

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

RECEIVED
CLERK'S OFFICE
NOV 21 2012
STATE OF ILLINOIS
Pollution Control Board

- 1) Heading of the Part: Identification and Listing of Hazardous Waste
- 2) Code Citation: 35 Ill. Adm. Code 721
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
721.132	Amendment
721.APPENDIX A	Amendment
721.APPENDIX I, TABLE A	Amendment
721.APPENDIX I, TABLE B	Amendment
721.APPENDIX I, TABLE C	Amendment
721.APPENDIX I, TABLE D	Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 22.4, and 27
- 5) A Complete Description of the Subjects and Issues Involved: The amendments to Part 721 are a single segment of the docket R13-5 rulemaking that also affects 35 Ill. Adm. Code 720 and 726, each of which is covered by a separate notice in this issue of the *Illinois Register*. To save space, a more detailed description of the subjects and issues involved in the docket R13-5 rulemaking in this issue of the *Illinois Register* only in the answer to question 5 in the Notice of Adopted Amendments for 35 Ill. Adm. Code 720. A comprehensive description is contained in the Board's opinion and order of November 1, 2012, proposing amendments in docket R13-5, which opinion and order is available from the address below.

R13-5

Specifically, the amendments to Part 721 implement segments of the federal amendments of April 13, 2012. The Board has included a limited number of corrections and clarifying amendments that are not directly derived from the instant federal amendments.

Tables appear in the Board's opinion and order of November 1, 2012 in docket R13-5 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the November 1, 2012 opinion and order in docket R13-5.

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

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No. 35 Ill. Adm. Code 720.111 is the centralized location of all incorporations by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 730, 733, 738, and 739. The amendments update and revise a number of incorporations by reference in 35 Ill. Adm. Code 720.111 that are used for the purposes of Part 721.
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 11) Are there any other proposed rulemakings pending on this Part? No
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R13-5 and be addressed to:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

phone: 312/814-3620

Please direct inquiries to the following person and reference docket R13-5:

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

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

phone: 312/814-6924
email: mccambridge@illinois.gov

Request copies of the Board's opinion and order at 312/814-3620, or download a copy from the Board's website at <http://www.ipcb.state.il.us>.

13) Initial Regulatory Flexibility Analysis:

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

14) Regulatory Agenda on which this rulemaking was summarized: June 2012

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

~~NOTICE OF PROPOSED AMENDMENTS~~

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
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

~~NOTICE OF PROPOSED AMENDMENTS~~

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
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
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

NOTICE OF PROPOSED AMENDMENTS

721.APPENDIX I	Wastes Excluded by Administrative Action
721.TABLE A	Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Non-Specific Sources
721.TABLE B	Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Specific Sources
721.TABLE C	Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
721.TABLE D	Wastes Excluded by the Board by Adjusted Standard
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
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;

~~NOTICE OF PROPOSED AMENDMENTS~~

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. _____, effective _____.

SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.132 Hazardous Waste from Specific Sources

- a) The following solid wastes are listed hazardous wastes from specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I of this Part.

USEPA
Hazardous
Waste No.

Industry and Hazardous Waste

Hazard Code

Wood Preservation Process Wastes:

K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.	(T)
------	---	-----

Inorganic Pigments Production Wastes:

~~NOTICE OF PROPOSED AMENDMENTS~~

K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.	(T)
K003	Wastewater treatment sludge from the production of molybdate orange pigments.	(T)
K004	Wastewater treatment sludge from the production of zinc yellow pigments.	(T)
K005	Wastewater treatment sludge from the production of chrome green pigments.	(T)
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	(T)
K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)
K008	Oven residue from the production of chrome oxide green pigments.	(T)
Organic Chemicals Production Wastes:		
K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R, T)
K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.	(T)
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.	(T)
K015	Still bottoms from the distillation of benzyl chloride.	(T)
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.	(T)
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	(T)
K018	Heavy ends from the fractionation column in ethyl chloride production.	(T)
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	(T)
K020	Heavy ends from the distillation of vinyl	(T)

NOTICE OF PROPOSED AMENDMENTS

K021	chloride in vinyl chloride monomer production. Aqueous spent antimony catalyst waste from fluoromethanes production.	(T)
K022	Distillation bottom tars from the production of phenol/acetone from cumene.	(T)
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.	(T)
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.	(T)
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.	(T)
K094	Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	(T)
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	(T)
K026	Stripping still tails from the production of methyl ethyl pyridines.	(T)
K027	Centrifuge and distillation residues from toluene diisocyanate production.	(R, T)
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	(T)
K029	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.	(T)
K095	Distillation bottoms from the production of 1,1,1-trichloroethane.	(T)
K096	Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	(T)
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	(T)
K083	Distillation bottoms from aniline production.	(T)
K103	Process residues from aniline extraction from the production of aniline.	(T)
K104	Combined wastewater streams generated from nitrobenzene/aniline production.	(T)
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.	(T)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	(T)

~~NOTICE OF PROPOSED AMENDMENTS~~

K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C, T)
K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I, T)
K109	Spent filter cartridges from the product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K110	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K111	Product wastewaters from the production of dinitrotoluene via nitration of toluene.	(C, T)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)
K118	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)

~~NOTICE OF PROPOSED AMENDMENTS~~

K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K158	Baghouse dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K159	Organics from the treatment of thiocarbamate wastes.	(T)
K161	Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust, and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126.)	(R, T)
K174	Wastewater treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (1) the sludges are disposed of in a RCRA Subtitle C (42 USC 6921-6939e) or non-hazardous landfill licensed or permitted by a state or the federal government; (2) the sludges are not otherwise placed on the land prior to final disposal; and (3)	(T)

~~NOTICE OF PROPOSED AMENDMENTS~~

the generator maintains documentation demonstrating that the waste was either disposed of in an on-site landfill or consigned to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Upon a showing by the government that a respondent in any enforcement action brought to enforce the requirements of Subtitle C of this Part managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, the respondent must demonstrate that it meets the conditions of the exclusion that are set forth above. In doing so, the respondent must provide appropriate documentation that the terms of the exclusion were met (e.g., contracts between the generator and the landfill owner or operator, invoices documenting delivery of waste to landfill, etc.).

K175 Wastewater treatment sludges from the production of vinyl chloride monomer using mercuric chloride catalyst in an acetylene-based process. (T)

Inorganic Chemicals Production Wastes:

K071 Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used. (T)

K073 Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production. (T)

K106 Wastewater treatment sludge from the mercury cell process in chlorine production. (T)

K176 Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g., antimony metal or crude antimony oxide). (E)

K177 Slag from the production of antimony oxide that is speculatively accumulated or disposed of, (T)

NOTICE OF PROPOSED AMENDMENTS

K178 including slag from the production of intermediates (e.g., antimony metal or crude antimony oxide).
Residues from manufacturing and manufacturing-site storage of ferric chloride from acids formed during the production of titanium dioxide using the chloride-ilmenite process. (T)

K181 Nonwastewaters from the production of dyes or pigments (including nonwastewaters commingled at the point of generation with nonwastewaters from other processes) that, at the point of generation, contain mass loadings of any of the constituents identified in subsection (c) of this Section that are equal to or greater than the corresponding subsection (c) levels, as determined on a calendar year basis. These wastes will not be hazardous if the nonwastewaters are managed in one of the following ways: (T)

~~K181~~ ~~Nonwastewaters from the production of dyes or pigments (including nonwastewaters commingled at the point of generation with nonwastewaters from other processes) that, at the point of generation, contain mass loadings of any of the constituents identified in subsection (c) of this Section that are equal to or greater than the corresponding subsection (c) levels, as determined on a calendar year basis. These wastes will not be hazardous if the nonwastewaters are managed in one of the following ways:~~ (T)

- 1) They are disposed of in a municipal solid waste landfill unit that is subject to the design criteria in 35 Ill. Adm. Code 811.303 through 811.309 and 811.315 through 811.317 and Subpart E of 35 Ill. Adm. Code 811 or 35 Ill. Adm. Code 814.302 and 814.402;

~~NOTICE OF PROPOSED AMENDMENTS~~

- 2) They are disposed of in a hazardous waste landfill unit that is subject to either 35 Ill. Adm. Code 724.401 or 725.401;
- 3) They are disposed of in other municipal solid waste landfill units that meet the design criteria in 35 Ill. Adm. Code 811.303 through 811.309 and 811.315 through 811.317 and Subpart E of 35 Ill. Adm. Code 811 or 35 Ill. Adm. Code 814.302 and 814.402, 35 Ill. Adm. Code 724.401, or 35 Ill. Adm. Code 725.401; or
- 4) They are treated in a combustion unit that is permitted under 415 ILCS 5/39(d), or an onsite combustion unit that is permitted under 415 ILCS 5/39.5.

