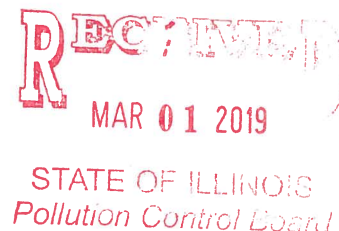


POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code Citation: 35 Ill. Adm. Code 725
- 3)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
725.111	Amendment
725.156	Amendment
725.190	Amendment
725.212	Amendment
725.296	Amendment
725.353	Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 22.4, and 27
- 5) A Complete Description of the Subjects and Issues Involved: The amendments to Part 725 are a single segment of the docket R19-11 rulemaking that also affects 35 Ill. Adm. Code 703, 720 through 724, 727, 733, and 739. The R19-11 rulemaking updates the Illinois hazardous waste rules to incorporate amendments adopted by the United States Environmental Protection Agency (USEPA) during the second half of 2018: July 1, 2018 through December 31, 2018. A comprehensive description is contained in the Board's opinion and order of February 14, 2019, proposing amendments in docket R19-11, which opinion and order is available from the address below.



R19-11 further includes limited corrections and conforming revisions that the Board finds necessary to previously adopted rules. The Board includes non-substantive stylistic revisions to provisions opened for amendments--many of anticipate changes ordinarily requested by the Joint Committee on Administrative Rules (JCAR).

The following briefly summarizes the federal action in the update periods:

Conditional Exclusion of Airbag Waste from Regulation as Hazardous Waste—November 30, 2018 (83 Fed. Reg. 61552): By an interim final rule immediately effective on publication, USEPA conditionally excluded airbag waste from regulation as hazardous waste by amendments to 40 CFR 260, 261, and 262. The Board incorporates most of these USEPA revisions into corresponding 35 Ill. Adm. Code 720, 721, and 722. USEPA intended to avoid hazardous waste requirements impeding replacement of defective airbags in the Takata recall.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Specifically, the amendments to Part 725 standardize use of USEPA Form 8700-12, conform use of defined terms, correct grammar and punctuation, and simplify phrasing to add clarity to previously adopted rules.

Tables appear in a document entitled "Identical-in-Substance Rulemaking Addendum (Proposed)" that the Board added to docket R19-11. The tables list the deviations from the literal text of the federal amendments and the several necessary corrections and stylistic revisions not directly derived from USEPA actions. Persons interested in the details of those deviations from the literal text should refer to the Identical-in-Substance Rulemaking Addendum (Proposed) in docket R19-11.

Sections 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Does this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R19-11 and be addressed to:

Don A. Brown, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

100 W. Randolph St.
Chicago IL 60601

Please direct inquiries to the following person and reference docket R19-11:

Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph, 11-500
Chicago IL 60601

312/814-6924
e-mail: michael.mccambridge@illinois.gov

Request copies of the Board's opinion and order at 312/814-3620, or download a copy from the Board's website at pcb.illinois.gov

13) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30 (2018)] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2019

The full text of the Proposed Amendments begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 725

INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

Section

- 725.101 Purpose, Scope, and Applicability
- 725.102 Electronic Reporting
- 725.104 Imminent Hazard Action

SUBPART B: GENERAL FACILITY STANDARDS

Section

- 725.110 Applicability
- 725.111 USEPA Identification Number
- 725.112 Required Notices
- 725.113 General Waste Analysis
- 725.114 Security
- 725.115 General Inspection Requirements
- 725.116 Personnel Training
- 725.117 General Requirements for Ignitable, Reactive, or Incompatible
Wastes
- 725.118 Location Standards
- 725.119 Construction Quality Assurance Program

SUBPART C: PREPAREDNESS AND PREVENTION

Section

- 725.130 Applicability
- 725.131 Maintenance and Operation of Facility
- 725.132 Required Equipment
- 725.133 Testing and Maintenance of Equipment
- 725.134 Access to Communications or Alarm System
- 725.135 Required Aisle Space
- 725.137 Arrangements with Local Authorities

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section

- 725.150 Applicability
- 725.151 Purpose and Implementation of Contingency Plan
- 725.152 Content of Contingency Plan
- 725.153 Copies of Contingency Plan
- 725.154 Amendment of Contingency Plan
- 725.155 Emergency Coordinator
- 725.156 Emergency Procedures

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

Section

725.170 Applicability
725.171 Use of Manifest System
725.172 Manifest Discrepancies
725.173 Operating Record
725.174 Availability, Retention, and Disposition of Records
725.175 Annual Report
725.176 Unmanifested Waste Report
725.177 Additional Reports

SUBPART F: GROUNDWATER MONITORING

Section

725.190 Applicability
725.191 Groundwater Monitoring System
725.192 Sampling and Analysis
725.193 Preparation, Evaluation, and Response
725.194 Recordkeeping and Reporting

SUBPART G: CLOSURE AND POST-CLOSURE CARE

Section

725.210 Applicability
725.211 Closure Performance Standard
725.212 Closure Plan; Amendment of Plan
725.213 Closure; Time Allowed for Closure
725.214 Disposal or Decontamination of Equipment, Structures, and
Soils
725.215 Certification of Closure
725.216 Survey Plat
725.217 Post-Closure Care and Use of Property
725.218 Post-Closure Care Plan; Amendment of Plan
725.219 Post-Closure Notices
725.220 Certification of Completion of Post-Closure Care
725.221 Alternative Post-Closure Care Requirements

SUBPART H: FINANCIAL REQUIREMENTS

Section

725.240 Applicability
725.241 Definitions of Terms as Used in this Subpart H
725.242 Cost Estimate for Closure
725.243 Financial Assurance for Closure
725.244 Cost Estimate for Post-Closure Care
725.245 Financial Assurance for Post-Closure Monitoring and
Maintenance
725.246 Use of a Mechanism for Financial Assurance of Both Closure
and Post-Closure Care
725.247 Liability Requirements

725.248 Incapacity of Owners or Operators, Guarantors, or Financial
Institutions
725.251 Promulgation of Forms (Repealed)

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section

725.270 Applicability
725.271 Condition of Containers
725.272 Compatibility of Waste with Containers
725.273 Management of Containers
725.274 Inspections
725.276 Special Requirements for Ignitable or Reactive Wastes
725.277 Special Requirements for Incompatible Wastes
725.278 Air Emission Standards

SUBPART J: TANK SYSTEMS

Section

725.290 Applicability
725.291 Assessment of Existing Tank System Integrity
725.292 Design and Installation of New Tank Systems or Components
725.293 Containment and Detection of Releases
725.294 General Operating Requirements
725.295 Inspections
725.296 Response to Leaks or Spills and Disposition of Tank Systems
725.297 Closure and Post-Closure Care
725.298 Special Requirements for Ignitable or Reactive Wastes
725.299 Special Requirements for Incompatible Wastes
725.300 Waste Analysis and Trial Tests
725.301 Generators of 100 to 1,000 Kilograms of Hazardous Waste Per
Month (Repealed)
725.302 Air Emission Standards

SUBPART K: SURFACE IMPOUNDMENTS

Section

725.320 Applicability
725.321 Design and Operating Requirements
725.322 Action Leakage Rate
725.323 Containment System
725.324 Response Actions
725.325 Waste Analysis and Trial Tests
725.326 Monitoring and Inspections
725.328 Closure and Post-Closure Care
725.329 Special Requirements for Ignitable or Reactive Wastes
725.330 Special Requirements for Incompatible Wastes
725.331 Air Emission Standards

SUBPART L: WASTE PILES

Section

725.350 Applicability
725.351 Protection from Wind
725.352 Waste Analysis
725.353 Containment
725.354 Design and Operating Requirements
725.355 Action Leakage Rates
725.356 Special Requirements for Ignitable or Reactive Wastes
725.357 Special Requirements for Incompatible Wastes
725.358 Closure and Post-Closure Care
725.359 Response Actions
725.360 Monitoring and Inspections

SUBPART M: LAND TREATMENT

Section

725.370 Applicability
725.372 General Operating Requirements
725.373 Waste Analysis
725.376 Food Chain Crops
725.378 Unsaturated Zone (Zone of Aeration) Monitoring
725.379 Recordkeeping
725.380 Closure and Post-Closure Care
725.381 Special Requirements for Ignitable or Reactive Wastes
725.382 Special Requirements for Incompatible Wastes

SUBPART N: LANDFILLS

Section

725.400 Applicability
725.401 Design Requirements
725.402 Action Leakage Rate
725.403 Response Actions
725.404 Monitoring and Inspections
725.409 Surveying and Recordkeeping
725.410 Closure and Post-Closure Care
725.412 Special Requirements for Ignitable or Reactive Wastes
725.413 Special Requirements for Incompatible Wastes
725.414 Special Requirements for Liquid Wastes
725.415 Special Requirements for Containers
725.416 Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)

SUBPART O: INCINERATORS

Section

725.440 Applicability
725.441 Waste Analysis
725.445 General Operating Requirements
725.447 Monitoring and Inspections
725.451 Closure
725.452 Interim Status Incinerators Burning Particular Hazardous Wastes

