

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

SEP 19 2008

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROPOSED AMENDMENTS TO THE)
BOARD'S SPECIAL WASTE)
REGULATIONS CONCERNING)
USED OIL, 35 ILL. ADM. CODE 808, 809)

R06-20
(Rulemaking -Land)

NOTICE OF FILING

Dorothy Gunn, Clerk,
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
(ELECTRONIC FILING)

William Richardson, Chief Legal Counsel
Office of Legal Counsel
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

Matthew J. Dunn
Environmental Bureau Chief
Office of the Attorney General
Environmental Bureau North
69 West Washington Street, Suite 1800
Chicago, Illinois 60602

Tim Fox, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St.
Suite 11-500
Chicago, Illinois 60601

Claire A. Manning
Brown, Hay & Stephens, LLP
700 First Mercantile Bank Building
205 South Fifth St., P.O. Box 2459
Springfield, Illinois 62705-2459

Deirdre K. Hirner, Executive Director
Illinois Environmental Regulatory Group
215 East Adams Street
Springfield, Illinois 62701

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S PRE-FILED QUESTIONS FOR NORA'S WITNESSES, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: Stephanie Flowers

Stephanie Flowers
Assistant Counsel
Division of Legal Counsel

DATE: 9-12-08
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

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**THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S PRE-FILED
QUESTIONS FOR NORA'S WITNESSES**

NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA"), by and through one of its attorneys, Stephanie Flowers, and respectfully submits the following pre-filed questions for presentation before the Illinois Pollution Control Board ("Board") at the October 1, 2008 hearing scheduled in the above-referenced matter. The pre-filed questions are to establish a basis for the interest of each witnesses called by NORA in amending 35 Ill. Adm. Code 739 regarding tracking of used oil, to gain an understanding of why the Board's first notice proposal in this matter dated May 1, 2008 is inadequate to address the concerns of the witnesses, and to determine if the witnesses called are representative of the used oil industry. It is requested that any witness called by NORA answer the questions specifically rather than generally. The Illinois EPA requests the right to conduct follow-up questioning including the right to ask for supporting documentation for answers given.

QUESTIONS

1. What company do you work for and how are they involved in the management of used oil?
2. How much used oil do you collect per year?
3. How many used oil generators do you collect from? For each used oil generator please list the quantity accepted, and date accepted.

4. Regarding used oil generators, please list other information that your facility keeps as a record (i.e. name, address, U.S. I.D. number, Illinois I.D. number). Could this information be readily available to the Illinois EPA if requested?
5. How much waste do you send offsite from your facility per year?
6. Where specifically is the waste from your facility sent and what quantity is sent to each facility?
7. What used oil activities does your company perform such as transporter, processor or marketer, and what are the basic steps used by your company to handle the oil?
8. Where is the used oil from your facility or company sent?
9. Do you knowingly accept used oil mixed with or contaminated with other waste and, if so, how is it processed?
10. What procedures are used by your company to determine if contaminants or other waste are mixed with the used oil and if those contaminants impact the safety, recyclability or handling of the used oil?
11. How does the presence of contaminants or other constituents in the used oil affect the price you pay or charge the generator for the used oil?
12. Do you ship, transport or receive used oil under manifest? If so, do you require a manifest from each generator? Could you readily provide to the Illinois EPA copies of the manifests for the last year for used oil generated, transported or received by your facility if requested?
13. Please identify the hazardous or solid waste permits by site number and permit number for each of your facilities that generate, transfer, store or process used oil.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: Stephanie Flowers
Stephanie Flowers
Assistant Counsel
Division of Legal Counsel

DATED: 9-12-08
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

CERTIFICATE OF SERVICE

I, STEPHANIE FLOWERS, an attorney, do certify that I filed electronically with the Office of the Clerk of the Illinois Pollution Control Board the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S PRE-FILED QUESTIONS FOR NORA'S WITNESSES and will cause the same to be served upon the following persons, by placing a true and correct copy in an envelope addressed to:

Dorothy Gunn, Clerk,
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

William Richardson, Chief Legal Counsel
Office of Legal Counsel
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

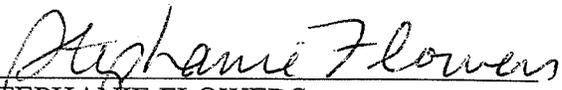
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Deirdre K. Hirner, Executive Director
Illinois Environmental Regulatory Group
215 East Adams Street
Springfield, Illinois 62701

and mailing it by First Class Mail from Springfield, Illinois on September 15th, 2008, with sufficient postage affixed.


STEPHANIE FLOWERS

DATED: 9-12-08
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Springfield, Illinois 62794-9276
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