For the purposes of this listing, dyes or pigments production is defined in subsection (b)(1) of this Section. Subsection (d) of this Section describes the process for demonstrating that a facility's nonwastewaters are not K181 waste. This listing does not apply to wastes that are otherwise identified as hazardous under Sections 721.121 through 721.124 and 721.131 through 721.133 at the point of generation. Also, the listing does not apply to wastes generated before any annual mass loading limit is met, as set forth in subsection (c) of this Section.

Pesticides Production Wastes:

K031	By-product salts generated in the production of MSMA and cacodylic acid.	(T)
K032	Wastewater treatment sludge from the production of chlordane.	(T)
K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the	(T)

~~NOTICE OF PROPOSED AMENDMENTS~~

	production of chlordane.	
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	(T)
K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	(T)
K035	Wastewater treatment sludges generated in the production of creosote.	(T)
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	(T)
K037	Wastewater treatment sludges from the production of disulfoton.	(T)
K038	Wastewater from the washing and stripping of phorate production.	(T)
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	(T)
K040	Wastewater treatment sludge from the production of phorate.	(T)
K041	Wastewater treatment sludge from the production of toxaphene.	(T)
K098	Untreated process wastewater from the production of toxaphene.	(T)
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	(T)
K043	2,6-Dichlorophenol waste from the production of 2,4-D.	(T)
K099	Untreated wastewater from the production of 2,4-D.	(T)
K123	Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	(C, T)
K125	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or	(T)

~~NOTICE OF PROPOSED AMENDMENTS~~

	formulation of ethylenebisdithiocarbamic acid and its salts.	
K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.	(C, T)
K132	Spent absorbent and wastewater separator solids from the production of methyl bromide.	(T)
Explosives Production Wastes:		
K044	Wastewater treatment sludges from the manufacturing and processing of explosives.	(R)
K045	Spent carbon from the treatment of wastewater containing explosives.	(R)
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	(T)
K047	Pink/red water from TNT operations.	(R)
Petroleum Refining Wastes:		
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.	(T)
K049	Slop oil emulsion solids from the petroleum refining industry.	(T)
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.	(T)
K051	API separator sludge from the petroleum refining industry.	(T)
K052	Tank bottoms (leaded) from the petroleum refining industry.	(T)
K169	Crude oil storage tank sediment from petroleum refining operations.	(T)
K170	Clarified slurry oil tank sediment or in-line filter/separation solids from petroleum refining operations.	(T)
K171	Spent hydrotreating catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media).	(I, T)

~~NOTICE OF PROPOSED AMENDMENTS~~

K172 Spent hydrorefining catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media). (I, T)

Iron and Steel Production Wastes:

K061 Emission control dust/sludge from the primary production of steel in electric furnaces. (T)

K062 Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332) (as defined in 35 Ill. Adm. Code 720.110). (C, T)

Primary Aluminum Production Wastes:

K088 Spent potliners from primary aluminum reduction. (T)

Secondary Lead Production Wastes:

K069 Emission control dust/sludge from secondary lead smelting. (T)

BOARD NOTE: This listing is administratively stayed for sludge generated from secondary acid scrubber systems. The stay will remain in effect until this note is removed.

K100 Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting. (T)

Veterinary Pharmaceuticals Production Wastes:

K084 Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. (T)

K101 Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or

~~NOTICE OF PROPOSED AMENDMENTS~~

- organo-arsenic compounds.
- K102 Residue from use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. (T)
- Ink Formulation Wastes:
- K086 Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps and stabilizers containing chromium and lead. (T)
- Coke Production Wastes:
- K060 Ammonia still lime sludge from coking operations. (T)
- K087 Decanter tank tar sludge from coking operations. (T)
- K141 Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludges from coking operations). (T)
- K142 Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal. (T)
- K143 Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal. (T)
- K144 Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal. (T)
- K145 Residues from naphthalene collection and (T)

NOTICE OF PROPOSED AMENDMENTS

	recovery operations from the recovery of coke by-products produced from coal.	
K147	Tar storage tank residues from coal tar refining.	(T)
K148	Residues from coal tar distillation, including, but not limited to, still bottoms.	(T)
K149	Distillation bottoms from the production of α - (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)	(T)
K150	Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of α - (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)
K151	Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of α - (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)

- b) Listing-specific definition: For the purposes of the K181 hazardous waste listing in subsection (a) of this Section, "dyes or pigments production" includes manufacture of the following product classes: dyes, pigments, and FDA-certified colors that are in the azo, triarylmethane, perylene, and anthraquinone classes. Azo products include azo, monoazo, diazo, triazo, polyazo, azoic, benzidine, and pyrazolone products. Triarylmethane products include both triarylmethane and triphenylmethane products. Wastes that are not generated at a dyes or pigments manufacturing site, such as wastes from the offsite use, formulation, and packaging of dyes or pigments, are not included in the K181 listing.
- c) K181 listing levels. Nonwastewaters containing constituents in amounts equal to or exceeding the following levels during any calendar year are subject to the K181 hazardous waste listing in subsection (a) of this Section, unless the conditions in the K181 hazardous waste listing are met:

NOTICE OF PROPOSED AMENDMENTS

Constituent	Chemical Abstracts No.	Mass Levels (kg/yr)
Aniline	62-53-3	9,300
o-Anisidine	90-04-0	110
4-Chloroaniline	106-47-8	4,800
p-Cresidine	120-71-8	660
2,4-Dimethylaniline	95-68-1	100
1,2-Phenylenediamine	95-54-5	710
1,3-Phenylenediamine	108-45-2	1,200

- d) Procedures for demonstrating that dyes or pigments nonwastewaters are not K181 waste. The procedures described in subsections (d)(1) through (d)(3) and (d)(5) of this Section establish when nonwastewaters from the production of dyes or pigments would not be hazardous. (These procedures apply to wastes that are not disposed of in landfill units or treated in combustion units, as specified in subsection (a) of this Section). If the nonwastewaters are disposed of in landfill units or treated in combustion units as described in subsection (a) of this Section, then the nonwastewaters are not hazardous. In order to demonstrate that it is meeting the landfill disposal or combustion conditions contained in the K181 waste listing description, the generator must maintain documentation as described in subsection (d)(4) of this Section.
- 1) Determination based on no K181 waste constituents. A generator that has knowledge (e.g., knowledge of constituents in wastes based on prior sampling and analysis data or information about raw materials used, production processes used, and reaction and degradation products formed) that its waste contains none of the K181 waste constituents (see subsection (c) of this Section) can use its knowledge to determine that its waste is not K181 waste. The generator must document the basis for all such determinations on an annual basis and keep each annual documentation for three years.
 - 2) Determination for generated quantities of 1,000 tonnes (1,000 metric tons) per year or less for wastes that contain K181 waste constituents. If the total annual quantity of dyes or pigments nonwastewaters generated is 1,000 tonnes or less, the generator can use knowledge of the wastes (e.g., knowledge of constituents in wastes based on prior analytical data or information about raw materials used, production processes used, and reaction and degradation products formed) to conclude that annual mass

~~NOTICE OF PROPOSED AMENDMENTS~~

loadings for the K181 constituents are below the listing levels of subsection (c) of this Section. To make this determination, the generator must fulfill the following conditions:

- A) Each year, the generator must document the basis for determining that the annual quantity of nonwastewaters expected to be generated will be less than 1,000 tonnes;
 - B) The generator must track the actual quantity of nonwastewaters generated from January 1 through December 31 of each calendar year. If, at any time within the year, the actual waste quantity exceeds 1,000 tonnes, the generator must comply with the requirements of subsection (d)(3) of this Section for the remainder of that calendar year;
 - C) The generator must keep a running total of the K181 waste constituent mass loadings over the course of the calendar year; and
 - D) The generator must keep the following records on site for the three most recent calendar years in which the hazardous waste determinations were made:
 - i) The quantity of dyes or pigments nonwastewaters generated;
 - ii) The relevant process information used; and
 - iii) The calculations performed to determine annual total mass loadings for each K181 waste constituent in the nonwastewaters during the year.
- 3) Determination for generated quantities greater than 1,000 tonnes per year for wastes that contain K181 constituents. If the total annual quantity of dyes or pigments nonwastewaters generated is greater than 1,000 tonnes, the generator must perform each of the following steps in order to make a determination that its waste is not K181 waste:
- A) The generator must determine which K181 waste constituents (see subsection (c) of this Section) are reasonably expected to be present in the wastes based on knowledge of the wastes (e.g., based

~~NOTICE OF PROPOSED AMENDMENTS~~

on prior sampling and analysis data or information about raw materials used, production processes used, and reaction and degradation products formed);