SUBPART P: THERMAL TREATMENT

Section

725.470 Other Thermal Treatment
725.473 General Operating Requirements
725.475 Waste Analysis
725.477 Monitoring and Inspections
725.481 Closure
725.482 Open Burning; Waste Explosives
725.483 Interim Status Thermal Treatment Devices Burning Particular
Hazardous Wastes

SUBPART Q: CHEMICAL, PHYSICAL, AND BIOLOGICAL TREATMENT

Section

725.500 Applicability
725.501 General Operating Requirements
725.502 Waste Analysis and Trial Tests
725.503 Inspections
725.504 Closure
725.505 Special Requirements for Ignitable or Reactive Wastes
725.506 Special Requirements for Incompatible Wastes

SUBPART R: UNDERGROUND INJECTION

Section

725.530 Applicability

SUBPART W: DRIP PADS

Section

725.540 Applicability
725.541 Assessment of Existing Drip Pad Integrity
725.542 Design and Installation of New Drip Pads
725.543 Design and Operating Requirements
725.544 Inspections
725.545 Closure

SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

Section

725.930 Applicability
725.931 Definitions
725.932 Standards: Process Vents
725.933 Standards: Closed-Vent Systems and Control Devices
725.934 Test Methods and Procedures
725.935 Recordkeeping Requirements

SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

Section

725.950 Applicability
725.951 Definitions
725.952 Standards: Pumps in Light Liquid Service
725.953 Standards: Compressors
725.954 Standards: Pressure Relief Devices in Gas/Vapor Service
725.955 Standards: Sampling Connecting Systems
725.956 Standards: Open-Ended Valves or Lines
725.957 Standards: Valves in Gas/Vapor or Light Liquid Service
725.958 Standards: Pumps, Valves, Pressure Relief Devices, Flanges,
and Other Connectors
725.959 Standards: Delay of Repair
725.960 Standards: Closed-Vent Systems and Control Devices
725.961 Percent Leakage Alternative for Valves
725.962 Skip Period Alternative for Valves
725.963 Test Methods and Procedures
725.964 Recordkeeping Requirements

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS,
SURFACE IMPOUNDMENTS, AND CONTAINERS

Section

725.980 Applicability
725.981 Definitions
725.982 Schedule for Implementation of Air Emission Standards
725.983 Standards: General
725.984 Waste Determination Procedures
725.985 Standards: Tanks
725.986 Standards: Surface Impoundments
725.987 Standards: Containers
725.988 Standards: Closed-Vent Systems and Control Devices
725.989 Inspection and Monitoring Requirements
725.990 Recordkeeping Requirements
725.991 Alternative Tank Emission Control Requirements (Repealed)

SUBPART DD: CONTAINMENT BUILDINGS

Section

725.1100 Applicability
725.1101 Design and Operating Standards
725.1102 Closure and Post-Closure Care

SUBPART EE: HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

Section

725.1200 Applicability
725.1201 Design and Operating Standards
725.1202 Closure and Post-Closure Care

725.APPENDIX A Recordkeeping Instructions
725.APPENDIX B EPA Report Form and Instructions (Repealed)
725.APPENDIX C USEPA Interim Primary Drinking Water Standards
725.APPENDIX D Tests for Significance
725.APPENDIX E Examples of Potentially Incompatible Wastes

725.APPENDIX F Compounds with Henry's Law Constant Less Than 0.1 Y/X
(at 25 °C)

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

SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18 at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19 at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17548, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9566, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11078, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 369, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7620, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17620, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1850, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9168, effective July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1076, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9575, effective June 20, 2000; amended in R03-7 at 27 Ill. Reg. 4187, effective February 14, 2003; amended in R05-8 at 29 Ill. Reg. 6028, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6389, effective April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 3460, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1031, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 12566, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 1155, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18890, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 18052, effective October 14, 2011; amended in R13-15 at 37 Ill. Reg. 17811, effective October 24, 2013; amended in R15-1 at 39 Ill. Reg. 1746, effective January 12, 2015; amended in R16-7 at 40 Ill. Reg. 11830, effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31

at 42 Ill. Reg. 23725, effective November 19, 2018; amended in R19-3 at 43 Ill. Reg. 634, effective December 6, 2018; amended in R19-11 at 43 Ill. Reg. _____, effective _____.

SUBPART B: GENERAL FACILITY STANDARDS

Section 725.111 USEPA Identification Number

Every facility owner or operator must apply to the Agency ~~USEPA Region 5~~ for a USEPA identification number using Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12). ~~The facility owner or operator must obtain a copy of the form from the Agency, Bureau of Land (217-782-6762), and submit a completed copy of the form to the Bureau of Land, in addition to notification to USEPA.~~

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format:
www.epa.gov/?hwgenerators/?instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and.

(Source: Amended at 43 Ill. Reg. _____, effective _____)

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section 725.156 Emergency Procedures

a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) must immediately do the following:

1) He or she must activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

2) He or she must notify appropriate State or local agencies with designated response roles if their help is needed.

b) Whenever there is a release, fire, or explosion, the emergency coordinator must immediately identify the character, exact source, amount, and areal extent of any released materials. He or she may do this by observation or review of facility records or manifests and, if necessary, by chemical analysis.

c) Concurrently, the emergency coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-off ~~runoffs~~ from water or chemical agents used to control fire and heat-induced explosions).

d) If the emergency coordinator determines that the facility has had a release, fire, or explosion that could threaten human health or the environment outside the facility, he or she must report ~~his~~those findings as follows:

1) If ~~his~~the assessment indicates that evacuation of local areas may be advisable, the emergency coordinator must immediately notify appropriate local authorities. ~~He or she~~The emergency coordinator must be available to help appropriate officials decide whether local areas should be evacuated; and

2) The emergency coordinator must immediately notify either the government official designated as the on-scene coordinator for that geographical area, or the National Response Center (using their 24-hour toll free number 800-424-8802). The report must include the following:

- A) The name and telephone number of the reporter;
- B) The name and address of facility;
- C) The time and type of incident (e.g., release, fire, etc.);
- D) The name and quantity of materials involved, to the extent known;
- E) The extent of injuries, if any; and
- F) The possible hazards to human health or the environment outside the facility.

e) During an emergency the emergency coordinator must take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste at the facility. These measures must include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

f) If the facility stops operations in response to a fire, explosion or release, the emergency coordinator must monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.

g) Immediately after an emergency, the emergency coordinator must provide for treating, storing, or disposing of recovered waste, contaminated soil, or surface water, or any other material that results from a release, fire, or explosion at the facility.

BOARD NOTE: Unless the owner or operator can demonstrate in accordance with 35 Ill. Adm. Code 721.103(d) or (e) that the recovered material is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and must manage it in accordance with all applicable requirements of 35 Ill. Adm. Code 722, 723, and 725.

h) The emergency coordinator must ensure that, in the affected areas of the facility, the following occur:

1) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and

2) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

i) The owner or operator must note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, it must submit a written report on the incident to the Agency. The report must include the following information:

1) The name, address, and telephone number of the owner or operator;

2) The name, address, and telephone number of the facility;

3) The date, time, and type of incident (e.g., fire, explosion, etc.);

4) The name and quantity of materials involved;

5) The extent of injuries, if any;

6) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and

7) The estimated quantity and disposition of recovered material that resulted from the incident.

(Source: Amended at 43 Ill. Reg. _____, effective _____)

SUBPART F: GROUNDWATER MONITORING

Section 725.190 Applicability

a) The owner or operator of a surface impoundment, landfill, or land treatment facility that is used to manage hazardous waste must implement a groundwater monitoring program capable of determining the facility's impact on the quality of groundwater in the uppermost aquifer underlying the facility, except as Section 725.101 and subsection (c) provide otherwise.

b) Except as subsections (c) and (d) provide otherwise, the owner or operator must install, operate, and maintain a groundwater monitoring system that meets the requirements of Section 725.191 and must comply with Sections 725.192 through 725.194. This groundwater monitoring

program must be carried out during the active life of the facility and for disposal facilities during the post-closure care period as well.

c) All or part of the groundwater monitoring requirements of this Subpart F may be waived if the owner or operator can demonstrate that there is a low potential for migration of hazardous waste or hazardous waste constituents from the facility via the uppermost aquifer to water supply wells (domestic, industrial, or agricultural) or to surface water. This demonstration must be in writing and must be kept at the facility. This demonstration must be certified by a qualified geologist or geotechnical engineer and must establish the following:

1) The potential for migration of hazardous waste or hazardous waste constituents from the facility to the uppermost aquifer by an evaluation of the following information:

A) A water balance of precipitation, evapotranspiration, run-off-runoff, and infiltration; and

B) Unsaturated zone characteristics (i.e., geologic materials, physical properties, and depth to ground water); and

2) The potential for hazardous waste or hazardous waste constituents that enter the uppermost aquifer to migrate to a water supply well or surface water by an evaluation of the following information:

A) Saturated zone characteristics (i.e., geologic materials, physical properties, and rate of groundwater flow); and

B) The proximity of the facility to water supply wells or surface water.

d) If an owner or operator assumes (or knows) that groundwater monitoring of indicator parameters in accordance with Sections 725.191 and 725.192 would show statistically significant increases (or decreases in the case of pH) when evaluated pursuant to Section 725.193(b), it may install, operate, and maintain an alternate groundwater monitoring system (other than the one described in Sections 725.191 and 725.192). If the owner or operator decides to use an alternate groundwater monitoring system, it must have done as follows:

