

ILLINOIS POLLUTION CONTROL BOARD  
March 20, 2025

IN THE MATTER OF: )  
)  
CLEAN-UP AMENDMENTS TO 35 ILL. ) R25-23  
ADM. CODE PARTS 101, 310, 502, 620, 704, ) (Rulemaking – Land, Water)  
721, 733, 739, 742, 807, 811, 840, 848, 1010, )  
AND 1501 )

Proposed Rule. First Notice.

OPINION AND ORDER OF THE BOARD (by B.F. Currie):

On March 10, 2025, the Illinois Environmental Protection Agency (IEPA) filed a proposal to amend numerous Parts of the Board’s water, waste, atomic radiation, drycleaning, and general procedural rules. The proposal included the text of the proposed amendments to each of the Parts included in it (*e.g.*, Prop. 101).

In this order, the Board accepts IEPA’s proposal for hearing and directs its Clerk to submit the proposal to first-notice publication in the *Illinois Register* without commenting on its substantive merits. The Board’s first-notice proposal follows the opinion.

**IEPA PROPOSAL**

IEPA states that construction of high-speed rail in Springfield required demolishing part of the building in which it had its office and required the office to move to a new location. SR at 2. IEPA further states that this move requires it to update its address in every rule in which it appears. *Id.* IEPA asserts that these revisions are needed to ensure continued public access to the Agency. *Id.* IEPA clarifies, however, that the proposed revisions do not provide its new street address but instead direct the reader to the address of its headquarters as designated on its website. *Id.* IEPA argues that updating the address in this manner means that it “will not need to update the regulations should it move locations in the future.” *Id.*

**FIRST-NOTICE PUBLICATION AND COMMENT**

The Board recognizes that IEPA’s proposal intends to ensure public access to its programs and personnel. The Board also recognizes that this access is particularly important in areas including reporting discharges, providing notifications, submitting permit applications and reports, and obtaining various information.

To expedite consideration of IEPA’s proposal, the Board directs its Clerk to submit the proposal to first-notice publication in the *Illinois Register* without commenting on its substantive merits. *See* 5 ILCS 100/5-40(b) (2022).

Publication of the proposal in the *Illinois Register* begins a period of at least 45 days during which any person may file a public comment with the Board. Comments should include this rulemaking's docket number R25-23. Comments must be filed electronically through the Clerk's Office On-Line (COOL) on the Board's website ([www.ipcb.state.il.us](http://www.ipcb.state.il.us)). Questions about filing comments can be directed to the Clerk's Office at 312-814-3461.

To continue expeditious consideration of IEPA's proposal, the Board does not intend to consider amendments other than those proposed by IEPA or expand the scope of this docket.

### **ORDER**

1. The Board accepts IEPA's proposal for hearing.
2. Without comment on the substantive merits of IEPA's proposal, the Board directs its Clerk to provide first-notice publication of the proposal in the *Illinois Register* under the APA. The proposed rule appears as an addendum to this order.
3. The Board directs its assigned hearing officer to proceed to hearing under the rulemaking provisions of the Act and the Board's procedural rules.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on March 20, 2025, by a vote of 5-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE A: GENERAL PROVISIONS  
CHAPTER I: POLLUTION CONTROL BOARD

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**AUTHORITY:** Implementing Sections of the Environmental Protection Act (Act) [415 ILCS 5/5, 7.1, 7.2, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 40, 40.1, 40.2, 41, and 58.7] and authorized by Sections 26 and 27 of the Act [415 ILCS 5/26 and 27] and Section 25-101 of the Electronic Commerce Security Act [5 ILCS 175/25-101].

**SOURCE:** Filed with Secretary of State January 1, 1978; codified 6 Ill. Reg. 8357; Part repealed, new Part adopted in R88-5A at 13 Ill. Reg. 12055, effective July 10, 1989; amended in R90-24 at 15 Ill. Reg. 18677, effective December 12, 1991; amended in R92-7 at 16 Ill. Reg. 18078, effective November 17, 1992; old Part repealed, new Part adopted in R00-20 at 25 Ill. Reg. 446, effective January 1, 2001; amended in R04-24 at 29 Ill. Reg. 8743, effective June 8, 2005; amended in R06-9 at 29 Ill. Reg. 19666, effective November 21, 2005; amended in R07-17 at 31 Ill. Reg. 16110, effective November 21, 2007; amended in R10-22 at 34 Ill. Reg. 19566, effective December 3, 2010; amended in R12-22 at 36 Ill. Reg. 9211, effective June 7, 2012; amended in R13-9 at 37 Ill. Reg. 1655, effective January 28, 2013; amended in R14-21 at 39 Ill. Reg. 2276, effective January 27, 2015; amended in R15-20 at 39 Ill. Reg. 12848, effective September 8, 2015; amended in R16-17 at 40 Ill. Reg. 7912, effective May 20, 2016; amended in R17-18 at 41 Ill. Reg. 9930, effective July 5, 2017; amended in R19-19 at 43 Ill. Reg. 9674, effective August 22, 2019; amended in R19-1 at 44 Ill. Reg. 14867, effective September 4, 2020; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_

**Section 101.304 Service of Documents**

- a) **Service Requirements.** This Section contains the Board's general service requirements. However, the more specific Part for a proceeding type may contain additional requirements.
- b) **Duty to Serve and When to Initiate Service.** A party filing a document with the Clerk under Section 101.302 must also serve one copy of the document upon each of the other parties to the adjudicatory proceeding and, if a hearing officer has been assigned, upon the assigned hearing officer. Service of a document must be initiated concurrently with submitting the document to the Clerk for filing.

- 1) Service of a document upon a party must be made upon a person authorized by law to receive service on behalf of the party. If a party is represented by an attorney who has filed an appearance, service upon the party is made by serving the document upon the party's attorney. If more than one attorney appears for a party, service upon one of the party's attorneys is sufficient.
  - 2) Each document being served (e.g., enforcement complaint, petition for review) must be accompanied by a notice of filing (see Appendix D) and a copy of the documentation of service (see subsection (d)).
  - 3) The date on which service of a document is considered to have been completed is determined under Section 101.300(c).
  - 4) A proceeding is subject to dismissal, and the filing party is subject to sanctions, if service is not timely initiated or completed.
  - 5) Whether service of a document was proper may be challenged by the party allegedly served. To avoid waiving the right to contest personal jurisdiction, any challenge to service must be made under Section 101.400(a)(5).
- c) Methods of Service. A document must be served in one of the following ways:
- 1) Except as provided in subsection (c)(2), service of documents may be made by any of the following methods:
    - A) Personal service;
    - B) U.S. Mail;
    - C) Third-party commercial carrier;
    - D) E-mail in compliance with Subpart J; and
    - E) Facsimile, but only if the party being served has filed a notice consenting to receipt of facsimile service and not filed a notice revoking that consent.
  - 2) Service of enforcement complaints and EMSA statements of deficiency upon respondents must be made by:
    - A) Personal service;

- B) U.S. Mail with a recipient's signature recorded by the U.S. Postal Service upon delivery; or
  - C) A third-party commercial carrier with a recipient's signature recorded by the third-party commercial carrier upon delivery.
- 3) Service of administrative citations must be made as required under 35 Ill. Adm. Code 108.
- d) Documentation of Service and When to File Documentation of Service. A party serving a document upon another party must also file documentation of that service. A proceeding is subject to dismissal, and the filing party is subject to sanctions, if documentation of service is not timely filed with the Clerk. Documenting service and filing that documentation must be done as follows:
- 1) For personal service of a document, either an affidavit or certificate of service signed by the person who made personal delivery or a declaration of service signed by the process server who made personal delivery must accompany the document being filed with the Clerk. However, if the signed affidavit, certificate, or declaration is not available to the filing party when the document is filed with the Clerk, the filing must include:
    - A) An affidavit or certificate of service, signed by the filing party, stating that service has been initiated, but not yet completed, and providing the following: the date, the time by when, and the place the document was provided to the person making personal delivery; the address appearing on the envelope or package containing the document; and a statement that the delivery charge was prepaid; and
    - B) Within seven days after it becomes available to the filing party, the affidavit or certificate of service containing the signature of the person who made personal delivery or the declaration of service containing the signature of the process server, accompanied by a notice identifying the filed document to which the signed affidavit, certificate, or declaration corresponds. A copy of the signed affidavit, certificate, or declaration and the notice must be served under subsection (a).
  - 2) For service of a document by U.S. Mail or third-party commercial carrier with a recipient's signature recorded by the U.S. Postal Service or the third-party commercial carrier upon delivery, the delivery confirmation containing the recipient's signature must accompany the document being

filed with the Clerk. However, if the delivery confirmation containing the recipient's signature is not available to the filing party when the document is filed with the Clerk, the filing must include:

- A) An affidavit or certificate of service, signed by the filing party, stating that service has been initiated, but not yet completed, and providing the following: the date, the time by when, and the place the document was provided to the U.S. Postal Service or the third-party commercial carrier; the address appearing on the envelope or package containing the document; and a statement that the proper postage or the delivery charge was prepaid; and
  - B) Within seven days after it becomes available to the filing party, the delivery confirmation containing the recipient's signature, accompanied by a notice identifying the filed document to which the signed delivery confirmation corresponds. A copy of the delivery confirmation and the notice must be served under subsection (a).
- 3) For service of a document by e-mail or facsimile, an affidavit or certificate of service must accompany the document being filed with the Clerk. An affidavit or certificate of e-mail service must comply with Section 101.1060. An affidavit or certificate of facsimile service must include the date and time of the facsimile transmission, the telephone number to which the transmission was sent, the number of pages transmitted, and a statement that the document was served by facsimile.
  - 4) For service of a document by U.S. Mail or a third-party commercial carrier without a recipient's signature recorded by the U.S. Postal Service or the third-party commercial carrier upon delivery, an affidavit or certificate of service must accompany the document being filed with the Clerk. The affidavit or certificate must state the following: the date, the time by when, and the place the document was provided to the U.S. Postal Service or the third-party commercial carrier; the address appearing on the envelope or package containing the document; and that proper postage or the delivery charge was prepaid.
  - 5) An affidavit of service must be notarized and is for use by a non-attorney. A certificate of service is for use by an attorney. Sample forms of an affidavit of service and a certificate of service are available in Appendices E and H.
  - 6) A certificate of service must bear an attorney's signature. Signatures in affidavits of service, declarations of service, and delivery confirmations

must be written by hand. A handwritten signature in documentation of service filed with the Clerk may be a facsimile or digitized electronic signature.

- e) Service of Amicus Curiae Briefs. Any person who files an amicus curiae brief with the Board in any proceeding must serve copies of that brief on all parties in compliance with this Section.
- f) Service of Comments of Participants in an Adjudicatory Proceeding. Participants must serve comments upon the parties to the proceeding. The Board will consider the comments as time and the Act or other applicable law allow.
- g) Service on Agencies. Service must be at the addresses listed below unless a specific person has an appearance on file with the Board or has, in compliance with Section 101.1070, consented to e-mail service.
- 1) Service on the Illinois Environmental Protection Agency. The Agency must be served at the:

Division of Legal Counsel  
~~Illinois Environmental Protection Agency~~

- 2) Service on Office of State Fire Marshal. The OSFM must be served at:

Division of Petroleum and Chemical Safety  
Office of the State Fire Marshal  
1035 Stevenson Dr.  
Springfield IL 62703

- 3) Service on the Illinois Attorney General. The Office of the Attorney General must be served at:

Division Chief of Environmental Enforcement  
Office of the Attorney General  
100 West Randolph St., Suite 1200  
Chicago IL 60601  
enviro@atg.state.il.us

- 4) Service on the Illinois Department of Natural Resources. DNR must be served at:

Office of Legal Services  
Illinois Department of Natural Resources  
One Natural Resources Way

Springfield IL 62702-1271

- 5) Service on the Illinois Department of Transportation. IDOT must be served at:  
Office of Chief Counsel  
DOT Administration Building  
2300 S. Dirksen Parkway, Room 300  
Springfield IL 62764
  
- 6) Service on Region V of the United States Environmental Protection Agency. USEPA Region V must be served at:  
  
USEPA, Region V  
77 West Jackson  
Chicago IL 60604

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 310  
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- 310.930 Federally Approved Pretreatment Program Reinvention Pilot Projects Under Project XL (Repealed)

AUTHORITY: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3, and 27].