- B) If 1,2-phenylenediamine is present in the wastes, the generator can use either knowledge of the wastes or sampling and analysis procedures to determine the level of this constituent in the wastes. For determinations based on use of knowledge of the wastes, the generator must comply with the procedures for using knowledge of the wastes described in subsection (d)(2) of this Section and keep the records described in subsection (d)(2)(D) of this Section. For determinations based on sampling and analysis, the generator must comply with the sampling and analysis and recordkeeping requirements described in subsection (d)(3)(C) of this Section;
- C) The generator must develop a waste sampling and analysis plan (or modify an existing plan) to collect and analyze representative waste samples for the K181 waste constituents reasonably expected to be present in the wastes. At a minimum, the plan must include the following elements:
 - i) A discussion of the number of samples needed to characterize the wastes fully;
 - ii) The planned sample collection method to obtain representative waste samples;
 - iii) A discussion of how the sampling plan accounts for potential temporal and spatial variability of the wastes; and
 - iv) A detailed description of the test methods to be used, including sample preparation, clean up (if necessary), and determinative methods;
- D) The generator must collect and analyze samples in accordance with the waste sampling and analysis plan, and the plan must fulfill the following requirements:
 - i) The sampling and analysis must be unbiased, precise, and representative of the wastes; and

~~NOTICE OF PROPOSED AMENDMENTS~~

- ii) The analytical measurements must be sufficiently sensitive, accurate, and precise to support any claim that the constituent mass loadings are below the listing levels of subsection (c) of this Section;
- E) The generator must record the analytical results;
- F) The generator must record the waste quantity represented by the sampling and analysis results;
- G) The generator must calculate constituent-specific mass loadings (product of concentrations and waste quantity);
- H) The generator must keep a running total of the K181 waste constituent mass loadings over the course of the calendar year;
- I) The generator must determine whether the mass of any of the K181 waste constituents listed in subsection (c) of this Section generated between January 1 and December 31 of any calendar year is below the K181 waste listing levels;
- J) The generator must keep the following records on site for the three most recent calendar years in which the hazardous waste determinations are made:
 - i) The sampling and analysis plan;
 - ii) The sampling and analysis results (including quality assurance or quality control data);
 - iii) The quantity of dyes or pigments nonwastewaters generated; and
 - iv) The calculations performed to determine annual mass loadings; and
- K) The generator must conduct non-hazardous waste determinations annually to verify that the wastes remain non-hazardous.

~~NOTICE OF PROPOSED AMENDMENTS~~

- i) The annual testing requirements are suspended after three consecutive successful annual demonstrations that the wastes are non-hazardous. The generator can then use knowledge of the wastes to support subsequent annual determinations.
 - ii) The annual testing requirements are reinstated if the manufacturing or waste treatment processes generating the wastes are significantly altered, resulting in an increase of the potential for the wastes to exceed the listing levels.
 - iii) If the annual testing requirements are suspended, the generator must keep records of the process knowledge information used to support a non-hazardous determination. If testing is reinstated, the generator must retain a description of the process change.
- 4) Recordkeeping for the landfill disposal and combustion exemptions. For the purposes of meeting the landfill disposal and combustion condition set out in the K181 waste listing description in subsection (a) of this Section, the generator must maintain on site for three years documentation demonstrating that each shipment of waste was received by a landfill unit that is subject to or which meets the landfill design standards set out in the listing description or that the waste was treated in combustion units, as specified in the listing description in subsection (a) of this Section.
- 5) Waste holding and handling. During the interim period, from the point of generation to completion of the hazardous waste determination, the generator must store the wastes appropriately. If the wastes are determined to be hazardous and the generator has not complied with the hazardous waste storage requirements of 35 Ill. Adm. Code 722.134 during the interim period, the generator could be subject to an enforcement action for improper hazardous waste management.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

~~NOTICE OF PROPOSED AMENDMENTS~~

~~Section 721.~~**Appendix A** ~~721.~~**APPENDIX A Representative Sampling Methods**

The methods and equipment used for sampling waste materials will vary with the form and consistency of the waste materials to be sampled. Samples collected using the sampling protocols listed below, for sampling waste with properties similar to the indicated materials, are considered by USEPA to be representative of the waste.

Extremely viscous liquid: ASTM D 140-70 (Standard Practice for Sampling Bituminous Materials), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Crushed or powdered material: ASTM D 346-75 (Standard Practice for Collection and Preparation of Coke Samples for Laboratory Analysis), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Soil or rock-like material: ASTM D 420-69 (Guide to Site Characterization for Engineering, Design, and Construction Purposes), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Soil-like material: ASTM D 1452-65 (Standard Practice for Soil Investigation and Sampling by Auger Borings), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Fly ash-like material: ASTM D 2234-76 (Standard Practice for Collection of a Gross Sample of Coal), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Containerized liquid wastes: ~~“~~Composite Liquid Waste Sampler (COLIWASA).~~”~~

Liquid waste in pits, ponds, lagoons, and similar reservoirs: ~~“~~Pond Sampler.~~”~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

~~BOARD~~ ICAR350721-1216507r01

~~NOTICE OF PROPOSED AMENDMENTS~~

~~Section 721. Appendix I~~ 721.APPENDIX I Wastes Excluded by Administrative Action

~~Table A~~ Section 721.TABLE A Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Non-Specific Sources

Facility Address	Waste Description
------------------	-------------------

(None excluded from an Illinois source at this time)

~~(None excluded from an Illinois source at this time)~~

(Source: Amended at 37 Ill. Reg. _____, effective _____)

~~NOTICE OF PROPOSED AMENDMENTS~~~~Section 721.~~ **Appendix I 721.** APPENDIX I Wastes Excluded by Administrative Action~~Table B~~ Section 721. **TABLE B** Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Specific Sources~~Facility Address~~~~Waste Description~~Facility AddressWaste Description

Amoco Oil Company
Wood River,
Illinois

150 million gallons of DAF float from petroleum refining contained in four surge ponds after treatment with the Chemfix stabilization process. This waste contains USEPA hazardous waste number K048. This exclusion applies to the 150 million gallons of waste after chemical stabilization as long as the mixing ratios of the reagent with the waste are monitored continuously and do not vary outside of the limits presented in the demonstration samples and one grab sample is taken each hour from each treatment unit, composited, and TCLP tests performed on each sample. If the levels of lead or total chromium exceed 0.5 ppm in the EP extract, then the waste that was processed during the compositing period is considered hazardous; the treatment residue must be pumped into bermed cells to ensure that the waste is identifiable in the event that removal is necessary.

Conversion Systems, Inc.
Horsham, Pennsylvania
(Sterling, Illinois
operations)

Chemically stabilized electric arc furnace dust (CSEAFD) that is generated by Conversion Systems, Inc. (CSI) (using the Super Detox[®] treatment process, as modified by CSI to treat electric arc furnace dust (EAFD) (USEPA hazardous waste no. K061)), at the following site and which is disposed of in a RCRA Subtitle D municipal solid waste landfill (MSWLF): Northwestern Steel, Sterling, Illinois.

CSI must implement a testing program for each site that meets the following conditions:

1. Verification testing requirements: Sample collection and analyses, including quality control procedures, must be

~~NOTICE OF PROPOSED AMENDMENTS~~

performed using appropriate methods. As applicable to the method-defined parameters of concern, analyses requiring the use of methods in ~~"~~Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,~~"~~ USEPA publication number EPA-530/SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111(a), must be used without substitution. As applicable, the EPA-530/SW-846 methods might include Methods 0010, 0011, 0020, 0023A, 0030, 0031, 0040, 0050, 0051, 0060, 0061, 1010A, 1020B, 1110A, 1310B, 1311, 1312, 1320, 1330A, 9010C, 9012B, 9040C, 9045D, 9060A, 9070A (uses USEPA Method 1664, Rev. A), 9071B, and 9095B.

A. Initial verification testing: During the first 20 days of full-scale operation of a newly-constructed Super Detox[®] treatment facility, CSI must analyze a minimum of four composite samples of CSEAFD representative of the full 20-day period. Composite samples must be composed of representative samples collected from every batch generated. The CSEAFD samples must be analyzed for the constituents listed in condition 3 below. CSI must report the operational and analytical test data, including quality control information, obtained during this initial period no later than 60 days after the generation of the first batch of CSEAFD.

B. Addition of new Super Detox[®] treatment facilities to the exclusion:

Option 1: If USEPA approves additional facilities, CSI may petition the Board for identical-in substance amendment of this exclusion pursuant to Section 22.4 for the Act and 35 Ill. Adm. Code 102 and 720.120(a), or

Option 2: If USEPA has not approved such amendment, CSI may petition the Board for amendment pursuant to the general rulemaking procedures of Section 27 of the Act and 35 Ill. Adm. Code 102 and 720.120(b); or

~~NOTICE OF PROPOSED AMENDMENTS~~

Option 3: Alternatively to options 1 or 2 above, CSI may petition the Board for a hazardous waste delisting pursuant to Section 28.1 of the Act and Subpart D of 35 Ill. Adm. Code 104 and 35 Ill. Adm. Code 720.122.

If CSI pursues general rulemaking (option 2 above) or hazardous waste delisting (option 3 above), it must demonstrate that the CSEAFD generated by a specific Super Detox[®] treatment facility consistently meets the delisting levels specified in condition 3 below.