1) The owner or operator must develop a specific plan, certified by a qualified geologist or geotechnical engineer, that satisfies the requirements of federal 40 CFR 265.93(d)(3) for an alternate groundwater monitoring system. This plan is to be placed in the facility's operating record and maintained until closure of the facility;

2) The owner or operator must have initiated the determinations specified in federal 40 CFR 265.93(d)(4);

- 3) The owner or operator must prepare a written report in accordance with Section 725.193(d)(5) and place it in the facility's operating record and maintain until closure of the facility;
 - 4) The owner or operator must continue to make the determinations specified in Section 725.193(d)(4) on a quarterly basis until final closure of the facility; and
 - 5) The owner or operator must comply with the recordkeeping and reporting requirements in Section 725.194(b).
- e) The groundwater monitoring requirements of this Subpart F may be waived with respect to any surface impoundment of which the following is true:
- 1) The impoundment is used to neutralize wastes that are hazardous solely because they exhibit the corrosivity characteristic pursuant to 35 Ill. Adm. Code 721.122 or which are listed as hazardous wastes in Subpart D of 35 Ill. Adm. Code 721 only for this reason; and
 - 2) The impoundment contains no other hazardous wastes, if the owner or operator can demonstrate that there is no potential for migration of hazardous wastes from the impoundment. The demonstration must establish, based upon consideration of the characteristics of the wastes and the impoundment, that the corrosive wastes will be neutralized to the extent that they no longer meet the corrosivity characteristic before they can migrate out of the impoundment. The demonstration must be in writing and must be certified by a qualified professional.
- f) A permit or enforceable document can contain alternative requirements for groundwater monitoring that replace all or part of the requirements of this Subpart F applicable to a regulated unit (as defined in 35 Ill. Adm. Code 724.190), as provided pursuant to 35 Ill. Adm. Code 703.161, where the Board has determined by an adjusted standard granted pursuant to Section 28.1 of the Act and Subpart D of 35 Ill. Adm. Code 104 the following:
- 1) The regulated unit is situated among solid waste management units (or areas of concern), a release has occurred, and both the regulated unit and one or more solid waste management units (or areas of concern) are likely to have contributed to the release; and
 - 2) It is not necessary to apply the groundwater monitoring requirements of this Subpart F because the alternative requirements will adequately protect human health and the environment. The alternative standards for the regulated unit must meet the requirements of 35 Ill. Adm. Code 724.201(a).

(Source: Amended at 43 Ill. Reg. _____, effective
_____)

SUBPART G: CLOSURE AND POST-CLOSURE CARE

Section 725.212 Closure Plan; Amendment of Plan

a) Written Plan. Within six months after the effective date of the rule that first subjects a facility to provisions of this Section, the owner or operator of a hazardous waste management facility must have a written closure plan. Until final closure is completed and certified in accordance with Section 725.215, a copy of the most current plan must be furnished to the Agency upon request including request by mail. In addition, for facilities without approved plans, it must also be provided during site inspections on the day of inspection to any officer, employee, or representative of the Agency.

b) Content of Plan. The plan must identify the steps necessary to perform partial or final closure of the facility at any point during its active life. The closure plan must include the following minimal information:

1) A description of how each hazardous waste management unit at the facility will be closed in accordance with Section 725.211;

2) A description of how final closure of the facility will be conducted in accordance with Section 725.211. The description must identify the maximum extent of the operation that will be unclosed during the active life of the facility;

3) An estimate of the maximum inventory of hazardous wastes ever on-site over the active life of the facility and a detailed description of the methods to be used during partial and final closure, including, but not limited to methods for removing, transporting, treating, storing, or disposing of all hazardous waste, and identification of and the types of off-site hazardous waste management units to be used, if applicable;

4) A detailed description of the steps needed to remove or decontaminate all hazardous waste residues and contaminated containment system components, equipment, structures, and soils during partial and final closure including, but not limited to, procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination necessary to satisfy the closure performance standard;

5) A detailed description of other activities necessary during the partial and final closure periods to ensure that all partial closures and final closure satisfy the closure performance standards, including, but not limited to, groundwater monitoring, leachate collection, and run-on~~runon~~ and run-off~~runoff~~ control;

6) A schedule for closure of each hazardous waste management unit and for final closure of the facility. The schedule must include, at a minimum, the total time required to close each hazardous waste management unit and the time required for intervening closure activities

that will allow tracking of the progress of partial and final closure. (For example, in the case of a landfill unit, estimates of the time required to treat or dispose of all hazardous waste inventory and of the time required to place a final cover must be included.);

7) An estimate of the expected year of final closure for facilities that use trust funds to demonstrate financial assurance under Section 725.243 or 725.245 and whose remaining operating life is less than twenty years, and for facilities without approved closure plans; and

8) For a facility where alternative requirements are established at a regulated unit under Section 725.190(f), 725.210(d), or 725.240(d), as provided under 35 Ill. Adm. Code 703.161, either the alternative requirements applying to the regulated unit or a reference to the enforceable document containing those alternative requirements.

c) Amendment of Plan. The owner or operator may amend the closure plan at any time prior to the notification of partial or final closure of the facility. An owner or operator with an approved closure plan must submit a written request to the Agency to authorize a change to the approved closure plan. The written request must include a copy of the amended closure plan for approval by the Agency.

1) The owner or operator must amend the closure plan whenever any of the following occurs:

A) Changes in the operating plans or facility design affect the closure plan;

B) Whenever there is a change in the expected year of closure, if applicable;

C) In conducting partial or final closure activities, unexpected events require a modification of the closure plan; or

D) The owner or operator requests the establishment of alternative requirements, as provided under 35 Ill. Adm. Code 703.161, to a regulated unit under Section 725.190(f), 725.210(c), or 725.240(d).

2) The owner or operator must amend the closure plan at least 60 days prior to the proposed change in facility design or operation, or no later than 60 days after an unexpected event has occurred that has affected the closure plan. If an unexpected event occurs during the partial or final closure period, the owner or operator must amend the closure plan no later than 30 days after the unexpected event. These provisions also apply to owners or operators of surface impoundments and waste piles that intended to remove all hazardous wastes at closure, but are required to close as landfills in accordance with Section 725.410.

3) An owner or operator with an approved closure plan must submit the modified plan to the Agency at least 60 days prior to the proposed change in facility design or operation, or no more than 60 days after an

unexpected event has occurred that has affected the closure plan. If an unexpected event has occurred during the partial or final closure period, the owner or operator must submit the modified plan no more than 30 days after the unexpected event. These provisions also apply to owners or operators of surface impoundments and waste piles that intended to remove all hazardous wastes at closure but are required to close as landfills in accordance with Section 725.410. If the amendment to the plan is a Class 2 or 3 modification according to the criteria in 35 Ill. Adm. Code 703.280, the modification to the plan must be approved according to the procedures in subsection (d)(4).

4) The Agency may request modifications to the plan under the conditions described in subsection (c)(1). An owner or operator with an approved closure plan must submit the modified plan within 60 days after the request from the Agency, or within 30 days if the unexpected event occurs during partial or final closure. If the amendment is considered a Class 2 or 3 modification according to the criteria in 35 Ill. Adm. Code 703.280, the modification to the plan must be approved in accordance with the procedures in subsection (d)(4).

d) Notification of Partial Closure and Final Closure

1) When Notice ~~notice~~ is Required

A) The owner or operator must submit the closure plan to the Agency at least 180 days prior to the date on which the owner or operator expects to begin closure of the first surface impoundment, waste pile, land treatment, or landfill unit, or final closure if it involves such a unit, whichever is earlier.

B) The owner or operator must submit the closure plan to the Agency at least 45 days prior to the date on which the owner or operator expects to begin partial or final closure of a boiler or industrial furnace.

C) The owner or operator must submit the closure plan to the Agency at least 45 days prior to the date on which the owner or operator expects to begin final closure of a facility with only tanks, container storage, or incinerator units.

D) An owner or operator with an approved closure plan must notify the Agency in writing at least 60 days prior to the date on which the owner or operator expects to begin closure of a surface impoundment, waste pile, landfill, or land treatment unit, or final closure of a facility involving such a unit.

E) An owner or operator with an approved closure plan must notify the Agency in writing at least 45 days prior to the date on which the owner or operator expects to begin partial or final closure of a boiler or industrial furnace.

F) An owner or operator with an approved closure plan must notify the Agency in writing at least 45 days prior to the date on which the owner or operator expects to begin final closure of a facility with only tanks, container storage, or incinerator units.

2) The date when the owner or operator "expects to begin closure" must be either of the following dates:

A) Within 30 days after the date on which any hazardous waste management unit receives the known final volume of hazardous wastes or, if there is a reasonable possibility that the hazardous waste management unit will receive additional hazardous wastes, no later than one year after the date on which the unit received the most recent volume of hazardous waste. If the owner or operator of a hazardous waste management unit demonstrates to the Agency that the hazardous waste management unit or facility has the capacity to receive additional hazardous wastes and that the owner or operator has taken and will continue to take, all steps to prevent threats to human health and the environment, including compliance with all interim status requirements, the Agency must approve an extension to this one-year limit; or

B) For units meeting the requirements of Section 725.213(d), no later than 30 days after the date on which the hazardous waste management unit receives the known final volume of non-hazardous wastes or, if there is a reasonable possibility that the hazardous waste management unit will receive additional non-hazardous wastes, no later than one year after the date on which the unit received the most recent volume of non-hazardous wastes. If the owner or operator demonstrates to the Agency that the hazardous waste management unit has the capacity to receive additional non-hazardous wastes and that the owner and operator have taken, and will continue to take, all steps to prevent threats to human health and the environment, including compliance with all applicable interim status requirements, the Agency must approve an extension to this one-year limit.

