**Section 809.501 Manifests, Records, Access to Records, Reporting Requirements and Forms**

a) Any person who delivers special waste to a permitted special waste transporter must complete a manifest to accompany the special waste from delivery to the destination of the special waste. The following are exceptions to this requirement:

1) The generator or transporter is not required to complete a manifest for used oil that is defined by and managed in compliance with 35 Ill. Adm. Code 739.

2) The generator or transporter is not required to complete a manifest for the following used oil mixtures, provided that the generator or transporter complies with the informational requirements of 35 Ill. Adm. Code 739.146(a) and 35 Ill. Adm. Code 809.501(b):

A) Mixtures of used oil as defined by and managed in compliance with 35 Ill. Adm. Code 739 and hazardous waste, both generated and mixed by a conditionally exempt small quantity generator of hazardous waste, provided that the mixture contains more than 50 percent used oil by either volume or weight;

B) Mixtures of used oil as defined by and managed in compliance with 35 Ill. Adm. Code 739 and characteristic hazardous waste, with a Btu per pound content greater than 5,000 prior to being mixed with the used oil, when:

i) the characteristic has been extinguished in the resultant mixture;

ii) both the used oil and the characteristic hazardous waste have been generated and mixed by the same generator; and

iii) the mixture contains more than 50 percent used oil by either volume or weight;

C) Mixtures of used oil as defined by and managed in accordance with 35 Ill. Adm. Code 739 and fuel or other fuel products; and

D) Used oil as defined by and managed in compliance with 35 Ill. Adm. Code 739 contaminated by or mixed with nonhazardous wastewater, when the used oil and the nonhazardous wastewater are generated by the same generator, and when the mixture results from use or unintentional contamination.

b) The generator must include in the manifest the following:

1) The name of the generator of the special waste and generator number;

2) Information stating when and where the special waste was generated;

3) The name of the person from whom delivery is accepted and the name of the site from which delivered;

4) The name and permit number of the transporter;

5) The date of delivery; and

6) The classification and quantity of the special waste delivered to the transporter.

c) For hazardous waste, the manifest will consist of forms prescribed by USEPA for the Uniform Hazardous Waste Manifest and will be distributed in compliance with those requirements. For nonhazardous special waste*, the manifest shall consist of forms prescribed by the Agency. The forms must comply with the requirements of* Section 22.01 of the Act *and may be purchased from a third party.* [415 ILCS 5/22.01] The person who delivers special waste to a special waste transporter must retain the designated parts of the manifest as a record. The remaining parts of the manifest must accompany the special waste shipment. At the destination, the manifest must be signed by the person who accepts special waste from a special waste transporter, acknowledging receipt of the special waste.

d) A permitted site that receives special waste for disposal, storage or treatment of special waste must be designated on the manifest as the final destination point. Any subsequent delivery of the special waste, or any portion or product of that waste, to a special waste transporter must be conducted under a manifest initiated by the permitted disposal, storage or treatment site.

e) In all cases, the special waste transporter must deliver the designated parts of the complete, signed manifest to the person who accepts delivery of special waste from the transporter. The special waste transporter must retain the designated part of the complete, signed manifest as a record of delivery to a permitted disposal, storage or treatment site. In addition, at the end of each month, or longer if approved by the Agency, the owner and the operator of the permitted disposal, storage or treatment site who accepts special waste from a special waste transporter must send the designated part of the completed manifest to the person who delivered the special waste to the special waste transporter.

f) Every generator who delivers special waste to a special waste transporter, every person who accepts special waste from a special waste transporter and every special waste transporter must retain their respective parts of the special waste manifest as a record of all special waste transactions. These parts must be retained for three years and will be made available at reasonable times for inspection and photocopying by the Agency.

 BOARD NOTE: The manifest requirements of 35 Ill. Adm. Code 722, 724 and 725 relative to RCRA hazardous wastes are not affected by this subsection.

g) Every in-State facility that accepts nonhazardous special waste from a special waste transporter must file a report, on forms prescribed or provided by the Agency, summarizing all such activity during the preceding calendar year. The reports should, at a minimum, include the information specified in subsection (h) and be received by the Agency no later than February 1. This subsection is applicable to all nonhazardous special wastes that are delivered to a special waste transporter on or after January 1, 1991.

h) Every annual report required to be filed with the Agency by a person accepting nonhazardous special waste from a special waste transporter under subsection (g) must include the following information:

1) The IEPA identification number, name and address of the facility;

2) The period (calendar year) covered by the report;

3) The IEPA identification number, name and address of each nonhazardous special waste generator from which the facility received a nonhazardous special waste during the period;

4) A description and the total quantity of each nonhazardous special waste the facility received from off-site during the period. This information must be listed by IEPA identification number of each generator;

5) The method of treatment, storage or disposal for each nonhazardous special waste; and

6) A certification signed by the owner or operator of the facility or the owner's or operator's authorized representative.

(Source: Amended at 44 Ill. Reg. 12747, effective July 20, 2020)