SOURCE: Adopted in R86-44 at 12 Ill. Reg. 2502, effective January 13, 1988; amended in R88-18 at 13 Ill. Reg. 2463, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19243, effective November 27, 1989; amended in R89-12 at 14 Ill. Reg. 7608, effective May 8, 1990; amended in R91-5 at 16 Ill. Reg. 7346, effective April 27, 1992; amended in R95-22 at 20 Ill. Reg. 5533, effective April 1, 1996; amended in R96-12 at 20 Ill. Reg. 10671, effective July 24, 1996; amended in R97-7 at 21 Ill. Reg. 5163, effective April 10, 1997; amended in R98-23 at 22 Ill. Reg. 11465, effective June 22, 1998; amended in R99-17 at 23 Ill. Reg. 8412, effective July 12, 1999; amended in R00-7 at 24 Ill. Reg. 2372, effective January 26, 2000; amended in R00-15 at 24 Ill. Reg. 11633, effective July 24, 2000; amended in R01-5 at 25 Ill. Reg. 1322, effective January 11, 2001; amended in R01-25 at 25 Ill. Reg. 10860, effective August 14, 2001; amended in R02-3 at 26 Ill. Reg. 4008, effective February 28, 2002; amended in R02-9 at 26 Ill. Reg. 4653, effective March 18, 2002; amended in R03-13 at 27 Ill. Reg. 15137, effective September 10, 2003; amended in R04-1 at 28 Ill. Reg. 3390, effective February 6, 2004; amended in R04-18 at 28 Ill. Reg. 10684, effective July 13, 2004; amended in R06-13 at 30 Ill. Reg. 17847, effective October 26, 2006; amended in R08-5/R08-7/R08-13 at 32 Ill. Reg. 19008, effective November 26, 2008; amended in R13-7 at 37 Ill. Reg. 1962, effective February 4, 2013; amended in R15-13 at 39 Ill. Reg. 12357, effective August 24, 2015; amended in R16-9 at 41 Ill. Reg. 1155, effective January 23, 2017; amended in R21-8 at 44 Ill. Reg. 19486, effective December 3, 2020; amended in R21-15 at 45 Ill. Reg. 8061, effective June 21, 2021; amended in R18-23 at 47 Ill. Reg. 5083, effective March 23, 2023; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART F: REPORTING REQUIREMENTS

### Section 310.635 Notification of Discharge of Hazardous Waste

#### a) Requirement for Notification

- 1) The industrial user must notify the POTW; the Director, Waste Management Division, USEPA Region 5, 230 South Dearborn Street, Chicago, Illinois 60604; and the Manager, Division of Land Pollution Control, Illinois Environmental Protection Agency, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276~~, in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 35 Ill. Adm. Code 721. Such notification must include the name of the hazardous waste as set forth in 35 Ill. Adm. Code 721, the USEPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification must also contain the following information to the extent such information is known and readily available to the industrial user:

- A) An identification of the hazardous constituents contained in the wastes;
  - B) An estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and
  - C) An estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.
- 2) Time for Notification. All notifications required under subsection (a)(1) must take place within 180 days after April 27, 1992. Industrial users who commence discharging after April 27, 1992, must provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste.
  - 3) Frequency for Notification. Any notification required under subsection (a)(1) need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 310.613.
  - 4) Exception for Notification Under Other Provisions. The notification requirement of subsection (a)(1) does not apply to pollutants already reported under the self-monitoring requirements of Sections 310.602, 310.604, and 310.605.
- b) Exemption to Reporting Requirement. An industrial user is exempt from the requirements of subsection (a)(1) during a calendar month in which the industrial user discharges no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes, as specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
  - c) Newly Listed Hazardous Wastes. In the case of any new regulations under section 3001 of the federal RCRA (42 U.S.C. 6921) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW; USEPA Region 5, Waste Management Division; and the Agency, Division of Land Pollution Control of the discharge of such substance, pursuant to subsection (a)(1), within 90 days of the effective date of those regulations.

- d) Required Certification. In the case of any notification made under this Section, the industrial user must certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

BOARD NOTE: Derived from 40 CFR 403.12(p) (2003).

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE E: AGRICULTURE RELATED POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 502  
PERMITS

SUBPART A: PERMITS REQUIRED

Section	
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502.103	Large CAFOs
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502.106	Case-By-Case Designation Requiring NPDES Permits

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502.315	CAFO Permit Requirements
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SUBPART D: APPEAL AND ENFORCEMENT

Section

- 502.401 Appeals from Conditions in Permits
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- 502.403 Modification or Termination of Permits

**SUBPART E: REQUIREMENTS FOR DEVELOPING AND  
IMPLEMENTING NUTRIENT MANAGEMENT PLANS**

- Section
- 502.500 Purpose, Scope, and Applicability
- 502.505 Nutrient Management Plan Information
- 502.510 Nutrient Management Plan Requirements
- 502.515 Terms of Nutrient Management Plan
- 502.520 Changes to the Nutrient Management Plan

**SUBPART F: LIVESTOCK WASTE DISCHARGE LIMITATIONS  
AND TECHNICAL STANDARDS**

- Section
- 502.600 Applicability
- 502.605 Livestock Waste Discharge Limitations for the Production Area for Permitted CAFOs
- 502.610 Additional Measures for CAFO Production Areas
- 502.615 Nutrient Transport Potential
- 502.620 Protocols to Land Apply Livestock Waste
- 502.625 Determination of Livestock Waste Application Rates
- 502.630 Protocols to Land Apply Livestock Waste During Winter
- 502.635 Manure and Soil Sampling and Analysis
- 502.640 Inspection of Land Application Equipment for Leaks
- 502.645 Land Application Setback Requirements

**SUBPART G: ADDITIONAL LIVESTOCK WASTE DISCHARGE LIMITATIONS**

- Section
- 502.710 New Source Performance Standards for Dairy Cows and Cattle Other Than Veal Calves
- 502.720 Horse and Sheep CAFOs: BPT, BAT, and NSPS
- 502.730 Duck CAFOs: BPT and NSPS

**SUBPART H: NEW SOURCE PERFORMANCE STANDARDS FOR  
NEW SWINE, POULTRY AND VEAL LARGE CAFOS**

- Section
- 502.800 Applicability
- 502.810 Production Area Requirements

- 502.820 Land Application Area Requirements
- 502.830 Alternative Best Management Practice Livestock Waste Discharge Limitations
- 502.840 Technical Evaluation

502.APPENDIX A References to Previous Rules (Repealed)

AUTHORITY: Implementing Sections 9, 10, 12, 13, 21, and 22 of the Environmental Protection Act [415 ILCS 5/9, 10, 12, 13, 21, 22] and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27].

SOURCE: Filed and effective January 1, 1978; amended at 2 Ill. Reg. 44, p. 137, effective October 30, 1978; codified at 7 Ill. Reg. 10594; amended in R12-23 at 38 Ill. Reg. 17687, effective August 11, 2014; amended in R18-25 at 48 Ill. Reg.3196, effective February 15, 2024; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART B: PERMIT APPLICATIONS

**Section 502.202 Permit Application Submissions**

All permit applications must be mailed or delivered to Illinois Environmental Protection Agency, Bureau of Water, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website ~~1021 North Grand Ave. E, Springfield IL 62794.~~

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE F: PUBLIC WATER SUPPLIES  
CHAPTER I: POLLUTION CONTROL BOARD

PART 620  
GROUNDWATER QUALITY

SUBPART A: GENERAL

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620.105	Purpose
620.110	Definitions
620.115	Prohibition
620.125	Incorporations by Reference
620.130	Exemption from General Use Standards and Public and Food Processing Water Supply Standards
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620.250	Groundwater Management Zone
620.260	Reclassification of Groundwater by Adjusted Standard

SUBPART C: NONDEGRADATION PROVISIONS  
FOR APPROPRIATE GROUNDWATERS

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620.301	General Prohibition Against Use Impairment of Resource Groundwater
620.302	Applicability of Preventive Notification and Preventive Response Activities
620.305	Preventive Notification Procedures
620.310	Preventive Response Activities

SUBPART D: GROUNDWATER QUALITY STANDARDS

Section	
620.401	Applicability
620.405	General Prohibitions Against Violations of Groundwater Quality Standards
620.410	Groundwater Quality Standards for Class I: Potable Resource Groundwater

- 620.420 Groundwater Quality Standards for Class II: General Resource Groundwater
- 620.430 Groundwater Quality Standards for Class III: Special Resource Groundwater
- 620.440 Groundwater Quality Standards for Class IV: Other Groundwater
- 620.450 Alternative Groundwater Quality Standards

SUBPART E: GROUNDWATER MONITORING AND ANALYTICAL PROCEDURES

- Section
- 620.505 Compliance Determination
- 620.510 Monitoring and Analytical Requirements

SUBPART F: HEALTH ADVISORIES

- Section
- 620.601 Purpose of a Health Advisory
- 620.605 Issuance of a Health Advisory
- 620.610 Publishing Health Advisories
- 620.615 Additional Health Advice for Mixtures of Similar-Acting Substances

- 620.APPENDIX A Procedures for Determining Human Threshold Toxicant Advisory Concentration for Class I: Potable Resource Groundwater
- 620.APPENDIX B Procedures for Determining Hazard Indices for Class I: Potable Resource Groundwater for Mixtures of Similar-Acting Substances
- 620.APPENDIX C Guidelines for Determining When Dose Addition of Similar-Acting Substances in Class I: Potable Resource Groundwaters is Appropriate
- 620.APPENDIX D Confirmation of an Adequate Corrective Action Pursuant to 35 Ill. Adm. Code 620.250(a)(2)

AUTHORITY: Implementing and authorized by Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55/8] and authorized by Section 27 of the Illinois Environmental Protection Act [415 ILCS 5/27].

SOURCE: Adopted in R89-14(B) at 15 Ill. Reg. 17614, effective November 25, 1991; amended in R89-14(C) at 16 Ill. Reg. 14667, effective September 11, 1992; amended in R93-27 at 18 Ill. Reg. 14084, effective August 24, 1994; amended in R96-18 at 21 Ill. Reg. 6518, effective May 8, 1997; amended in R97-11 at 21 Ill. Reg. 7869, effective July 1, 1997; amended in R01-14 at 26 Ill. Reg. 2662, effective February 5, 2002; amended in R08-18 at 36 Ill. Reg. 15206, effective October 5, 2012; amended in R08-18(B) at 37 Ill. Reg. 16529, effective October 7, 2013; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: GENERAL

**Section 620.125 Incorporations by Reference**

- a) The Board incorporates the following material by reference:

ASTM International. 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959 (610) 832-9500.

"Standard Practice for Classification of Soils for Engineering Purposes (Unified Classification System)" ASTM D2487-06.

CFR (Code of Federal Regulations). Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (202) 783-3238.

Method Detection Limit Definition, appendix B to Part 136, 40 CFR 136, appendix B (2006).

Control of Lead and Copper, general requirements, 40 CFR 141.80 (2006).

Maximum contaminant levels for organic contaminants, 40 CFR 141.61 (2006).

Maximum contaminant levels for inorganic contaminants, 40 CFR 141.62 (2006).

Maximum contaminant levels for radionuclides, 40 CFR 141.66 (2006).

GPO. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401 (202) 783-3238).

USEPA Guidelines for Carcinogenic Risk Assessment, 51 Fed. Reg. 33992-34003 (September 24, 1986).

Illinois Environmental Protection Agency, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website ~~1020 North Grand Ave. East, P.O. Box 19276, Springfield, IL 62794-9276~~ (217) 785-4787.

"Guidance Document for Groundwater Protection Needs Assessments," Agency, Illinois State Water Survey, and Illinois State Geologic Survey Joint Report, January 1995.

"The Illinois Wellhead Protection Program Pursuant to Section 1428 of the Federal Safe Drinking Water Act," Agency, # 22480, October 1992.

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301) 657-2652.

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 (703) 605-6000.

"Methods for Chemical Analysis of Water and Wastes," March 1983, Doc. No. PB84-128677. EPA 600/4-79-020 (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Inorganic Substances in Environmental Samples," August 1993, PB94-120821 (referred to as "USEPA Environmental Inorganic Methods"). EPA 600/R-93-100 (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Metals in Environmental Samples," June 1991, Doc. No. PB91-231498. EPA 600/4-91-010 (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Metals in Environmental Samples – Supplement I," May 1994, Doc. No. PB95-125472. EPA 600/R-94-111 (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Organic Compounds in Drinking Water," Doc. No. PB91-231480. EPA/600/4-88/039 (December 1988 (revised July 1991)) (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Organic Compounds in Drinking Water, Supplement I," Doc. No. PB91-146027. EPA/600/4-90/020 (July 1990) (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Organic Compounds in Drinking Water, Supplement II," Doc. No. PB92-207703.

EPA/600/R-92/129 (August 1992) (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Organic Compounds in Drinking Water, Supplement III," Doc. No. PB95-261616. EPA/600/R-95/131 (August 1995) (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Organic and Inorganic Compounds in Drinking Water" Volume I: EPA 815-R-00-014 (August 2000) (available online at <http://nepis.epa.gov/>).

"Prescribed Procedures for Measurement of Radioactivity in Drinking Water," Doc. No. PB80-224744. EPA 600/4-80-032, (August 1980) (available online at <http://nepis.epa.gov/>).