3) The owner or operator must submit the closure plan to the Agency no later than 15 days after occurrence of either of the following events:

A) Termination of interim status (except when a permit is issued to the facility simultaneously with termination of interim status); or

B) Issuance of a judicial decree or Board order to cease receiving hazardous wastes or to close the facility or unit.

4) The Agency must provide the owner or operator and the public, through a newspaper notice, the opportunity to submit written comments on the plan and request modifications of the plan no later than 30 days from the date of the notice. The Agency must also, in response to a request or at its own discretion, hold a public hearing whenever such a hearing might clarify one or more issues concerning a closure plan. The Agency must give public notice of the hearing at least 30 days before it

occurs. (Public notice of the hearing may be given at the same time as notice of the opportunity for the public to submit written comments and the two notices may be combined.) The Agency must approve, modify, or disapprove the plan within 90 days after its receipt. If the Agency does not approve the plan, the Agency must provide the owner or operator with a detailed written statement of reasons for the refusal, and the owner or operator must modify the plan or submit a new plan for approval within 30 days after receiving such written statement. The Agency must approve or modify this plan in writing within 60 days. If the Agency modifies the plan, this modified plan becomes the approved closure plan. The Agency must assure that the approved plan is consistent with Sections 725.211 through 725.215 and the applicable requirements of Sections 725.190 et seq., 725.297, 725.328, 725.358, 725.380, 725.410, 725.451, 725.481, 725.504, and 725.1102. A copy of this modified plan with a detailed statement of reasons for the modifications must be mailed to the owner or operator.

e) Removal of Wastes and Decontamination or Dismantling of Equipment. Nothing in this Section precludes the owner or operator from removing hazardous wastes and decontaminating or dismantling equipment in accordance with the approved partial or final closure plan at any time before or after notification of partial or final closure.

(Source: Amended at 43 Ill. Reg. _____, effective _____)

SUBPART J: TANK SYSTEMS

Section 725.296 Response to Leaks or Spills and Disposition of Tank Systems

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately. The owner or operator must satisfy the following requirements:

a) Cease Using; Prevent Flow or Addition of Wastes. The owner or operator must immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

b) Removal of Waste from Tank System or Secondary Containment System

1) If the release was from the tank system, the owner or operator must, within 24 hours after detection of the leak, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.

2) If the release was to a secondary containment system, all released materials must be removed within 24 hours to prevent harm to human health and the environment.

c) Containment of Visible Releases to the Environment. The owner or operator must immediately conduct a visual inspection of the release and, based upon that inspection, do the following:

- 1) Prevent further migration of the leak or spill to soils or surface water; and
- 2) Remove and properly dispose of any visible contamination of the soil or surface water.

d) Notifications; Reports

1) Any release to the environment, except as provided in subsection (d)(2), must be reported to the Agency within 24 hours after detection.

2) A leak or spill of hazardous waste is exempted from the requirements of this subsection (d) if the following occur:

A) The spill is less than or equal to a quantity of one pound (0.45 kg); and

B) The spill is immediately contained and cleaned-up.

3) Within 30 days after detection of a release to the environment, a report containing the following information must be submitted to the Agency:

A) Likely route of migration of the release;

B) Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate, etc.);

C) Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data must be submitted to the Agency as soon as they become available;

D) Proximity to downgradient drinking water, surface water, and population areas; and

E) Description of response actions taken or planned.

e) Provision of Secondary Containment, Repair, or Closure

1) Unless the owner or operator satisfies the requirements of subsections (e)(2) through (e)(4), the tank system must be closed in accordance with Section 725.297.

2) If the cause of the release was a spill that has not damaged the integrity of the system, the owner or operator may return the system to

service as soon as the released waste is removed and repairs, if necessary, are made.

3) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system must be repaired prior to returning the tank system to service.

4) If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the owner or operator must provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of Section 725.293 before it is returned to service, unless the source of the leak is an aboveground portion of a tank system. If the source is an aboveground component that can be inspected visually, the component must be repaired and may be returned to service without secondary containment as long as the requirements of subsection (f) are satisfied. If a component is replaced to comply with the requirements of this subsection (e)(4), that component must satisfy the requirements for new tank systems or components in Sections 725.292 and 725.293. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or on-ground ~~onground~~ tank), the entire component must be provided with secondary containment in accordance with Section 725.293 prior to being returned to use.

f) Certification of Major Repairs. If the owner or operator has repaired a tank system in accordance with subsection (e), and the repair has been extensive (e.g., installation of an internal liner, repair of a ruptured primary containment or secondary containment vessel, etc.), the tank system must not be returned to service unless the owner or operator has obtained a certification by a qualified Professional Engineer, in accordance with 35 Ill. Adm. Code 702.126(d), that the repaired system is capable of handling hazardous wastes without release for the intended life of the system. This certification must be placed in the operating record and maintained until closure of the facility.

BOARD NOTE: See Section 725.115(c) for the requirements necessary to remedy a failure. Also, federal 40 CFR 302.6 requires the owner or operator to notify the National Response Center of a release of any "reportable quantity".

(Source: Amended at 43 Ill. Reg. , effective)

SUBPART L: WASTE PILES

Section 725.353 Containment

If leachate or run-off from a pile is a hazardous waste, then control of the leachate or run-off ~~runoff~~ must be accomplished by either of the following means:

a) Control by Pile Design, Construction, and Operation

- 1) The pile must be placed on an impermeable base that is compatible with the waste under the conditions of treatment or storage;
- 2) The owner or operator must design, construct, operate and maintain a run-on control system capable of preventing flow onto the active portion of the pile during peak discharge from at least a 25-year storm;
- 3) The owner or operator must design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm; and
- 4) Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously to maintain design capacity of the system; or

b) Alternative Control

- 1) The pile must be protected from precipitation and run-on ~~runon~~ by some other means; and
- 2) No liquids or wastes containing free liquids may be placed in the pile.

BOARD NOTE: If collected leachate or run-off ~~runoff~~ is discharged through a point source to waters of the United States, it is subject to the requirements of Section 12 of the ~~Illinois Environmental Protection Act~~.

(Source: Amended at 43 Ill. Reg. ~~---~~, effective _____)

~~ILLINOIS REGISTER~~
~~POLLUTION CONTROL BOARD~~
~~NOTICE OF PROPOSED AMENDMENTS~~
[JCAR350725-1902895r01](#)

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1 TITLE 35: ENVIRONMENTAL PROTECTION
2 SUBTITLE G: WASTE DISPOSAL
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS
5

6 PART 725
7 INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
8 WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES
9

10 SUBPART A: GENERAL PROVISIONS
11

12	Section	
13	725.101	Purpose, Scope, and Applicability
14	725.102	Electronic Reporting
15	725.104	Imminent Hazard Action

16
17 SUBPART B: GENERAL FACILITY STANDARDS
18

19	Section	
20	725.110	Applicability
21	725.111	USEPA Identification Number
22	725.112	Required Notices
23	725.113	General Waste Analysis
24	725.114	Security
25	725.115	General Inspection Requirements
26	725.116	Personnel Training
27	725.117	General Requirements for Ignitable, Reactive, or Incompatible Wastes
28	725.118	Location Standards
29	725.119	Construction Quality Assurance Program

30
31 SUBPART C: PREPAREDNESS AND PREVENTION
32

33	Section	
34	725.130	Applicability
35	725.131	Maintenance and Operation of Facility
36	725.132	Required Equipment
37	725.133	Testing and Maintenance of Equipment
38	725.134	Access to Communications or Alarm System
39	725.135	Required Aisle Space
40	725.137	Arrangements with Local Authorities

41
42 SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES
43

44	Section	
45	725.150	Applicability
46	725.151	Purpose and Implementation of Contingency Plan
47	725.152	Content of Contingency Plan
48	725.153	Copies of Contingency Plan
49	725.154	Amendment of Contingency Plan
50	725.155	Emergency Coordinator
51	725.156	Emergency Procedures

52

53 SUBPART E: MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

54

55	Section	
56	725.170	Applicability
57	725.171	Use of Manifest System
58	725.172	Manifest Discrepancies
59	725.173	Operating Record
60	725.174	Availability, Retention, and Disposition of Records
61	725.175	Annual Report
62	725.176	Unmanifested Waste Report
63	725.177	Additional Reports

64

65 SUBPART F: GROUNDWATER MONITORING

66

67	Section	
68	725.190	Applicability
69	725.191	Groundwater Monitoring System
70	725.192	Sampling and Analysis
71	725.193	Preparation, Evaluation, and Response
72	725.194	Recordkeeping and Reporting