- C. Subsequent verification testing: For the approved facility, CSI must collect and analyze at least one composite sample of CSEAFD each month. The composite samples must be composed of representative samples collected from all batches treated in each month. These monthly representative samples must be analyzed, prior to the disposal of the CSEAFD, for the constituents listed in condition 3 below. CSI may, at its discretion, analyze composite samples gathered more frequently to demonstrate that smaller batches of waste are non-hazardous.
2. Waste holding and handling: CSI must store as hazardous all CSEAFD generated until verification testing, as specified in condition 1A or 1C above, as appropriate, is completed and valid analyses demonstrate that condition 3 below is satisfied. If the levels of constituents measured in the samples of CSEAFD do not exceed the levels set forth in condition 3, then the CSEAFD is non-hazardous and may be disposed of in a RCRA Subtitle D municipal solid waste landfill. If constituent levels in a sample exceed any of the delisting levels set forth in condition 3 below, the CSEAFD generated during the time period corresponding to this sample must be retreated until it meets these levels or managed and disposed of as hazardous waste, in accordance with 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, 738, and 739. CSEAFD generated by a new CSI treatment facility must be managed as a hazardous waste

~~NOTICE OF PROPOSED AMENDMENTS~~

prior to the addition of the name and location of the facility to this exclusion pursuant to condition 1C above. After addition of the new facility to the exclusion pursuant to condition 1B above, CSEAFD generated during the verification testing in condition 1A is also non-hazardous if the delisting levels in condition 3 are satisfied.

3. Delisting levels: All leachable concentrations for metals must not exceed the following levels (in parts per million (ppm)): antimony—0.06; arsenic—0.50; barium—7.6; beryllium—0.010; cadmium—0.050; chromium—0.33; lead—0.15; mercury—0.009; nickel—1; selenium—0.16; silver—0.30; thallium—0.020; vanadium—2; and zinc—70. Metal concentrations must be measured in the waste leachate by the method specified in Section 721.124.
4. Changes in operating conditions: After initiating subsequent testing, as described in condition 1C, if CSI significantly changes the stabilization process established pursuant to condition 1 (e.g., use of new stabilization reagents), CSI must seek amendment of this exclusion using one of the options set forth in condition 1B above. After written amendment of this exclusion, CSI may manage CSEAFD wastes generated from the new process as non-hazardous if the wastes meet the delisting levels set forth in condition 3 above.
5. Data submittals: At least one month prior to operation of a new Super Detox[®] treatment facility, CSI must notify the Agency in writing when the Super Detox[®] treatment facility is scheduled to be on-line. The data obtained through condition 1A must be submitted to the Agency within the time period specified. Records of operating conditions and analytical data from condition 1 must be compiled, summarized, and maintained on site for a minimum of five years. These records and data must be furnished to the Agency upon request and made available for inspection. Failure to submit the required data within the specified time period or to maintain the required records on site for the

~~NOTICE OF PROPOSED AMENDMENTS~~

specified time will be considered a violation of the Act and Board regulations. All data submitted must be accompanied by a signed copy of the following certification statement to attest to the truth and accuracy of the data submitted:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations, I certify that the information contained in or accompanying this document is true, accurate, and complete.

"As to (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

"In the event that any of this information is determined by the Board or a court of law to be false, inaccurate, or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by the Board or court and that the company will be liable for any actions taken in contravention of the company's obligations under the federal RCRA and Comprehensive Environmental Response, Compensation and Liability Act (42 USC 9601 et seq.) and corresponding provisions of the Act premised upon the company's reliance on the void exclusion."

BOARD NOTE: The obligations of this exclusion are derived from but also distinct from the obligations under the corresponding federally-granted exclusion of table 2 of appendix IX to 40 CFR 261.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

~~NOTICE OF PROPOSED AMENDMENTS~~

Section ~~721.Appendix I~~ 721.APPENDIX I Wastes Excluded by
Administrative Action

~~Table C~~ Section 721.TABLE C Wastes Excluded by USEPA pursuant to 40 CFR 260.20
and 260.22 from Commercial Chemical Products, Off-~~Specification~~ Specifications Species,
Container Residues, and Soil Residues Thereof

Facility Address

Waste Description

~~(None excluded from an Illinois source at this time)~~

(None excluded from an Illinois source at this time)

(Source: Amended at 37 Ill. Reg. , effective)

~~NOTICE OF PROPOSED AMENDMENTS~~

~~Section 721. Appendix I~~ 721. APPENDIX I Wastes Excluded by Administrative Action

~~Table D~~ Section 721. TABLE D Wastes ~~Excluded~~ by the Board by Adjusted Standard

The Board has entered the following orders on petitions for adjusted standards for delisting, pursuant to 35 Ill. Adm. Code 720.122.

- ~~AS91-1~~ ~~Petition of Keystone Steel and Wire Co. for Hazardous Waste Delisting, February 6, 1992, and modified at 133 PCB-189, April 23, 1992. (Treated K061 waste)~~
- ~~AS 91-1~~ ~~Petition of Keystone Steel & Wire Co. for Hazardous Waste Delisting, AS 91-1 (Feb. 6, 1992 and Apr. 23, 1992). (Chemically stabilized electric arc furnace dust (K061 waste).)~~
- AS91-3 Petition of Peoria Disposal Co. for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, February 6 and March 11, 1993. (Treated F006 waste)
- ~~AS 91-3~~ ~~Petition of Peoria Disposal Company for an Adjusted Standard from 35 Ill. Adm. Code 721. Subpart D, AS 91-3 (Feb. 4, 1993 and Mar. 11, 1993). (Chemically stabilized wastewater treatment sludges from electroplating, anodizing, chemical milling and etching, and circuit board manufacturing (F006 waste).)~~
- AS93-7 Petition of Keystone Steel & Wire Co. for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, February 17, 1994, as modified March 17, 1994. (Treated K062 waste)
- ~~AS 93-7~~ ~~Petition of Keystone Steel & Wire Company for an Adjusted Standard from 35 Ill. Adm. Code 721.132, AS 93-7 (Feb. 17, 1994, Mar. 17, 1994, and Dec. 14, 1994). (Chemically stabilized waste pickling liquor (K062 waste).)~~
- AS94-10 Petition of Envirite Corporation for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, December 14, 1994, as modified on February 16, 1995. (Treated F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes)

NOTICE OF PROPOSED AMENDMENTS

AS 94-10 Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 94-10 (Dec. 14, 1994 and Feb. 16, 1995). (Sludge from the treatment of multiple hazardous wastes (F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes).)

AS 91-1 Petition of Keystone Steel & Wire Co. for Hazardous Waste Delisting, AS 91-1 (Feb. 6, 1992 and Apr. 23, 1992). (Chemically stabilized electric arc furnace dust (K061 waste).)

AS 91-3 Petition of Peoria Disposal Company for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 91-3 (Feb. 4, 1993 and Mar. 11, 1993). (Chemically stabilized wastewater treatment sludges from electroplating, anodizing, chemical milling and etching, and circuit board manufacturing (F006 waste).)

AS 93-7 Petition of Keystone Steel & Wire Company for an Adjusted Standard from 35 Ill. Am. Code 721.132, AS 93-7 (Feb. 17, 1994, Mar. 17, 1994, and Dec. 14, 1994). (Chemically stabilized waste pickling liquor (K062 waste).)

AS 94-10 Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 94-10 (Dec. 14, 1994 and Feb. 16, 1995). (Sludge from the treatment of multiple hazardous wastes (F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes).)

(Source: Amended at 37 Ill. Reg. ———, effective ———)

Document comparison by Workshare Compare on Friday, November 16, 2012
3:08:50 PM

Input:	
Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2012\11Nov2012\35-721-Agency(issue47).docx
Description	35-721-Agency(issue47)
Document 2 ID	file:///I:\Input\Agency Rulemakings - Files Received\2012\11Nov2012\35-721-r01(issue 47).docx
Description	35-721-r01(issue 47)
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	55
Deletions	77
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	132

EXEMPT

JCAR350721-1216507r01

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

6 PART 721
7 IDENTIFICATION AND LISTING OF HAZARDOUS WASTE
8

9 SUBPART A: GENERAL PROVISIONS
10

11 Section

- 12 721.101 Purpose and Scope
13 721.102 Definition of Solid Waste
14 721.103 Definition of Hazardous Waste
15 721.104 Exclusions
16 721.105 Special Requirements for Hazardous Waste Generated by Small Quantity
17 Generators
18 721.106 Requirements for Recyclable Materials
19 721.107 Residues of Hazardous Waste in Empty Containers
20 721.108 PCB Wastes Regulated under TSCA
21 721.109 Requirements for Universal Waste
22

23 SUBPART B: CRITERIA FOR IDENTIFYING THE
24 CHARACTERISTICS OF HAZARDOUS WASTE
25 AND FOR LISTING HAZARDOUS WASTES
26

27 Section

- 28 721.110 Criteria for Identifying the Characteristics of Hazardous Waste
29 721.111 Criteria for Listing Hazardous Waste
30

