

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
720.110	Amendment
720.111	Amendment
720.142	Amendment
- 4) Statutory Authority: 415 ILCS 5/7.2, 13, 22.4, and 27
- 5) A Complete Description of the Subjects and Issues Involved: The amendments to Part 720 are a single segment of the docket R19-11 rulemaking that also affects 35 Ill. Adm. Code 703, 721 through 725, 727, 733, and 739. The R19-11 rulemaking updates the Illinois hazardous waste rules to incorporate amendments adopted by the United States Environmental Protection Agency (USEPA) during the second half of 2018: July 1, 2018 through December 31, 2018. A comprehensive description is contained in the Board's opinion and order of February 14, 2019, proposing amendments in docket R19-11, which opinion and order is available from the address below.



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

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

Specifically, the amendments to Part 720 incorporate elements of the federal conditional exclusion of airbag waste. The amendments also standardize use of USEPA Form 8700-12, conform use of defined terms, correct punctuation, and simplify phrasing to add clarity to previously adopted rules.

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

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

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

Don A. Brown, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago IL 60601

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

POLLUTION CONTROL BOARD

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

312/814-6924

e-mail: michael.mccambridge@illinois.gov

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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
 - B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
 - C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805].
- 14) Small Business Impact Analysis: Sections 1-5(c) and 5-30 of the Administrative Procedure Act [5 ILCS 100/1-5(c) and 5-30 (2018)] provide that small business impact analysis and related requirements under Section 5-30 do not apply to this type of identical-in-substance rulemaking.

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- 15) Regulatory Agenda on which this rulemaking was summarized: January 2019

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

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

PART 720
HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

Section

- 720.101 Purpose, Scope, and Applicability
- 720.102 Availability of Information; Confidentiality of Information
- 720.103 Use of Number and Gender
- 720.104 Manifest Copy Submission Requirements for Certain Interstate Waste Shipments
- 720.105 Applicability of Electronic Manifest System and User Fee Requirements to Facilities Receiving State-Only Regulated Waste Shipments
- 720.109 Electronic Reporting ~~(Renumbered)~~

SUBPART B: DEFINITIONS AND REFERENCES

Section

- 720.110 Definitions
- 720.111 References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section

- 720.120 Rulemaking
- 720.121 Alternative Equivalent Testing Methods
- 720.122 Waste Delisting
- 720.123 Petitions for Regulation as Universal Waste
- 720.130 Procedures for Solid Waste Determinations and Non-Waste Determinations
- 720.131 Solid Waste and Verified Facility Determinations
- 720.132 Boiler Determinations
- 720.133 Procedures for Determinations
- 720.134 Non-Waste Determinations
- 720.140 Additional Regulation of Certain Hazardous Waste Recycling Activities on a Case-by-Case Basis
- 720.141 Procedures for Case-by-Case Regulation of Hazardous Waste Recycling Activities
- 720.142 Notification Requirement for Hazardous Secondary Materials
- 720.143 Legitimate Recycling of Hazardous Secondary Materials

720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste) Regulations (Repealed)

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

SOURCE: Adopted in R81-22 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 R82-19 at 7 Ill. Reg. 14015, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17496, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1704, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9094, effective July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1063, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9443, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1266, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9168, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6550, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 3712, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg. 12713, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5974, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6290, effective April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2930, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 730, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11726, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 922, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-2/R11-16 at

35 Ill. Reg. 17672, effective October 14, 2011; amended in R12-7 at 36 Ill. Reg. 8740, effective June 4, 2012; amended in R13-5 at 37 Ill. Reg. 3180, effective March 4, 2013; amended in R13-15 at 37 Ill. Reg. 17726, effective October 24, 2013; amended in R14-1/~~R14-2~~/~~R14-3~~ at 38 Ill. Reg. 7189, effective March 13, 2014; amended in R14-13 at 38 Ill. Reg. 12378, effective May 27, 2014; amended in R15-1 at 39 Ill. Reg. 1542, effective January 12, 2015; amended in R16-7 at 40 Ill. Reg. 11286, effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21215, effective November 19, 2018; amended in R19-3 at 43 Ill. Reg. 446, effective December 6, 2018; amended in R19-11 at 43 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS AND REFERENCES

Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 728, 733, 738, and 739 only, the following terms have the meanings given below:

"Aboveground tank" means a device meeting the definition of tank that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) can ~~is able to~~ be visually inspected.

"Active life" of a facility means the period from the initial receipt of hazardous waste at the facility until the Agency receives certification of final closure.

"Active portion" means that portion of a facility where treatment, storage, or disposal operations are being or have been conducted after May 19, 1980, and which is not a closed portion. (See also "closed portion".)

"Acute hazardous waste" means hazardous waste that meets the listing criteria in 35 Ill. Adm. Code 721.111(a)(2) and therefore is either listed in 35 Ill. Adm. Code 721.131 with the assigned hazard code of (H) or is listed in 35 Ill. Adm. Code 721.133(e).

BOARD NOTE: These are USEPA hazardous waste numbers F020, F021, F022, F023, F026, and F027, and all USEPA hazardous waste numbers having the prefix "P".

"Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

"Airbag waste" means any hazardous waste airbag modules or hazardous waste airbag inflators.

"Airbag waste collection facility" means any facility that receives airbag waste from airbag handlers subject to regulation under 35 Ill.

Adm. Code 721.104(j) and which accumulates the waste for more than ~~ten~~¹⁰ days.

"Airbag waste handler" means any person, by site, that generates airbag waste which is subject to regulation under 35 Ill. Adm. Code 721.104(j).

"Ancillary equipment" means any device, including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps, that is used to distribute, meter, or control the flow of hazardous waste from its point of generation to storage or treatment tanks, between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

"Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

"Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent, or person of equivalent responsibility.

"Battery" means a device that consists of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Board" means the Illinois Pollution Control Board.

"Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

Boiler by physical characteristics:

The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids, or heated gases; and the unit's combustion chamber and primary energy recovery sections must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery sections (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit. A unit in which the combustion chamber and the primary energy recovery sections are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber and the primary energy recovery section. The following units are not precluded from being boilers solely because they are not of integral design: process heaters (units that transfer energy directly to a process stream) and fluidized bed combustion units; and

While in operation, the unit must maintain a thermal energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

The unit must export and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, no credit may be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps.); or

Boiler by designation. The unit is one that the Board has determined, on a case-by-case basis, to be a boiler, after considering the standards in Section 720.132.

"Carbon dioxide stream" means carbon dioxide that has been captured from an emission source (e.g., a power plant), plus incidental associated substances derived from the source materials and the capture process, and any substances added to the stream to enable or improve the injection process.

"Carbon regeneration unit" means any enclosed thermal treatment device used to regenerate spent activated carbon.

"Cathode ray tube" or "CRT" means a vacuum tube, composed primarily of glass, which is the visual or video display component of an electronic device. A "used, intact CRT" means a CRT whose vacuum has not been released. A "used, broken CRT" means glass removed from its housing or casing whose vacuum has been released.

"Central accumulation area" means any on-site area where hazardous waste is accumulating in units subject to either 35 Ill. Adm. Code 722.116 (for an SQG) or 35 Ill. Adm. Code 722.117 (for an LQG). A central accumulation area at an eligible academic entity that chooses to operate under Subpart K of 35 Ill. Adm. Code 722 is also subject to 35 Ill. Adm. Code 722.311 when accumulating unwanted material or hazardous waste.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"Closed portion" means that portion of a facility that an owner or operator has closed in accordance with the approved facility closure plan and all applicable closure requirements. (See also "active portion".)

"Component" means either the tank or ancillary equipment of a tank system.

"Confined aquifer" means an aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer itself; an aquifer containing confined groundwater.

"Contained" means held in a unit (including a land-based unit, as defined in this Section) that meets either of the following containment situations:

Containment situation 1 (non-hazardous waste containment):

The unit is in good condition, with no leaks or other continuing or intermittent unpermitted releases of the hazardous secondary materials to the environment, and is designed, as appropriate for the hazardous secondary materials, to prevent unpermitted releases of hazardous secondary materials to the environment. "Unpermitted releases" are releases that are not covered by a permit (such as a permit to discharge to water or air) and may include, but are not limited to, releases through surface transport by precipitation run-off ~~runoff~~, releases to soil and groundwater, windblown dust, fugitive air emissions, and catastrophic unit failures;

The unit is properly labeled or otherwise has a system (such as a log) to immediately identify the hazardous secondary materials in the unit; and

The unit holds hazardous secondary materials that are compatible with other hazardous secondary materials placed in the unit, is compatible with the materials used to construct the unit, and addresses any potential risks of fires or explosions.

Containment situation 2 (hazardous waste containment):

Hazardous secondary materials in units that meet the applicable requirements of 35 Ill. Adm. Code 724 or 725 are presumptively contained.

~~"Confined aquifer" means an aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer itself; an aquifer containing confined groundwater.~~

"Container" means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

"Containment building" means a hazardous waste management unit that is used to store or treat hazardous waste pursuant to the provisions of Subpart DD of 35 Ill. Adm. Code 724 and Subpart DD of 35 Ill. Adm. Code 725.

"Contingency plan" means a document setting out an organized, planned and coordinated course of action to be followed in case of a fire, explosion, or release of hazardous waste or hazardous waste constituents that could threaten human health or the environment.

"Corrosion expert" means a person who, by reason of knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or

submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

"CRT collector" means a person who receives used, intact CRTs for recycling, repair, resale, or donation.

"CRT exporter" means any person in the United States that initiates a transaction to send used CRTs outside the United States or its territories for recycling or reuse, or any intermediary in the United States arranging for such export.

"CRT glass manufacturer" means an operation or part of an operation that uses a furnace to manufacture CRT glass.

"CRT processing" means conducting all of the following activities:

Receiving broken or intact CRTs;

Intentionally breaking intact CRTs or further breaking or separating broken CRTs; and

Sorting or otherwise managing glass removed from CRT monitors.

"Designated facility" means either of the following entities:

A hazardous waste treatment, storage, or disposal facility that has been designated on the manifest by the generator, pursuant to 35 Ill. Adm. Code 722.120, of which any of the following is true:

The facility has received a RCRA permit (or interim status) pursuant to 35 Ill. Adm. Code 702, 703, and 705;

The facility has received a RCRA permit from USEPA pursuant to 40 CFR 124 and 270;

The facility has received a RCRA permit from a state authorized by USEPA pursuant to 40 CFR 271; or

The facility is regulated pursuant to 35 Ill. Adm. Code 721.106(c)(2) or Subpart F of 35 Ill. Adm. Code 266; or

A generator site designated by the hazardous waste generator on the manifest to receive back its own waste as a return shipment from a designated hazardous waste treatment, storage, or disposal facility that has rejected the waste in accordance with 35 Ill. Adm. Code 724.172(f) or 725.172(f).