73

74 SUBPART G: CLOSURE AND POST-CLOSURE CARE

75

76	Section	
77	725.210	Applicability
78	725.211	Closure Performance Standard
79	725.212	Closure Plan; Amendment of Plan
80	725.213	Closure; Time Allowed for Closure
81	725.214	Disposal or Decontamination of Equipment, Structures, and Soils
82	725.215	Certification of Closure
83	725.216	Survey Plat
84	725.217	Post-Closure Care and Use of Property
85	725.218	Post-Closure Care Plan; Amendment of Plan
86	725.219	Post-Closure Notices

87	725.220	Certification of Completion of Post-Closure Care
88	725.221	Alternative Post-Closure Care Requirements
89		
90		SUBPART H: FINANCIAL REQUIREMENTS
91		
92	Section	
93	725.240	Applicability
94	725.241	Definitions of Terms as Used in this Subpart H
95	725.242	Cost Estimate for Closure
96	725.243	Financial Assurance for Closure
97	725.244	Cost Estimate for Post-Closure Care
98	725.245	Financial Assurance for Post-Closure Monitoring and Maintenance
99	725.246	Use of a Mechanism for Financial Assurance of Both Closure and Post-Closure
100		Care
101	725.247	Liability Requirements
102	725.248	Incapacity of Owners or Operators, Guarantors, or Financial Institutions
103	725.251	Promulgation of Forms (Repealed)
104		
105		SUBPART I: USE AND MANAGEMENT OF CONTAINERS
106		
107	Section	
108	725.270	Applicability
109	725.271	Condition of Containers
110	725.272	Compatibility of Waste with Containers
111	725.273	Management of Containers
112	725.274	Inspections
113	725.276	Special Requirements for Ignitable or Reactive Wastes
114	725.277	Special Requirements for Incompatible Wastes
115	725.278	Air Emission Standards
116		
117		SUBPART J: TANK SYSTEMS
118		
119	Section	
120	725.290	Applicability
121	725.291	Assessment of Existing Tank System Integrity
122	725.292	Design and Installation of New Tank Systems or Components
123	725.293	Containment and Detection of Releases
124	725.294	General Operating Requirements
125	725.295	Inspections
126	725.296	Response to Leaks or Spills and Disposition of Tank Systems
127	725.297	Closure and Post-Closure Care
128	725.298	Special Requirements for Ignitable or Reactive Wastes
129	725.299	Special Requirements for Incompatible Wastes

130	725.300	Waste Analysis and Trial Tests
131	725.301	Generators of 100 to 1,000 Kilograms of Hazardous Waste Per Month (Repealed)
132	725.302	Air Emission Standards

133

134 SUBPART K: SURFACE IMPOUNDMENTS

135

136 Section

137	725.320	Applicability
138	725.321	Design and Operating Requirements
139	725.322	Action Leakage Rate
140	725.323	Containment System
141	725.324	Response Actions
142	725.325	Waste Analysis and Trial Tests
143	725.326	Monitoring and Inspections
144	725.328	Closure and Post-Closure Care
145	725.329	Special Requirements for Ignitable or Reactive Wastes
146	725.330	Special Requirements for Incompatible Wastes
147	725.331	Air Emission Standards

148

149 SUBPART L: WASTE PILES

150

151 Section

152	725.350	Applicability
153	725.351	Protection from Wind
154	725.352	Waste Analysis
155	725.353	Containment
156	725.354	Design and Operating Requirements
157	725.355	Action Leakage Rates
158	725.356	Special Requirements for Ignitable or Reactive Wastes
159	725.357	Special Requirements for Incompatible Wastes
160	725.358	Closure and Post-Closure Care
161	725.359	Response Actions
162	725.360	Monitoring and Inspections

163

164 SUBPART M: LAND TREATMENT

165

166 Section

167	725.370	Applicability
168	725.372	General Operating Requirements
169	725.373	Waste Analysis
170	725.376	Food Chain Crops
171	725.378	Unsaturated Zone (Zone of Aeration) Monitoring
172	725.379	Recordkeeping

- 173 725.380 Closure and Post-Closure Care
- 174 725.381 Special Requirements for Ignitable or Reactive Wastes
- 175 725.382 Special Requirements for Incompatible Wastes

176
177
178

SUBPART N: LANDFILLS

- 179 Section
- 180 725.400 Applicability
- 181 725.401 Design Requirements
- 182 725.402 Action Leakage Rate
- 183 725.403 Response Actions
- 184 725.404 Monitoring and Inspections
- 185 725.409 Surveying and Recordkeeping
- 186 725.410 Closure and Post-Closure Care
- 187 725.412 Special Requirements for Ignitable or Reactive Wastes
- 188 725.413 Special Requirements for Incompatible Wastes
- 189 725.414 Special Requirements for Liquid Wastes
- 190 725.415 Special Requirements for Containers
- 191 725.416 Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab
192 Packs)

193
194
195

SUBPART O: INCINERATORS

- 196 Section
- 197 725.440 Applicability
- 198 725.441 Waste Analysis
- 199 725.445 General Operating Requirements
- 200 725.447 Monitoring and Inspections
- 201 725.451 Closure
- 202 725.452 Interim Status Incinerators Burning Particular Hazardous Wastes

203
204
205

SUBPART P: THERMAL TREATMENT

- 206 Section
- 207 725.470 Other Thermal Treatment
- 208 725.473 General Operating Requirements
- 209 725.475 Waste Analysis
- 210 725.477 Monitoring and Inspections
- 211 725.481 Closure
- 212 725.482 Open Burning; Waste Explosives
- 213 725.483 Interim Status Thermal Treatment Devices Burning Particular Hazardous Wastes

214
215

SUBPART Q: CHEMICAL, PHYSICAL, AND BIOLOGICAL TREATMENT

216		
217	Section	
218	725.500	Applicability
219	725.501	General Operating Requirements
220	725.502	Waste Analysis and Trial Tests
221	725.503	Inspections
222	725.504	Closure
223	725.505	Special Requirements for Ignitable or Reactive Wastes
224	725.506	Special Requirements for Incompatible Wastes
225		
226		SUBPART R: UNDERGROUND INJECTION
227		
228	Section	
229	725.530	Applicability
230		
231		SUBPART W: DRIP PADS
232		
233	Section	
234	725.540	Applicability
235	725.541	Assessment of Existing Drip Pad Integrity
236	725.542	Design and Installation of New Drip Pads
237	725.543	Design and Operating Requirements
238	725.544	Inspections
239	725.545	Closure
240		
241		SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS
242		
243	Section	
244	725.930	Applicability
245	725.931	Definitions
246	725.932	Standards: Process Vents
247	725.933	Standards: Closed-Vent Systems and Control Devices
248	725.934	Test Methods and Procedures
249	725.935	Recordkeeping Requirements
250		
251		SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS
252		
253	Section	
254	725.950	Applicability
255	725.951	Definitions
256	725.952	Standards: Pumps in Light Liquid Service
257	725.953	Standards: Compressors
258	725.954	Standards: Pressure Relief Devices in Gas/Vapor Service

259	725.955	Standards: Sampling Connecting Systems
260	725.956	Standards: Open-Ended Valves or Lines
261	725.957	Standards: Valves in Gas/Vapor or Light Liquid Service
262	725.958	Standards: Pumps, Valves, Pressure Relief Devices, Flanges, and Other
263		Connectors
264	725.959	Standards: Delay of Repair
265	725.960	Standards: Closed-Vent Systems and Control Devices
266	725.961	Percent Leakage Alternative for Valves
267	725.962	Skip Period Alternative for Valves
268	725.963	Test Methods and Procedures
269	725.964	Recordkeeping Requirements

270

271 SUBPART CC: AIR EMISSION STANDARDS FOR TANKS,
272 SURFACE IMPOUNDMENTS, AND CONTAINERS

273 Section

274	725.980	Applicability
275	725.981	Definitions
276	725.982	Schedule for Implementation of Air Emission Standards
277	725.983	Standards: General
278	725.984	Waste Determination Procedures
279	725.985	Standards: Tanks
280	725.986	Standards: Surface Impoundments
281	725.987	Standards: Containers
282	725.988	Standards: Closed-Vent Systems and Control Devices
283	725.989	Inspection and Monitoring Requirements
284	725.990	Recordkeeping Requirements
285	725.991	Alternative Tank Emission Control Requirements (Repealed)

286

287 SUBPART DD: CONTAINMENT BUILDINGS

288

289 Section

290	725.1100	Applicability
291	725.1101	Design and Operating Standards
292	725.1102	Closure and Post-Closure Care

293

294 SUBPART EE: HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

295

296 Section

297	725.1200	Applicability
298	725.1201	Design and Operating Standards
299	725.1202	Closure and Post-Closure Care

300

301	725.APPENDIX A	Recordkeeping Instructions
-----	----------------	----------------------------

302	725.APPENDIX B	EPA Report Form and Instructions (Repealed)
303	725.APPENDIX C	USEPA Interim Primary Drinking Water Standards
304	725.APPENDIX D	Tests for Significance
305	725.APPENDIX E	Examples of Potentially Incompatible Wastes
306	725.APPENDIX F	Compounds with Henry's Law Constant Less Than 0.1 Y/X (at 25°C)

307
 308 AUTHORITY: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the
 309 Environmental Protection Act [415 ILCS 5].
 310