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," H.L. Krieger and S. Gold, Doc. No. PB222-154/7BA. EPA-R4-73-014, May 1973.

"Radiochemical Analytical Procedures for Analysis of Environmental Samples," March 1979, Doc. No. EMSL LV 053917.

"Radiochemistry Procedures Manual," Doc. No. PB-84-215581. EPA-520/5-84-006, December 1987.

"Practical Guide for Ground-Water Sampling", EPA Publication No. EPA/600/2-85/104 (September 1985), Doc. No. PB 86-137304.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA Publication No. SW-846, as amended by Updates I, II, IIA, IIB, III, IIIA, and IIIB (Doc. No. 955-001-00000-1) (available on line at <http://www.epa.gov/epaoswer/hazwaste/test/main.htm>).

USGS. United States Geological Survey, 1961 Stout St., Denver, CO 80294 (303) 844-4169

"Techniques of Water Resources Investigations of the United States Geological Survey, Guidelines for Collection and Field Analysis of Ground-Water Samples for Selected Unstable Constituents", Book I, Chapter D2 (1976).

b) This Section incorporates no later editions or amendments.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective )

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER b: PERMITS

PART 704  
UIC PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

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704.101	Content
704.102	Scope of the Permit or Rule Requirement
704.103	Identification of Aquifers
704.104	Exempted Aquifers
704.105	Specific Inclusions and Exclusions
704.106	Classification of Injection Wells
704.107	Definitions
704.108	Electronic Reporting

SUBPART B: PROHIBITIONS

Section	
704.121	Prohibition Against Unauthorized Injection
704.122	Prohibition Against Movement of Fluid into USDW
704.123	Identification of USDWs and Exempted Aquifers
704.124	Prohibition Against Class IV Injection Wells
704.125	Prohibition Against Non-Experimental Class V Injection Wells for Geologic Sequestration
704.128	Requirements for Class VI Injection Wells
704.129	Transitioning from a Class II Injection Well to a Class VI Injection Well

SUBPART C: AUTHORIZATION OF UNDERGROUND INJECTION BY  
RULE

Section	
704.141	Existing Class I and III Injection Wells
704.142	Prohibitions Against Injection into Wells Authorized by Rule
704.143	Expiration of Authorization
704.144	Requirements
704.145	Existing Class IV Injection Wells
704.146	Class V Injection Wells
704.147	Requiring a Permit
704.148	Inventory Requirements
704.149	Requiring Other Information

- 704.150 Requirements for Class I and III Injection Wells Authorized by Rule
- 704.151 RCRA Interim Status for Class I Injection Wells

**SUBPART D: APPLICATION FOR PERMIT**

- Section
- 704.161 Application for Permit; Authorization by Permit
- 704.162 Area Permits
- 704.163 Emergency Permits
- 704.164 Signatories to Permit Applications

**SUBPART E: PERMIT CONDITIONS**

- Section
- 704.181 Additional Conditions
- 704.182 Establishing UIC Permit Conditions
- 704.183 Construction Requirements
- 704.184 Corrective Action
- 704.185 Operation Requirements
- 704.186 Hazardous Waste Requirements
- 704.187 Monitoring and Reporting
- 704.188 Plugging and Abandonment
- 704.189 Financial Responsibility
- 704.190 Mechanical Integrity
- 704.191 Additional Conditions
- 704.192 Waiver of Requirements by Agency
- 704.193 Corrective Action
- 704.194 Maintenance and Submission of Records

**SUBPART F: REQUIREMENTS FOR WELLS INJECTING HAZARDOUS WASTE**

- Section
- 704.201 Applicability
- 704.202 Authorization
- 704.203 Requirements

**SUBPART G: FINANCIAL RESPONSIBILITY FOR CLASS I HAZARDOUS WASTE INJECTION WELLS**

- Section
- 704.210 Applicability
- 704.211 Definitions
- 704.212 Cost Estimate for Plugging and Abandonment
- 704.213 Financial Assurance for Plugging and Abandonment
- 704.214 Trust Fund

704.215	Surety Bond Guaranteeing Payment
704.216	Surety Bond Guaranteeing Performance
704.217	Letter of Credit
704.218	Plugging and Abandonment Insurance
704.219	Financial Test and Corporate Guarantee
704.220	Multiple Financial Mechanisms
704.221	Financial Mechanism for Multiple Facilities
704.222	Release of the Owner or Operator
704.230	Incapacity
704.240	Wording of the Instruments

#### SUBPART H: ISSUED PERMITS

Section	
704.260	Transfer
704.261	Modification
704.262	Causes for Modification
704.263	Well Siting
704.264	Minor Modifications

#### SUBPART I: REQUIREMENTS FOR CLASS V INJECTION WELLS

Section	
704.279	General
704.280	Definition of a Class V Injection Well
704.281	Examples of Class V Injection Wells
704.282	Protection of Underground Sources of Drinking Water
704.283	Notification of a Class V Injection Well
704.284	Permit Requirements
704.285	Applicability of the Additional Requirements
704.286	Definitions
704.287	Location in a Groundwater Protection Area or Another Sensitive Area
704.288	Additional Requirements
704.289	Closure of a Class V Injection Well

**AUTHORITY:** Implementing Sections 7.2, 13, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4, and 27].

**SOURCE:** Adopted in R81-32 at 6 Ill. Reg. 12479, effective March 3, 1984; amended in R82-19, at 7 Ill. Reg. 14402, effective March 3, 1984; amended in R83-39, at 55 PCB 319, at 7 Ill. Reg. 17338, effective December 19, 1983; amended in R85-23 at 10 Ill. Reg. 13290, effective July 29, 1986; amended in R87-29 at 12 Ill. Reg. 6687, effective March 28, 1988; amended in R88-2 at 12 Ill. Reg. 13700, effective August 16, 1988; amended in R88-17 at 13 Ill. Reg. 478, effective December 30, 1988; amended in R89-2 at 14 Ill. Reg. 3116, effective February 20, 1990; amended in R94-17 at 18 Ill. Reg. 17641, effective November 23, 1994; amended in R94-

5 at 18 Ill. Reg. 18351, effective December 20, 1994; amended in R00-11/R01-1 at 24 Ill. Reg. 18612, effective December 7, 2000; amended in R01-30 at 25 Ill. Reg. 11139, effective August 14, 2001; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 605, effective December 20, 2006; amended in R11-14 at 36 Ill. Reg. 1613, effective January 20, 2012; amended in R13-15 at 37 Ill. Reg. 17708, effective October 24, 2013; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21095, effective November 19, 2018; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART I: REQUIREMENTS FOR CLASS V INJECTION WELLS

### Section 704.287 Location in a Groundwater Protection Area or Another Sensitive Area

- a) The owner or operator of an existing motor vehicle waste disposal well located in a groundwater protection area or another sensitive groundwater area is subject to Section 704.288.

BOARD NOTE: Corresponding 40 CFR 144.87(a) provides that the “new requirements” apply statewide if the State or the USEPA Region fails to identify sensitive groundwater areas. The Board has interpreted “new requirements” as synonymous with “additional requirements” elsewhere in this Subpart I. Sections 14.1 through 14.6 and 17.1 through 17.4 of the Act and 35 Ill. Adm. Code 615 through 617 designate protected groundwater resources and allow the designation of other sensitive areas for protection. Further, the Illinois Groundwater Protection Act, and the regulations adopted as 35 Ill. Adm. Code 620 under that statute, protect the quality of all groundwater resources in Illinois.

- b) This subsection (b) corresponds with 40 CFR 144.87(b), which set forth now-past compliance deadlines for identifying groundwater protection areas. This statement maintains structural consistency with the federal rules.
- c) This subsection (c) corresponds with 40 CFR 144.87(c), which set forth now-past compliance deadlines for identifying other sensitive groundwater areas. This statement maintains structural consistency with the federal rules.
- d) Finding Out If a well Is in a Groundwater Protection Area or Sensitive Groundwater Area. The Agency must make that listing available for public inspection and copying upon request. Any interested person may contact the Illinois Environmental Protection Agency, Bureau of Water, Division of Public Water Supplies at the address of the Illinois EPA’s headquarters as designated on the Illinois EPA’s website, 1021 North Grand Ave. East P.O. Box 19276, Springfield Illinois 62794-9276 (217-785-8653) to obtain information on the listing or to determine if any Class V injection well is situated in a groundwater protection area or another sensitive groundwater area.
- e) Changes in the Status of the State Drinking Water Source Assessment and Protection Program. If the State assesses a groundwater protection area for

groundwater supplying a new community water system or a new non-transient non-community water system, or if the State re-delineates the boundaries of a previously delineated groundwater protection area to include an additional area, the additional regulations of Section 704.288 would apply to any motor vehicle waste disposal well in such an area. The additional regulations apply to the affected Class V injection well one year after the State completes the local assessment for the groundwater protection area for the new drinking water system or the new re-delineated area. The Agency must extend this deadline for up to one year if it determines that the most efficient compliance option for the well is connection to a sanitary sewer or installation of new treatment technology and the extension is necessary to implement the compliance option.

BOARD NOTE: Any Agency determination of the most efficient compliance option is subject to Board review pursuant to Section 40 of the Act.

- f) This subsection (f) corresponds with 40 CFR 144.87(f), which set forth now-past compliance deadlines in the event of a failure to identify other sensitive groundwater areas. This statement maintains structural consistency with the federal rules.
- g) Application of Requirements Outside of groundwater Protection Areas and Sensitive Groundwater Areas. The Agency must apply the additional requirements in Section 704.288 to an owner or operator, even if the owner's or operator's well is not located in the areas listed in subsection (a), if the Agency determines that the application of those additional requirements is necessary to protect human health and the environment.

BOARD NOTE: Any Agency determination to apply the additional requirements of Section 704.288 is subject to Board review pursuant to Section 40 of the Act. The Board has omitted certain segments of corresponding 40 CFR 144.87 that encouraged State actions, since those segments did not impose requirements on the regulated community.

BOARD NOTE: Derived from 40 CFR 144.87 (2017).

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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

PART 721  
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section	
721.101	Purpose and Scope
721.102	Definition of Solid Waste
721.103	Definition of Hazardous Waste
721.104	Exclusions
721.105	Special Requirements for Hazardous Waste Generated by Small Quantity Generators (Repealed)
721.106	Requirements for Recyclable Materials
721.107	Residues of Hazardous Waste in Empty Containers
721.108	PCB Wastes Regulated under TSCA
721.109	Requirements for Universal Waste

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF  
HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTES

Section	
721.110	Criteria for Identifying the Characteristics of Hazardous Waste
721.111	Criteria for Listing Hazardous Waste

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	
721.120	General
721.121	Characteristic of Ignitability
721.122	Characteristic of Corrosivity
721.123	Characteristic of Reactivity
721.124	Toxicity Characteristic

SUBPART D: LISTS OF HAZARDOUS WASTE

Section	
721.130	General
721.131	Hazardous Wastes from Nonspecific Sources
721.132	Hazardous Waste from Specific Sources

- 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Container Residues, and Spill Residues Thereof
- 721.135 Wood Preserving Wastes

SUBPART E: EXCLUSIONS AND EXEMPTIONS

Section

- 721.138 Exclusion of Comparable Fuel and Syngas Fuel (Repealed)
- 721.139 Conditional Exclusion for Used, Broken CRTs and Processed CRT Glass Undergoing Recycling
- 721.140 Conditional Exclusion for Used, Intact CRTs Exported for Recycling
- 721.141 Notification and Recordkeeping for Used, Intact CRTs Exported for Reuse

SUBPART H: FINANCIAL REQUIREMENTS FOR MANAGEMENT OF EXCLUDED HAZARDOUS SECONDARY MATERIALS

Section

- 721.240 Applicability
- 721.241 Definitions of Terms as Used in This Subpart
- 721.242 Cost Estimate
- 721.243 Financial Assurance Condition
- 721.247 Liability Requirements
- 721.248 Incapacity of Owners or Operators, Guarantors, or Financial Institutions
- 721.249 Use of State-Required Mechanisms
- 721.250 State Assumption of Responsibility
- 721.251 Wording of the Instruments

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section

- 721.270 Applicability
- 721.271 Condition of Containers
- 721.272 Compatibility of Hazardous Secondary Materials with Containers
- 721.273 Management of Containers
- 721.275 Secondary Containment
- 721.276 Special Requirements for Ignitable or Reactive Hazardous Secondary Material
- 721.277 Special Requirements for Incompatible Materials
- 721.279 Air Emission Standards

SUBPART J: TANK SYSTEMS

Section

- 721.290 Applicability
- 721.291 Assessment of Existing Tank System's Integrity

721.293	Containment and Detection of Releases
721.294	General Operating Requirements
721.296	Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems
721.297	Termination of Remanufacturing Exclusion
721.298	Special Requirements for Ignitable or Reactive Materials
721.299	Special Requirements for Incompatible Materials
721.300	Air Emission Standards

