidence of leakage in a separate closed container, or overpack the
1093 cans with absorbents, or immediately puncture and drain the cans in
1094 accordance with the requirements of subsection (e)(4).
1095
- 1096 3) A large quantity handler of universal waste may conduct the following
1097 activities, as long as each individual aerosol can is not breached and
1098 remains intact:
1099
- 1100 A) The large quantity handler may sort aerosol cans by type;
1101
1102 B) The large quantity handler may mix intact cans in one container;
1103 and
1104
1105 C) The large quantity handler may remove actuators to reduce the risk
1106 of accidental release; and
1107
- 1108 4) A large quantity handler of universal waste that punctures and drains its
1109 aerosol cans must recycle the empty punctured aerosol cans and meet the
1110 following requirements while puncturing and draining universal waste
1111 aerosol cans:
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- 1113 A) The large quantity handler must conduct puncturing and draining
1114 activities using a device specifically designed to safely puncture
1115 aerosol cans and effectively contain the residual contents and any
1116 emissions of the contents.

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- B) The large quantity handler must establish and follow a written procedure detailing how to safely puncture and drain the universal waste aerosol can (including proper assembly, operation and maintenance of the unit, segregation of incompatible wastes, and proper waste management practices to prevent fires or releases); maintain a copy of the manufacturer's specification and instruction on site; and ensure employees operating the device are trained in the proper procedures.
 - C) The large quantity handler must ensure that puncturing of the can is done in a manner designed to prevent fires and to prevent the release of any component of universal waste to the environment. This includes, but is not limited to, locating the equipment on a solid, flat surface in a well-ventilated area.
 - D) The large quantity handler must immediately transfer the contents from the waste aerosol can or puncturing device, if applicable, to a container or tank that meets the applicable requirements of 35 Ill. Adm. Code 722.114, 722.115, 722.116, or 722.117.
 - E) The large quantity handler must conduct a hazardous waste determination on the contents of the emptied can, as required by 35 Ill. Adm. Code 722.111. Any hazardous waste generated as a result of puncturing and draining the aerosol can is subject to all applicable requirements of 35 Ill. Adm. Code 703, 705 and 720 through 728. The handler is the generator of the hazardous waste and is subject to 35 Ill. Adm. Code 722.
 - F) If the large quantity handler determines that the contents are nonhazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State, and local solid waste regulations.
 - G) The large quantity handler must have a written procedure in place in the event of a spill or release and a spill clean-up kit must be provided. The large quantity handler must promptly clean up all spills or leaks of the contents of the aerosol cans.
- f) Paint and Paint-related waste. A large quantity handler of universal waste must manage universal waste paint and paint-related waste in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

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- 1) The large quantity handler of universal waste must collect and store universal waste paint and paint-related waste in containers that are structurally sound, compatible with the universal waste paint and paint-related waste, and lack evidence of leakage or damage that could cause leakage under reasonably foreseeable conditions.
- 2) The large quantity handler of universal waste must ensure that containers in which the universal waste paint or paint-related waste are contained do not leak and remain closed, except when wastes are being added, consolidated, or removed from the container.
- 3) The large quantity handler of universal waste, upon detection of a release of universal waste paint or paint-related waste, must do the following:
 - A) Stop the release.
 - B) Contain the released universal waste paint or paint-related waste.
 - C) Clean up and properly manage the released universal waste paint or paint-related waste, and other materials generated from the cleanup.
 - D) Remove any leaking container from service by transferring the contents to a container that meets the requirements of 733.133(f)(1).
 - E) Repair any leaking container to meet the requirements of 733.133(f)(1) before returning it to service.
- 4) A large quantity handler of universal waste must locate containers holding ignitable universal waste paint or paint related waste at least 50 feet from the facility property line, unless the large quantity handler obtains written approval from the authority having jurisdiction over the local fire code to allow ignitable universal waste paint or paint related waste to be located within 50 feet of the facility property line. The large quantity handler must maintain a record of the written approval as long as universal waste paint or paint related waste is located within 50 feet of the facility property line.

A large quantity handler must take precautions to prevent accidental ignition of universal waste paint or paint related waste. The large quantity handler must separate and protect universal waste paint and paint related

1203 waste from sources of ignition, including, but not limited to, the following:
1204 open flames, smoking, cutting and welding, hot surfaces, frictional heat,
1205 sparks (static, electrical, or mechanical), or radiant heat. While handling
1206 universal waste paint or paint related waste, the large quantity handler
1207 must confine smoking and open flames to specifically designated
1208 locations. The large quantity handler must conspicuously place "No
1209 Smoking" signs wherever there is an ignitability hazard from universal
1210 waste paint or paint related waste.

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1212 5) A large quantity handler of universal waste must manage universal waste
1213 paint or paint-related waste that is incompatible in separate containers.

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1215 6) A large quantity handler of universal waste must design, maintain, and
1216 operate areas of its facility where universal waste paint or paint-related
1217 waste is collected or stored to minimize the possibility of a fire, explosion,
1218 or unplanned sudden or non-sudden release of universal waste or
1219 hazardous constituents to air, soil, or surface water which could threaten
1220 human health or the environment.

1221
1222 (Source: Amended at 49 Ill. Reg. _____, effective _____)
1223

1224 **Section 733.134 Labeling and Marking**

1225
1226 A large quantity handler of universal waste must label or mark the universal waste to identify the
1227 type of universal waste, as follows:

1228
1229 a) Universal waste batteries (i.e., each battery), or a container or tank in which the
1230 batteries are contained, must be labeled or marked clearly with any one of the
1231 following phrases: "Universal Waste – Batteries", or "Waste Batteries", or "Used
1232 Batteries".