311 SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and
 312 codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18 at 7 Ill. Reg.
 313 2518, effective February 22, 1983; amended in R82-19 at 7 Ill. Reg. 14034, effective October 12,
 314 1983; amended in R84-9 at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10
 315 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective
 316 August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in
 317 R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338,
 318 effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15,
 319 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at
 320 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective
 321 November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990;
 322 amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at
 323 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective
 324 October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in
 325 R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg.
 326 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22,
 327 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18
 328 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17548, effective
 329 November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9566, effective June 27, 1995; amended in
 330 R95-20 at 20 Ill. Reg. 11078, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22
 331 Ill. Reg. 369, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7620, effective
 332 April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17620, effective September 28,
 333 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1850, effective January 19, 1999;
 334 amended in R99-15 at 23 Ill. Reg. 9168, effective July 26, 1999; amended in R00-5 at 24 Ill.
 335 Reg. 1076, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9575, effective June 20,
 336 2000; amended in R03-7 at 27 Ill. Reg. 4187, effective February 14, 2003; amended in R05-8 at
 337 29 Ill. Reg. 6028, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6389, effective
 338 April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 3460, effective February 23,
 339 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1031, effective December 20, 2006;
 340 amended in R07-5/R07-14 at 32 Ill. Reg. 12566, effective July 14, 2008; amended in R09-3 at 33
 341 Ill. Reg. 1155, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18890,
 342 effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 18052, effective October
 343 14, 2011; amended in R13-15 at 37 Ill. Reg. 17811, effective October 24, 2013; amended in
 344 R15-1 at 39 Ill. Reg. 1746, effective January 12, 2015; amended in R16-7 at 40 Ill. Reg. 11830,

345 effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 23725,
346 effective November 19, 2018; amended in R19-3 at 43 Ill. Reg. 634, effective December 6, 2018;
347 amended in R19-11 at 43 Ill. Reg. _____, effective _____.

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SUBPART B: GENERAL FACILITY STANDARDS

350

351 **Section 725.111 USEPA Identification Number**

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353 Every facility owner or operator must apply to the Agency ~~USEPA Region 5~~ for a USEPA
354 identification number using Notification of RCRA Subtitle C Activities (Site Identification
355 Form) (USEPA Form 8700-12). ~~The facility owner or operator must obtain a copy of the form~~
356 ~~from the Agency, Bureau of Land (217-782-6762), and submit a completed copy of the form to~~
357 ~~the Bureau of Land, in addition to notification to USEPA.~~

358

359 BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-
360 782-6762). It is also available on-line for download in PDF file format: [www.epa.gov/](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and)
361 [hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and)
362 [storage-and](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and).

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364 (Source: Amended at 43 Ill. Reg. _____, effective _____)

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SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

367

368 **Section 725.156 Emergency Procedures**

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370

- a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) must immediately do the following:

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- 1) He or she must activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

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- 2) He or she must notify appropriate State or local agencies with designated response roles if their help is needed.

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- b) Whenever there is a release, fire, or explosion, the emergency coordinator must immediately identify the character, exact source, amount, and areal extent of any released materials. He or she may do this by observation or review of facility records or manifests and, if necessary, by chemical analysis.

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- c) Concurrently, the emergency coordinator must assess possible hazards to human health or the environment that may result from the release, fire, or explosion.

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387

This assessment must consider both direct and indirect effects of the release, fire,

- 388 or explosion (e.g., the effects of any toxic, irritating, or asphyxiating gases that are
 389 generated, or the effects of any hazardous surface water ~~run-off~~~~runoffs~~ from water
 390 or chemical agents used to control fire and heat-induced explosions).
 391
- 392 d) If the emergency coordinator determines that the facility has had a release, fire, or
 393 explosion that could threaten human health or the environment outside the
 394 facility, he or she must report ~~those~~~~his~~ findings as follows:
 395
- 396 1) If ~~the~~~~his~~ assessment indicates that evacuation of local areas may be
 397 advisable, the emergency coordinator must immediately notify appropriate
 398 local authorities. ~~The emergency coordinator~~~~He or she~~ must be available
 399 to help appropriate officials decide whether local areas should be
 400 evacuated; and
 401
- 402 2) The emergency coordinator must immediately notify either the
 403 government official designated as the on-scene coordinator for that
 404 geographical area, or the National Response Center (using their 24-hour
 405 toll free number 800-424-8802). The report must include the following:
 406
- 407 A) The name and telephone number of the reporter;
 408
- 409 B) The name and address of facility;
 410
- 411 C) The time and type of incident (e.g., release, fire, etc.);
 412
- 413 D) The name and quantity of materials involved, to the extent known;
 414
- 415 E) The extent of injuries, if any; and
 416
- 417 F) The possible hazards to human health or the environment outside
 418 the facility.
 419
- 420 e) During an emergency the emergency coordinator must take all reasonable
 421 measures necessary to ensure that fires, explosions, and releases do not occur,
 422 recur, or spread to other hazardous waste at the facility. These measures must
 423 include, where applicable, stopping processes and operations, collecting and
 424 containing released waste, and removing or isolating containers.
 425
- 426 f) If the facility stops operations in response to a fire, explosion or release, the
 427 emergency coordinator must monitor for leaks, pressure buildup, gas generation,
 428 or ruptures in valves, pipes, or other equipment, wherever this is appropriate.
 429
- 430 g) Immediately after an emergency, the emergency coordinator must provide for

431 treating, storing, or disposing of recovered waste, contaminated soil, or surface
432 water, or any other material that results from a release, fire, or explosion at the
433 facility.
434

435 BOARD NOTE: Unless the owner or operator can demonstrate in accordance
436 with 35 Ill. Adm. Code 721.103(d) or (e) that the recovered material is not a
437 hazardous waste, the owner or operator becomes a generator of hazardous waste
438 and must manage it in accordance with all applicable requirements of 35 Ill. Adm.
439 Code 722, 723, and 725.
440

441 h) The emergency coordinator must ensure that, in the affected areas of the facility,
442 the following occur:
443

- 444 1) No waste that may be incompatible with the released material is treated,
445 stored, or disposed of until cleanup procedures are completed; and
446
- 447 2) All emergency equipment listed in the contingency plan is cleaned and fit
448 for its intended use before operations are resumed.
449

450 i) The owner or operator must note in the operating record the time, date, and details
451 of any incident that requires implementing the contingency plan. Within 15 days
452 after the incident, it must submit a written report on the incident to the Agency.
453 The report must include the following information:
454

- 455 1) The name, address, and telephone number of the owner or operator;
456
- 457 2) The name, address, and telephone number of the facility;
458
- 459 3) The date, time, and type of incident (e.g., fire, explosion, etc.);
460
- 461 4) The name and quantity of materials involved;
462
- 463 5) The extent of injuries, if any;
464
- 465 6) An assessment of actual or potential hazards to human health or the
466 environment, where this is applicable; and
467
- 468 7) The estimated quantity and disposition of recovered material that resulted
469 from the incident.
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471 (Source: Amended at 43 Ill. Reg. _____, effective _____)
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473 SUBPART F: GROUNDWATER MONITORING

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Section 725.190 Applicability

- a) The owner or operator of a surface impoundment, landfill, or land treatment facility that is used to manage hazardous waste must implement a groundwater monitoring program capable of determining the facility's impact on the quality of groundwater in the uppermost aquifer underlying the facility, except as Section 725.101 and subsection (c) provide otherwise.

- b) Except as subsections (c) and (d) provide otherwise, the owner or operator must install, operate, and maintain a groundwater monitoring system that meets the requirements of Section 725.191 and must comply with Sections 725.192 through 725.194. This groundwater monitoring program must be carried out during the active life of the facility and for disposal facilities during the post-closure care period as well.

- c) All or part of the groundwater monitoring requirements of this Subpart F may be waived if the owner or operator can demonstrate that there is a low potential for migration of hazardous waste or hazardous waste constituents from the facility via the uppermost aquifer to water supply wells (domestic, industrial, or agricultural) or to surface water. This demonstration must be in writing and must be kept at the facility. This demonstration must be certified by a qualified geologist or geotechnical engineer and must establish the following:
 - 1) The potential for migration of hazardous waste or hazardous waste constituents from the facility to the uppermost aquifer by an evaluation of the following information:
 - A) A water balance of precipitation, evapotranspiration, ~~run-off~~runoff, and infiltration; and
 - B) Unsaturated zone characteristics (i.e., geologic materials, physical properties, and depth to ground water); and

 - 2) The potential for hazardous waste or hazardous waste constituents that enter the uppermost aquifer to migrate to a water supply well or surface water by an evaluation of the following information:
 - A) Saturated zone characteristics (i.e., geologic materials, physical properties, and rate of groundwater flow); and
 - B) The proximity of the facility to water supply wells or surface water.