31 SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE
32

33 Section

- 34 721.120 General
35 721.121 Characteristic of Ignitability
36 721.122 Characteristic of Corrosivity
37 721.123 Characteristic of Reactivity
38 721.124 Toxicity Characteristic
39

40 SUBPART D: LISTS OF HAZARDOUS WASTE
41

42 Section

- 43 721.130 General

- 44 721.131 Hazardous Wastes from Nonspecific Sources
- 45 721.132 Hazardous Waste from Specific Sources
- 46 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Container
- 47 Residues, and Spill Residues Thereof
- 48 721.135 Wood Preserving Wastes

SUBPART E: EXCLUSIONS AND EXEMPTIONS

- 51 Section
- 52 721.138 Exclusion of Comparable Fuel and Syngas Fuel
- 53 721.139 Conditional Exclusion for Used, Broken CRTs and Processed CRT Glass
- 54 Undergoing Recycling
- 55 721.140 Conditional Exclusion for Used, Intact CRTs Exported for Recycling
- 56 721.141 Notification and Recordkeeping for Used, Intact CRTs Exported for Reuse

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

- 61 Section
- 62 721.240 Applicability
- 63 721.241 Definitions of Terms as Used in This Subpart
- 64 721.242 Cost Estimate
- 65 721.243 Financial Assurance Condition
- 66 721.247 Liability Requirements
- 67 721.248 Incapacity of Owners or Operators, Guarantors, or Financial Institutions
- 68 721.249 Use of State-Required Mechanisms
- 69 721.250 State Assumption of Responsibility
- 70 721.251 Wording of the Instruments
- 71
- 72 721.APPENDIX A Representative Sampling Methods
- 73 721.APPENDIX B Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
- 74 (Repealed)
- 75 721.APPENDIX C Chemical Analysis Test Methods (Repealed)
- 76 721.TABLE A Analytical Characteristics of Organic Chemicals (Repealed)
- 77 721.TABLE B Analytical Characteristics of Inorganic Species (Repealed)
- 78 721.TABLE C Sample Preparation/Sample Introduction Techniques (Repealed)
- 79 721.APPENDIX G Basis for Listing Hazardous Wastes
- 80 721.APPENDIX H Hazardous Constituents
- 81 721.APPENDIX I Wastes Excluded by Administrative Action
- 82 721.TABLE A Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22
- 83 from Non-Specific Sources
- 84 721.TABLE B Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22
- 85 from Specific Sources
- 86 721.TABLE C Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22

87		from Commercial Chemical Products, Off-Specification Species,
88		Container Residues, and Soil Residues Thereof
89	721.TABLE D	Wastes Excluded by the Board by Adjusted Standard
90	721.APPENDIX J	Method of Analysis for Chlorinated Dibenzo-p-Dioxins and
91		Dibenzofurans (Repealed)
92	721.APPENDIX Y	Table to Section 721.138: Maximum Contaminant Concentration and
93		Minimum Detection Limit Values for Comparable Fuel Specification
94	721.APPENDIX Z	Table to Section 721.102: Recycled Materials that Are Solid Waste

95
 96 AUTHORITY: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the
 97 Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
 98

99 SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and
 100 codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18 at 7 Ill. Reg.
 101 2518, effective February 22, 1983; amended in R82-19 at 7 Ill. Reg. 13999, effective October 12,
 102 1983; amended in R84-34, 61 at 8 Ill. Reg. 24562, effective December 11, 1984; amended in
 103 R84-9 at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998,
 104 effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986;
 105 amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill.
 106 Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective
 107 March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in
 108 R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg.
 109 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January
 110 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39
 111 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective
 112 December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989;
 113 amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill.
 114 Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective
 115 May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-
 116 1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended in R91-12 at 16 Ill. Reg. 2155,
 117 effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992;
 118 amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg.
 119 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26,
 120 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-
 121 16 at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175,
 122 effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17490, effective November 23, 1994;
 123 amended in R95-6 at 19 Ill. Reg. 9522, effective June 27, 1995; amended in R95-20 at 20 Ill.
 124 Reg. 10963, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 275,
 125 effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7615, effective April 15, 1998;
 126 amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17531, effective September 28, 1998; amended
 127 in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1718, effective January 19, 1999; amended in R99-15 at
 128 23 Ill. Reg. 9135, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9481, effective June
 129 20, 2000; amended in R01-3 at 25 Ill. Reg. 1281, effective January 11, 2001; amended in R01-

130 21/R01-23 at 25 Ill. Reg. 9108, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26
 131 Ill. Reg. 6584, effective April 22, 2002; amended in R03-18 at 27 Ill. Reg. 12760, effective July
 132 17, 2003; amended in R04-16 at 28 Ill. Reg. 10693, effective July 19, 2004; amended in R05-8 at
 133 29 Ill. Reg. 6003, effective April 13, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2992,
 134 effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 791, effective
 135 December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11786, effective July 14, 2008;
 136 amended in R09-3 at 33 Ill. Reg. 986, effective December 30, 2008; amended in R09-16/R10-4
 137 at 34 Ill. Reg. 18611, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg.
 138 17734, effective October 14, 2011; amended in R13-5 at 37 Ill. Reg. _____, effective
 139 _____.

141 SUBPART D: LISTS OF HAZARDOUS WASTE

142
 143 **Section 721.132 Hazardous Waste from Specific Sources**

- 144
 145 a) The following solid wastes are listed hazardous wastes from specific sources
 146 unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed
 147 in Appendix I of this Part.
 148

USEPA
 Hazardous
 Waste No.

Industry and Hazardous Waste

Hazard Code

149
 150 Wood Preservation Process Wastes:

151
 K001 Bottom sediment sludge from the treatment of (T)
 wastewaters from wood preserving processes
 that use creosote or pentachlorophenol.

152
 153 Inorganic Pigments Production Wastes:

154
 K002 Wastewater treatment sludge from the (T)
 production of chrome yellow and orange
 pigments.
 K003 Wastewater treatment sludge from the (T)
 production of molybdate orange pigments.
 K004 Wastewater treatment sludge from the (T)
 production of zinc yellow pigments.
 K005 Wastewater treatment sludge from the (T)
 production of chrome green pigments.
 K006 Wastewater treatment sludge from the (T)
 production of chrome oxide green pigments
 (anhydrous and hydrated).

K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)
K008	Oven residue from the production of chrome oxide green pigments.	(T)

155
156
157

Organic Chemicals Production Wastes:

K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R, T)
K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.	(T)
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.	(T)
K015	Still bottoms from the distillation of benzyl chloride.	(T)
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.	(T)
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	(T)
K018	Heavy ends from the fractionation column in ethyl chloride production.	(T)
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	(T)
K020	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.	(T)
K021	Aqueous spent antimony catalyst waste from fluoromethanes production.	(T)
K022	Distillation bottom tars from the production of phenol/acetone from cumene.	(T)
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.	(T)
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.	(T)
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.	(T)
K094	Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	(T)
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	(T)

K026	Stripping still tails from the production of methyl ethyl pyridines.	(T)
K027	Centrifuge and distillation residues from toluene diisocyanate production.	(R, T)
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	(T)
K029	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.	(T)
K095	Distillation bottoms from the production of 1,1,1-trichloroethane.	(T)
K096	Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	(T)
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	(T)
K083	Distillation bottoms from aniline production.	(T)
K103	Process residues from aniline extraction from the production of aniline.	(T)
K104	Combined wastewater streams generated from nitrobenzene/aniline production.	(T)
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.	(T)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	(T)
K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C, T)
K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I, T)
K109	Spent filter cartridges from the product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K110	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K111	Product wastewaters from the production of dinitrotoluene via nitration of toluene.	(C,T)

K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)
K118	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K158	Baghouse dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)

K159	Organics from the treatment of thiocarbamate wastes.	(T)
K161	Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust, and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126.)	(R, T)
K174	Wastewater treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (1) the sludges are disposed of in a RCRA Subtitle C (42 USC 6921-6939e) or non-hazardous landfill licensed or permitted by a state or the federal government; (2) the sludges are not otherwise placed on the land prior to final disposal; and (3) the generator maintains documentation demonstrating that the waste was either disposed of in an on-site landfill or consigned to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Upon a showing by the government that a respondent in any enforcement action brought to enforce the requirements of Subtitle C of this Part managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, the respondent must demonstrate that it meets the conditions of the exclusion that are set forth above. In doing so, the respondent must provide appropriate documentation that the terms of the exclusion were met (e.g., contracts between the generator and the landfill owner or operator, invoices documenting delivery of waste to landfill, etc.).	(T)
K175	Wastewater treatment sludges from the production of vinyl chloride monomer using mercuric chloride catalyst in an acetylene-based process.	(T)

158
159
160

Inorganic Chemicals Production Wastes:

