

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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82 AUTHORITY: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the
83 Environmental Protection Act [415 ILCS 5].

84

85 SOURCE: Adopted in R95-20 at 20 Ill. Reg. 11291, effective August 1, 1996; amended in R96-
86 10/R97-3/R97-5 at 22 Ill. Reg. 944, effective December 16, 1997; amended in R98-12 at 22 Ill.

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

95
96 **SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS**

97
98 **Section 733.118 Off-Site Shipments**

- 99
100 a) A small quantity handler of universal waste is prohibited from sending or taking
101 universal waste to a place other than another universal waste handler, a
102 destination facility, or a foreign destination.
103
104 b) If a small quantity handler of universal waste self-transport universal waste off-
105 site, the handler becomes a universal waste transporter for those self-
106 transportation activities and must comply with the transporter requirements of
107 Subpart D while transporting the universal waste.
108
109 c) If a universal waste being offered for off-site transportation meets the definition
110 of hazardous material under USDOT regulation 49 CFR 171.8 (Definitions and
111 Abbreviations), incorporated by reference in 35 Ill. Adm. Code 720.111(b), a
112 small quantity handler of universal waste must package, label, mark, and placard
113 the shipment and prepare the proper shipping papers in accordance with the
114 applicable USDOT regulations under 49 CFR 171 (General Information,
115 Regulations, and Definitions), 172 (Hazardous Materials Table, Special
116 Provisions, Hazardous Materials Communications, Emergency Response
117 Information, and Training Requirements), 173 (Shippers – General Requirements
118 for Shipments and Packages), 174 (Carriage by Rail), 175 (Carriage by Aircraft),
119 176 (Carriage by Vessel), 177 (Carriage by Public Highway), 178 (Specifications
120 for Packagings), 179 (Specifications for Tank Cars), and 180 (Continuing
121 Qualification and Maintenance of Packagings), incorporated by reference in 35
122 Ill. Adm. Code 720.111(b).
123
124 d) Prior to sending a shipment of universal waste to another universal waste handler,
125 the originating handler must ensure that the receiving handler agrees to receive
126 the shipment.
127
128 e) If a small quantity handler of universal waste sends a shipment of universal waste
129 to another handler or to a destination facility and the shipment is rejected by the

130 receiving handler or destination facility, the originating handler must do either of
131 the following:

- 132
- 133 1) Receive the waste back when notified that the shipment has been rejected;
134 or
135
- 136 2) Agree with the receiving handler on a destination facility to which the
137 shipment will be sent.
138
- 139 f) A small quantity handler of universal waste may reject a shipment containing
140 universal waste or a portion of a shipment containing universal waste that it has
141 received from another handler. If a handler rejects a shipment or a portion of a
142 shipment, it must contact the originating handler to notify the originating handler
143 of the rejection and to discuss reshipment of the load. The handler must perform
144 either of the following actions:
145
- 146 1) Send the shipment back to the originating handler; or
147
- 148 2) If agreed to by both the originating and receiving handler, send the
149 shipment to a destination facility.
150
- 151 g) If a small quantity handler of universal waste receives a shipment containing
152 hazardous waste that is not a universal waste, the handler must immediately notify
153 the Agency (Bureau of Land, Illinois EPA [at the address of the Illinois EPA's](#)
154 [headquarters as designated on the Illinois EPA's website](#)), ~~1021 North Grand~~
155 ~~Avenue East, Springfield, Illinois 62794-9276~~ (telephone: 217-782-6761)) of the
156 illegal shipment, and provide the name, address, and phone number of the
157 originating shipper. The Agency will provide instructions for managing the
158 hazardous waste.
159
- 160 h) If a small quantity handler of universal waste receives a shipment of non-
161 hazardous, non-universal waste, the handler may manage the waste in any way
162 that is in compliance with applicable federal, State, or local solid (non-hazardous)
163 waste regulations.
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165 BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to
166 determine whether additional facility siting, special waste, or non-hazardous
167 waste regulations apply to the waste. Consult the ordinances of relevant units of
168 local government to determine whether local requirements apply.
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170 (Source: Amended at 49 Ill. Reg. _____, effective _____)
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172 SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