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- d) If an owner or operator assumes (or knows) that groundwater monitoring of indicator parameters in accordance with Sections 725.191 and 725.192 would show statistically significant increases (or decreases in the case of pH) when evaluated pursuant to Section 725.193(b), it may install, operate, and maintain an alternate groundwater monitoring system (other than the one described in Sections 725.191 and 725.192). If the owner or operator decides to use an alternate groundwater monitoring system, it must have done as follows:
 - 1) The owner or operator must develop a specific plan, certified by a qualified geologist or geotechnical engineer, that satisfies the requirements of federal 40 CFR 265.93(d)(3) for an alternate groundwater monitoring system. This plan is to be placed in the facility's operating record and maintained until closure of the facility;
 - 2) The owner or operator must have initiated the determinations specified in federal 40 CFR 265.93(d)(4);
 - 3) The owner or operator must prepare a written report in accordance with Section 725.193(d)(5) and place it in the facility's operating record and maintain until closure of the facility;
 - 4) The owner or operator must continue to make the determinations specified in Section 725.193(d)(4) on a quarterly basis until final closure of the facility; and
 - 5) The owner or operator must comply with the recordkeeping and reporting requirements in Section 725.194(b).

- e) The groundwater monitoring requirements of this Subpart F may be waived with respect to any surface impoundment of which the following is true:
 - 1) The impoundment is used to neutralize wastes that are hazardous solely because they exhibit the corrosivity characteristic pursuant to 35 Ill. Adm. Code 721.122 or which are listed as hazardous wastes in Subpart D of 35 Ill. Adm. Code 721 only for this reason; and
 - 2) The impoundment contains no other hazardous wastes, if the owner or operator can demonstrate that there is no potential for migration of hazardous wastes from the impoundment. The demonstration must establish, based upon consideration of the characteristics of the wastes and the impoundment, that the corrosive wastes will be neutralized to the extent that they no longer meet the corrosivity characteristic before they

560 can migrate out of the impoundment. The demonstration must be in
561 writing and must be certified by a qualified professional.
562

563 f) A permit or enforceable document can contain alternative requirements for
564 groundwater monitoring that replace all or part of the requirements of this Subpart
565 F applicable to a regulated unit (as defined in 35 Ill. Adm. Code 724.190), as
566 provided pursuant to 35 Ill. Adm. Code 703.161, where the Board has determined
567 by an adjusted standard granted pursuant to Section 28.1 of the Act and Subpart D
568 of 35 Ill. Adm. Code 104 the following:

- 569
- 570 1) The regulated unit is situated among solid waste management units (or
571 areas of concern), a release has occurred, and both the regulated unit and
572 one or more solid waste management units (or areas of concern) are likely
573 to have contributed to the release; and
574
 - 575 2) It is not necessary to apply the groundwater monitoring requirements of
576 this Subpart F because the alternative requirements will adequately protect
577 human health and the environment. The alternative standards for the
578 regulated unit must meet the requirements of 35 Ill. Adm. Code
579 724.201(a).
580

581 (Source: Amended at 43 Ill. Reg. _____, effective _____)
582

583 SUBPART G: CLOSURE AND POST-CLOSURE CARE

584 **Section 725.212 Closure Plan; Amendment of Plan**

- 585
- 586 a) **Written Plan.** Within six months after the effective date of the rule that first
587 subjects a facility to provisions of this Section, the owner or operator of a
588 hazardous waste management facility must have a written closure plan. Until
589 final closure is completed and certified in accordance with Section 725.215, a
590 copy of the most current plan must be furnished to the Agency upon request
591 including request by mail. In addition, for facilities without approved plans, it
592 must also be provided during site inspections on the day of inspection to any
593 officer, employee, or representative of the Agency.
594
595
 - 596 b) **Content of Plan.** The plan must identify the steps necessary to perform partial or
597 final closure of the facility at any point during its active life. The closure plan
598 must include the following minimal information:
599
- 600 1) A description of how each hazardous waste management unit at the
601 facility will be closed in accordance with Section 725.211;
602

- 603 2) A description of how final closure of the facility will be conducted in
 604 accordance with Section 725.211. The description must identify the
 605 maximum extent of the operation that will be unclosed during the active
 606 life of the facility;
 607
- 608 3) An estimate of the maximum inventory of hazardous wastes ever on-site
 609 over the active life of the facility and a detailed description of the methods
 610 to be used during partial and final closure, including, but not limited to
 611 methods for removing, transporting, treating, storing, or disposing of all
 612 hazardous waste, and identification of and the types of off-site hazardous
 613 waste management units to be used, if applicable;
 614
- 615 4) A detailed description of the steps needed to remove or decontaminate all
 616 hazardous waste residues and contaminated containment system
 617 components, equipment, structures, and soils during partial and final
 618 closure including, but not limited to, procedures for cleaning equipment
 619 and removing contaminated soils, methods for sampling and testing
 620 surrounding soils, and criteria for determining the extent of
 621 decontamination necessary to satisfy the closure performance standard;
 622
- 623 5) A detailed description of other activities necessary during the partial and
 624 final closure periods to ensure that all partial closures and final closure
 625 satisfy the closure performance standards, including, but not limited to,
 626 groundwater monitoring, leachate collection, and run-on~~run-on~~ and run-
 627 off~~runoff~~ control;
 628
- 629 6) A schedule for closure of each hazardous waste management unit and for
 630 final closure of the facility. The schedule must include, at a minimum, the
 631 total time required to close each hazardous waste management unit and the
 632 time required for intervening closure activities that will allow tracking of
 633 the progress of partial and final closure. (For example, in the case of a
 634 landfill unit, estimates of the time required to treat or dispose of all
 635 hazardous waste inventory and of the time required to place a final cover
 636 must be included.);
 637
- 638 7) An estimate of the expected year of final closure for facilities that use trust
 639 funds to demonstrate financial assurance under Section 725.243 or
 640 725.245 and whose remaining operating life is less than twenty years, and
 641 for facilities without approved closure plans; and
 642
- 643 8) For a facility where alternative requirements are established at a regulated
 644 unit under Section 725.190(f), 725.210(d), or 725.240(d), as provided
 645 under 35 Ill. Adm. Code 703.161, either the alternative requirements

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applying to the regulated unit or a reference to the enforceable document containing those alternative requirements.

- c) Amendment of Plan. The owner or operator may amend the closure plan at any time prior to the notification of partial or final closure of the facility. An owner or operator with an approved closure plan must submit a written request to the Agency to authorize a change to the approved closure plan. The written request must include a copy of the amended closure plan for approval by the Agency.
 - 1) The owner or operator must amend the closure plan whenever any of the following occurs:
 - A) Changes in the operating plans or facility design affect the closure plan;
 - B) Whenever there is a change in the expected year of closure, if applicable;
 - C) In conducting partial or final closure activities, unexpected events require a modification of the closure plan; or
 - D) The owner or operator requests the establishment of alternative requirements, as provided under 35 Ill. Adm. Code 703.161, to a regulated unit under Section 725.190(f), 725.210(c), or 725.240(d).
 - 2) The owner or operator must amend the closure plan at least 60 days prior to the proposed change in facility design or operation, or no later than 60 days after an unexpected event has occurred that has affected the closure plan. If an unexpected event occurs during the partial or final closure period, the owner or operator must amend the closure plan no later than 30 days after the unexpected event. These provisions also apply to owners or operators of surface impoundments and waste piles that intended to remove all hazardous wastes at closure, but are required to close as landfills in accordance with Section 725.410.
 - 3) An owner or operator with an approved closure plan must submit the modified plan to the Agency at least 60 days prior to the proposed change in facility design or operation, or no more than 60 days after an unexpected event has occurred that has affected the closure plan. If an unexpected event has occurred during the partial or final closure period, the owner or operator must submit the modified plan no more than 30 days after the unexpected event. These provisions also apply to owners or operators of surface impoundments and waste piles that intended to

689 remove all hazardous wastes at closure but are required to close as
 690 landfills in accordance with Section 725.410. If the amendment to the
 691 plan is a Class 2 or 3 modification according to the criteria in 35 Ill. Adm.
 692 Code 703.280, the modification to the plan must be approved according to
 693 the procedures in subsection (d)(4).
 694

695 4) The Agency may request modifications to the plan under the conditions
 696 described in subsection (c)(1). An owner or operator with an approved
 697 closure plan must submit the modified plan within 60 days after the
 698 request from the Agency, or within 30 days if the unexpected event occurs
 699 during partial or final closure. If the amendment is considered a Class 2 or
 700 3 modification according to the criteria in 35 Ill. Adm. Code 703.280, the
 701 modification to the plan must be approved in accordance with the
 702 procedures in subsection (d)(4).
 703

704 d) Notification of Partial Closure and Final Closure

705 1) When Notice is Required

706 A) The owner or operator must submit the closure plan to the Agency
 707 at least 180 days prior to the date on which the owner or operator
 708 expects to begin closure of the first surface impoundment, waste
 709 pile, land treatment, or landfill unit, or final closure if it involves
 710 such a unit, whichever is earlier.
 711

712 B) The owner or operator must submit the closure plan to the Agency
 713 at least 45 days prior to the date on which the owner or operator
 714 expects to begin partial or final closure of a boiler or industrial
 715 furnace.
 716

717 C) The owner or operator must submit the closure plan to the Agency
 718 at least 45 days prior to the date on which the owner or operator
 719 expects to begin final closure of a facility with only tanks,
 720 container storage, or incinerator units.
 721

722 D) An owner or operator with an approved closure plan must notify
 723 the Agency in writing at least 60 days prior to the date on which
 724 the owner or operator expects to begin closure of a surface
 725 impoundment, waste pile, landfill, or land treatment unit, or final
 726 closure of a facility involving such a unit.
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728 E) An owner or operator with an approved closure plan must notify
 729 the Agency in writing at least 45 days prior to the date on which
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the owner or operator expects to begin partial or final closure of a boiler or industrial furnace.