K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.	(T)
K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.	(T)
K106	Wastewater treatment sludge from the mercury cell process in chlorine production.	(T)
K176	Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g., antimony metal or crude antimony oxide).	(E)
K177	Slag from the production of antimony oxide that is speculatively accumulated or disposed of, including slag from the production of intermediates (e.g., antimony metal or crude antimony oxide).	(T)
K178	Residues from manufacturing and manufacturing-site storage of ferric chloride from acids formed during the production of titanium dioxide using the chloride-ilmenite process.	(T)
K181	Nonwastewaters from the production of dyes or pigments (including nonwastewaters commingled at the point of generation with nonwastewaters from other processes) that, at the point of generation, contain mass loadings of any of the constituents identified in subsection (c) of this Section that are equal to or greater than the corresponding subsection (c) levels, as determined on a calendar year basis. These wastes will not be hazardous if the nonwastewaters are managed in one of the following ways:	(T)

- 1) They are disposed of in a municipal solid waste landfill unit that is subject to the design criteria in 35 Ill. Adm. Code 811.303 through 811.309 and 811.315 through 811.317 and Subpart E of 35 Ill. Adm. Code 811 or 35 Ill. Adm. Code 814.302 and 814.402;
- 2) They are disposed of in a hazardous waste landfill unit that is subject to either 35 Ill. Adm. Code 724.401 or 725.401;
- 3) They are disposed of in other municipal solid waste landfill units that meet the design criteria in 35 Ill. Adm. Code 811.303 through 811.309 and 811.315 through 811.317 and Subpart E of 35 Ill. Adm. Code 811 or 35 Ill. Adm. Code 814.302 and 814.402, 35 Ill. Adm. Code 724.401, or 35 Ill. Adm. Code 725.401; or
- 4) They are treated in a combustion unit that is permitted under 415 ILCS 5/39(d), or an onsite combustion unit that is permitted under 415 ILCS 5/39.5.

For the purposes of this listing, dyes or pigments production is defined in subsection (b)(1) of this Section. Subsection (d) of this Section describes the process for demonstrating that a facility's nonwastewaters are not K181 waste. This listing does not apply to wastes that are otherwise identified as hazardous under Sections 721.121 through 721.124 and 721.131 through 721.133 at the point of generation. Also, the listing does not apply to wastes generated before any annual mass loading limit is met, as set forth in subsection (c) of this Section.

161
162
163

Pesticides Production Wastes:

K031

By-product salts generated in the production of MSMA and cacodylic acid. (T)

K032	Wastewater treatment sludge from the production of chlordane.	(T)
K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	(T)
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	(T)
K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	(T)
K035	Wastewater treatment sludges generated in the production of creosote.	(T)
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	(T)
K037	Wastewater treatment sludges from the production of disulfoton.	(T)
K038	Wastewater from the washing and stripping of phorate production.	(T)
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	(T)
K040	Wastewater treatment sludge from the production of phorate.	(T)
K041	Wastewater treatment sludge from the production of toxaphene.	(T)
K098	Untreated process wastewater from the production of toxaphene.	(T)
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	(T)
K043	2,6-Dichlorophenol waste from the production of 2,4-D.	(T)
K099	Untreated wastewater from the production of 2,4-D.	(T)
K123	Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	(C, T)
K125	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	(T)

K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.	(T)
K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.	(C, T)
K132	Spent absorbent and wastewater separator solids from the production of methyl bromide.	(T)

164
165
166

Explosives Production Wastes:

K044	Wastewater treatment sludges from the manufacturing and processing of explosives.	(R)
K045	Spent carbon from the treatment of wastewater containing explosives.	(R)
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	(T)
K047	Pink/red water from TNT operations.	(R)

167
168
169

Petroleum Refining Wastes:

K048	Dissolved air flotation (DAF) float from the petroleum refining industry.	(T)
K049	Slop oil emulsion solids from the petroleum refining industry.	(T)
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.	(T)
K051	API separator sludge from the petroleum refining industry.	(T)
K052	Tank bottoms (leaded) from the petroleum refining industry.	(T)
K169	Crude oil storage tank sediment from petroleum refining operations.	(T)
K170	Clarified slurry oil tank sediment or in-line filter/separation solids from petroleum refining operations.	(T)
K171	Spent hydrotreating catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media).	(I, T)

170 K172 Spent hydrorefining catalyst from petroleum (I, T)
 171 refining operations, including guard beds used to
 172 desulfurize feeds to other catalytic reactors (this
 listing does not include inert support media).

170 Iron and Steel Production Wastes:

171 K061 Emission control dust/sludge from the primary (T)
 172 production of steel in electric furnaces.
 K062 Spent pickle liquor generated by steel finishing (C, T)
 operations of facilities within the iron and steel
 industry (SIC Codes 331 and 332) (as defined in
 35 Ill. Adm. Code 720.110).

173 Primary Aluminum Production Wastes:

174 K088 Spent potliners from primary aluminum (T)
 175 reduction.

176 Secondary Lead Production Wastes:

177 K069 Emission control dust/sludge from secondary (T)
 178 lead smelting.

179 BOARD NOTE: This listing is administratively stayed for sludge generated from
 180 secondary acid scrubber systems. The stay will remain in effect until this note is
 181 removed.
 182
 183

184 K100 Waste leaching solution from acid leaching of (T)
 185 emission control dust/sludge from secondary
 186 lead smelting.

184 Veterinary Pharmaceuticals Production Wastes:

185 K084 Wastewater treatment sludges generated during (T)
 186 the production of veterinary pharmaceuticals
 from arsenic or organo-arsenic compounds.
 K101 Distillation tar residues from the distillation of (T)
 veterinary pharmaceuticals from arsenic or
 organo-arsenic compounds.

K102 Residue from use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. (T)

187
188
189

Ink Formulation Wastes:

K086 Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps and stabilizers containing chromium and lead. (T)

190
191
192

Coke Production Wastes:

K060 Ammonia still lime sludge from coking operations. (T)

K087 Decanter tank tar sludge from coking operations. (T)

K141 Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludges from coking operations). (T)

K142 Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal. (T)

K143 Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal. (T)

K144 Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal. (T)

K145 Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal. (T)

K147 Tar storage tank residues from coal tar refining. (T)

- K148 Residues from coal tar distillation, including, but not limited to, still bottoms. (T)
- K149 Distillation bottoms from the production of α - (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.) (T)
- K150 Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of α - (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (T)
- K151 Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of α - (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (T)

193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208

- b) Listing-specific definition: For the purposes of the K181 hazardous waste listing in subsection (a) of this Section, "dyes or pigments production" includes manufacture of the following product classes: dyes, pigments, and FDA-certified colors that are in the azo, triarylmethane, perylene, and anthraquinone classes. Azo products include azo, monoazo, diazo, triazo, polyazo, azoic, benzidine, and pyrazolone products. Triarylmethane products include both triarylmethane and triphenylmethane products. Wastes that are not generated at a dyes or pigments manufacturing site, such as wastes from the offsite use, formulation, and packaging of dyes or pigments, are not included in the K181 listing.
- c) K181 listing levels. Nonwastewaters containing constituents in amounts equal to or exceeding the following levels during any calendar year are subject to the K181 hazardous waste listing in subsection (a) of this Section, unless the conditions in the K181 hazardous waste listing are met:

Constituent	Chemical Abstracts No.	Mass Levels (kg/yr)
Aniline	62-53-3	9,300
o-Anisidine	90-04-0	110
4-Chloroaniline	106-47-8	4,800

p-Cresidine	120-71-8	660
2,4-Dimethylaniline	95-68-1	100
1,2-Phenylenediamine	95-54-5	710
1,3-Phenylenediamine	108-45-2	1,200

209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246

- d) Procedures for demonstrating that dyes or pigments nonwastewaters are not K181 waste. The procedures described in subsections (d)(1) through (d)(3) and (d)(5) of this Section establish when nonwastewaters from the production of dyes or pigments would not be hazardous. (These procedures apply to wastes that are not disposed of in landfill units or treated in combustion units, as specified in subsection (a) of this Section). If the nonwastewaters are disposed of in landfill units or treated in combustion units as described in subsection (a) of this Section, then the nonwastewaters are not hazardous. In order to demonstrate that it is meeting the landfill disposal or combustion conditions contained in the K181 waste listing description, the generator must maintain documentation as described in subsection (d)(4) of this Section.
- 1) Determination based on no K181 waste constituents. A generator that has knowledge (e.g., knowledge of constituents in wastes based on prior sampling and analysis data or information about raw materials used, production processes used, and reaction and degradation products formed) that its waste contains none of the K181 waste constituents (see subsection (c) of this Section) can use its knowledge to determine that its waste is not K181 waste. The generator must document the basis for all such determinations on an annual basis and keep each annual documentation for three years.
 - 2) Determination for generated quantities of 1,000 tonnes (1,000 metric tons) per year or less for wastes that contain K181 waste constituents. If the total annual quantity of dyes or pigments nonwastewaters generated is 1,000 tonnes or less, the generator can use knowledge of the wastes (e.g., knowledge of constituents in wastes based on prior analytical data or information about raw materials used, production processes used, and reaction and degradation products formed) to conclude that annual mass loadings for the K181 constituents are below the listing levels of subsection (c) of this Section. To make this determination, the generator must fulfill the following conditions:
 - A) Each year, the generator must document the basis for determining that the annual quantity of nonwastewaters expected to be generated will be less than 1,000 tonnes;