1233
1234 b) A container (or multiple container package unit), tank, transport vehicle or vessel
1235 in which recalled universal waste pesticides as described in Section 733.103(a)(1)
1236 are contained must be labeled or marked clearly as follows:

1237
1238 1) The label that was on or accompanied the product as sold or distributed;
1239 and

1240
1241 2) The words "Universal Waste – Pesticides" or "Waste – Pesticides".

1242
1243 c) A container, tank, or transport vehicle or vessel in which unused pesticide
1244 products, as described in Section 733.103(a)(2), are contained must be labeled or
1245 marked clearly, as follows:

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- 1) Pesticide Labeling
 - A) The label that was on the product when purchased, if still legible;
 - B) If using the labels described in subsection (c)(1)(A) is not feasible, the appropriate label as required under 49 CFR 172 (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), incorporated by reference in 35 Ill. Adm. Code 720.111(b); or
 - C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) is not feasible, another label prescribed or designated by the pesticide collection program; and
 - 2) The words "Universal Waste – Pesticides" or "Waste – Pesticides".
- d) Universal Waste Mercury-Containing Equipment and Universal Waste Thermostat Labeling
- 1) Mercury-containing equipment (i.e., each device) or a container in which the equipment is contained must be labeled or marked clearly with any of the following phrases: "Universal Waste – Mercury-Containing Equipment", "Waste Mercury-Containing Equipment", or "Used Mercury-Containing Equipment".
 - 2) A universal waste mercury-containing thermostat or a container containing only universal waste mercury-containing thermostats may be labeled or marked clearly with any one of the following phrases: "Universal Waste – Mercury Thermostats", or "Waste Mercury Thermostats", or "Used Mercury Thermostats".
- e) Each lamp or a container or package in which such lamps are contained must be labeled or clearly marked with any one of the following phrases: "Universal Waste – Lamps", "Waste Lamps", or "Used Lamps".
- f) Universal waste aerosol cans (i.e., each aerosol can) or a container in which the aerosol cans are contained must be labeled or marked clearly with any of the following phrases: "Universal Waste – Aerosol Cans", "Waste Aerosol Cans", or "Used Aerosol Cans".

1288 g) Each container in which universal waste paint or paint-related waste is contained
1289 must be labeled or clearly marked with one of the following phrases: "Universal
1290 Waste – Paint" or "Universal Waste - Paint-related Waste" or "Waste Paint" or
1291 "Paint-related Waste".
1292

1293 (Source: Amended at 49 Ill. Reg. _____, effective _____)
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1295 **Section 733.139 Tracking Universal Waste Shipments**
1296

1297 a) Receipt of Shipments. A large quantity handler of universal waste must keep a
1298 record of each shipment of universal waste received at the facility. The record
1299 may take the form of a log, invoice, manifest, bill of lading, movement document,
1300 or other shipping document. The record for each shipment of universal waste
1301 received must include the following information:

- 1302 1) The name and address of the originating universal waste handler or
1303 foreign shipper from which the universal waste was sent;
- 1304 2) The quantity of each type of universal waste received (e.g., batteries,
1305 pesticides, thermostats, mercury-containing equipment, lamps, aerosol
1306 cans, or paint or paint-related waste);
- 1307 3) The date of receipt of the shipment of universal waste.
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1310 b) Shipments Off-Site. A large quantity handler of universal waste must keep a
1311 record of each shipment of universal waste sent from the handler to other
1312 facilities. The record may take the form of a log, invoice, manifest, bill of lading,
1313 movement document, or other shipping document. The record for each shipment
1314 of universal waste sent must include the following information:

- 1315 1) The name and address of the universal waste handler, destination facility,
1316 or foreign destination to which the universal waste was sent;
- 1317 2) The quantity of each type of universal waste sent (e.g., batteries,
1318 pesticides, thermostats, mercury-containing equipment, lamps, aerosol
1319 cans, or paint or paint-related waste); and
- 1320 3) The date the shipment of universal waste left the facility.
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1323 c) Record Retention
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- 1325 1) A large quantity handler of universal waste must retain the records
1326 described in subsection (a) for at least three years from the date of receipt
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1331 of a shipment of universal waste.

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1333 2) A large quantity handler of universal waste must retain the records
1334 described in subsection (b) for at least three years from the date a
1335 shipment of universal waste left the facility.

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1337 (Source: Amended at 49 Ill. Reg. _____, effective _____)

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1339 **SUBPART E: STANDARDS FOR DESTINATION FACILITIES**

1340

1341 **Section 733.162 Tracking Universal Waste Shipments**

1342

1343 a) The owner or operator of a destination facility must keep a record of each
1344 shipment of universal waste received at the facility. The record may take the
1345 form of a log, invoice, manifest, bill of lading, movement document, or other
1346 shipping document. The record for each shipment of universal waste received
1347 must include the following information:

1348

1349 1) The name and address of the universal waste handler, destination facility,
1350 or foreign shipper from which the universal waste was sent;

1351

1352 2) The quantity of each type of universal waste received (e.g., batteries,
1353 pesticides, thermostats, mercury-containing equipment, lamps, aerosol
1354 cans, or paint or paint-related waste); and

1355

1356 3) The date of receipt of the shipment of universal waste.

1357

1358 b) The owner or operator of a destination facility must retain the records described in
1359 subsection (a) for at least three years from the date of receipt of a shipment of
1360 universal waste.

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1362 (Source: Amended at 49 Ill. Reg. _____, effective _____)