If a waste is destined to a facility in a state other than Illinois that has been authorized by USEPA pursuant to 40 CFR 271, but which has not yet obtained authorization to regulate that waste as hazardous, then the designated facility must be a facility allowed by the receiving state to accept such waste.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for the purposes of managing that category of universal waste.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids, or other materials.

"Dioxins and furans" means tetra-, penta-, hexa-, hepta-, and octa-chlorinated dibenzo dioxins and furans.

"Director" means the Director of the Illinois Environmental Protection Agency.

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of hazardous waste into or on any land or water.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

"Disposal facility" means a facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water and at which waste will remain after closure. The term disposal facility does not include a corrective action management unit (CAMU) into which remediation wastes are placed.

"Drip pad" means an engineered structure consisting of a curbed, free-draining base, constructed of non-earthen materials and designed to convey preservative kick-back or drippage from treated wood, precipitation and surface water run-on ~~run-on~~ to an associated collection system at wood preserving plants.

"Electronic import-export reporting compliance date" means the date that USEPA will announce in the Federal Register, on or after which exporters, importers, and receiving facilities will be required to submit certain export and import related documents to USEPA using USEPA's Waste Import Export Tracking System, or its successor system. BOARD NOTE: A compliance date in Illinois regulations is limited to a date certain on or after the Board has adopted the date by rulemaking.

Adoption by rulemaking of the electronic import-export reporting compliance date can occur only after USEPA has made its announcement in the Federal Register. Until the Board has incorporated a date certain by rulemaking, the Board intends that no "electronic import-export reporting compliance date" will apply in the context of the Illinois rules. The federal electronic import-export reporting compliance date named by USEPA, however, may apply as provided by federal law.

"Electronic manifest" or "e-Manifest" means the electronic format of the hazardous waste manifest that is obtained from USEPA's national e-Manifest System and transmitted electronically to the e-Manifest System, and which is the legal equivalent of USEPA Forms 8700-22 (Manifest) and 8700-22A (Continuation Sheet).

"Electronic Manifest System" or "e-Manifest System" means USEPA's national information technology system through which the e-Manifest may be obtained, completed, transmitted, and distributed to users of the e-Manifest System and to regulatory agencies.

"Elementary neutralization unit" means a device of which the following is true:

It is used for neutralizing wastes that are hazardous only because they exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122 or which are listed in Subpart D of 35 Ill. Adm. Code 721 only for this reason; and

It meets the definition of tank, tank system, container, transport vehicle, or vessel in this Section.

"EPA region" or "USEPA region" means the states and territories found in any one of the following 10 regions:

Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

Region II: New York, New Jersey, Commonwealth of Puerto Rico, and the U.S. Virgin Islands.

Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia, and the District of Columbia.

Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina, and Florida.

Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio.

Region VI: New Mexico, Oklahoma, Arkansas, Louisiana, and Texas.

Region VII: Nebraska, Kansas, Missouri, and Iowa.

Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah, and Colorado.

Region IX: California, Nevada, Arizona, Hawaii, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands.

Region X: Washington, Oregon, Idaho, and Alaska.

"Equivalent method" means any testing or analytical method approved by the Board pursuant to Section 720.120.

"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility that was in operation or for which construction commenced on or before November 19, 1980. A facility had commenced construction if the owner or operator had obtained the federal, State, and local approvals or permits necessary to begin physical construction and either of the following had occurred:

A continuous on-site, physical construction program had begun; or

The owner or operator had entered into contractual obligations that could not be canceled or modified without substantial loss for physical construction of the facility to be completed within a reasonable time.

"Existing portion" means that land surface area of an existing waste management unit, included in the original Part A permit application, on which wastes have been placed prior to the issuance of a permit.

"Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of hazardous waste and which was in operation, or for which installation was commenced, on or prior to July 14, 1986. Installation will be considered to have commenced if the owner or operator has obtained all federal, State, and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either of the following is true:

A continuous on-site physical construction or installation program has begun; or

The owner or operator has entered into contractual obligations that cannot be canceled or modified without substantial loss for physical construction of the site or installation of the tank system to be completed within a reasonable time.

"Explosives or munitions emergency" means a situation involving the suspected or detected presence of unexploded ordnance (UXO), damaged or deteriorated explosives or munitions, an improvised explosive device (IED), other potentially explosive material or device, or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety, or the environment, including property, as determined by an

explosives or munitions emergency response specialist. Such situations may require immediate and expeditious action by an explosives or munitions emergency response specialist to control, mitigate, or eliminate the threat.

"Explosives or munitions emergency response" means all immediate response activities by an explosives and munitions emergency response specialist to control, mitigate, or eliminate the actual or potential threat encountered during an explosives or munitions emergency. An explosives or munitions emergency response may include in-place render-safe procedures, treatment, or destruction of the explosives or munitions or transporting those items to another location to be rendered safe, treated, or destroyed. Any reasonable delay in the completion of an explosives or munitions emergency response caused by a necessary, unforeseen, or uncontrollable circumstance will not terminate the explosives or munitions emergency. Explosives and munitions emergency responses can occur on either public or private lands and are not limited to responses at RCRA facilities.

"Explosives or munitions emergency response specialist" means an individual trained in chemical or conventional munitions or explosives handling, transportation, render-safe procedures, or destruction techniques. Explosives or munitions emergency response specialists include United States Department of Defense (USDOD) emergency explosive ordnance disposal (EOD), technical escort unit (TEU), and USDOD-certified civilian or contractor personnel and other federal, State, or local government or civilian personnel who are similarly trained in explosives or munitions emergency responses.

"Facility" means the following:

All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste or for managing hazardous secondary materials prior to reclamation. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

~~For the purpose of~~ implementing corrective action pursuant to 35 Ill. Adm. Code 724.201 or 35 Ill. Adm. Code 727.201, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing corrective action pursuant to RCRA section 3008(h).

Notwithstanding the immediately-preceding paragraph of this definition, a remediation waste management site is not a facility that is subject to 35 Ill. Adm. Code 724.201, but a facility that is subject to corrective action requirements if the site is located within such a facility.

"Federal agency" means any department, agency, or other instrumentality of the federal government, any independent agency or establishment of

the federal government, including any government corporation and the Government Printing Office.

"Federal, State, and local approvals or permits necessary to begin physical construction" means permits and approvals required under federal, State, or local hazardous waste control statutes, regulations, or ordinances.

"Final closure" means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities pursuant to 35 Ill. Adm. Code 724 and 725 are no longer conducted at the facility unless subject to the provisions of 35 Ill. Adm. Code 722.116.

"Food-chain crops" means tobacco, crops grown for human consumption, and crops grown for feed for animals whose products are consumed by humans.

"Freeboard" means the vertical distance between the top of a tank or surface impoundment dike and the surface of the waste contained therein.

"Free liquids" means liquids that readily separate from the solid portion of a waste under ambient temperature and pressure.

"Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation.

"Groundwater" means water below the land surface in a zone of saturation.

"Hazardous secondary material" means a secondary material (e.g., spent material, by-product, or sludge) that, when discarded, would be identified as hazardous waste pursuant to 35 Ill. Adm. Code 721.

"Hazardous secondary material generator" means any person whose act or process produces hazardous secondary materials at the generating facility. For purposes of this definition, "generating facility" means all contiguous property owned, leased, or otherwise controlled by the hazardous secondary material generator. For the purposes of Sections 721.102(a)(2)(B) and 721.104(a)(23), a facility that collects hazardous secondary materials from other persons is not the hazardous secondary material generator.

"Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste constituent" means a constituent that caused the hazardous waste to be listed in Subpart D of 35 Ill. Adm. Code 721, or a constituent listed in 35 Ill. Adm. Code 721.124.

"Hazardous waste management unit" is a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is

significant likelihood of mixing hazardous waste constituents in the same area. Examples of hazardous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill cell, an incinerator, a tank and its associated piping and underlying containment system, and a container storage area. A container alone does not constitute a unit; the unit includes containers, and the land or pad upon which they are placed.

"Incinerator" means any enclosed device of which the following is true:

The facility uses controlled flame combustion, and both of the following are true of the facility:

The facility does not meet the criteria for classification as a boiler, sludge dryer, or carbon regeneration unit, nor

The facility is not listed as an industrial furnace; or

The facility meets the definition of infrared incinerator or plasma arc incinerator.

"Incompatible waste" means a hazardous waste that is unsuitable for the following:

Placement in a particular device or facility because it may cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

Commingling with another waste or material under uncontrolled conditions because the commingling might produce heat or pressure, fire, or explosion, violent reaction, toxic dusts, mists, fumes or gases, or flammable fumes or gases.

(See Appendix E to 35 Ill. Adm. Code 724 and Appendix E to 35 Ill. Adm. Code 725 for references that list examples.)

"Individual generation site" means the contiguous site at or on which one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.

"Industrial furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy:

Cement kilns;

Lime kilns;

Aggregate kilns;

Phosphate kilns;

Coke ovens;

Blast furnaces;

Smelting, melting, and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces);

Titanium dioxide chloride process oxidation reactors;

Methane reforming furnaces;

Pulping liquor recovery furnaces;

Combustion devices used in the recovery of sulfur values from spent sulfuric acid;

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least three percent, the acid product is used in a manufacturing process, and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20 percent, as generated; and

Any other such device as the Agency determines to be an industrial furnace based on ~~the basis of~~ one or more of the following factors:

The design and use of the device primarily to accomplish recovery of material products;

The use of the device to burn or reduce raw materials to make a material product;

The use of the device to burn or reduce secondary materials as effective substitutes for raw materials, in processes using raw materials as principal feedstocks;

The use of the device to burn or reduce secondary materials as ingredients in an industrial process to make a material product;

The use of the device in common industrial practice to produce a material product; and

Other relevant factors.

~~"Individual generation site" means the contiguous site at or on which one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.~~

"Infrared incinerator" means any enclosed device that uses electric powered resistance heaters as a source of radiant heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Inground tank" means a device meeting the definition of tank whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

"In operation" refers to a facility that is treating, storing, or disposing of hazardous waste.

"Injection well" means a well into which fluids are being injected. (See also "underground injection".)

"Inner liner" means a continuous layer of material placed inside a tank or container that protects the construction materials of the tank or container from the contained waste or reagents used to treat the waste.

"Installation inspector" means a person who, by reason of knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

"Intermediate facility" means any facility that stores hazardous secondary materials for more than 10 days and which is neither a hazardous secondary material generator nor a reclaimer of hazardous secondary material.

"International shipment" means the transportation of hazardous waste into or out of the jurisdiction of the United States.