247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289

- B) The generator must track the actual quantity of nonwastewaters generated from January 1 through December 31 of each calendar year. If, at any time within the year, the actual waste quantity exceeds 1,000 tonnes, the generator must comply with the requirements of subsection (d)(3) of this Section for the remainder of that calendar year;
 - C) The generator must keep a running total of the K181 waste constituent mass loadings over the course of the calendar year; and
 - D) The generator must keep the following records on site for the three most recent calendar years in which the hazardous waste determinations were made:
 - i) The quantity of dyes or pigments nonwastewaters generated;
 - ii) The relevant process information used; and
 - iii) The calculations performed to determine annual total mass loadings for each K181 waste constituent in the nonwastewaters during the year.
- 3) Determination for generated quantities greater than 1,000 tonnes per year for wastes that contain K181 constituents. If the total annual quantity of dyes or pigments nonwastewaters generated is greater than 1,000 tonnes, the generator must perform each of the following steps in order to make a determination that its waste is not K181 waste:
- A) The generator must determine which K181 waste constituents (see subsection (c) of this Section) are reasonably expected to be present in the wastes based on knowledge of the wastes (e.g., based on prior sampling and analysis data or information about raw materials used, production processes used, and reaction and degradation products formed);
 - B) If 1,2-phenylenediamine is present in the wastes, the generator can use either knowledge of the wastes or sampling and analysis procedures to determine the level of this constituent in the wastes. For determinations based on use of knowledge of the wastes, the generator must comply with the procedures for using knowledge of the wastes described in subsection (d)(2) of this Section and keep the records described in subsection (d)(2)(D) of this Section. For

- 290 determinations based on sampling and analysis, the generator must
 291 comply with the sampling and analysis and recordkeeping
 292 requirements described in subsection (d)(3)(C) of this Section;
 293
- 294 C) The generator must develop a waste sampling and analysis plan (or
 295 modify an existing plan) to collect and analyze representative
 296 waste samples for the K181 waste constituents reasonably
 297 expected to be present in the wastes. At a minimum, the plan must
 298 include the following elements:
 299
- 300 i) A discussion of the number of samples needed to
 301 characterize the wastes fully;
 - 302
 - 303 ii) The planned sample collection method to obtain
 304 representative waste samples;
 - 305
 - 306 iii) A discussion of how the sampling plan accounts for
 307 potential temporal and spatial variability of the wastes; and
 308
 - 309 iv) A detailed description of the test methods to be used,
 310 including sample preparation, clean up (if necessary), and
 311 determinative methods;
 - 312
- 313 D) The generator must collect and analyze samples in accordance with
 314 the waste sampling and analysis plan, and the plan must fulfill the
 315 following requirements:
 316
- 317 i) The sampling and analysis must be unbiased, precise, and
 318 representative of the wastes; and
 - 319
 - 320 ii) The analytical measurements must be sufficiently sensitive,
 321 accurate, and precise to support any claim that the
 322 constituent mass loadings are below the listing levels of
 323 subsection (c) of this Section;
 - 324
- 325 E) The generator must record the analytical results;
- 326
- 327 F) The generator must record the waste quantity represented by the
 328 sampling and analysis results;
- 329
- 330 G) The generator must calculate constituent-specific mass loadings
 331 (product of concentrations and waste quantity);
 332

- 333 H) The generator must keep a running total of the K181 waste
334 constituent mass loadings over the course of the calendar year;
335
- 336 I) The generator must determine whether the mass of any of the
337 K181 waste constituents listed in subsection (c) of this Section
338 generated between January 1 and December 31 of any calendar
339 year is below the K181 waste listing levels;
340
- 341 J) The generator must keep the following records on site for the three
342 most recent calendar years in which the hazardous waste
343 determinations are made:
344
- 345 i) The sampling and analysis plan;
 - 346
 - 347 ii) The sampling and analysis results (including quality
348 assurance or quality control data);
349
 - 350 iii) The quantity of dyes or pigments nonwastewaters
351 generated; and
352
 - 353 iv) The calculations performed to determine annual mass
354 loadings; and
355
- 356 K) The generator must conduct non-hazardous waste determinations
357 annually to verify that the wastes remain non-hazardous.
358
- 359 i) The annual testing requirements are suspended after three
360 consecutive successful annual demonstrations that the
361 wastes are non-hazardous. The generator can then use
362 knowledge of the wastes to support subsequent annual
363 determinations.
364
 - 365 ii) The annual testing requirements are reinstated if the
366 manufacturing or waste treatment processes generating the
367 wastes are significantly altered, resulting in an increase of
368 the potential for the wastes to exceed the listing levels.
369
 - 370 iii) If the annual testing requirements are suspended, the
371 generator must keep records of the process knowledge
372 information used to support a non-hazardous determination.
373 If testing is reinstated, the generator must retain a
374 description of the process change.
375

376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394

- 4) Recordkeeping for the landfill disposal and combustion exemptions. For the purposes of meeting the landfill disposal and combustion condition set out in the K181 waste listing description in subsection (a) of this Section, the generator must maintain on site for three years documentation demonstrating that each shipment of waste was received by a landfill unit that is subject to or which meets the landfill design standards set out in the listing description or that the waste was treated in combustion units, as specified in the listing description in subsection (a) of this Section.

- 5) Waste holding and handling. During the interim period, from the point of generation to completion of the hazardous waste determination, the generator must store the wastes appropriately. If the wastes are determined to be hazardous and the generator has not complied with the hazardous waste storage requirements of 35 Ill. Adm. Code 722.134 during the interim period, the generator could be subject to an enforcement action for improper hazardous waste management.

(Source: Amended at 37 Ill. Reg. _____, effective _____)

395 **Section 721. APPENDIX Appendix A Representative Sampling Methods**

396

397 The methods and equipment used for sampling waste materials will vary with the form and
398 consistency of the waste materials to be sampled. Samples collected using the sampling
399 protocols listed below, for sampling waste with properties similar to the indicated materials, are
400 considered by USEPA to be representative of the waste.

401

402 Extremely viscous liquid: ASTM D 140-70 (Standard Practice for Sampling Bituminous
403 Materials), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

404

405 Crushed or powdered material: ASTM D 346-75 (Standard Practice for Collection and
406 Preparation of Coke Samples for Laboratory Analysis), incorporated by reference in 35 Ill. Adm.
407 Code 720.111(a).

408

409 Soil or rock-like material: ASTM D 420-69 (Guide to Site Characterization for Engineering,
410 Design, and Construction Purposes), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

411

412 Soil-like material: ASTM D 1452-65 (Standard Practice for Soil Investigation and Sampling by
413 Auger Borings), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

414

415 Fly ash-like material: ASTM D 2234-76 (Standard Practice for Collection of a Gross Sample of
416 Coal), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

417

418 Containerized liquid wastes: "Composite Liquid Waste Sampler (COLIWASA)."

419

420 Liquid waste in pits, ponds, lagoons, and similar reservoirs: "Pond Sampler."

421

422 (Source: Amended at 37 Ill. Reg. _____, effective _____)

423

424 **Section 721.**~~APPENDIX~~**Appendix I Wastes Excluded by**
425 **Administrative Action**

426
427 **Section 721.**~~TABLE~~**Table A Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and**
428 **260.22 from Non-Specific Sources**

429

Facility Address

Waste Description

430

431 (None excluded from an Illinois source at this time)

432

433 (Source: Amended at 37 Ill. Reg. _____, effective _____)

434

435 **Section 721. ~~APPENDIX~~Appendix I Wastes Excluded by**
 436 **Administrative Action**

437
 438 **Section 721. ~~TABLE~~Table B Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and**
 439 **260.22 from Specific Sources**
 440

Facility Address	Waste Description
Amoco Oil Company Wood River, Illinois	<p>150 million gallons of DAF float from petroleum refining contained in four surge ponds after treatment with the Chemfix stabilization process. This waste contains USEPA hazardous waste number K048. This exclusion applies to the 150 million gallons of waste after chemical stabilization as long as the mixing ratios of the reagent with the waste are monitored continuously and do not vary outside of the limits presented in the demonstration samples and one grab sample is taken each hour from each treatment unit, composited, and TCLP tests performed on each sample. If the levels of lead or total chromium exceed 0.5 ppm in the EP extract, then the waste that was processed during the compositing period is considered hazardous; the treatment residue must be pumped into bermed cells to ensure that the waste is identifiable in the event that removal is necessary.</p>
Conversion Systems, Inc. Horsham, Pennsylvania (Sterling, Illinois operations)	<p>Chemically stabilized electric arc furnace dust (CSEAFD) that is generated by Conversion Systems, Inc. (CSI) (using the Super Detox[®] treatment process, as modified by CSI to treat electric arc furnace dust (EAFD) (USEPA hazardous waste no. K061)), at the following site and which is disposed of in a RCRA Subtitle D municipal solid waste landfill (MSWLF): Northwestern Steel, Sterling, Illinois.</p> <p>CSI must implement a testing program for each site that meets the following conditions:</p> <ol style="list-style-type: none"> 1. Verification testing requirements: Sample collection and analyses, including quality control procedures, must be performed using appropriate methods. As applicable to the method-defined parameters of concern, analyses requiring the use of methods in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA publication number EPA-530/SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111(a), must be used without

substitution. As applicable, the EPA-530/SW-846 methods might include Methods 0010, 0011, 0020, 0023A, 0030, 0031, 0040, 0050, 0051, 0060, 0061, 1010A, 1020B, 1110A, 1310B, 1311, 1312, 1320, 1330A, 9010C, 9012B, 9040C, 9045D, 9060A, 9070A (uses USEPA Method 1664, Rev. A), 9071B, and 9095B.