F) An owner or operator with an approved closure plan must notify the Agency in writing at least 45 days prior to the date on which the owner or operator expects to begin final closure of a facility with only tanks, container storage, or incinerator units.

2) The date when the owner or operator "expects to begin closure" must be either of the following dates:

A) Within 30 days after the date on which any hazardous waste management unit receives the known final volume of hazardous wastes or, if there is a reasonable possibility that the hazardous waste management unit will receive additional hazardous wastes, no later than one year after the date on which the unit received the most recent volume of hazardous waste. If the owner or operator of a hazardous waste management unit demonstrates to the Agency that the hazardous waste management unit or facility has the capacity to receive additional hazardous wastes and that the owner or operator has taken and will continue to take, all steps to prevent threats to human health and the environment, including compliance with all interim status requirements, the Agency must approve an extension to this one-year limit; or

B) For units meeting the requirements of Section 725.213(d), no later than 30 days after the date on which the hazardous waste management unit receives the known final volume of non-hazardous wastes or, if there is a reasonable possibility that the hazardous waste management unit will receive additional non-hazardous wastes, no later than one year after the date on which the unit received the most recent volume of non-hazardous wastes. If the owner or operator demonstrates to the Agency that the hazardous waste management unit has the capacity to receive additional non-hazardous wastes and that the owner and operator have taken, and will continue to take, all steps to prevent threats to human health and the environment, including compliance with all applicable interim status requirements, the Agency must approve an extension to this one-year limit.

3) The owner or operator must submit the closure plan to the Agency no later than 15 days after occurrence of either of the following events:

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- A) Termination of interim status (except when a permit is issued to the facility simultaneously with termination of interim status); or
- B) Issuance of a judicial decree or Board order to cease receiving hazardous wastes or to close the facility or unit.

4) The Agency must provide the owner or operator and the public, through a newspaper notice, the opportunity to submit written comments on the plan and request modifications of the plan no later than 30 days from the date of the notice. The Agency must also, in response to a request or at its own discretion, hold a public hearing whenever such a hearing might clarify one or more issues concerning a closure plan. The Agency must give public notice of the hearing at least 30 days before it occurs. (Public notice of the hearing may be given at the same time as notice of the opportunity for the public to submit written comments and the two notices may be combined.) The Agency must approve, modify, or disapprove the plan within 90 days after its receipt. If the Agency does not approve the plan, the Agency must provide the owner or operator with a detailed written statement of reasons for the refusal, and the owner or operator must modify the plan or submit a new plan for approval within 30 days after receiving such written statement. The Agency must approve or modify this plan in writing within 60 days. If the Agency modifies the plan, this modified plan becomes the approved closure plan. The Agency must assure that the approved plan is consistent with Sections 725.211 through 725.215 and the applicable requirements of Sections 725.190 et seq., 725.297, 725.328, 725.358, 725.380, 725.410, 725.451, 725.481, 725.504, and 725.1102. A copy of this modified plan with a detailed statement of reasons for the modifications must be mailed to the owner or operator.

- e) Removal of Wastes and Decontamination or Dismantling of Equipment. Nothing in this Section precludes the owner or operator from removing hazardous wastes and decontaminating or dismantling equipment in accordance with the approved partial or final closure plan at any time before or after notification of partial or final closure.

(Source: Amended at 43 Ill. Reg. _____, effective _____)

SUBPART J: TANK SYSTEMS

Section 725.296 Response to Leaks or Spills and Disposition of Tank Systems

A tank system or secondary containment system from which there has been a leak or spill, or

818 which is unfit for use, must be removed from service immediately. The owner or operator must
 819 satisfy the following requirements:

- 820
- 821 a) Cease Using; Prevent Flow or Addition of Wastes. The owner or operator must
 822 immediately stop the flow of hazardous waste into the tank system or secondary
 823 containment system and inspect the system to determine the cause of the release.
 824
 - 825 b) Removal of Waste from Tank System or Secondary Containment System
 826
 - 827 1) If the release was from the tank system, the owner or operator must,
 828 within 24 hours after detection of the leak, remove as much of the waste as
 829 is necessary to prevent further release of hazardous waste to the
 830 environment and to allow inspection and repair of the tank system to be
 831 performed.
 832
 - 833 2) If the release was to a secondary containment system, all released
 834 materials must be removed within 24 hours to prevent harm to human
 835 health and the environment.
 836
 - 837 c) Containment of Visible Releases to the Environment. The owner or operator
 838 must immediately conduct a visual inspection of the release and, based upon that
 839 inspection, do the following:
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 - 841 1) Prevent further migration of the leak or spill to soils or surface water; and
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 - 843 2) Remove and properly dispose of any visible contamination of the soil or
 844 surface water.
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 - 846 d) Notifications; Reports
 847
 - 848 1) Any release to the environment, except as provided in subsection (d)(2),
 849 must be reported to the Agency within 24 hours after detection.
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 - 851 2) A leak or spill of hazardous waste is exempted from the requirements of
 852 this subsection (d) if the following occur:
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 - 854 A) The spill is less than or equal to a quantity of one pound (0.45 kg);
 855 and
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 - 857 B) The spill is immediately contained and cleaned-up.
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 - 859 3) Within 30 days after detection of a release to the environment, a report
 860 containing the following information must be submitted to the Agency:

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- A) Likely route of migration of the release;
 - B) Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate, etc.);
 - C) Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data must be submitted to the Agency as soon as they become available;
 - D) Proximity to downgradient drinking water, surface water, and population areas; and
 - E) Description of response actions taken or planned.
- e) Provision of Secondary Containment, Repair, or Closure
- 1) Unless the owner or operator satisfies the requirements of subsections (e)(2) through (e)(4), the tank system must be closed in accordance with Section 725.297.
 - 2) If the cause of the release was a spill that has not damaged the integrity of the system, the owner or operator may return the system to service as soon as the released waste is removed and repairs, if necessary, are made.
 - 3) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system must be repaired prior to returning the tank system to service.
 - 4) If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the owner or operator must provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of Section 725.293 before it is returned to service, unless the source of the leak is an aboveground portion of a tank system. If the source is an aboveground component that can be inspected visually, the component must be repaired and may be returned to service without secondary containment as long as the requirements of subsection (f) are satisfied. If a component is replaced to comply with the requirements of this subsection (e)(4), that component must satisfy the requirements for new tank systems or components in Sections 725.292 and 725.293. Additionally, if a leak has occurred in any portion of a tank system

904 component that is not readily accessible for visual inspection (e.g., the
905 bottom of an inground or ~~on-ground~~ on-ground tank), the entire component
906 must be provided with secondary containment in accordance with Section
907 725.293 prior to being returned to use.
908

909 f) Certification of Major Repairs. If the owner or operator has repaired a tank
910 system in accordance with subsection (e), and the repair has been extensive (e.g.,
911 installation of an internal liner, repair of a ruptured primary containment or
912 secondary containment vessel, etc.), the tank system must not be returned to
913 service unless the owner or operator has obtained a certification by a qualified
914 Professional Engineer, in accordance with 35 Ill. Adm. Code 702.126(d), that the
915 repaired system is capable of handling hazardous wastes without release for the
916 intended life of the system. This certification must be placed in the operating
917 record and maintained until closure of the facility.
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919 BOARD NOTE: See Section 725.115(c) for the requirements necessary to remedy a failure.
920 Also, federal 40 CFR 302.6 requires the owner or operator to notify the National Response
921 Center of a release of any "reportable quantity".
922

923 (Source: Amended at 43 Ill. Reg. _____, effective _____)
924

925 **SUBPART L: WASTE PILES**
926

927 **Section 725.353 Containment**
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929 If leachate or run-off from a pile is a hazardous waste, then control of the leachate or run-
930 off~~runoff~~ must be accomplished by either of the following means:
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- 932 a) Control by Pile Design, Construction, and Operation
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- 934 1) The pile must be placed on an impermeable base that is compatible with
935 the waste under the conditions of treatment or storage;
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 - 937 2) The owner or operator must design, construct, operate and maintain a run-
938 on control system capable of preventing flow onto the active portion of the
939 pile during peak discharge from at least a 25-year storm;
940
 - 941 3) The owner or operator must design, construct, operate and maintain a run-
942 off management system to collect and control at least the water volume
943 resulting from a 24-hour, 25-year storm; and
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 - 945 4) Collection and holding facilities (e.g., tanks or basins) associated with run-
946 on and run-off control systems must be emptied or otherwise managed

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expeditiously to maintain design capacity of the system; or

b) Alternative Control

- 1) The pile must be protected from precipitation and ~~run-on/runoff~~ by some other means; and
- 2) No liquids or wastes containing free liquids may be placed in the pile.

BOARD NOTE: If collected leachate or ~~run-off/runoff~~ is discharged through a point source to waters of the United States, it is subject to the requirements of Section 12 of the ~~Illinois~~ Environmental Protection Act.

(Source: Amended at 43 Ill. Reg. _____, effective _____)