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Section 733.138 Off-Site Shipments

- a) A large quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a large quantity handler of universal waste self-transportes universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of Subpart D while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous material under USDOT regulation 49 CFR 171.8 (Definitions and Abbreviations), incorporated by reference in 35 Ill. Adm. Code 720.111(b), a large quantity handler of universal waste must package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 171 (General Information, Regulations, and Definitions), 172 (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), 173 (Shippers – General Requirements for Shipments and Packages), 174 (Carriage by Rail), 175 (Carriage by Aircraft), 176 (Carriage by Vessel), 177 (Carriage by Public Highway), 178 (Specifications for Packagings), 179 (Specifications for Tank Cars), and 180 (Continuing Qualification and Maintenance of Packagings), incorporated by reference in 35 Ill. Adm. Code 720.111(b).
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler must ensure that the receiving handler agrees to receive the shipment.
- e) If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler must do either of the following:
 - 1) Receive the waste back when notified that the shipment has been rejected; or
 - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A large quantity handler of universal waste may reject a shipment containing

216 universal waste, or a portion of a shipment containing universal waste that it has
217 received from another handler. If a handler rejects a shipment or a portion of a
218 shipment, it must contact the originating handler to notify the originating handler
219 of the rejection and to discuss reshipment of the load. The handler must perform
220 either of the following actions:

- 221
- 222 1) Send the shipment back to the originating handler; or
 - 223
 - 224 2) If agreed to by both the originating and receiving handler, send the
225 shipment to a destination facility.
 - 226
 - 227 g) If a large quantity handler of universal waste receives a shipment containing
228 hazardous waste that is not a universal waste, the handler must immediately notify
229 the Agency (Bureau of Land, Illinois EPA, [at the address of the Illinois EPA's
230 headquarters as designated on the Illinois EPA's website](#))~~4021 North Grand
231 Avenue East, Springfield, Illinois 62794 9276~~ (telephone: 217-782-6761)) of the
232 illegal shipment, and provide the name, address, and phone number of the
233 originating shipper. The Agency will provide instructions for managing the
234 hazardous waste.
 - 235
 - 236 h) If a large quantity handler of universal waste receives a shipment of non-
237 hazardous, non-universal waste, the handler may manage the waste in any way
238 that is in compliance with applicable federal, State, or local solid (non-hazardous)
239 waste regulations.

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

245

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

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

249

250 **Section 733.161 Off-Site Shipments**

- 251
- 252 a) The owner or operator of a destination facility is prohibited from sending or
253 taking universal waste to a place other than a universal waste handler, another
254 destination facility, or a foreign destination.
 - 255
 - 256 b) The owner or operator of a destination facility may reject a shipment containing
257 universal waste, or a portion of a shipment containing universal waste. If the
258 owner or operator of the destination facility rejects a shipment or a portion of a

259 shipment, it must contact the shipper to notify the shipper of the rejection and to
260 discuss reshipment of the load. The owner or operator of the destination facility
261 must perform either of the following actions:

- 262
- 263 1) Send the shipment back to the original shipper; or
- 264
- 265 2) If agreed to by both the shipper and the owner or operator of the
266 destination facility, send the shipment to another destination facility.
- 267
- 268 c) If the owner or operator of a destination facility receives a shipment containing
269 hazardous waste that is not a universal waste, the owner or operator of the
270 destination facility must immediately notify the Agency (Bureau of Land, Illinois
271 EPA, [at the address of the Illinois EPA's headquarters as designated on the Illinois
272 EPA's website](#))~~1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~
273 (telephone: 217-782-6761)) of the illegal shipment, and provide the name,
274 address, and phone number of the shipper. The Agency will provide instructions
275 for managing the hazardous waste.
- 276
- 277 d) If the owner or operator of a destination facility receives a shipment of non-
278 hazardous, non-universal waste, the owner or operator may manage the waste in
279 any way that is in compliance with applicable federal or State solid (non-
280 hazardous) waste regulations.

281

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

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