**SUBPART M: EMERGENCY PREPAREDNESS AND RESPONSE FOR  
MANAGEMENT OF EXCLUDED HAZARDOUS SECONDARY MATERIALS**

<b>Section</b>	
721.500	Applicability
721.510	Preparedness and Prevention
721.511	Emergency Procedures for Facilities Generating or Accumulating 6,000 kg or Less of Hazardous Secondary Material
721.520	Contingency Planning and Emergency Procedures for Facilities Generating or Accumulating More Than 6,000 kg of Hazardous Secondary Material

**SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS**

<b>Section</b>	
721.930	Applicability
721.931	Definitions
721.932	Standards: Process Vents
721.933	Standards: Closed-Vent Systems and Control Devices
721.934	Test Methods and Procedures
721.935	Recordkeeping Requirements

**SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS**

<b>Section</b>	
721.950	Applicability
721.951	Definitions
721.952	Standards: Pumps in Light Liquid Service
721.953	Standards: Compressors
721.954	Standards: Pressure Relief Devices in Gas/Vapor Service
721.955	Standards: Sampling Connection Systems
721.956	Standards: Open-Ended Valves or Lines
721.957	Standards: Valves in gas/Vapor Service or in Light Liquid Service
721.958	Standards: Pumps and Valves in Heavy Liquid Service, Pressure Relief Devices in Light Liquid or Heavy Liquid Service, and Flanges and Other Connectors
721.959	Standards: Delay of Repair

721.960	Standards: Closed-Vent Systems and Control Devices
721.961	Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service: Percentage of Valves Allowed to Leak
721.962	Alternative Standards for Valves in Gas/Vapor Service or in Light Liquid Service: Skip Period Leak Detection and Repair
721.963	Test Methods and Procedures
721.964	Recordkeeping Requirements

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS  
AND CONTAINERS

Section	
721.980	Applicability
721.981	Definitions
721.982	Standards: General
721.983	Material Determination Procedures
721.984	Standards: Tanks
721.986	Standards: Containers
721.987	Standards: Closed-Vent Systems and Control Devices
721.988	Inspection and Monitoring Requirements
721.989	Recordkeeping Requirements
721.APPENDIX A	Representative Sampling Methods
721.APPENDIX B	Method 1311 Toxicity Characteristic Leaching Procedure (TCLP) (Repealed)
721.APPENDIX C	Chemical Analysis Test Methods (Repealed)
721.TABLE A	Analytical Characteristics of Organic Chemicals (Repealed)
721.TABLE B	Analytical Characteristics of Inorganic Species (Repealed)
721.TABLE C	Sample Preparation/Sample Introduction Techniques (Repealed)
721.APPENDIX G	Basis for Listing Hazardous Wastes
721.APPENDIX H	Hazardous Constituents
721.APPENDIX I	Wastes Excluded by Administrative Action
721.TABLE A	Wastes Excluded by USEPA under 40 CFR 260.20 and 260.22 from Non-Specific Sources
721.TABLE B	Wastes Excluded by USEPA under 40 CFR 260.20 and 260.22 from Specific Sources
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721.APPENDIX J	Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)
721.APPENDIX Y	Table to Section 721.138: Maximum Contaminant Concentration

and Minimum Detection Limit Values for Comparable Fuel  
Specification (Repealed)

721.APPENDIX Z

Table to Section 721.102: Recycled Materials that Are Solid  
Waste

**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. 13999, effective October 12, 1983; amended in R84-34, 61 at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9 at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17490, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9522, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10963, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 275, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7615, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17531, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1718, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9135, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9481, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1281, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9108, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6584, effective April 22, 2002; amended in R03-18 at 27 Ill. Reg. 12760, effective July 17, 2003; amended in R04-16 at 28 Ill. Reg. 10693, effective July 19, 2004; amended in R05-8 at 29 Ill. Reg. 6003, effective April 13, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2992, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 791, effective

December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11786, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 986, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18611, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 17734, effective October 14, 2011; amended in R13-5 at 37 Ill. Reg. 3213, effective March 4, 2013; amended in R14-13 at 38 Ill. Reg. 12442, effective May 27, 2014; amended in R15-1 at 39 Ill. Reg. 1607, effective January 12, 2015; amended in R16-7 at 40 Ill. Reg. 11367, effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21673, effective November 19, 2018; amended in R19-3 at 43 Ill. Reg. 496, effective December 6, 2018; amended in R19-11 at 43 Ill. Reg. 5884, effective May 2, 2019; amended in R20-8/R20-16 at 44 Ill. Reg. 15142, effective September 3, 2020; amended in R21-13 at 48 Ill. Reg. 9827, effective June 20, 2024; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART E: EXCLUSIONS AND EXEMPTIONS

### **Section 721.141 Notification and Recordkeeping for Used, Intact CRTs Exported for Reuse**

- a) A CRT exporter that exports used, intact CRTs for reuse must send a notification to the Agency and USEPA. This notification may cover export activities extending over a 12-month or lesser period.
  - 1) The notification must be in writing, signed by the exporter, and include the following information:
    - A) Name, mailing address, telephone number, and USEPA identification number (if applicable) of the exporter of the used, intact CRTs;
    - B) The estimated frequency or rate at which the used, intact CRTs are to be exported for reuse and the period of time over which they are to be exported;
    - C) The estimated total quantity of used, intact CRTs specified in kilograms;
    - D) All points of entry to and departure from each transit country through which the used, intact CRTs will pass, a description of the approximate length of time the used, intact CRTs will remain in that country, and the nature of their handling while there;
    - E) A description of the means by which each shipment of the used, intact CRTs will be transported (e.g., mode of transportation vehicle (air, highway, rail, water, etc.), types of container (drums, boxes, tanks, etc.));
    - F) The name and address of the ultimate destination facility or facilities where the used, intact CRTs will be reused, refurbished,

distributed, or sold for reuse and the estimated quantity of used, intact CRTs to be sent to each facility, as well as the name of any alternate destination facility or facilities;

G) A description of the manner in which the used, intact CRTs will be reused (including reuse after refurbishment) in the foreign country that will be receiving the used, intact CRTs; and

H) A certification signed by the CRT exporter that states as follows:

“I certify under penalty of law that the CRTs described in this notice are intact and fully functioning or capable of being functional after refurbishment and that the used CRTs will be reused or refurbished and reused. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

2) Notifications submitted by mail should be sent to the following mailing address:

Office of Enforcement and Compliance Assurance  
Office of Federal Activities  
International Compliance Assurance Division (Mail Code 2254A)  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460

Hand-delivered notifications should be sent to the following address:

Office of Enforcement and Compliance Assurance  
Office of Federal Activities  
International Compliance Assurance Division (Mail Code 2254A)  
Environmental Protection Agency  
William Jefferson Clinton Building, Room 6144  
1200 Pennsylvania Ave., NW  
Washington, DC 20004

In either case, the following must be prominently displayed on the front of the envelope:

“Attention: Notification of Intent to Export CRTs”.

A notification submitted to the Agency by mail or hand-delivered must be sent to the following mailing address:

Illinois Environmental Protection Agency  
Bureau of Land Pollution Control  
The address of the Illinois EPA’s headquarters as designated on the Illinois EPA’s website.

~~1021 North Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276~~

- b) A CRT exporter that exports used, intact CRTs for reuse must keep copies of normal business records, such as contracts, demonstrating that each shipment of exported used, intact CRTs will be reused. This documentation must be retained for a period of at least three years from the date the CRTs were exported. If the documents are written in a language other than English, a CRT exporter of used, intact CRTs sent for reuse must provide both the original, non-English version of the normal business records, as well as a third-party translation of the normal business records into English, within 30 days after a request by USEPA.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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

PART 733  
STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A: GENERAL

Section

- 733.101 Scope
- 733.102 Applicability: Batteries
- 733.103 Applicability: Pesticides
- 733.104 Applicability: Mercury-Containing Equipment
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- 733.107 Applicability: Mercury-Containing Lamps (Repealed)
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SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

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- 733.110 Applicability
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SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

Section

- 733.130 Applicability
- 733.131 Prohibitions
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- 733.137 Response to Releases
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**SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS**

Section

- 733.150 Applicability
- 733.151 Prohibitions
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- 733.153 Accumulation Time Limits
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**SUBPART E: STANDARDS FOR DESTINATION FACILITIES**

Section

- 733.160 Applicability
- 733.161 Off-Site Shipments
- 733.162 Tracking Universal Waste Shipments

**SUBPART F: IMPORT REQUIREMENTS**

Section

- 733.170 Imports

**SUBPART G: PETITIONS TO INCLUDE OTHER WASTES**

Section

- 733.180 General
- 733.181 Factors for Petitions to Include Other Wastes

**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 R95-20 at 20 Ill. Reg. 11291, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 944, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7650, effective April 15, 1998; amended in R99-15 at 23 Ill. Reg. 9502, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9874, effective June 20, 2000; amended in R05-8 at 29 Ill. Reg. 6058, effective April 13, 2005; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1352, effective December 20, 2006; amended in R16-7 at 40 Ill. Reg. 12268, effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 25200, effective November 19, 2018;

amended in R19-11 at 43 Ill. Reg. 6095, effective May 2, 2019; amended in R20-8/R20-16 at 44 Ill. Reg. 15520, effective September 3, 2020; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

### Section 733.118 Off-Site Shipments

- a) A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a small quantity handler of universal waste self-transportes universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of Subpart D while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous material under USDOT regulation 49 CFR 171.8 (Definitions and Abbreviations), incorporated by reference in 35 Ill. Adm. Code 720.111(b), a small quantity handler of universal waste must package, label, mark, and placard the shipment and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 171 (General Information, Regulations, and Definitions), 172 (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), 173 (Shippers—General Requirements for Shipments and Packages), 174 (Carriage by Rail), 175 (Carriage by Aircraft), 176 (Carriage by Vessel), 177 (Carriage by Public Highway), 178 (Specifications for Packagings), 179 (Specifications for Tank Cars), and 180 (Continuing Qualification and Maintenance of Packagings), incorporated by reference in 35 Ill. Adm. Code 720.111(b).
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler must ensure that the receiving handler agrees to receive the shipment.
- e) If a small quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler must do either of the following:
  - 1) Receive the waste back when notified that the shipment has been rejected;  
or

- 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A small quantity handler of universal waste may reject a shipment containing universal waste or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it must contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler must perform either of the following actions:
- 1) Send the shipment back to the originating handler; or
  - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify the Agency (Bureau of Land, Illinois EPA at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website , ~~1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~ (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
- h) If a small quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (non-hazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or non-hazardous waste regulations apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

### Section 733.138 Off-Site Shipments

- a) A large quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.

- b) If a large quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and must comply with the transporter requirements of Subpart D while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous material under USDOT regulation 49 CFR 171.8 (Definitions and Abbreviations), incorporated by reference in 35 Ill. Adm. Code 720.111(b), a large quantity handler of universal waste must package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 171 (General Information, Regulations, and Definitions), 172 (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), 173 (Shippers—General Requirements for Shipments and Packages), 174 (Carriage by Rail), 175 (Carriage by Aircraft), 176 (Carriage by Vessel), 177 (Carriage by Public Highway), 178 (Specifications for Packagings), 179 (Specifications for Tank Cars), and 180 (Continuing Qualification and Maintenance of Packagings), incorporated by reference in 35 Ill. Adm. Code 720.111(b).
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler must ensure that the receiving handler agrees to receive the shipment.
- e) If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler must do either of the following:
  - 1) Receive the waste back when notified that the shipment has been rejected; or
  - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A large quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it must contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler must perform either of the following actions:
  - 1) Send the shipment back to the originating handler; or

- 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify the Agency (Bureau of Land, Illinois EPA, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website) ~~1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~ (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
  - h) If a large quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (non-hazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or non-hazardous waste regulations apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART E: STANDARDS FOR DESTINATION FACILITIES

### Section 733.161 Off-Site Shipments

- a) The owner or operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility, or a foreign destination.
- b) The owner or operator of a destination facility may reject a shipment containing universal waste, or a portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, it must contact the shipper to notify the shipper of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility must perform either of the following actions:
  - 1) Send the shipment back to the original shipper; or
  - 2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.