"Lamp" or "universal waste lamp" means the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, or infrared regions of the electromagnetic spectrum. Examples of common universal waste lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-pressure sodium, and metal halide lamps.

"Land-based unit" means an area where hazardous secondary materials are placed in or on the land before recycling. This definition does not include land-based production units.

"Land treatment facility" means a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

"Landfill" means a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or a corrective action management unit (CAMU).

"Landfill cell" means a discrete volume of a hazardous waste landfill that uses a liner to provide isolation of wastes from adjacent cells or wastes. Examples of landfill cells are trenches and pits.

"Large quantity generator" or "LQG" means a generator that generates any of the following amounts of material in a calendar month:

Greater than or equal to 1,000 kg (2,200 lbs) of non-acute hazardous waste;

Greater than 1 kg (2.2 lbs) of acute hazardous waste listed in 35 Ill Adm. Code 721.131 or 721.133(e); or

Greater than 100 kg (220 lbs) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed in 35 Ill Adm. Code 721.131 or 721.133(e).

"LDS" means leak detection system.

"Leachate" means any liquid, including any suspended components in the liquid, that has percolated through or drained from hazardous waste.

"Liner" means a continuous layer of natural or manmade materials beneath or on the sides of a surface impoundment, landfill, or landfill cell that restricts the downward or lateral escape of hazardous waste, hazardous waste constituents, or leachate.

"Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of hazardous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of hazardous waste into the secondary containment structure.

"Management" or "hazardous waste management" means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous waste.

"Manifest" means the shipping document USEPA Form 8700-22 (including, if necessary, USEPA Form 8700-22A), or the e-Manifest, originated and

signed in accordance with the applicable requirements of 35 Ill. Adm. Code 722 through 727.

"Manifest tracking number" means the alphanumeric identification number (i.e., a unique three letter suffix preceded by nine numerical digits) that is pre-printed in Item 4 of the manifest by a registered source.

"Mercury-containing equipment" means a device or part of a device (including thermostats, but excluding batteries and lamps) that contains elemental mercury integral to its function.

"Military munitions" means all ammunition products and components produced or used by or for the United States Department of Defense or the United States Armed Services for national defense and security, including military munitions under the control of the United States Department of Defense (USDOD), the United States Coast Guard, the United States Department of Energy (USDOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by USDOD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components of these items and devices. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components of these items and devices. However, the term does include non-nuclear components of nuclear devices, managed under USDOE's nuclear weapons program after all sanitization operations required under the Atomic Energy Act of 1954 (42 USC 2014 et seq.), as amended, have been completed.

"Mining overburden returned to the mine site" means any material overlying an economic mineral deposit that is removed to gain access to that deposit and is then used for reclamation of a surface mine.

"Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored, or disposed of and that is not a container; tank; surface impoundment; pile; land treatment unit; landfill; incinerator; boiler; industrial furnace; underground injection well with appropriate technical standards pursuant to 35 Ill. Adm. Code 730; containment building; corrective action management unit (CAMU); unit eligible for a research, development, and demonstration permit pursuant to 35 Ill. Adm. Code 703.231; or staging pile.

"Movement" means hazardous waste that is transported to a facility in an individual vehicle.

"NAICS Code" means the code number assigned a facility using the "North American Industry Classification System", incorporated by reference in Section 720.111.

"New hazardous waste management facility", "new HWM facility", or "new facility" means a facility that began operation, or for which construction commenced after November 19, 1980. (See also "Existing hazardous waste management facility".)

"New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of hazardous waste and for which installation commenced after July 14, 1986; except, however, for purposes of 35 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for which construction commenced after July 14, 1986. (See also "existing tank system".)

"No free liquids", as used in 35 Ill. Adm. Code 721.104(a)(26) and (b)(18), means that solvent-contaminated wipes may not contain free liquids, as determined by Method 9095B (Paint Filter Liquids Test), included in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", incorporated by reference in Section 720.111, and that there is no free liquid in the container holding the wipes. No free liquids may also be determined using another standard or test method that the Agency has determined by permit condition is equivalent to Method 9095B.

"Non-acute hazardous waste" means hazardous waste that is not acute hazardous waste, as defined in this Section.

"On-ground ~~Onground~~-tank" means a device meeting the definition of tank that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

"On-site" means the same or geographically contiguous property that may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that the owner controls and to which the public does not have access is also considered on-site property.

"Open burning" means the combustion of any material without the following characteristics:

Control of combustion air to maintain adequate temperature for efficient combustion;

Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

Control of emission of the gaseous combustion products.

(See also "incineration" and "thermal treatment".)

"Operator" means the person responsible for the overall operation of a facility.

"Owner" means the person that owns a facility or part of a facility.

"Partial closure" means the closure of a hazardous waste management unit in accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or 725 at a facility that contains other active hazardous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile, or other hazardous waste management unit, while other units of the same facility continue to operate.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or any interstate body.

"Personnel" or "facility personnel" means all persons who work at or oversee the operations of a hazardous waste facility and whose actions or failure to act may result in noncompliance with 35 Ill. Adm. Code 724 or 725.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA; 21 USC 321(v)), incorporated by reference in Section 720.111(c);

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services pursuant to FFDCA section 512 (21 USC 360b), incorporated by reference in Section 720.111(c), to be an exempted new animal drug; or

It is an animal feed under FFDCA section 201(w) (21 USC 321(w)), incorporated by reference in Section 720.111(c), that bears or contains any substances described in either of the two preceding paragraphs of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 260.10 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug". This is very similar to the language of section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 USC 136(u)). The three exceptions, taken together, appear intended not to include as pesticide any material within the scope of federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"Pile" means any non-containerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage, and that is not a containment building.

"Plasma arc incinerator" means any enclosed device that uses a high intensity electrical discharge or arc as a source of heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Point source" means any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

"Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code 310.110.

"Qualified groundwater scientist" means a scientist or engineer who has received a baccalaureate or postgraduate degree in the natural sciences or engineering, and has sufficient training and experience in groundwater hydrology and related fields, as demonstrated by state registration, professional certifications, or completion of accredited university courses that enable the individual to make sound professional judgments regarding groundwater monitoring and contaminant rate and transport.

BOARD NOTE: State registration includes, but is not limited to, registration as a professional engineer with the Department of Professional Regulation, pursuant to 225 ILCS 325 and 68 Ill. Adm. Code 1380. Professional certification includes, but is not limited to, certification under the certified groundwater professional program of the National Ground Water Association.

"RCRA" means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.).

"RCRA standardized permit" means a RCRA permit issued pursuant to Subpart J of 35 Ill. Adm. Code 703 and Subpart G of 35 Ill. Adm. Code 702 that authorizes management of hazardous waste. The RCRA standardized permit may have two parts: a uniform portion issued in all cases and a supplemental portion issued at the discretion of the Agency.

"Recognized trader" means a person domiciled in the United States, by site of business, who acts to arrange and facilitate transboundary movements of wastes destined for recovery or disposal operations, either by purchasing from and subsequently selling to United States and foreign facilities, or by acting under arrangements with a United States waste facility to arrange for the export or import of the wastes.

"Regional Administrator" means the Regional Administrator for the USEPA region in which the facility is located or the Regional Administrator's designee.

"Remanufacturing" means processing a higher-value hazardous secondary material in order to manufacture a product that serves a similar functional purpose as the original commercial-grade material. For ~~the purpose of~~ this definition, a hazardous secondary material is considered higher-value if it was generated from the use of a commercial-grade material in a manufacturing process and can be remanufactured into a similar commercial-grade material.

"Remediation waste" means all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris that are managed for implementing cleanup.

"Remediation waste management site" means a facility where an owner or operator is or will be treating, storing, or disposing of hazardous remediation wastes. A remediation waste management site is not a facility that is subject to corrective action pursuant to 35 Ill. Adm. Code 724.201, but a remediation waste management site is subject to corrective action requirements if the site is ~~located~~ in ~~such~~ a facility that is subject to corrective action ~~pursuant~~ pursuant to 35 Ill. Adm. Code 724.201.

"Replacement unit" means a landfill, surface impoundment, or waste pile unit from which all or substantially all of the waste is removed, and which is subsequently reused to treat, store, or dispose of hazardous waste. Replacement unit does not include a unit from which waste is removed during closure, if the subsequent reuse solely involves the disposal of waste from that unit and other closing units or corrective action areas at the facility, in accordance with a closure or corrective action plan approved by USEPA or the Agency.

"Representative sample" means a sample of a universe or whole (e.g., waste pile, lagoon, groundwater) that can be expected to exhibit the average properties of the universe or whole.

"Run-off" ~~"Runoff"~~ means any rainwater, leachate, or other liquid that drains over land from any part of a facility.

"Run-on" ~~"Runon"~~ means any rainwater, leachate, or other liquid that drains over land onto any part of a facility.

"Saturated zone" or "zone of saturation" means that part of the earth's crust in which all voids are filled with water.

"SIC code" means "Standard Industrial Classification code", as assigned to a site by the United States Department of Transportation, Federal Highway Administration, based on the particular activities that occur on the site, as set forth in its publication "Standard Industrial Classification Manual", incorporated by reference in Section 720.111(a).

"Sludge" means any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant.

"Sludge dryer" means any enclosed thermal treatment device that is used to dehydrate sludge and which has a total thermal input, excluding the heating value of the sludge itself, of 2,500 Btu/lb or less of sludge treated on a wet-weight basis.

"Small quantity generator" or "SQG" means a generator that generates the following amounts of material in a calendar month:

Greater than 100 kg (220 lbs) but less than 1,000 kilograms (2,200 lbs) of non-acute hazardous waste;

Less than or equal to 1 kg (2.2 lbs) of acute hazardous waste listed in 35 Ill. Adm. Code 721.131 or 721.133(e); and

Less than or equal to 100 kg (220 lbs) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed in 35 Ill. Adm. Code 721.131 or 721.133(e).

"Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.

"Solvent-contaminated wipe" means the following:

A wipe that, after use or after cleaning up a spill, fulfills one or more of the following conditions:

The wipe contains one or more of the F001 through F005 solvents listed in 35 Ill. Adm. Code 721.131 or the corresponding P- or U-listed solvents found in 35 Ill. Adm. Code 721.133;

The wipe exhibits a hazardous characteristic found in Subpart C of 35 Ill. Adm. Code 721 when that characteristic results from a solvent listed in 35 Ill. Adm. Code 721; or

The wipe exhibits only the hazardous waste characteristic of ignitability found in 35 Ill. Adm. Code 721.121 due to the presence of one or more solvents that are not listed in 35 Ill. Adm. Code 721.

Solvent-contaminated wipes that contain listed hazardous waste other than solvents, or exhibit the characteristic of toxicity, corrosivity, or reactivity due to contaminants other than solvents, are not eligible for the exclusions at 35 Ill. Adm. Code 721.104(a)(26) and (b)(18).

