

Board Adopts “Identical-in-Substance” Amendments to RCRA Hazardous Waste Rules

On August 27, 2020, the Board adopted amendments to its hazardous waste rules. The amendments, which took effect on September 3, 2020, are “identical in substance” to federal rule amendments made by the United States Environmental Protection Agency (USEPA) during 2019 under Subtitle C of the Resource Conservation and Recovery Act (RCRA).

In 2019, USEPA adopted the Hazardous Waste Pharmaceuticals Rule, providing less burdensome alternative management standards for hazardous waste pharmaceuticals, removing therapeutic products from the hazardous waste listing for nicotine, and prohibiting sewer disposal of hazardous waste pharmaceuticals. USEPA also adopted the Aerosol Cans Rule, allowing management of hazardous waste aerosol cans under the Universal Waste Rule.

The Board’s amendments also included several corrections to its hazardous waste rules and municipal solid waste landfill rules, some at the request of the Joint Committee on Administrative Rules and the Illinois Environmental Protection Agency.

During its rulemaking, the Board received public comment. The rulemaking is captioned RCRA Subtitle C Update, USEPA Amendments (January 1, 2019 through June 30, 2019) and RCRA Subtitle D Corrections and RCRA Subtitle C Update, USEPA Amendments (July 1, 2019 through December 31, 2019), dockets R20-8 and R20-16 (consol.). Here are links to (1) the Board’s [final opinion and order](#), which includes the text of the adopted rule amendments, and (2) the Board’s [addendum](#), which provides tables of information concerning the rulemaking. For more information, please contact Michael McCambridge at 312-814-6924 or michael.mccambridge@illinois.gov.