

ILLINOIS POLLUTION CONTROL BOARD
September 4, 1987

IN THE MATTER OF:)
)
CORRECTION TO R86-1) R87-32
)

FINAL ORDER. ADOPTED RULE

OPINION AND ORDER OF THE BOARD (by J. Anderson):

On July 11, 1986 the Board amended the RCRA rules pursuant to Section 22.4(a) of the Environmental Protection Act in Docket R86-1. By this Order the Board will correct an error to listing F003 in Section 721.131 in the July 11, 1986 Order.

Section 721.131 has been amended in both R86-1 and R86-19, although the amendments in R86-19 did not affect F003. The actions affecting this Section are as follows:

R86-1 July 11, 1986; 10 Ill. Reg. 13998, August 22, 1986. (7/1/85 -- 1/31/86)

R86-19 October 23, 1986; 10 Ill. Reg. 20630, December 12, 1986. (2/1/86 -- 3/31/86)

The Board has pending Dockets R87-5 and R87-26 to update the RCRA rules. Section 721.131 is not involved in those Dockets.

Section 721.131 is drawn from 40 CFR 261.31, which has been amended as follows:

50 Fed. Reg. 53319	December 31, 1985
51 Fed. Reg. 2702	January 21, 1986
51 Fed. Reg. 6541	February 25, 1986

The United States Environmental Protection Agency amended listing F003 on December 31, 1985. The Board adopted the equivalent amendment on July 11, 1986. However, the Board's version omitted a phrase from the description of this waste. The subsequent USEPA amendments did not affect this language, and the Board's subsequent amendment in R86-19 included the error without correction. The Board will amend listing F003 in Section 721.131 to correct the error as is indicated in the Order below.

The USEPA language includes apparent incorrect and unnecessary punctuation which the Board has corrected. The final "and" in the USEPA rule is set off with two commas which the Board has deleted. The second comma appears to be incorrect, and the first is unnecessary. Also, the Board has replaced

"mixtures/blends" with "mixtures and blends" throughout this Section. This usage has come under attack in the new edition of the Administrative Code Style Manual.

Since this corrects a simple typographical error, and codification problems, the Board will adopt it without affording the opportunity for prior comment. The Board will send this Order to the notice list in the currently pending RCRA Dockets. The Board will withhold filing until after September 14, 1987 to allow time for motions to reconsider.

ORDER

Section 721.131 is amended to read as follows:

SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.131 Hazardous Wastes From Nonspecific Sources

The following solid wastes are listed hazardous wastes from non-specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
-------------------------	------------------------------	-------------

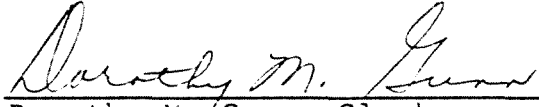
* * *

F003	The following spent non-halogenated solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone and methanol; all spent solvent -mixtures/blends- <u>mixtures and blends containing, before use, only the above spent non-halogenated solvents; and all spent solvent mixtures and blends containing, before use, one or more of the above non-halogenated solvents and a total of ten percent or more (by volume) of one or more of</u> -the above non-halogenated solvents or -those solvents listed in F001, F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I)
------	---	-----

* * *

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 4th day of September, 1987, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board