"Sorbent" means a material that is used to soak up free liquids by either adsorption or absorption, or both. "Sorb" means to either adsorb or absorb, or both.

"Staging pile" means an accumulation of solid, non-flowing "remediation waste" (as defined in this Section) that is not a containment building and that is used only during remedial operations for temporary storage at a facility. Staging piles must be designated by the Agency according to 35 Ill. Adm. Code 724.654.

"State" means any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment, or disposal facilities; except that, as used in the landfill, surface impoundment, and waste pile rules, sump means any lined pit or reservoir that serves to collect liquids drained from a leachate collection and removal system or leak detection system for subsequent removal from the system.

"Surface impoundment" or "impoundment" means a facility or part of a facility that is a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials (although it may be lined with manmade materials) that is designed to hold an accumulation of liquid wastes or wastes containing free liquids and which is not an injection well. Examples of surface impoundments are holding, storage, settling and aeration pits, ponds, and lagoons.

"Tank" means a stationary device, designed to contain an accumulation of hazardous waste that is constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) that provide structural support.

"Tank system" means a hazardous waste storage or treatment tank and its associated ancillary equipment and containment system.

"TEQ" means toxicity equivalence, the international method of relating the toxicity of various dioxin and furan congeners to the toxicity of 2,3,7,8-tetrachlorodibenzo-p-dioxin.

"Thermal treatment" means the treatment of hazardous waste in a device that uses elevated temperatures as the primary means to change the chemical, physical, or biological character or composition of the hazardous waste. Examples of thermal treatment processes are incineration, molten salt, pyrolysis, calcination, wet air oxidation, and microwave discharge. (See also "incinerator" and "open burning".)

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

"Totally enclosed treatment facility" means a facility for the treatment of hazardous waste that is directly connected to an industrial production process and which is constructed and operated in a manner that prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. An example is a pipe in which waste acid is neutralized.

"Transfer facility" means any transportation-related facility, including loading docks, parking areas, storage areas, and other similar areas where shipments of hazardous waste or hazardous secondary materials are held during the normal course of transportation.

"Transport vehicle" means a motor vehicle or rail car used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

"Transportation" means the movement of hazardous waste by air, rail, highway, or water.

"Transporter" means a person engaged in the off-site transportation of hazardous waste by air, rail, highway, or water.

"Treatability study" means the following:

A study in which a hazardous waste is subjected to a treatment process to determine the following:

Whether the waste is amenable to the treatment process;

What pretreatment (if any) is required;

The optimal process conditions needed to achieve the desired treatment;

The efficiency of a treatment process for a specific waste or wastes;
and

The characteristics and volumes of residuals from a particular treatment process;

Also included in this definition for the purpose of 35 Ill. Adm. Code 721.104(e) and (f) exemptions are liner compatibility, corrosion and other material compatibility studies, and toxicological and health effects studies. A treatability study is not a means to commercially treat or dispose of hazardous waste.

"Treatment" means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize the waste, recover energy or material resources from the waste, or render the waste non-hazardous or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

"Treatment zone" means a soil area of the unsaturated zone of a land treatment unit within which hazardous constituents are degraded, transformed, or immobilized.

"Underground injection" means the subsurface emplacement of fluids through a bored, drilled, or driven well or through a dug well, where the depth of the dug well is greater than the largest surface dimension. (See also "injection well".)

"Underground tank" means a device meeting the definition of tank whose entire surface area is totally below the surface of and covered by the ground.

"Unfit-for-use tank system" means a tank system that has been determined, through an integrity assessment or other inspection, to be no longer capable of storing or treating hazardous waste without posing a threat of release of hazardous waste to the environment.

"United States" means the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"Universal waste" means any of the following hazardous wastes that are managed pursuant to the universal waste requirements of 35 Ill. Adm. Code 733:

Batteries, as described in 35 Ill. Adm. Code 733.102;

Pesticides, as described in 35 Ill. Adm. Code 733.103;

Mercury-containing equipment, as described in 35 Ill. Adm. Code 733.104; and

Lamps, as described in 35 Ill. Adm. Code 733.105.

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates the universal waste, and sends that universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean either of the following:

A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

"Unsaturated zone" or "zone of aeration" means the zone between the land surface and the water table.

"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

"USDOT" or "Department of Transportation" means the United States Department of Transportation.

"Used oil" means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

"USEPA" or "EPA" means the United States Environmental Protection Agency.

"USEPA hazardous waste number" or "EPA hazardous waste number" means the number assigned by USEPA to each hazardous waste listed in Subpart D of 35 Ill. Adm. Code 721 and to each characteristic identified in Subpart C of 35 Ill. Adm. Code 721.

"USEPA identification number" or "USEPA ID number" is the unique alphanumeric identifier that USEPA assigns a hazardous waste generator; transporter; treatment, storage, or disposal facility; or reclamation facility upon notification in compliance with the requirements of section 3010 of RCRA (42 USC 6930).

"User of the Electronic Manifest System" or "user of the e-Manifest System" means a hazardous waste generator, a hazardous waste transporter, an owner or operator of a hazardous waste treatment, storage, recycling, or disposal facility, or any other person or entity

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that is required to use a manifest to comply with any federal or state requirement to track the shipment, transportation, and receipt of either
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hazardous waste or other waste material that is shipped from the site of generation to an off-site designated facility for treatment, storage, recycling, or disposal; or

rejected wastes or regulated container residues that are shipped from a designated facility to an alternative facility, or returned to the generator; and

which elects to use either -

the e-Manifest System to obtain, complete and transmit an e-Manifest format supplied by the USEPA e-Manifest System; or

the paper manifest form and submits to the e-Manifest System for data processing purposes a paper copy of the manifest (or data from such a paper copy), in accordance with 35 Ill. Adm. Code 724.171(a)(2)(E) or 725.171(a)(2)(E).

A paper copy submitted for data processing purposes is submitted for data exchange purposes only and is not the official copy of record for legal purposes.

"USPS" means the United States Postal Service.

"Very small quantity generator" or "VSQG" means a generator that generates less than or equal to the following amounts of material in a calendar month:

100 kg (220 lbs) of nonacute hazardous waste;
1 kg (2.2 lbs) of acute hazardous waste listed in 35 Ill Adm. Code 721.131 or 721.133(e); and

100 kg (220 lbs) of any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill, into or on any land or water, of any acute hazardous waste listed in 35 Ill Adm. Code 721.131 or 721.133(e).

"Vessel" includes every description of watercraft used or capable of being used as a means of transportation on the water.

"Wastewater treatment unit" means a device of which the following is true:

It is part of a wastewater treatment facility that has an NPDES permit pursuant to 35 Ill. Adm. Code 309 or a pretreatment permit or authorization to discharge pursuant to 35 Ill. Adm. Code 310;

It receives and treats or stores an influent wastewater that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or generates and accumulates a wastewater treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or treats or stores a

wastewater treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

It meets the definition of tank or tank system in this Section.

"Water (bulk shipment)" means the bulk transportation of hazardous waste that is loaded or carried on board a vessel without containers or labels.

"Well" means any shaft or pit dug or bored into the earth, generally of a cylindrical form, and often walled with bricks or tubing to prevent the earth from caving in.

"Well injection" (See "underground injection".)

"Wipe" means a woven or non-woven shop towel, rag, pad, or swab made of wood pulp, fabric, cotton, polyester blends, or other material.

"Zone of engineering control" means an area under the control of the owner or operator that, upon detection of a hazardous waste release, can be readily cleaned up prior to the release of hazardous waste or hazardous constituents to groundwater or surface water.

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

Section 720.111 References

The following documents are incorporated by reference for the purposes of this Part and 35 Ill. Adm. Code 702 through 705, 721 through 728, 730, 733, 738, and 739:

a) Non-Regulatory Government Publications and Publications of Recognized Organizations and Associations:

ACGME. Available from the Accreditation Council for Graduate Medical Education, 515 North State Street, Suite 2000, Chicago, IL 60654, 312-755-5000:

"Accreditation Council for Graduate Medical Education: Glossary of Terms", March 19, 2009, referenced in 35 Ill. Adm. Code 722.300.

BOARD NOTE: Also available on the Internet for download and viewing as a PDF file at the following Internet address:
http://www.acgme.org/?acWebsite/?about/?ab_ACGMEglossary.pdf.

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, MI 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted November 1983, referenced in 35 Ill. Adm. Code 724.673 and 725.543.

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, NY 10018, 212-354-3300:

See ASME/ANSI B31.3 and B31.4 and supplements below in this subsection (a) under ASME.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, DC 20005, 202-682-8000:

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems", API Recommended Practice 1632, Second Edition, December 1987, referenced in 35 Ill. Adm. Code 724.292, 724.295, 725.292, and 725.295.

"Evaporative Loss from External Floating-Roof Tanks", API publication 2517, Third Edition, February 1989, USEPA-approved for 35 Ill. Adm. Code 721.983 and 725.984.

"Guide for Inspection of Refinery Equipment", Chapter XIII, "Atmospheric and Low Pressure Storage Tanks", 4th Edition, 1981, reaffirmed December 1987, referenced in 35 Ill. Adm. Code 721.291, 724.291, 724.293, 725.291, and 725.292.

"Installation of Underground Petroleum Storage Systems", API Recommended Practice 1615, Fourth Edition, November 1987, referenced in 35 Ill. Adm. Code 724.292.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, 212-705-7722:

"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3-1987, as supplemented by B31.3a-1988 and B31.3b-1988, referenced in 35 Ill. Adm. Code 724.292 and 725.292. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4-1986, as supplemented by B31.4a-1987, referenced in 35 Ill. Adm. Code 724.292 and 725.292. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, 610-832-9585:

ASTM C 94-90, "Standard Specification for Ready-Mixed Concrete", approved March 30, 1990, referenced in 35 Ill. Adm. Code 724.673 and 725.543.

ASTM D 88-87, "Standard Test Method for Saybolt Viscosity", approved April 24, 1981, reapproved January 1987, referenced in 35 Ill. Adm. Code 726.200.

ASTM D 93-85, "Standard Test Methods for Flash Point by Pensky-Martens Closed Tester", approved October 25, 1985, USEPA-approved for 35 Ill. Adm. Code 721.121.

ASTM D 140-70, "Standard Practice for Sampling Bituminous Materials", approved 1970, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 346-75, "Standard Practice for Collection and Preparation of Coke Samples for Laboratory Analysis", approved 1975, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 420-69, "Guide to Site Characterization for Engineering, Design, and Construction Purposes", approved 1969, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 1452-65, "Standard Practice for Soil Investigation and Sampling by Auger Borings", approved 1965, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 1946-90, "Standard Practice for Analysis of Reformed Gas by Gas Chromatography", approved March 30, 1990, USEPA-approved for 35 Ill. Adm. Code 724.933 and 725.933.