- c) If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility must immediately notify the Agency (Bureau of Land, Illinois EPA, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website)~~1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~ (telephone: 217-782-6761) of the illegal shipment, and provide the name, address, and phone number of the shipper. The Agency will provide instructions for managing the hazardous waste.
- d) If the owner or operator of a destination facility receives a shipment of non-hazardous, non-universal waste, the owner or operator may manage the waste in any way that is in compliance with applicable federal or State solid (non-hazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or non-hazardous waste regulations apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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

PART 739  
STANDARDS FOR THE MANAGEMENT OF USED OIL

SUBPART A: DEFINITIONS

Section  
739.100 Definitions

SUBPART B: APPLICABILITY

Section  
739.110 Applicability  
739.111 Used Oil Specifications  
739.112 Prohibitions  
739.113 Electronic Reporting

SUBPART C: STANDARDS FOR USED OIL GENERATORS

Section  
739.120 Applicability  
739.121 Hazardous Waste Mixing  
739.122 Used Oil Storage  
739.123 On-Site Burning in Space Heaters  
739.124 Off-Site Shipments

SUBPART D: STANDARDS FOR USED OIL COLLECTION CENTERS AND  
AGGREGATION POINTS

Section  
739.130 Do-It-Yourselfer Used Oil Collection Centers  
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739.132 Used Oil Aggregate Points Owned by the Generator

SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND  
TRANSFER FACILITIES

Section  
739.140 Applicability  
739.141 Restrictions on Transporters that Are Not Also Processors  
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739.143 Used Oil Transportation

739.144	Rebuttable Presumption for Used Oil
739.145	Used Oil Storage at Transfer Facilities
739.146	Tracking
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#### SUBPART F: STANDARDS FOR USED OIL PROCESSORS

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739.150	Applicability
739.151	Notification
739.152	General Facility Standards
739.153	Rebuttable Presumption for Used Oil
739.154	Used Oil Management
739.155	Analysis Plan
739.156	Tracking
739.157	Operating Record and Reporting
739.158	Off-Site Shipments of Used Oil
739.159	Management of Residues

#### SUBPART G: STANDARDS FOR USED OIL BURNERS THAT BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY

Section	
739.160	Applicability
739.161	Restriction on Burning
739.162	Notification
739.163	Rebuttable Presumption for Used Oil
739.164	Used Oil Storage
739.165	Tracking
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#### SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

Section	
739.170	Applicability
739.171	Prohibitions
739.172	On-Specification Used Oil Fuel
739.173	Notification
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#### SUBPART I: DISPOSAL OF USED OIL

Section	
739.180	Applicability

- 739.181 Disposal
- 739.182 Use As a Dust Suppressant

**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 R93-4 at 17 Ill. Reg. 20954, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6931, effective April 26, 1994; amended in R94-17 at 18 Ill. Reg. 17616, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 10036, effective June 27, 1995; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 767, effective December 16, 1997; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 2274, effective January 19, 1999; amended in R04-16 at 28 Ill. Reg. 10706, effective July 19, 2004; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 4094, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1413, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 13047, effective July 14, 2008; amended in R06-20(A) at 34 Ill. Reg. 3296, effective February 25, 2010; amended in R06-20(B) at 34 Ill. Reg. 17381, effective October 29, 2010; amended in R13-15 at 37 Ill. Reg. 17963, effective October 24, 2013; amended in R17-14/R17-15/R18-12/R18-31 at 43 Ill. Reg. 667, effective November 19, 2018; amended in R19-11 at 43 Ill. Reg. 6101, May 2, 2019; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES**

**Section 739.142 Notification**

- a) Identification Numbers. A used oil transporter that has not previously complied with the notification requirements of RCRA section 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA section 3010 and an Illinois special waste identification number.
- b) Mechanics of Notification
  - 1) A used oil transporter that has not received a USEPA identification number may obtain one by notifying the Agency of its used oil activity by submitting either of the following:
    - A) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to the Agency; or

**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](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and).

- B) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
  - i) The transporter company name;
  - ii) The owner of the transporter company;
  - iii) The mailing address for the transporter;
  - iv) The name and telephone number for the transporter point of contact;
  - v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);
  - vi) The location of all transfer facilities at which used oil is stored;
  - vii) The name and telephone number for a contact at each transfer facility.
  
- 2) A used oil transporter that has not received an Illinois special waste identification number may obtain one pursuant to 35 Ill. Adm. Code 809 by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website.~~4021 North Grand Avenue, Springfield, Illinois 62794-9276~~ (217-782-6761).

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART F: STANDARDS FOR USED OIL PROCESSORS

### **Section 739.151 Notification**

- a) Identification Numbers. A used oil processor or re-refiner that has not previously complied with the notification requirements of RCRA section 3010 must obtain a USEPA identification number pursuant to RCRA section 3010 and an Illinois special waste identification number.
  
- b) Mechanics of Notification
  - 1) A used oil processor or re-refiner that has not received a USEPA identification number may obtain one by notifying the Agency of its used oil activity by submitting either of the following:
    - A) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to the Agency; or

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](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and).

- B) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
- i) The processor or re-refiner company name;
  - ii) The owner of the processor or re-refiner company;
  - iii) The mailing address for the processor or re-refiner;
  - iv) The name and telephone number for the processor or re-refiner point of contact;
  - v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);
  - vi) The location of all transfer facilities at which used oil is stored;
  - vii) The name and telephone number for a contact at each transfer facility.
- 2) A used oil processor or re-refiner that has not received an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website 1021 North Grand Avenue, Springfield, Illinois 62794-9276 (217-782-6761).

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### SUBPART G: STANDARDS FOR USED OIL BURNERS THAT BURN OFF-SPECIFICATION USED OIL FOR ENERGY RECOVERY

##### **Section 739.162 Notification**

- a) Identification Numbers. A used oil burner that has not previously complied with the notification requirements of RCRA section 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA section 3010 and an Illinois special waste identification number.

- b) Mechanics of Notification. A used oil burner that has not received a USEPA identification number may obtain one by notifying the Agency of its used oil activity by submitting either of the following:
- 1) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to the Agency; or  
  
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](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and).
  - 2) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
    - A) The burner company name;
    - B) The owner of the burner company;
    - C) The mailing address for the burner;
    - D) The name and telephone number for the burner point of contact;
    - E) The type of used oil activity; and
    - F) The location of the burner facility.
  - c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website ~~4024 North Grand Avenue, Springfield, Illinois 62794-9276~~ (217-782-6761).

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

### Section 739.173 Notification

- a) A used oil fuel marketer subject to the requirements of this Section that has not previously complied with the notification requirements of RCRA section 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA section 3010 and an Illinois special waste identification number.

- b) A used oil marketer that has not received a USEPA identification number may obtain one by notifying the USEPA Region 5 of its used oil activity by submitting either of the following:
- 1) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to the Agency; or  
  
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](http://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and).
  - 2) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
    - A) The marketer company name;
    - B) The owner of the marketer;
    - C) The mailing address for the marketer;
    - D) The name and telephone number for the marketer point of contact; and
    - E) The type of used oil activity (i.e., generator directing shipments of off-specification used oil to a burner).
- c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website, ~~1021 North Grand Avenue, Springfield, Illinois 62794-9276~~ (217-782-6761).

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER f: RISK BASED CLEANUP OBJECTIVES

PART 742  
TIERED APPROACH TO CORRECTIVE ACTION OBJECTIVES

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742.TABLE M	J&E Parameters
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742.APPENDIX F	Environmental Land Use Control
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742.APPENDIX H	Memorandum of Understanding

**AUTHORITY:** Implementing Sections 22.4, 22.12, Title XVI, and Title XVII and authorized by Sections 27 and 58.5 of the Environmental Protection Act [415 ILCS 5/22.4, 22.12, 27, and 58.5 and Title XVI and Title XVII].

**SOURCE:** Adopted in R97-12(A) at 21 Ill. Reg. 7942, effective July 1, 1997; amended in R97-12(B) at 21 Ill. Reg. 16391, effective December 8, 1997; amended in R97-12(C) at 22 Ill. Reg. 10847, effective June 8, 1998; amended in R00-19(A) at 25 Ill. Reg. 651, effective January 6, 2001; amended in R00-19(B) at 25 Ill. Reg. 10374, effective August 15, 2001; amended in R00-19(C) at 26 Ill. Reg. 2683, effective February 5, 2002; amended in R06-10 at 31 Ill. Reg. 4063, effective February 23, 2007; amended in R11-09 at 37 Ill. Reg. 7506, effective July 15, 2013; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: GENERAL

### Section 742.210 Incorporations by Reference

- a) The Board incorporates the following material by reference:

Agency for Toxic Substances and Disease Registry (ATSDR) Minimal Risk Levels (MRLs), U.S. Environmental Protection Agency, 1600 Clifton Road, Mailstop F32, Atlanta, Georgia 30333, (770) 488-3357 (November 2007).

ASTM International. 100 Barr Harbor Drive, West Conshohocken PA 19428-2959, (610) 832-9585.

ASTM D 2974-00, Standard Test Methods for Moisture, Ash and Organic Matter of Peat and Other Organic Soils, approved August 10, 2000.

ASTM D 2488-00, Standard Practice for Description and Identification of Soils (Visual-Manual Procedure), approved February 10, 2000.

ASTM D 1556-00, Standard Test Method for Density and Unit Weight of Soil in Place by the Sand-Cone Method, approved March 10, 2000.

ASTM D 2167-94, Standard Test Method for Density and Unit Weight of Soil in Place by the Rubber Balloon Method, approved March 15, 1994.

ASTM D 2922-01, Standard Test Methods for Density of Soil and Soil-Aggregate in Place by Nuclear Methods (Shallow Depth), approved June 10, 2001.

ASTM D 2937-00e1, Standard Test Method for Density of Soil in Place by the Drive-Cylinder Method, approved June 10, 2000.

ASTM D 854-02, Standard Test Methods for Specific Gravity of Soil Solids by Water Pycnometer, approved July 10, 2002.

ASTM D 2216-98, Standard Test Method for Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass, approved February 10, 1998.

ASTM D 4959-00, Standard Test Method for Determination of Water (Moisture) Content of Soil by Direct Heating, approved March 10, 2000.

ASTM D 4643-00, Standard Test Method for Determination of Water (Moisture) Content of Soil by the Microwave Oven Method, approved February 10, 2000.

ASTM D 5084-03, Standard Test Methods for Measurement of Hydraulic Conductivity of Saturated Porous Materials Using a Flexible Wall Permeameter, approved November 1, 2003.

ASTM D 422-63 (2002), Standard Test Method for Particle-Size Analysis of Soils, approved November 10, 2002.

ASTM D 1140-00, Standard Test Methods for Amount of Material in Soils Finer than the No. 200 (75  $\mu\text{m}$ ) Sieve, approved June 10, 2000.

ASTM D 3017-01, Standard Test Method for Water Content of Soil and Rock in Place by Nuclear Methods (Shallow Depth), approved June 10, 2001.

ASTM D 4525-90 (2001), Standard Test Method for Permeability of Rocks by Flowing Air, approved May 25, 1990.

ASTM D 2487-00, Standard Classification of Soils for Engineering Purposes (Unified Soil Classification System), approved March 10, 2000.

ASTM D 1945-03, Standard Test Method for Analysis of Natural Gas by Gas Chromatography, approved May 10, 2003.

ASTM D 1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, approved June 1, 2006.

ASTM E 1527-00, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, approved May 10, 2000. Vol. 11.04.

ASTM E 1739-95 (2002), Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites, approved September 10, 1995.

ASTM E 2121-09, Standard Practice for Installing Radon Mitigation Systems in Existing Low-Rise Residential Buildings, approved November 1, 2009.

ASTM E 2600-10, Standard Practice for Assessment for Vapor Intrusion into Structures on Property Involved in Real Estate Transactions, approved June 2010.

API. American Petroleum Institute, 1220 L Street, NW, Washington DC 20005-4070 (202) 682-8000.

BIOVAPOR-A 1-D Vapor Intrusion Model with Oxygen-Limited Aerobic Biodegradation, Version 2.0 (January 2010).

Barnes, Donald G. and Dourson, Michael. (1988). Reference Dose (RfD): Description and Use in Health Risk Assessments. *Regulatory Toxicology and Pharmacology*. 8, 471-486.

EPRI. Electric Power Research Institute. 3420 Hillview Avenue, Palo Alto, California 94304. (650) 855-2121.

Polycyclic Aromatic Hydrocarbons (PAHs) in Surface Soil in Illinois: Background PAHs, EPRI, Palo Alto CA, We Energies, Milwaukee WI and IEPA, Springfield IL: 2004. 1011376.

Reference Handbook for Site-Specific Assessment of Subsurface Vapor Intrusion to Indoor Air, Electric Power Research Institute (EPRI), Inc., Program No. 1008492 (March 2005).

GPO. Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20401, (202) 783-3238.

USEPA Guidelines for Carcinogenic Risk Assessment, 51 Fed. Reg. 33992-34003 (September 24, 1986).

“Test Methods for Evaluating Solid Waste, Physical/Chemical Methods”, USEPA Publication number SW-846 (Third Edition, Final Update IIIA, April 1998), as amended by Updates I, IIA, III, and IIIA (Document No. 955-001-00000-1).

“Methods for the Determination of Organic Compounds in Drinking Water”, EPA Publication No. EPA/600/4-88/039 (December 1988 (Revised July 1991)).