A. Initial verification testing: During the first 20 days of full-scale operation of a newly-constructed Super Detox[®] treatment facility, CSI must analyze a minimum of four composite samples of CSEAFD representative of the full 20-day period. Composite samples must be composed of representative samples collected from every batch generated. The CSEAFD samples must be analyzed for the constituents listed in condition 3 below. CSI must report the operational and analytical test data, including quality control information, obtained during this initial period no later than 60 days after the generation of the first batch of CSEAFD.

B. Addition of new Super Detox[®] treatment facilities to the exclusion:

Option 1: If USEPA approves additional facilities, CSI may petition the Board for identical-in substance amendment of this exclusion pursuant to Section 22.4 for the Act and 35 Ill. Adm. Code 102 and 720.120(a), or

Option 2: If USEPA has not approved such amendment, CSI may petition the Board for amendment pursuant to the general rulemaking procedures of Section 27 of the Act and 35 Ill. Adm. Code 102 and 720.120(b); or

Option 3: Alternatively to options 1 or 2 above, CSI may petition the Board for a hazardous waste delisting pursuant to Section 28.1 of the Act and Subpart D of 35 Ill. Adm. Code 104 and 35 Ill. Adm. Code 720.122.

If CSI pursues general rulemaking (option 2 above) or hazardous waste delisting (option 3 above), it must demonstrate that the CSEAFD generated by a specific

Super Detox[®] treatment facility consistently meets the delisting levels specified in condition 3 below.

- C. Subsequent verification testing: For the approved facility, CSI must collect and analyze at least one composite sample of CSEAFD each month. The composite samples must be composed of representative samples collected from all batches treated in each month. These monthly representative samples must be analyzed, prior to the disposal of the CSEAFD, for the constituents listed in condition 3 below. CSI may, at its discretion, analyze composite samples gathered more frequently to demonstrate that smaller batches of waste are non-hazardous.
2. Waste holding and handling: CSI must store as hazardous all CSEAFD generated until verification testing, as specified in condition 1A or 1C above, as appropriate, is completed and valid analyses demonstrate that condition 3 below is satisfied. If the levels of constituents measured in the samples of CSEAFD do not exceed the levels set forth in condition 3, then the CSEAFD is non-hazardous and may be disposed of in a RCRA Subtitle D municipal solid waste landfill. If constituent levels in a sample exceed any of the delisting levels set forth in condition 3 below, the CSEAFD generated during the time period corresponding to this sample must be retreated until it meets these levels or managed and disposed of as hazardous waste, in accordance with 35 Ill. Adm. Code 702 through 705, 720 through 728, 733, 738, and 739. CSEAFD generated by a new CSI treatment facility must be managed as a hazardous waste prior to the addition of the name and location of the facility to this exclusion pursuant to condition 1C above. After addition of the new facility to the exclusion pursuant to condition 1B above, CSEAFD generated during the verification testing in condition 1A is also non-hazardous if the delisting levels in condition 3 are satisfied.
 3. Delisting levels: All leachable concentrations for metals must not exceed the following levels (in parts per million (ppm)): antimony – 0.06; arsenic – 0.50; barium – 7.6; beryllium – 0.010; cadmium – 0.050; chromium – 0.33; lead – 0.15; mercury – 0.009; nickel – 1; selenium – 0.16;

silver – 0.30; thallium – 0.020; vanadium – 2; and zinc – 70. Metal concentrations must be measured in the waste leachate by the method specified in Section 721.124.

4. Changes in operating conditions: After initiating subsequent testing, as described in condition 1C, if CSI significantly changes the stabilization process established pursuant to condition 1 (e.g., use of new stabilization reagents), CSI must seek amendment of this exclusion using one of the options set forth in condition 1B above. After written amendment of this exclusion, CSI may manage CSEAFD wastes generated from the new process as non-hazardous if the wastes meet the delisting levels set forth in condition 3 above.
5. Data submittals: At least one month prior to operation of a new Super Detox[®] treatment facility, CSI must notify the Agency in writing when the Super Detox[®] treatment facility is scheduled to be on-line. The data obtained through condition 1A must be submitted to the Agency within the time period specified. Records of operating conditions and analytical data from condition 1 must be compiled, summarized, and maintained on site for a minimum of five years. These records and data must be furnished to the Agency upon request and made available for inspection. Failure to submit the required data within the specified time period or to maintain the required records on site for the specified time will be considered a violation of the Act and Board regulations. All data submitted must be accompanied by a signed copy of the following certification statement to attest to the truth and accuracy of the data submitted:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations, I certify that the information contained in or accompanying this document is true, accurate, and complete.

"As to (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under

my direct instructions, made the verification that this information is true, accurate, and complete.

"In the event that any of this information is determined by the Board or a court of law to be false, inaccurate, or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by the Board or court and that the company will be liable for any actions taken in contravention of the company's obligations under the federal RCRA and Comprehensive Environmental Response, Compensation and Liability Act (42 USC 9601 et seq.) and corresponding provisions of the Act premised upon the company's reliance on the void exclusion."

BOARD NOTE: The obligations of this exclusion are derived from but also distinct from the obligations under the corresponding federally-granted exclusion of table 2 of appendix IX to 40 CFR 261.

441
442
443

(Source: Amended at 37 Ill. Reg. _____, effective _____)

444 **Section 721.~~APPENDIX~~Appendix I Wastes Excluded by**
445 **Administrative Action**

446
447 **Section 721.~~TABLE~~Table C Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and**
448 **260.22 from Commercial Chemical Products, Off-Specifications Species, Container**
449 **Residues, and Soil Residues Thereof**
450

Facility Address

Waste Description

451
452 (None excluded from an Illinois source at this time)

453
454 (Source: Amended at 37 Ill. Reg. _____, effective _____)
455

456 **Section 721.**~~APPENDIX~~**Appendix I Wastes Excluded by**
 457 **Administrative Action**

458
 459 **Section 721.**~~TABLE~~**Table D Wastes by the Board by Adjusted Standard**
 460

461 The Board has entered the following orders on petitions for adjusted standards for delisting,
 462 pursuant to 35 Ill. Adm. Code 720.122.
 463

- AS 91-1 Petition of Keystone Steel & Wire Co. for Hazardous Waste Delisting, AS 91-1 (Feb. 6, 1992 and Apr. 23, 1992). (Chemically stabilized electric arc furnace dust (K061 waste).)

- AS91-1 ~~Petition of Keystone Steel and Wire Co. for Hazardous Waste Delisting, February 6, 1992, and modified at 133-PCB-189, April 23, 1992. (Treated K061 waste)~~

- AS 91-3 Petition of Peoria Disposal Company for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 91-3 (Feb. 4, 1993 and Mar. 11, 1993). (Chemically stabilized wastewater treatment sludges from electroplating, anodizing, chemical milling and etching, and circuit board manufacturing (F006 waste).)

- AS91-3 ~~Petition of Peoria Disposal Co. for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, February 6 and March 11, 1993. (Treated F006 waste)~~

- AS 93-7 Petition of Keystone Steel & Wire Company for an Adjusted Standard from 35 Ill. Am. Code 721.132, AS 93-7 (Feb. 17, 1994, Mar. 17, 1994, and Dec. 14, 1994). (Chemically stabilized waste pickling liquor (K062 waste).)

- AS93-7 ~~Petition of Keystone Steel & Wire Co. for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, February 17, 1994, as modified March 17, 1994. (Treated K062 waste)~~

- AS 94-10 Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 94-10 (Dec. 14, 1994 and Feb. 16, 1995). (Sludge from the treatment of multiple hazardous wastes (F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes).)

- AS94-10 ~~Petition of Envirite Corporation for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, December 14, 1994, as modified on February~~

~~16, 1995. (Treated F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes)~~