ASTM D 2161-87, "Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity", March 27, 1987, referenced in 35 Ill. Adm. Code 726.200.

ASTM D 2234-76, "Standard Practice for Collection of a Gross Sample of Coal", approved 1976, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 2267-88, "Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography", approved November 17, 1988, USEPA-approved for 35 Ill. Adm. Code 721.963 and 724.963.

ASTM D 2382-88, "Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method)", approved October 31, 1988, USEPA-approved for 35 Ill. Adm. Code 724.933 and 725.933.

ASTM D 2879-92, "Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope", approved 1992, USEPA-approved for 35 Ill. Adm. Code 725.984, referenced in 35 Ill. Adm. Code 721.963, 724.963, and 725.963.

ASTM D 3828-87, "Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester", approved December 14, 1988, USEPA-approved for 35 Ill. Adm. Code 721.121(a).

ASTM E 168-88, "Standard Practices for General Techniques of Infrared Quantitative Analysis", approved May 27, 1988, USEPA-approved for 35 Ill. Adm. Code 721.963 and 724.963.

ASTM E 169-87, "Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis", approved February 1, 1987, USEPA-approved for 35 Ill. Adm. Code 721.963 and 724.963.

ASTM E 260-85, "Standard Practice for Packed Column Gas Chromatography", approved June 28, 1985, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM G 21-70 (1984a), "Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi", referenced in 35 Ill. Adm. Code 724.414 and 725.414.

ASTM G 22-76 (1984b), "Standard Practice for Determining Resistance of Plastics to Bacteria", referenced in 35 Ill. Adm. Code 724.414 and 725.414.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, 202-512-1800:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983, referenced in 35 Ill. Adm. Code 702.110 and Section 720.110.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA publication number EPA-530/SW-846 (Third Edition, November 1986), as amended by Updates I (July 1992), II (November 1994), IIA (August 1993), IIB (January 1995), III (December 1996), IIIA (April 1998), and IIIB (November 2004) (document number 955-001-00000-1). See below in this subsection (a) under NTIS.

ISO. Available from the International Organization for Standardization, BIBC II, Chemin de Blandonne 8, CP 401, 1214 Vernier, Geneva, Switzerland (phone: +41 22 749 01 11; www.iso.org/stare):

International Standard ISO 3166-1:2013, "Codes for the representation of names of countries and their subdivisions - Part 1: Country code", Third edition (2013), referenced in 35 Ill. Adm. Code 702.183 and Section 722.182.

BOARD NOTE: ISO maintains a web page with a free on-line list of country codes: <https://www.iso.org/obp/ui/#search>.

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, 713-492-0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP0285-85, approved March 1985, referenced in 35 Ill. Adm. Code 724.292, 724.295, 725.292, and 725.295.

NFPA. Available from the National Fire Protection Association, 1 Batterymarch Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:

"Flammable and Combustible Liquids Code", NFPA 30 (1977), referenced in 35 Ill. Adm. Code 722.116.

"Flammable and Combustible Liquids Code", NFPA 30 (1981), referenced in 35 Ill. Adm. Code 722.116.

"Flammable and Combustible Liquids Code", NFPA 30 (1984), referenced in 35 Ill. Adm. Code 721.298, 724.298, 725.298, 726.211, and 727.290.

"Flammable and Combustible Liquids Code", NFPA 30 (1987), referenced in 35 Ill. Adm. Code 721.298, 722.116, 724.298, 725.298, 726.211, and 727.290.

"Flammable and Combustible Liquids Code", NFPA 30 (2003), as supplemented by TIA 03-1 (2004), and corrected by Errata 30-03-01 (2004), referenced in 35 Ill. Adm. Code 721.298, 722.116, 724.298, 725.298, 726.211, and 727.290.

"Standard System for the Identification of the Hazards of Materials for Emergency Response", NFPA 704 (2012 or 2017), referenced in 35 Ill. Adm. Code 722.114 and 722.116.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-605-6000 or 800-553-6847 (Internet address: www.ntis.gov):

"APTI Course 415: Control of Gaseous Emissions", December 1981, USEPA publication number EPA-450/2-81-005, NTIS document number PB80-208895, USEPA-approved for 35 Ill. Adm. Code 703.210, 703.211, 703.352, 724.935, and 725.935.

BOARD NOTE: "APTI" denotes USEPA's "Air Pollution Training Institute" (Internet address: www.epa.gov/air/oaqps/apeog/).

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", USEPA publication number EPA-530/SW-87-011, March 15, 1987, NTIS document number PB88-170766, referenced in 35 Ill. Adm. Code 728.106.

"Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar Material) by Extraction and Gravimetry", Revision A, February 1999, USEPA publication number EPA-821/R-98-002, NTIS document number PB99-121949, or Revision B, February 2010, USEPA publication number EPA-821/R-10-001, NTIS document number PB2011-100735, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

BOARD NOTE: Also available on the Internet for free download as a PDF document from the USEPA website at: water.epa.gov/scitech/methods/cwa/methods_index.cfm. Revision A is also from the USEPA, National Service Center for Environmental Publications (NSCEP) website at www.epa.gov/nsncep/index.html.

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March 1983, USEPA document number EPA-600/4-79-020, NTIS document number PB84-128677, referenced in 35 Ill. Adm. Code 725.192.

BOARD NOTE: Also available on the Internet as a viewable/printable HTML document from the USEPA website at:
www.epa.gov/clariton/clhtml/pubtitleORD.html as document 600479002.

"North American Industry Classification System", July 2007, U.S. Department of Commerce, Bureau of the Census, document number PB2007-100002 (hardcover printed volume) or PB2007-500023, referenced in Section 720.110 (definition of "NAICS Code") for the purposes of Section 720.142, and in 35 Ill. Adm. Code 721.104.

BOARD NOTE: Also available on the Internet from the Bureau of Census:
www.census.gov/naics/2007/naicod07.htm.

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", August 1977, EPA-530/SW-611, NTIS document number PB84-174820, referenced in 35 Ill. Adm. Code 725.192.

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", October 1992, USEPA publication number EPA-454/R-92-019, NTIS document number 93-219095, referenced in 35 Ill. Adm. Code 726.204 and 726.206.

BOARD NOTE: Also available on the Internet for free download as a WordPerfect document from the USEPA website at the following Internet address: www.epa.gov/scram001/?guidance/?guide/scrng.wpd.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA publication number EPA-530/SW-846 (Third Edition, November 1986; Revision 6, January 2005), as amended by Updates I (July 1992), II (November 1994), IIA (August 1993), IIB (January 1995), III (December 1996), IIIA (April 1998), and IIIB (November 2004) (document number 955-001-00000-1), generally referenced in Appendices A and I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 726.200, 726.206, 726.212, and 728.106 (in addition to the references cited below for specific methods):

Method 0010 (November 1986) (Modified Method 5 Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0011 (December 1996) (Sampling for Selected Aldehyde and Ketone Emissions from Stationary Sources), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and for Appendix I to 35 Ill. Adm. Code 726.

Method 0020 (November 1986) (Source Assessment Sampling System), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0023A (December 1996) (Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofuran Emissions from Stationary Sources), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.204.

Method 0030 (November 1986) (Volatile Organic Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0031 (December 1996) (Sampling Method for Volatile Organic Compounds (SMVOC)), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0040 (December 1996) (Sampling of Principal Organic Hazardous Constituents from Combustion Sources Using Tedlar(r) Bags), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0050 (December 1996) (Isokinetic HCl/Cl₂ Emission Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.207.

Method 0051 (December 1996) (Midget Impinger HCl/Cl₂ Emission Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.207.

Method 0060 (December 1996) (Determination of Metals in Stack Emissions), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.206.

Method 0061 (December 1996) (Determination of Hexavalent Chromium Emissions from Stationary Sources), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, 35 Ill. Adm. Code 726.206, and Appendix I to 35 Ill. Adm. Code 726.

Method 1010A (November 2004) (Test Methods for Flash Point by Pensky-Martens Closed Cup Tester), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1020B (November 2004) (Standard Test Methods for Flash Point by Setaflash (Small Scale) Closed-cup Apparatus), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1110A (November 2004) (Corrosivity Toward Steel), USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I to 35 Ill. Adm. Code 721.

Method 1310B (November 2004) (Extraction Procedure (EP) Toxicity Test Method and Structural Integrity Test), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and referenced in Appendix I to 35 Ill. Adm. Code 728.

Method 1311 (November 1992) (Toxicity Characteristic Leaching Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721; for

35 Ill. Adm. Code 721.124, 728.107, and 728.140; and for Table T to 35 Ill. Adm. Code 728.

Method 1312 (November 1994) (Synthetic Precipitation Leaching Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1320 (November 1986) (Multiple Extraction Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1330A (November 1992) (Extraction Procedure for Oily Wastes), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9010C (November 2004) (Total and Amenable Cyanide: Distillation), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148, referenced in Table H to 35 Ill. Adm. Code 728.

Method 9012B (November 2004) (Total and Amenable Cyanide (Automated Colorimetric, with Off-Line Distillation)), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148, referenced in Table H to 35 Ill. Adm. Code 728.

Method 9040C (November 2004) (pH Electrometric Measurement), USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I to 35 Ill. Adm. Code 721.

Method 9045D (November 2004) (Soil and Waste pH), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9060A (November 2004) (Total Organic Carbon), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 721.934, 721.963, 724.934, 724.963, 725.934, and 725.963.

Method 9070A (November 2004) (n-Hexane Extractable Material (HEM) for Aqueous Samples), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9071B (April 1998) (n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9095B (November 2004) (Paint Filter Liquids Test), USEPA-approved for 35 Ill. Adm. Code 720.110; Appendix I to 35 Ill. Adm. Code 721; and 35 Ill. Adm. Code 724.290, 724.414, 725.290, 725.414, 725.981, 727.290, and 728.132.

BOARD NOTE: Also available on the Internet for free download in segments in PDF format from the USEPA website at: www.epa.gov/PSW-846.

OECD. Organization for Economic Cooperation and Development, Environment Directorate, 2 rue Andre Pascal, F-75775 Paris Cedex 16, France, +33 (0) 1 45 24 81 67 (www.oecd.org), also OECD Washington

Center, 2001 L Street, NW, Suite 650, Washington, DC 20036-4922, 202-785-6323 or 800-456-6323 (www.oecdwash.org):

OECD Guidance Manual. "Guidance Manual for the Implementation of Council Decision C(2001)107/FINAL, as Amended, on the Control of Transboundary Movements of Wastes Destined for Recovery Operations", 2009 (also called "Guidance Manual for the Control of Transboundary Movements of Recoverable Materials" in OECD documents), but only the following segments, which set forth the substantive requirements of OECD decision C(2001)107/FINAL (June 14, 2001), as amended by C(2001)107/ADD1 (February 28, 2002), C(2004)20 (March 9, 2004), C(2005)141 (December 2, 2005), and C(2008)156 (December 4, 2008):

"Annex B: OECD Consolidated List of Wastes Subject to the Green Control Procedure" (individually referred to as "Annex B to OECD Guidance Manual" in 35 Ill. Adm. Code 722), combining Appendix 3 to OECD decision C(2001)107/FINAL, as amended as described above, together with the text of Annex IX ("List B") to the "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal" ("Basel Convention").