“Methods for the Determination of Organic Compounds in Drinking Water, Supplement I”, EPA Publication No. EPA/600/4-90/020 (July 1990).

“Methods for the Determination of Organic Compounds in Drinking Water, Supplement II”, EPA Publication No. EPA/600/R-92/129 (August 1992).

“Methods for the Determination of Organic Compounds in Drinking Water, Supplement III”, EPA Publication No. EPA/600/R-95/131 (August 1995).

“Guidance for Data Quality Assessment, Practical Methods for Data Analysis, EPA QA/G-9, QAOO Update,” EPA/600/R-96/084 (July 2000). Available at [www.epa.gov/quality/qs-docs/g9-final.pdf](http://www.epa.gov/quality/qs-docs/g9-final.pdf).

“Assessment of Vapor Intrusion in Homes Near the Raymark Superfund Site Using Basement and Sub-Slab Air Samples”, EPA Publication No. EPA/600/R-05/147 (March 2006).

“Model Standards and Techniques for Control of Radon in New Residential Buildings” EPA Publication No. EPA/402/R-94/009 (March 1994).

“Radon Reduction Techniques for Existing Detached Houses: Technical Guidance (Third Edition) for Active Soil Depressurization Systems”, EPA Publication No. EPA/625/R-93/011 (October 1993).

Illinois Environmental Protection Agency, at the address of the Illinois EPA’s headquarters as designated on the Illinois EPA’s website ~~4021 N. Grand Ave East, Springfield IL 62701~~, (217) 785-0830.

“A Summary of Selected Background Conditions for Inorganics in Soil”, Publication No. IEPA/ENV/94-161 (August 1994).

IRIS. Integrated Risk Information System, National Center for Environmental Assessment, U.S. Environmental Protection Agency, 26 West Martin Luther King Drive, MS-190, Cincinnati, OH 45268, (513) 569-7254.

“Reference Dose (RfD): Description and Use in Health Risk Assessments”, Background Document 1A (March 15, 1993).

“EPA Approach for Assessing the Risks Associated with Chronic Exposures to Carcinogens”, Background Document 2 (January 17, 1992).

Johnson, Paul C. (2005). Identification of Application Specific Critical Inputs for the 1991 Johnson and Ettinger Vapor Intrusion Algorithm. Ground Water Monitoring and Remediation. 25(1), 63-78.

Murray, Donald M. and Burmaster, David E. (1995). Residential Air Exchange Rates in the United States: Empirical and Estimated Parametric Distributions by Season and Climatic Region. Risk Analysis. 15(4), 459-465.

Nelson, D.W., and L.E. Sommers (1982). Total carbon, organic carbon, and organic matter. In: A.L. Page (ed.), Methods of Soil Analysis. Part 2. Chemical and

Microbiological Properties. 2nd Edition, pp. 539-579, American Society of Agronomy. Madison, WI.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4600.

“Calculating Upper Confidence Limits for Exposure Point Concentrations at Hazardous Waste Sites,” USEPA Office of Emergency and Remedial Response, OSWER 9285.6-10 (December 2002), PB 2003-104982.

“Evaluating the Vapor Intrusion to Indoor Air Pathway from Groundwater and Soils”, OSWER Draft Guidance. EPA Publication No. EPA/530D-02/004 (November 2002).

“Exposures Factors Handbook, Vol. I: General Factors”, EPA Publication No. EPA/600/P-95/002Fa (August 1997).

“Exposures Factors Handbook, Vol. II: Food Ingestion Factors”, EPA Publication No. EPA/600/P-95/002Fb (August 1997).

“Exposures Factors Handbook, Vol. III: Activity Factors”, EPA Publication No. EPA/600/P-95/002Fc (August 1997).

“Risk Assessment Guidance for Superfund, Vol. I: Human Health Evaluation Manual, Supplemental Guidance: Standard Default Exposure Factors”, OSWER Directive 9285.6-03 (March 1991).

“Rapid Assessment of Exposure to Particulate Emissions from Surface Contamination Sites”, EPA Publication No. EPA/600/8-85/002 (February 1985), PB 85-192219.

“Risk Assessment Guidance for Superfund, Vol. I: Human Health Evaluation Manual (Part E, Supplemental Guidance for Dermal Risk Assessment) Final”, EPA Publication No. EPA/540/R/99/005 (July 2004).

“Risk Assessment Guidance for Superfund, Vol. 1: Human Health Evaluation Manual (Part F, Supplemental Guidance for Inhalation Risk Assessment) Final”, EPA Publication No. 540-R-070-002 (January 2009).

“Soil Screening Guidance: Technical Background Document”, EPA Publication No. EPA/540/R-95/128, PB 96-963502 (May 1996).

“Soil Screening Guidance: User’s Guide”, EPA Publication No. EPA/540/R-96/018, PB 96-963505 (April 1996).

“Superfund Exposure Assessment Manual”, EPA Publication No. EPA/540/1-88/001 (April 1988).

“Supplemental Guidance for Developing Soil Screening Levels for Superfund Sites”, OSWER Directive 9355.4-24 (December 2002).

“User’s Guide for Evaluating Subsurface Vapor Intrusion into Buildings”, EPA Publication No. EPA/68/W-02/33 (February 2004).

Polynuclear Aromatic Hydrocarbon Background Study, City of Chicago, Illinois, Tetra Tech Em Inc., 200 E. Randolph Drive, Suite 4700, Chicago IL 60601, February 24, 2003.

RCRA Facility Investigation Guidance, Interim Final, developed by USEPA (EPA 530/SW-89-031), 4 volumes (May 1989).

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United States Environmental Protection Agency, CFR Promulgated Test Methods, Methods 3C and 16, Technology Transfer Network, Emission Measurement Center (2007), available at <http://www.epa.gov/ttn/emc/promgate.html>.

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“Vapor Intrusion Pathway: A Practical Guide”, Technical and Regulatory Guidance. Interstate Technology and Regulatory Council (January 2007).

b) CFR (Code of Federal Regulations). Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (202)783-3238:

40 CFR 761 (1998).

c) This Section incorporates no later editions or amendments.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 807  
SOLID WASTE

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#### SUBPART F: FINANCIAL ASSURANCE FOR CLOSURE AND POST-CLOSURE CARE

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807.600	Purpose, Scope and Applicability
807.601	Requirement to Obtain Financial Assurance
807.602	Time for Submission of Financial Assurance
807.603	Upgrading Financial Assurance
807.604	Release of Financial Institution
807.605	Application of Proceeds and Appeal
807.606	Release of the Operator
807.620	Current Cost Estimate
807.621	Cost Estimate for Closure
807.622	Cost Estimate for Post-closure Care
807.623	Biennial Revision of Cost Estimate
807.624	Interim Formula for Cost Estimate
807.640	Mechanisms for Financial Assurance

807.641	Use of Multiple Financial Mechanisms
807.642	Use of Financial Mechanism for Multiple Sites
807.643	Trust Fund for Unrelated Sites
807.644	RCRA Financial Assurance
807.661	Trust Fund
807.662	Surety Bond Guaranteeing Payment
807.663	Surety Bond Guaranteeing Performance
807.664	Letter of Credit
807.665	Closure Insurance
807.666	Self-insurance for Non-commercial Sites

**SUBPART G: SITE-SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL  
APPLICABILITY**

870.700	Cretex Pressure Pipe, Inc. Concrete Waste Disposal Site
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807.Appendix A	Financial Assurance Forms
Illustration A	Trust Agreement
Illustration B	Certificate of Acknowledgment
Illustration C	Forfeiture Bond
Illustration D	Performance Bond
Illustration E	Irrevocable Standby Letter of Credit
Illustration F	Certificate of Insurance for Closure and/or Post-closure Care
Illustration G	Operator's Bond Without Surety
Illustration H	Operator's Bond With Parent Surety
Illustration I	Letter from Chief Financial Officer

807.Appendix B Old Rule Numbers Referenced

**AUTHORITY:** Implementing Sections 5, 21.1 and 22 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/5, 21.1, 22, and 27].

**SOURCE:** Adopted as an emergency rule and filed with the Secretary of State July 27, 1973; amended at 2 Ill. Reg. 16, p. 3, effective April 10, 1978; codified at 7 Ill. Reg. 13636; recodified from Subchapter h to Subchapter i at 8 Ill. Reg. 13198; emergency amendment in R84-22A at 9 Ill. Reg. 741, effective January 3, 1985, for a maximum of 150 days; amended in R84-22B at 9 Ill. Reg. 6722, effective April 29, 1985; amended in R84-22C at 9 Ill. Reg. 18942, effective November 25, 1985; amended in R84-45 at 12 Ill. Reg. 15566, effective September 14, 1988; amended in R88-7 at 14 Ill. Reg. 15832, effective September 18, 1990; emergency amendment in R93-25 at 17 Ill. Reg. 17268, effective September 24, 1993, for a maximum of 150 days; amended in R90-26 at 18 Ill. Reg. 12451, effective August 1, 1994; amended in R96-1 at 20 Ill. Reg. 12549, effective August 15, 1996; amended in R10-9 at 35 Ill. Reg. 10784, effective June

22, 2011; amended in R10-09(A) at 35 Ill. Reg. 18867, effective October 24, 2011; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 807.APPENDIX A Financial Assurance Forms

Section 807.ILLUSTRATION E Irrevocable Standby Letter of Credit

### IRREVOCABLE STANDBY LETTER OF CREDIT

Director  
Illinois Environmental Protection Agency  
C/O Bureau of Land #24  
Financial Assurance Program  
[the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]  
~~1021 North Grand Avenue East~~  
~~Post Office Box 19276~~  
~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

We have authority to issue letters of credit. Our letter-of-credit operations are regulated by the Illinois Department of Financial and Professional Regulation or our deposits are insured by the Federal Deposit Insurance Corporation. (Omit language that does not apply.)

We hereby establish our Irrevocable Standby Letter of Credit No. \_\_\_\_\_ in your favor, at the request and for the account of \_\_\_\_\_ up to the aggregate amount of \_\_\_\_\_ U.S. dollars (\$ \_\_\_\_\_), available upon presentation of:

1. your sight draft, bearing reference to this letter of credit No. \_\_\_\_\_; and
2. your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Environmental Protection Act [415 ILCS 5] and 35 Ill. Adm. Code 807.664(e)."

This letter of credit is effective as of \_\_\_\_\_ [date] and shall expire on \_\_\_\_\_ [date at least one year later], but, such expiration date shall be automatically extended for a period of \_\_\_\_\_ [at least one year] on \_\_\_\_\_ [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. The 120 days will begin on the date when both \_\_\_\_\_ [owner's or operator's name] and the IEPA have received the notice, as evidenced by the return receipts. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and \_\_\_\_\_ [owner's or operator's name], as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the State of Illinois Landfill Closure and Post-Closure Fund in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in 35 Ill. Adm. Code 807.Appendix A, Illustration E as such regulations were constituted on the date shown below.

---

Signature

---

Typed Name

---

Title

---

Date

---

Name and address of issuing institution

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published and copyrighted by the International Chamber of Commerce," or "the Uniform Commercial Code"].