"Annex C: OECD Consolidated List of Wastes Subject to the Amber Control Procedure" (individually referred to as "Annex C to OECD Guidance Manual" in 35 Ill. Adm. Code 722), combining Appendix 4 to OECD decision C(2001)107/FINAL, as amended, together with the text of Annexes II ("Categories of Wastes Requiring Special Consideration") and VIII ("List A") to the Basel Convention.

BOARD NOTE: The OECD Guidance Manual is available online from OECD at www.oecd.org/dataoecd/57/1/42262259.pdf. The OECD and the Basel Convention consider the OECD Guidance Manual unofficial text of these documents. Despite this unofficial status, the Board has chosen to follow USEPA's lead and incorporate the OECD Guidance Manual by reference, instead of separately incorporating the OECD decision C(2001)107/FINAL (with its subsequent amendments: OECD decisions C(2001)107/ADD1, C(2004)20, C(2005)141, and C(2008)156) and the Basel Convention by reference. Use of the OECD Guidance Manual eases reference to the documents, increases access to the documents, and facilitates future updates to this incorporation by reference. All references to "OECD C(2001)107/FINAL" in the text of 35 Ill. Adm. Code 722 refer to both the OECD decision and the Basel Convention that the OECD decision references. The OECD Guidance Manual includes as Annex A the full text of OECD document C(2001)107/FINAL, with amendments, and Annexes B and C set forth lists of wastes subject to Green control procedures and wastes subject to Amber control procedures, respectively, which consolidate the wastes from C(2001)107/FINAL together with those from the Basel Convention.

OECD Guideline for Testing of Chemicals, "Ready Biodegradability", Method 301B (July 17, 1992), "CO2 Evolution (Modified Sturm Test)", referenced in 35 Ill. Adm. Code 724.414.

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, 708-498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986), referenced in 35 Ill. Adm. Code 724.293.

USDOD. Available from the United States Department of Defense:

"DOD Ammunition and Explosives Safety Standards" (DOD 6055.09), as in effect on February 29, 2008 and revised December 15, 2017, December 18, 2017, December 29, 2017, and January 24, 2018, referenced in 35 Ill. Adm. Code 726.305.

"The Motor Vehicle Inspection Report" (DD Form 626), as in effect in October 2011, referenced in 35 Ill. Adm. Code 726.303.

"Requisition Tracking Form" (DD Form 1348), as in effect in July 1991, referenced in 35 Ill. Adm. Code 726.303.

"The Signature and Tally Record" (DD Form 1907), as in effect in October 2011, referenced in 35 Ill. Adm. Code 726.303.

"DOD Multimodal Dangerous Goods Declaration" (DD Form 2890), as in effect in September 2015, referenced in 35 Ill. Adm. Code 726.303.

BOARD NOTE: DOD 6055.09, DD Form 626, DD Form 1348, DD Form 1907, and DD Form 2890 are available on-line for download in pdf format from www.esd.whs.mil/DD/ .

USEPA, e-Manifest System. Available from United States Environmental Protection Agency, e-Manifest System (<https://www.epa.gov/e-manifest>):

"Hazardous Waste Manifest Instructions". Instructions for revision 12-17 of USEPA Forms 8700-22 and 8700-22A, referenced in 35 Ill. Adm. Code 722.121.

BOARD NOTE: Also available on-line from the USEPA website at the following Internet address:
www.epa.gov/hwgenerators/?uniform-hazardous-waste-manifest-instructions-sample-form-and-continuation-sheet.

USEPA, Office of Ground Water and Drinking Water. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, DC 20460:

"Inventory of Injection Wells", USEPA Form 7520-16 (Revised 8-01), referenced in 35 Ill. Adm. Code 704.148 and 704.283.

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", USEPA publication number EPA-570/9-87-002, August 1987, referenced in 35 Ill. Adm. Code 730.165.

USEPA, Receptor Analysis Branch. Available from Receptor Analysis Branch, USEPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October 1992, USEPA publication number EPA-450/R-92-019, USEPA-approved for Appendix I to 35 Ill. Adm. Code 726.

BOARD NOTE: Also available for purchase from NTIS (see above) and on the Internet for free download as a WordPerfect document from the USEPA website at following Internet address:
www.epa.gov/scram001/guidance/guide/scrng.wpd.

USEPA Region 6. Available from United States Environmental Protection Agency, Region 6, Multimedia Permitting and Planning Division, 1445 Ross Avenue, Dallas, TX 75202 (phone: 214-665-7430):

"EPA RCRA Delisting Program - Guidance Manual for the Petitioner", March 23, 2000, referenced in Section 720.122.

USGSA. Available from the United States Government Services Administration:

Government Bill of Lading (GBL) (GSA Standard Form 1103, rev 9/2003, supplemented as necessary with GSA Standard Form 1109, rev 09/1998), referenced in Section 726.303.

BOARD NOTE: Available on-line for download in various formats from www.gsa.gov/forms/forms.htm.

b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20401, 202-783-3238:

10 CFR 20.2006 (2018) (Transfer for Disposal and Manifests), referenced in 35 Ill. Adm. Code 726.425 and 726.450.

Table II, column 2 in appendix B to 10 CFR 20 (2018) (Water Effluent Concentrations), referenced in 35 Ill. Adm. Code 702.110, 730.103, and 730.151.

Appendix G to 10 CFR 20 (2018) (Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests), referenced in 35 Ill. Adm. Code 726.440.

10 CFR 71 (2018) (Packaging and Transportation of Radioactive Material), referenced generally in 35 Ill. Adm. Code 726.430.

10 CFR 71.5 (2018) (Transportation of Licensed Material), referenced in 35 Ill. Adm. Code 726.425.

15 CFR 30.4(b) (2018) (Electronic Export Information Filing, Procedures, Deadlines, and Certification Statements), referenced in 35 Ill. Adm. Code 721.139.

15 CFR 30.6 (2018) (Electronic Export Information Data Elements), referenced in 35 Ill. Adm. Code 721.139.

29 CFR 1910.1200 (2018) (Hazard Communication), referenced in 35 Ill. Adm. Code 722.115.

33 CFR 153.203 (2018) (Procedure for the Notice of Discharge), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

40 CFR 3.3 (2018) (What Definitions Are Applicable to This Part?), referenced in Section 720.104.

40 CFR 3.10 (2018) (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 720.104.

40 CFR 3.2000 (2018) (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 720.104.

40 CFR 51.100(ii) (2018) (Definitions), referenced in 35 Ill. Adm. Code 726.200.

Appendix W to 40 CFR 51 (2018) (Guideline on Air Quality Models), referenced in 35 Ill. Adm. Code 726.204.

BOARD NOTE: Also available from NTIS (see above for contact information) as "Guideline on Air Quality Models", Revised 1986, USEPA publication number EPA-450/12-78-027R, NTIS document numbers PB86-245248 (Guideline) and PB88-150958 (Supplement).

Appendix B to 40 CFR 52.741 (2018) ~~(2017)~~ (VOM Measurement Techniques for Capture Efficiency), referenced in 35 Ill. Adm. Code 703.213, 703.352, 721.984, 721.986, 721.989, 724.982, 724.984, 724.986, 724.989, 725.983, 725.985, 725.987, and 725.990.

40 CFR 60 (2018) (Standards of Performance for New Stationary Sources), referenced generally in 35 Ill. Adm. Code 721.104, 721.950, 721.964, 721.980, 724.964, 724.980, 725.964, and 725.980.

Subpart VV of 40 CFR 60 (2018) (Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry), referenced in 35 Ill. Adm. Code 721.989, 724.989, and 725.990.

Appendix A to 40 CFR 60 (2018) (Test Methods), referenced generally in 35 Ill. Adm. Code 726.205 (in addition to the references cited below for specific methods):

Method 1 (Sample and Velocity Traverses for Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 2 (Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube)), referenced in 35 Ill. Adm. Code 721.934, 724.933, 724.934, 725.933, 725.934, and 726.205.

Method 2A (Direct Measurement of Gas Volume through Pipes and Small Ducts), referenced in 35 Ill. Adm. Code 721.933, 724.933, 725.933, and 726.205.

Method 2B (Determination of Exhaust Gas Volume Flow Rate from Gasoline Vapor Incinerators), referenced in 35 Ill. Adm. Code 726.205.

Method 2C (Determination of Gas Velocity and Volumetric Flow Rate in Small Stacks or Ducts (Standard Pitot Tube)), referenced in 35 Ill. Adm. Code 721.933, 724.933, 725.933, and 726.205.

Method 2D (Measurement of Gas Volume Flow Rates in Small Pipes and Ducts), referenced in 35 Ill. Adm. Code 721.933, 724.933, 725.933, and 726.205.

Method 2E (Determination of Landfill Gas Production Flow Rate), referenced in 35 Ill. Adm. Code 726.205.

Method 2F (Determination of Stack Gas Velocity and Volumetric Flow Rate with Three-Dimensional Probes), referenced in 35 Ill. Adm. Code 726.205.

Method 2G (Determination of Stack Gas Velocity and Volumetric Flow Rate with Two-Dimensional Probes), referenced in 35 Ill. Adm. Code 726.205.

Method 2H (Determination of Stack Gas Velocity Taking into Account Velocity Decay Near the Stack Wall), referenced in 35 Ill. Adm. Code 726.205.

Method 3 (Gas Analysis for the Determination of Dry Molecular Weight), referenced in 35 Ill. Adm. Code 724.443 and 726.205.

Method 3A (Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)), referenced in 35 Ill. Adm. Code 726.205.

Method 3B (Gas Analysis for the Determination of Emission Rate Correction Factor or Excess Air), referenced in 35 Ill. Adm. Code 726.205.

Method 3C (Determination of Carbon Dioxide, Methane, Nitrogen, and Oxygen from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 4 (Determination of Moisture Content in Stack Gases), referenced in 35 Ill. Adm. Code 726.205.

Method 5 (Determination of Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 5A (Determination of Particulate Matter Emissions from the Asphalt Processing and Asphalt Roofing Industry), referenced in 35 Ill. Adm. Code 726.205.

Method 5B (Determination of Nonsulfuric Acid Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 5D (Determination of Particulate Matter Emissions from Positive Pressure Fabric Filters), referenced in 35 Ill. Adm. Code 726.205.

Method 5E (Determination of Particulate Matter Emissions from the Wool Fiberglass Insulation Manufacturing Industry), referenced in 35 Ill. Adm. Code 726.205.

Method 5F (Determination of Nonsulfate Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 5G (Determination of Particulate Matter Emissions from Wood Heaters (Dilution Tunnel Sampling Location)), referenced in 35 Ill. Adm. Code 726.205.

Method 5H (Determination of Particulate Emissions from Wood Heaters from a Stack Location), referenced in 35 Ill. Adm. Code 726.205.

Method 5I (Determination of Low Level Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 18 (Measurement of Gaseous Organic Compound Emissions by Gas Chromatography), referenced in 35 Ill. Adm. Code 721.933, 721.934, 724.933, 724.934, 725.933, and 725.934.

Method 21 (Determination of Volatile Organic Compound Leaks), referenced in 35 Ill. Adm. Code 703.213, 721.934, 721.935, 721.963, 721.983, 724.934, 724.935, 724.963, 725.934, 725.935, 725.963, and 725.984.

Method 22 (Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares), referenced in 35 Ill. Adm. Code 721.933, 724.933, 724.1101, 725.933, 725.1101, and 727.900.

Method 25A (Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer), referenced in 35 Ill. Adm. Code 721.934, 724.934, and 725.985.

Method 25D (Determination of the Volatile Organic Concentration of Waste Samples), referenced in 35 Ill. Adm. Code 721.983, 724.982, 725.983, and 725.984.

Method 25E (Determination of Vapor Phase Organic Concentration in Waste Samples), referenced in 35 Ill. Adm. Code 721.983 and 725.984.

Method 27 (Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure-Vacuum Test), referenced in 35 Ill. Adm. Code 721.986, 724.986, and 725.987.

40 CFR 61 (2018) (National Emission Standards for Hazardous Air Pollutants), referenced generally in 35 Ill. Adm. Code 721.104, 721.933, 721.950, 721.964, 721.980, 724.933, 724.964, 725.933, 725.964, and 725.980.

Subpart V of 40 CFR 61 (2018) (National Emission Standard for Equipment Leaks (Fugitive Emission Sources)), referenced in 35 Ill. Adm. Code 721.989, 724.989, and 725.990.

Subpart FF of 40 CFR 61 (2018) (National Emission Standard for Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and 725.983.

40 CFR 63 (2018) (National Emission Standards for Hazardous Air Pollutants for Source Categories), referenced generally in 35 Ill. Adm. Code 721.293, 721.933, 721.950, 721.964, 721.980, 724.933, 724.964, 724.980, 725.933, 725.964, 725.980, and 726.200.

Subpart RR of 40 CFR 63 (2018) (National Emission Standards for Individual Drain Systems), referenced in 35 Ill. Adm. Code 721.984, 724.984, 724.985, 725.985, and 725.986.

Subpart EEE of 40 CFR 63 (2000) (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors), referenced in 35 Ill. Adm. Code 703.280.

Subpart EEE of 40 CFR 63 (2018) (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors) (includes 40 CFR 63.1206 (When and How Must You Comply with the Standards and Operating Requirements?), 63.1215 (What are the Health-Based Compliance Alternatives for Total Chlorine?), 63.1216 (What are the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?), 63.1217 (What are the Standards for Liquid-Fuel Boilers that Burn Hazardous Waste?), 63.1218 (What are the Standards for Hydrochloric Acid Production Furnaces that Burn Hazardous Waste?), 63.1219 (What are the Replacement Standards for Hazardous Waste Incinerators?), 63.1220 (What are the Replacement Standards for Hazardous Waste-Burning Cement Kilns?), and 63.1221 (What are the Replacement Standards for Hazardous Waste-Burning Lightweight Aggregate Kilns?)), referenced in Appendix A to 35 Ill. Adm. Code 703 and 35 Ill. Adm. Code 703.155, 703.205, 703.208, 703.221, 703.232, 703.320, 703.280, 724.440, 724.701, 724.950, 725.440, and 726.200.

Method 301 (Field Validation of Pollutant Measurement Methods from Various Waste Media) in appendix A to 40 CFR 63 (2018) (Test Methods), referenced in 35 Ill. Adm. Code 721.983 and 725.984.

Appendix C to 40 CFR 63 (2018) (Determination of the Fraction Biodegraded (F_{bio}) in a Biological Treatment Unit), referenced in 35 Ill. Adm. Code 725.984.

Appendix D to 40 CFR 63 (2018) (Test Methods), referenced in 35 Ill. Adm. Code 721.983 and 725.984.

40 CFR 136.3 (Identification of Test Procedures) (2018), referenced in 35 Ill. Adm. Code 702.110, 704.150, 704.187, and 730.103.

40 CFR 144.70 (2018) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 704.240.

40 CFR 232.2 (2018) (Definitions), referenced in 35 Ill. Adm. Code 721.104.

40 CFR 257 (2018)~~(2017)~~ (Criteria for Classification of Solid Waste Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code 739.181.

Subpart B of 40 CFR 257 (2018)~~(2017)~~ (Disposal Standards for the Receipt of Conditionally Exempt Small Quantity Generator (CESQG) Wastes at Non-Municipal Non-Hazardous Waste Disposal Units) (40 CFR 257.5 through 257.30), referenced in 35 Ill. Adm. Code 722.114.

40 CFR 258 (2018)~~(2017)~~ (Criteria for Municipal Solid Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.

40 CFR 260.21(b) (2018) (Alternative Equivalent Testing Methods), referenced in Section 720.121.

40 CFR 261.151 (2018) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 721.251.

Appendix III to 40 CFR 261 (2018) (Chemical Analysis Test Methods), referenced in 35 Ill. Adm. Code 704.150 and 704.187.

Appendix to 40 CFR 262 (2018) (Uniform Hazardous Waste Manifest and Instructions (EPA Forms 8700-22 and 8700-22A and Their Instructions)), referenced in Appendix A to 35 Ill. Adm. Code 722 and 35 Ill. Adm. Code 724.986 and 725.987.

40 CFR 264.151 (2018) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 724.251 and 727.240.

40 CFR 264.1311 (2018) (Manifest Transactions Subject to Fees), referenced in 35 Ill. Adm. Code 724.171.

40 CFR 264.1312 (2018) (User Fee Calculation Methodology), referenced in 35 Ill. Adm. Code 724.171.

40 CFR 264.1313 (2018) (User Fee Revisions), referenced in 35 Ill. Adm. Code 724.171.

40 CFR 264.1314 (2018) (How to Make User Fee Payments), referenced in 35 Ill. Adm. Code 724.171.

40 CFR 264.1315 (2018) (Sanctions for Delinquent Payments), referenced in 35 Ill. Adm. Code 724.171.

40 CFR 264.1316 (2018) (Informal Fee Dispute Resolution), referenced in 35 Ill. Adm. Code 724.171.

Subpart FF of 40 CFR 264 (2018) (Fees for the Electronic Hazardous Waste Manifest Program), referenced in Sections 720.104 and 720.105.

Appendix I to 40 CFR 264 (2018) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 724.

Appendix IV to 40 CFR 264 (2018) (Cochran's Approximation to the Behrens-Fisher Students' T-Test), referenced in Appendix D to 35 Ill. Adm. Code 724.

Appendix V to 40 CFR 264 (2018) (Examples of Potentially Incompatible Waste), referenced in Appendix E to 35 Ill. Adm. Code 724 and 35 Ill. Adm. Code 727.270.

Appendix VI to 40 CFR 264 (2018) (Political Jurisdictions in Which Compliance with § 264.18(a) Must Be Demonstrated), referenced in 35 Ill. Adm. Code 703.306, 724.118, and 727.110.

40 CFR 265.1311 (2018) (Manifest Transactions Subject to Fees), referenced in 35 Ill. Adm. Code ~~725.171.724.171.~~

40 CFR 265.1312 (2018) (User Fee Calculation Methodology), referenced in 35 Ill. Adm. Code ~~725.171.724.171.~~

40 CFR 265.1313 (2018) (User Fee Revisions), referenced in 35 Ill. Adm. Code ~~725.171.724.171.~~

40 CFR 265.1314 (2018) (How to Make User Fee Payments), referenced in 35 Ill. Adm. Code ~~725.171.724.171.~~

40 CFR 265.1315 (2018) (Sanctions for Delinquent Payments), referenced in 35 Ill. Adm. Code ~~725.171.724.171.~~

40 CFR 265.1316 (2018) (Informal Fee Dispute Resolution), referenced in 35 Ill. Adm. Code ~~725.171.724.171.~~

Subpart FF of 40 CFR 265 (2018) (Fees for the Electronic Hazardous Waste Manifest Program), referenced in Sections 720.104 and 720.105.

Appendix I to 40 CFR 265 (2018) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 725.

Appendix III to 40 CFR 265 (2018) (EPA Interim Primary Drinking Water Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.

Appendix IV to 40 CFR 265 (2018) (Tests for Significance), referenced in Appendix D to 35 Ill. Adm. Code 725.

Appendix V to 40 CFR 265 (2018) (Examples of Potentially Incompatible Waste), referenced in 35 Ill. Adm. Code 725.277, 725.301, 725.330, 725.357, 725.382, and 725.413 and Appendix E to 35 Ill. Adm. Code 725.

Appendix IX to 40 CFR 266 (2018)~~(2017)~~ (Methods Manual for Compliance with the BIF Regulations), referenced generally in Appendix I to 35 Ill. Adm. Code 726.

Section 4.0 (Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners), referenced in 35 Ill. Adm. Code 726.200 and 726.204.

Section 5.0 (Hazardous Waste Combustion Air Quality Screening Procedure), referenced in 35 Ill. Adm. Code 726.204 and 726.206.

Section 7.0 (Statistical Methodology for Bevill Residue Determinations), referenced in 35 Ill. Adm. Code ~~726.212~~726.212.

BOARD NOTE: Also available from NTIS (see above for contact information) as "Methods Manual for Compliance with BIF Regulations: Burning Hazardous Waste in Boilers and Industrial Furnaces", December 1990, USEPA publication number EPA-530/SW-91-010, NTIS document number PB91-120006.

40 CFR 267.151 (2018)~~(2017)~~ (Wording of the Instruments), referenced in 35 Ill. Adm. Code 727.240.

40 CFR 270.5 (2018)~~(2017)~~ (Noncompliance and Program Reporting by the Director), referenced in 35 Ill. Adm. Code 703.305.

40 CFR 302 (2018) (Designation, Reportable Quantities, and Notification), referenced in 35 Ill. Adm. Code 721.293.

40 CFR 711.15(a)(4)(i)(C) (2018) (Designation, Reportable Quantities, and Notification), referenced in 35 Ill. Adm. Code 721.104.