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER i: SOLID WASTE AND SPECIAL WASTE HAULING

PART 811  
STANDARDS FOR NEW SOLID WASTE LANDFILLS

SUBPART A: GENERAL STANDARDS FOR ALL LANDFILLS

811.101	Scope and Applicability
811.102	Location Standards
811.103	Surface Water Drainage
811.104	Survey Controls
811.105	Compaction
811.106	Daily Cover
811.107	Operating Standards
811.108	Salvaging
811.109	Boundary Control
811.110	Closure and Written Closure Plan
811.111	Postclosure Maintenance
811.112	Recordkeeping Requirements for MSWLF Units
811.113	Electronic Reporting

SUBPART B: INERT WASTE LANDFILLS

Section	
811.201	Scope and Applicability
811.202	Determination of Contaminated Leachate
811.203	Design Period
811.204	Final Cover
811.205	Final Slope and Stabilization
811.206	Leachate Sampling
811.207	Load Checking

SUBPART C: PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

Section	
811.301	Scope and Applicability
811.302	Facility Location
811.303	Design Period
811.304	Foundation and Mass Stability Analysis
811.305	Foundation Construction
811.306	Liner Systems
811.307	Leachate Drainage System
811.308	Leachate Collection System

- 811.309 Leachate Treatment and Disposal System
- 811.310 Landfill Gas Monitoring
- 811.311 Landfill Gas Management System
- 811.312 Landfill Gas Processing and Disposal System
- 811.313 Intermediate Cover
- 811.314 Final Cover System
- 811.315 Hydrogeologic Site Investigations
- 811.316 Plugging and Sealing of Drill Holes
- 811.317 Groundwater Impact Assessment
- 811.318 Design, Construction, and Operation of Groundwater Monitoring Systems
- 811.319 Groundwater Monitoring Programs
- 811.320 Groundwater Quality Standards
- 811.321 Waste Placement
- 811.322 Final Slope and Stabilization
- 811.323 Load Checking Program
- 811.324 Corrective Action Measures for MSWLF Units
- 811.325 Selection of remedy for MSWLF Units
- 811.326 Implementation of the corrective action program at MSWLF Units

#### SUBPART D: MANAGEMENT OF SPECIAL WASTES AT LANDFILLS

##### Section

- 811.401 Scope and Applicability
- 811.402 Notice to Generators and Transporters
- 811.403 Special Waste Manifests
- 811.404 Identification Record
- 811.405 Recordkeeping Requirements
- 811.406 Procedures for Excluding Regulated Hazardous Wastes

#### SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

##### Section

- 811.501 Scope and Applicability
- 811.502 Duties and Qualifications of Key Personnel
- 811.503 Inspection Activities
- 811.504 Sampling Requirements
- 811.505 Documentation
- 811.506 Foundations and Subbases
- 811.507 Compacted Earth Liners
- 811.508 Geomembranes
- 811.509 Leachate Collection Systems

#### SUBPART G: FINANCIAL ASSURANCE

##### Section

- 811.700 Scope, Applicability and Definitions
- 811.701 Upgrading Financial Assurance

- 811.702 Release of Financial Institution
- 811.703 Application of Proceeds and Appeals
- 811.704 Closure and Post-Closure Care Cost Estimates
- 811.705 Revision of Cost Estimate
- 811.706 Mechanisms for Financial Assurance
- 811.707 Use of Multiple Financial Mechanisms
- 811.708 Use of a Financial Mechanism for Multiple Sites
- 811.709 Trust Fund for Unrelated Sites
- 811.710 Trust Fund
- 811.711 Surety Bond Guaranteeing Payment
- 811.712 Surety Bond Guaranteeing Performance
- 811.713 Letter of Credit
- 811.714 Closure Insurance
- 811.715 Self-Insurance for Non-Commercial Sites
- 811.716 Local Government Financial Test
- 811.717 Local Government Guarantee
- 811.718 Discounting
- 811.719 Corporate Financial Test
- 811.720 Corporate Guarantee

811.APPENDIX A Financial Assurance Forms

- 811.ILLUSTRATION A Trust Agreement
- 811.ILLUSTRATION B Certificate of Acknowledgment
- 811.ILLUSTRATION C Forfeiture Bond
- 811.ILLUSTRATION D Performance Bond
- 811.ILLUSTRATION E Irrevocable Standby Letter of Credit
- 811.ILLUSTRATION F Certificate of Insurance for Closure and/or Post-Closure Care or Corrective Action
- 811.ILLUSTRATION G Owner's or Operator's Bond Without Surety
- 811.ILLUSTRATION H Owner's or Operator's Bond With Parent Surety
- 811.ILLUSTRATION I Letter from Chief Financial Officer

811.APPENDIX B Section-by-Section correlation between the Standards of the RCRA Subtitle D MSWLF regulations and the Board's nonhazardous waste landfill regulations.

811.APPENDIX C List of Leachate Monitoring Parameters

AUTHORITY: Implementing Sections 7.2, 21, 21.1, 22, 22.17, and 22.40 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 21, 21.1, 22, 22.17, 22.40, and 27].

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15861, effective September 18, 1990; amended in R92-19 at 17 Ill. Reg. 12413, effective July 19, 1993; amended in R93-10 at 18 Ill. Reg. 1308, effective January 13, 1994; expedited correction at 18 Ill. Reg. 7504, effective July 19, 1993; amended in R90-26 at 18 Ill. Reg. 12481, effective August 1, 1994; amended in R95-13 at 19 Ill. Reg. 12257, effective August 15, 1995; amended in R96-1 at 20 Ill. Reg. 12000, effective August 15, 1996; amended in R97-20 at 21 Ill. Reg. 15831, effective November 25, 1997;

amended in R98-9 at 22 Ill. Reg. 11491, effective June 23, 1998; amended in R99-1 at 23 Ill. Reg. 2794, effective February 17, 1999; amended in R98-29 at 23 Ill. Reg. 6880, effective July 1, 1999; amended in R04-5/R04-15 at 28 Ill. Reg. 9107, effective June 18, 2004; amended in R05-1 at 29 Ill. Reg. 5044, effective March 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 4136, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1435, effective December 20, 2006; amended in R07-8 at 31 Ill. Reg. 16172, effective November 27, 2007; amended in R10-9 at 35 Ill. Reg. 10842, effective June 22, 2011; amended in R10-09(A) at 35 Ill. Reg. 18882, effective October 24, 2011; amended in R14-1/R14-2/R14-3 at 38 Ill. Reg. 7259, effective March 13, 2014; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21330, effective November 19, 2018; amended in R20-8/R20-16 at 44 Ill. Reg. 15577, effective September 3, 2020; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 811.APPENDIX A Financial Assurance Forms  
Section 811.ILLUSTRATION E Irrevocable Standby Letter of Credit

IRREVOCABLE STANDBY LETTER OF CREDIT

Director  
Illinois Environmental Protection Agency  
C/O Bureau of Land #24  
Financial Assurance Program  
[the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]  
~~1021 North Grand Avenue East~~  
~~Post Office Box 19276~~  
~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

We have authority to issue letters of credit. Our letter-of-credit operations are regulated by the Illinois Department of Financial and Professional Regulation or our deposits are insured by the Federal Deposit Insurance Corporation. (Omit language that does not apply.)

We hereby establish our Irrevocable Standby Letter of Credit \_\_\_\_\_ in your favor,  
No. \_\_\_\_\_  
at the request and for the account \_\_\_\_\_ up to the  
of \_\_\_\_\_  
aggregate amount of \_\_\_\_\_ U.S. dollars (\$ \_\_\_\_\_ )  
available upon presentation of:

1. your sight draft, bearing references to this letter of credit \_\_\_\_\_ ; and  
No. \_\_\_\_\_
2. your signed statement reading as follows: "I certify that the amount of the draft is payable under regulations issued under authority of the Environmental Protection Act [415 ILCS 5] and 35 Ill. Adm. Code 811.713(e)."

This letter of credit is effective as of \_\_\_\_\_ [date] and will expire on \_\_\_\_\_ [date] at least one year later]; but that expiration date will be automatically extended for a period of [at least one year] on \_\_\_\_\_ [date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and

\_\_\_\_\_ [owner's or operator's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. The 120 days will begin on the date when both the \_\_\_\_\_ [owner's or operator's name] and the IEPA have received the notice, as evidenced by the return receipts. In the event you are so notified, any unused portion of the credit will be available upon presentation of your sight draft for 120 days after the date of receipt by both you and

\_\_\_\_\_ [owner's or operator's name], as shown on the signed return receipts.

Whenever this letter of credit is drawn on, under and in compliance with the terms of this credit, we will duly honor that draft upon presentation to us, and we will deposit the amount of the draft directly into the State of Illinois Landfill Closure and Post-Closure or Corrective Action Fund in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in 35 Ill. Adm. Code 811.Appendix A, Illustration E as that regulation was constituted on the date shown below.

Signature \_\_\_\_\_

Typed Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Name and address of issuing institution

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published and copyrighted by the International Chamber of Commerce" or "the Uniform Commercial Code"].

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 811.ILLUSTRATION I Letter from Chief Financial Officer**

**LETTER FROM CHIEF FINANCIAL OFFICER**

Director  
Illinois Environmental Protection Agency  
C/O Bureau of Land #24  
[the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]  
~~1021 North Grand Avenue East~~  
~~Post Office Box 19276~~  
~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

I am the chief financial officer of \_\_\_\_\_

This letter is in support of this firm's use of the gross revenue test and financial test to demonstrate financial assurance pursuant to 35 Ill. Adm. Code 811.715.

Owner or Operator:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Current cost estimate: \$ \_\_\_\_\_

Owner or Operator:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

Current cost estimate: \$ \_\_\_\_\_

Please attach a separate page if more space is needed for all facilities.

Attached is an Owner's or Operator's Bond without Surety or an Owner's or Operator's Bond with Parent Surety for the current cost estimate for each site. (Strike inapplicable language.)

#### Gross Revenue Test

1. Gross revenue of the firm \$ \_\_\_\_\_
2. Gross revenue from waste disposal operation \$ \_\_\_\_\_

3. Line 2 divided by line 3 \_\_\_\_\_

### Financial Test Alternative I

1. Sum of current cost estimates (total of all cost estimates shown in paragraphs above) \$ \_\_\_\_\_
  2. Total liabilities (if any portion of the cost estimates is included in total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4) \$ \_\_\_\_\_
  3. Tangible net worth \$ \_\_\_\_\_
  4. Net worth \$ \_\_\_\_\_
  5. Current assets \$ \_\_\_\_\_
  6. Current liabilities \$ \_\_\_\_\_
  7. Net working capital (line 5 minus line 6) \$ \_\_\_\_\_
  8. The sum of net income plus depreciation, depletion, and amortization \$ \_\_\_\_\_
  9. Total assets in U.S. (required only if less than 90 percent of firm's assets are located in the U.S.) \$ \_\_\_\_\_
- Yes/No
10. Is line 3 at least \$10 million? \_\_\_\_\_
  11. Is line 3 at least 6 times line 1? \_\_\_\_\_
  12. Is line 7 at least 6 times line 1? \_\_\_\_\_
  13. Are at least 90 percent of firm's assets located in the U.S.? If not, complete line 14. \_\_\_\_\_
  14. Is line 9 at least 6 times line 1? \_\_\_\_\_
  15. Is line 2 divided by line 4 less than 2.0? \_\_\_\_\_
  16. Is line 8 divided by line 2 greater than 0.1? \_\_\_\_\_

17. Is line 5 divided by line 6 greater than 1.5? \_\_\_\_\_

Signature \_\_\_\_\_

Typed Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**Financial Test Alternative II**

1. Sum of current cost estimates (total of all cost estimates shown in paragraphs above) \$ \_\_\_\_\_

2. Current bond rating of most recent issuance of this firm and name of rating service \_\_\_\_\_

3. Date of issuance of bond \_\_\_\_\_

4. Date of maturity of bond \_\_\_\_\_

5. Tangible net worth (if any portion of the closure and post-closure cost estimates is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line) \$ \_\_\_\_\_

6. Total assets in U.S. (required only if less than 90 percent of firm's assets are located in the U.S.) \$ \_\_\_\_\_

Yes/No

7. Is line 5 at least \$10 million? \_\_\_\_\_

8. Is line 5 at least 6 times line 1? \_\_\_\_\_

9. Are at least 90 percent of firm's assets located in the U.S.? If not complete line 10.  
\_\_\_\_\_

10. Is line 6 at least 6 times line 1? \_\_\_\_\_

Signature \_\_\_\_\_

Typed name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER j: COAL COMBUSTION WASTE SURFACE IMPOUNDMENTS

PART 840  
SITE-SPECIFIC CLOSURES OF COAL COMBUSTION  
WASTE SURFACE IMPOUNDMENTS

SUBPART A: CLOSURE OF ASH POND D, HUTSONVILLE POWER STATION

Section	
840.100	Purpose
840.102	Applicability
840.104	Definitions
840.106	Abbreviations and Acronyms
840.108	Incorporations by Reference
840.110	Hydrogeologic Site Investigation
840.112	Groundwater Monitoring System
840.114	Groundwater Monitoring Program
840.116	Groundwater Quality Standards
840.118	Demonstration of Compliance
840.120	Groundwater Collection Trench
840.122	Groundwater Discharge System
840.124	Final Slope and Stabilization
840.126	Final Cover System
840.128	Closure Plan
840.130	Contents of Closure Plan
840.132	Modification of Existing Permits
840.134	Completion of Closure, Closure Report and Certification of Completion of Closure
840.136	Post-Closure Maintenance of Cover System
840.138	Post-Closure Care Plan
840.140	Contents of Post-Closure Care Plan
840.142	Post-Closure Report and Certification of Completion of Post-Closure Care Plan
840.144	Recordkeeping and Reporting Requirements
840.146	Construction Quality Assurance Program
840.148	Review, Approval, and Modification of Closure Plan and Post-Closure Care Plan
840.150	Review and Approval of Closure Report and Certification of Completion of Closure, Post-Closure Report and Certification of Completion of Post-Closure Care Plan
840.152	Resource Conservation and Recovery Act

AUTHORITY: Implementing Section 22 of the Environmental Protection Act [415 ILCS 5/22] and Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55/8], and authorized by

Sections 22, 27, and 28 of the Environmental Protection Act [415 ILCS 5/22, 27, and 28] and Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55/8].

SOURCE: Adopted in R09-21 at 35 Ill. Reg. 2134, effective January 21, 2011; amended in R25-24 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_).

#### SUBPART A: CLOSURE OF ASH POND D, HUTSONVILLE POWER STATION

##### **Section 840.144 Recordkeeping and Reporting Requirements**

- a) The owner or operator of Ash Pond D must file an annual report with the Agency no later than January 31 of each year during the closure of Ash Pond D and for the entire post-closure care period. Once the requirements of Section 840.142 of this Subpart have been met, annual reports are no longer required. The owner or operator must submit groundwater sampling and analysis data and decisions to remove constituents from the monitoring program no later than 30 days after the sampling and analysis have been completed.
- b) All annual reports must contain the following information:
  - 1) Trend analyses required by Section 840.118(b) of all groundwater monitoring data generated by the groundwater monitoring program required by Section 840.114 of this Subpart;
  - 2) A copy of any notice submitted to the Agency pursuant to Section 840.118(c)(1)(A) of this Subpart;
  - 3) A discussion of any statistically significant increasing trends and actions taken to mitigate such trends in accordance with Section 840.118(c)(3) of this Subpart; and
  - 4) The completed closure or post-closure activities performed during the preceding year.
- c) The owner or operator of Ash Pond D must maintain onsite or at a location specified in the closure or post-closure care plan all monitoring data and trend analysis data for 10 years following generation of the data.
- d) The owner or operator of Ash Pond D must maintain the closure plan until the end of the post-closure care period.
- e) The owner or operator of Ash Pond D must maintain the post-closure care plan for 10 years following the certification of the post-closure report required by Section 840.142 of this Subpart.

- f) All reports, plans, modifications and notifications required under this Subpart to be submitted to the Agency must be submitted in writing to the Bureau of Water, Division of Public Water Supplies, Attn: Hydrogeology and Compliance Unit, at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276~~ or electronically as authorized and directed by the Agency.

(Source: Amended in 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER m: USED AND WASTE TIRES

PART 848  
MANAGEMENT OF USED AND WASTE TIRES

SUBPART A: GENERAL

Section	
848.101	Applicability
848.102	Severability
848.103	Other Regulations
848.104	Definitions
848.105	Incorporation by Reference
848.106	Estimating the Weight of Used and Waste Tire Accumulations

SUBPART B: MANAGEMENT STANDARDS

Section	
848.201	Applicability
848.202	Requirements
848.203	Contingency Planning and Emergency Response
848.204	Storage of Used and Waste Tires Within Buildings
848.205	Pesticide Treatment
848.206	Exemptions for Tire Retreading Facilities (Repealed)
848.207	Exemptions for Tire Stamping & Die Cutting Facilities (Repealed)
848.208	Exemptions for Sites With a Tire Removal Agreement (Repealed)

SUBPART C: RECORDKEEPING AND REPORTING

Section	
848.301	Applicability
848.302	Records
848.303	Daily Tire Record
848.304	Annual Tire Summary
848.305	Tire Tracking Receipts
848.306	Certification
848.307	Retention of Records

SUBPART D: FINANCIAL ASSURANCE

Section	
848.400	Scope and Applicability
848.401	Maintaining Financial Assurance

848.402	Release of Financial Institution
848.403	Application of Proceeds and Appeal
848.404	Removal Cost Estimate
848.406	Mechanisms for Financial Assurance
848.407	Use of Multiple Financial Mechanisms
848.408	Use of a Financial Mechanism for Multiple Sites
848.410	Trust Fund
848.411	Surety Bond Guaranteeing Payment
848.413	Letter of Credit
848.415	Self-Insurance for Non-commercial Sites (Repealed)

#### SUBPART E: TIRE REMOVAL AGREEMENTS

Section	
848.501	Applicability
848.502	Removal Performance Standard
848.503	Contents of Proposed Tire Removal Agreements
848.504	Time Allowed for Tire Removal
848.505	Removal Plan
848.506	Initiation of Tire Removal
848.507	Certification of Removal Completion
848.508	Agency Approval
848.509	Board Review

#### SUBPART F: TIRE TRANSPORTATION REQUIREMENTS

Section	
848.601	Tire Transportation Prohibitions
848.602	Tire Transportation Registrations
848.603	Agency Approval of Registrations
848.604	Registration No Defense
848.605	Duration and Renewal
848.606	Vehicle Placarding
848.607	Tire Tracking Receipts
848.608	Annual Tire Transportation Report
848.609	Retention of Records
848.610	Certification

#### SUBPART G: TIRE STORAGE PERMITS

Section	
848.701	Tire Storage Permits
848.702	Application for Tire Storage Permits
848.703	Permit Conditions
848.704	Standards for Issuance of Tire Storage Permits
848.705	Permit No Defense

848.706 Permit Revision  
848.707 No Transfer of Permits  
848.708 Permit Revocation

848.APPENDIX A Financial Assurance Forms

848.ILLUSTRATION A Trust Agreement  
848.ILLUSTRATION B Surety Bond Guaranteeing Payment  
848.ILLUSTRATION C Irrevocable Standby Letter of Credit  
848.ILLUSTRATION D Owner or Operator's Bond Without Surety (Repealed)  
848.ILLUSTRATION E Owner or Operator's Bond With Parent Surety (Repealed)  
848.ILLUSTRATION F Letter from the Chief Financial Officer (Repealed)

AUTHORITY: Implementing Section 55.2 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/55.2 and 27].

SOURCE: Adopted in R90-9(A) at 15 Ill. Reg. 7959, effective May 10, 1991; amended in R90-9(B) at 16 Ill. Reg. 3114, effective February 14, 1992 amended in R98-9 at 22 Ill. Reg. 11420, effective June 23, 1998; amended in R15-19 at 39 Ill. Reg. 12934, effective September 8, 2015; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 848.ILLUSTRATION C Irrevocable Standby Letter of Credit**

Director  
Illinois Environmental Protection Agency  
c/o Bureau of Land #24  
Financial Assurance Program  
[the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]  
~~1021 North Grand Ave. East~~  
~~PO Box 19276~~  
~~Springfield IL 62794-9276~~

Dear Sir or Madam:

We hereby establish our Irrevocable Standby Letter of Credit No. \_\_\_\_\_  
in your favor, at the request and for the account of \_\_\_\_\_  
up to the aggregate amount of \_\_\_\_\_ U.S. dollars (\$ \_\_\_\_\_ ),  
available upon presentation of

1. your sight draft, bearing reference to this letter of credit No. \_\_\_\_\_; and
2. your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Environmental Protection Act [415 ILCS 5]."

This letter of credit is effective as of \_\_\_\_\_ and shall expire on \_\_\_\_\_, but such expiration date shall be automatically extended for a period of \_\_\_\_\_ on \_\_\_\_\_ and on each

successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and \_\_\_\_\_ by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and \_\_\_\_\_ as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund of \_\_\_\_\_ in accordance with your instructions.

We certify that the wording of this letter of credit was not altered or modified in any way other than as intended to complete the letter of credit.

Signature

\_\_\_\_\_

Name

\_\_\_\_\_

Title

\_\_\_\_\_

Date

\_\_\_\_\_

Name and address of issuing institution

\_\_\_\_\_

\_\_\_\_\_

This credit is subject to

\_\_\_\_\_

\_\_\_\_\_

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE I: ATOMIC RADIATION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 1010  
PROCEDURES FOR REPORTING RELEASES OF RADIONUCLIDES AT NUCLEAR  
POWER PLANTS

SUBPART A: GENERAL PROVISIONS

Section	Purpose
1010.100	Purpose
1010.102	Applicability
1010.104	Scope
1010.106	Definitions
1010.108	Severability

SUBPART B: REPORTING

1010.200	Evaluation of Releases
1010.202	Reporting of Releases
1010.204	Follow-up Written Report

AUTHORITY: Implementing and authorized by Sections 13.6 and 27 of the Environmental Protection Act [415 ILCS 5/13.6 and 27].

SOURCE: Adopted at 32 Ill. Reg. 7789, effective May 2, 2008; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**SUBPART B: REPORTING**

**Section 1010.204 Follow-up Written Report**

An owner or operator who reports a release under this Part must provide to the Agency and to IEMA a follow-up written report of the release within five business days after reporting the release.

- a) The follow-up report must confirm and update the information provided by the licensee under Section 1010.202 utilizing the best data available and must also include the following information:
  - 1) Copies of all lab analyses used to confirm the presence of, or conducted in response to, the release if lab analyses have been conducted;
  - 2) Plan view and, if available, geological cross-section maps showing, at a minimum, the location of the release, the locations of samples taken to

confirm the release if samples have been taken, the locations of samples taken in response to the release if samples have been taken, the measured and modeled extents of the release if known, the groundwater flow direction if known, groundwater contours if known, the boundary of the licensee controlled area, and structures, roads, and other surface features;

- 3) An estimate of the volume and radionuclide concentrations (in pCi/L) of station generated liquids released but not recovered;
  - 4) An estimate of the quantities (in Curies) of radionuclides released but not recovered;
  - 5) An updated description of activities taken in response to the release;
  - 6) If additional activities in response to the release are planned, a description of those activities; and
  - 7) The name and signature of the Principal Executive Officer for the nuclear power plant or the Principal Executive Officer's authorized agent.
- b) The follow-up report must be submitted electronically on forms and in a format prescribed by the Agency and must be submitted to addresses prescribed by the Agency and IEMA. Within five business days after submission of the electronic follow-up report, hard copies of the follow-up report must be submitted to the Agency and IEMA at the following addresses:

Illinois Environmental Protection Agency  
Bureau of Water  
Groundwater Section  
The address of the Illinois EPA's headquarters as designated on the Illinois EPA's website.  
~~1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276~~

Illinois Emergency Management Agency  
Division of Nuclear Safety  
Bureau of Environmental Safety  
1035 Outer Park Drive  
Springfield, IL 62704

The Agency shall consult with IEMA in developing the forms and format for reports required under this Section.

- c) The Agency must post copies of the follow-up reports it receives under this Section on the Agency's website.

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE N: DRYCLEANING  
CHAPTER I: POLLUTION CONTROL BOARD

PART 1501  
DRYCLEANER ENVIRONMENTAL RESPONSE  
TRUST FUND PROGRAM

SUBPART A: GENERAL PROVISIONS

Section	
1501.100	Scope and Purpose
1501.110	Applicability
1501.120	Severability
1501.130	Definitions
1501.150	Limited Liability
1501.160	Recordkeeping and Audits
1501.170	Agency Authority and Inspections
1501.180	Penalties
1501.190	Review of Final Decisions
1501.195	Submissions and Certifications

SUBPART B: LICENSES

Section	
1501.200	General Licensing Provisions
1501.210	Application Procedures
1501.220	Annual License Fee
1501.230	Drycleaning Green Solvents

SUBPART C: REMEDIAL ACTION CLAIMS

Section	
1501.300	General Remedial Action Claims Provisions
1501.310	Eligibility
1501.320	Deductible Requirements
1501.330	Reimbursement Limitations
1501.340	Payment Prioritization
1501.350	Claim Procedures
1501.360	Administrative Assessments for Eligible Inactive Drycleaning Facilities

SUBPART D: INSURANCE CLAIMS

Section	
1501.400	General Insurance Provisions
1501.410	Eligibility

- 1501.420 Premium and Deductible Requirements
- 1501.430 Coverage Reimbursement Limitations
- 1501.440 Claim Prioritization
- 1501.450 Claim Procedures

AUTHORITY: Implementing and authorized by the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135] and Sections 27 & 28 of the Environmental Protection Act [415 ILCS 5/27 & 28].

SOURCE: Adopted in R 21-19 at 47 Ill. Reg.1354, effective January 17, 2023; amended in R25-23 at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### SUBPART A: GENERAL PROVISIONS

##### **Section 1501.195 Submissions and Certifications**

- a) All submittals to the Agency must use the Agency forms available at <https://www2.illinois.gov/epa/topics/forms/land-forms/pages/drycleaner.aspx>.
- b) All submittals must be mailed to Illinois EPA, Attn: Drycleaner Trust Fund Program, Mail Code 24, P.O. Box 19276, at the address of the Illinois EPA’s headquarters as designated on the Illinois EPA’s website ~~1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~. Submittals are considered received by the Agency on the date of receipt and the Agency’s date of receipt will be conclusive.
- c) All budgets and requests for reimbursement submitted must contain the following certification from a Licensed Professional Engineer or Licensed Professional Geologist.

I certify under penalty of law that all activities that are the subject of this budget or request for reimbursement were conducted under my supervision or were conducted under the supervision of another Licensed Professional Engineer or Licensed Professional Geologist and reviewed by me; that this budget or request for reimbursement and all attachments were prepared under my supervision; that, to the best of my knowledge and belief, the work described in the budget or request for reimbursement has been completed in accordance with the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135], 35 Ill. Adm. Code 1501, and generally accepted standards and practices of my profession; and that the information presented is accurate and complete. I am aware there are significant penalties for submitting false statements or representations to the Agency, including fines, imprisonment, or both as provided in Section 69.5 of the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135/69.5].

(Source: Amended at 49 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)