40 CFR 761 (2018) (Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.

40 CFR 761.3 (2018) (Definitions), referenced in 35 Ill. Adm. Code 728.102 and 739.110.

40 CFR 761.60 (2018) (Disposal Requirements), referenced in 35 Ill. Adm. Code 728.142.

40 CFR 761.65 (2018) (Storage for Disposal), referenced in 35 Ill. Adm. Code 728.150.

40 CFR 761.70 (2018) (Incineration), referenced in 35 Ill. Adm. Code 728.142.

Subpart B of 49 CFR 107 (2018)~~(2017)~~ (Exemptions), referenced generally in 35 Ill. Adm. Code 724.986 and 725.987.

49 CFR 171 (2018)~~(2017)~~ (General Information, Regulations, and Definitions), referenced generally in 35 Ill. Adm. Code 721.104, 733.118, 733.138, 733.152, and 739.143.

49 CFR 171.3 (2018)~~(2017)~~ (Hazardous Waste), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 171.8 (2018)~~(2017)~~ (Definitions and Abbreviations), referenced in 35 Ill. Adm. Code 733.118, 733.138, 733.152, 733.155, and 739.143.

49 CFR 171.15 (2018) (~~2017~~) (Immediate Notice of Certain Hazardous Materials Incidents), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 171.16 (2018) (~~2017~~) (Detailed Hazardous Materials Incident Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 172 (2018)~~(2017)~~ (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), referenced generally in 35 Ill. Adm. Code 721.104, 721.986, 722.131, 722.132, 724.986, 725.987, 733.114, 733.118, 733.134, 733.138, 733.152, 733.155, and 739.143.

Table to 49 CFR 172.101 (2018)~~(2017)~~ (Hazardous Materials Table), referenced in 35 Ill. Adm. Code ~~721.104~~, 722.183, 722.184, 724.112, and 725.112.

49 CFR 172.304 (2018)~~(2017)~~ (Marking Requirements), referenced in 35 Ill. Adm. Code 722.132.

Subpart C of 49 CFR 172 (2018)~~(2017)~~ (Shipping Papers), referenced in 35 Ill. Adm. Code 722.124.

Subpart E of 49 CFR 172 (2018)~~(2017)~~ (Labeling), referenced in 35 Ill. Adm. Code 722.114 and 722.115.

Subpart F of 49 CFR 172 (2018)~~(2017)~~ (Placarding), referenced in 35 Ill. Adm. Code 722.114, 722.115, and 722.133.

49 CFR 173 (2018) ~~(2017)~~ (Shippers - General Requirements for Shipments and Packages), referenced generally in 35 Ill. Adm. Code 721.104, 721.986, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 173.2 (2018) ~~(2017)~~ (Hazardous Materials Classes and Index to Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.

49 CFR 173.12 (2018) ~~(2017)~~ (Exceptions for Shipments of Waste Materials), referenced in 35 Ill. Adm. Code 724.416, 724.986, 725.416, and 725.987.

49 CFR 173.28 (2018) ~~(2017)~~ (Reuse, Reconditioning, and Remanufacture of Packagings), referenced in 35 Ill. Adm. Code 725.273.

49 CFR 173.50 (2018) ~~(2017)~~ (Class 1 - Definitions), referenced in 35 Ill. Adm. Code 721.123.

49 CFR 173.54 (2018) ~~(2017)~~ (Forbidden Explosives), referenced in 35 Ill. Adm. Code 721.123.

49 CFR 173.115 (2018) ~~(2017)~~ (Class 2, Divisions 2.1, 2.2, and 2.3 - Definitions), referenced in 35 Ill. Adm. Code 721.121.

49 CFR 173.127 (2018) ~~(2017)~~ (Class 2, Divisions 2.1, 2.2, and 2.3 - Definition and Assignment of Packaging Groups), referenced in 35 Ill. Adm. Code 721.121.

49 CFR 174 (2018) ~~(2017)~~ (Carriage by Rail), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 175 (2018) ~~(2017)~~ (Carriage by Aircraft), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 176 (2018) ~~(2017)~~ (Carriage by Vessel), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 177 (2018) ~~(2017)~~ (Carriage by Public Highway), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 177.817 (2018) ~~(2017)~~ (Shipping Papers), referenced in 35 Ill. Adm. Code 722.124.

49 CFR 178 (2018) ~~(2017)~~ (Specifications for Packagings), referenced generally in 35 Ill. Adm. Code 721.104, 721.986, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 179 (2018) ~~(2017)~~ (Specifications for Tank Cars), referenced in 35 Ill. Adm. Code 721.104, 721.986, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 180 (2018)~~-(2017)~~ (Continuing Qualification and Maintenance of Packagings), referenced generally in 35 Ill. Adm. Code 721.986, 724.986, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 190 (2018)~~-(2017)~~ (Pipeline Safety Programs and Rulemaking Procedures), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 191 (2018)~~-(2017)~~ (Transportation of Natural and Other Gas by Pipeline: Annual Reports, Incident Reports, and Safety-Related Condition Reports), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 192 (2018) ~~(2017)~~-(Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 193 (2018) ~~(2017)~~-(Liquefied Natural Gas Facilities: Federal Safety Standards), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 194 (2018) ~~(2017)~~-(Response Plans for Onshore Oil Pipelines), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 195 (2018) ~~(2017)~~-(Transportation of Hazardous Liquids by Pipeline), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 196 (2018) ~~(2017)~~-(Protection of Underground Pipelines from Excavation Activity), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 198 (2018) ~~(2017)~~-(Regulations for Grants to Aid State Pipeline Safety Programs), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 199 (2018) ~~(2017)~~-(Drug and Alcohol Testing), referenced generally in 35 Ill. Adm. Code 721.104.

c) Federal Statutes:

Section 11 of the Atomic Energy Act of 1954 (42 USC 2014 ~~(2016)~~~~-(20162017)~~)), referenced in 35 Ill. Adm. Code 721.104 and 726.310.

Sections 301, 304, 307, and 402 of the Clean Water Act (33 USC 1311, 1314, 1337, and 1342 ~~(2016)~~~~-(20162017)~~)), referenced in 35 Ill. Adm. Code 721.293.

Sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and Cosmetic Act (FFDCA; 21 USC 321(v), 321(w), and 360b(j) ~~(2016)~~~~-(20162017)~~)), referenced in Section 720.110 and 35 Ill. Adm. Code 733.109.

Section 1004 of the Resource Conservation and Recovery Act (42 USC 6903 ~~(2016)~~~~-(20162017)~~)), referenced in 35 Ill. Adm. Code 721.931, 721.951, 721.981, 724.931, 724.981, 725.931, 725.951, and 725.981.

Chapter 601 of subtitle VIII of 49 USC (49 USC 60101 through 60140 (2016) ~~(2016)~~ 2017)), referenced in 35 Ill. Adm. Code 721.104.

Section 1412 of the Department of Defense Authorization Act of 1986 (50 USC 1521(j)(1) (2015)), referenced in 35 Ill. Adm. Code 726.301.

d) This Section incorporates no later editions or amendments.

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

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section 720.142 Notification Requirement for Hazardous Secondary Materials

a) A facility that manages hazardous secondary materials which are excluded from regulation under 35 Ill. Adm. Code 721.104(a)(23), (a)(24), or (a)(27) must send a notification to the Agency, Bureau of Land ~~USEPA Region 5.~~ The notification must occur prior to operating under the regulatory provision and before March 1 of every even-numbered calendar year thereafter using a copy of Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) ~~obtained from the Agency, Bureau of Land (217-782-6762).~~ The notification must include the following information:

1) The name, address, and USEPA identification number (if applicable) of the facility;

2) The name and telephone number of a contact person for the facility;

3) The NAICS code of the facility;

BOARD NOTE: Determined using the "North American Industry Classification System", incorporated by reference in Section 720.111.

4) The regulation under which the facility will manage the hazardous secondary materials;

5) For reclaimers and intermediate facilities managing hazardous secondary materials in accordance with 35 Ill. Adm. Code 721.104(a)(24) or (a)(25), whether the reclaimer or intermediate facility has financial assurance (not applicable for persons managing hazardous secondary materials generated and reclaimed under the control of the generator);

6) When the facility began or expects to begin managing the hazardous secondary materials in accordance with the regulation;

7) A list of hazardous secondary materials that the facility will manage according to the regulation (reported as the USEPA hazardous

waste numbers that would apply if the hazardous secondary materials were managed as hazardous wastes);

8) For each hazardous secondary material, whether the hazardous secondary material, or any portion thereof, will be managed in a land-based unit;

9) The quantity of each hazardous secondary material to be managed annually; and

10) The certification (included in USEPA Form 8700-12) signed and dated by an authorized representative of the facility.

b) If a facility that manages hazardous secondary material has submitted a notification, but then subsequently ceases managing hazardous secondary materials in accordance with a regulation listed in subsection (a), the facility owner or operator must notify the Agency within 30 days after the cessation using a copy of USEPA Form 8700-~~12~~ ~~obtained from the Agency, Bureau of Land (217-782-6762).~~¹². For purposes of this Section, a facility has stopped managing hazardous secondary materials if the facility no longer generates, manages, or reclaims hazardous secondary materials under the regulation listed in subsection (a), and the facility owner or operator does not expect to manage any amount of hazardous secondary materials for at least one year.

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format:

www.epa.gov/?hwgenerators/?instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and-USEPA-Form-8700-12-is-the-required-instructions-and-forms-for-notification-of-regulated-waste-activity.

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

~~ILLINOIS REGISTER~~
~~POLLUTION CONTROL BOARD~~
~~NOTICE OF PROPOSED AMENDMENTS~~
JCAR350720-1902654r01

Document comparison by Workshare Compare on Monday, February 25, 2019
10:19:47 AM

Input:	
Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2019\March2019\35-720-Agency Proposed-(issue 9).docx
Description	35-720-Agency Proposed-(issue 9)
Document 2 ID	file:///I:\Input\Agency Rulemakings - Files Received\2019\March2019\35-720-r01(issue 9).docx
Description	35-720-r01(issue 9)
Rendering set	Standard

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

Statistics:	
	Count
Insertions	19
Deletions	98
Moved from	2
Moved to	2
Style change	0
Format changed	0
Total changes	121

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 720
7 HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL
8

9 SUBPART A: GENERAL PROVISIONS
10

11	Section	
12	720.101	Purpose, Scope, and Applicability
13	720.102	Availability of Information; Confidentiality of Information
14	720.103	Use of Number and Gender
15	720.104	Manifest Copy Submission Requirements for Certain Interstate Waste Shipments
16	720.105	Applicability of Electronic Manifest System and User Fee Requirements to
17		Facilities Receiving State-Only Regulated Waste Shipments
18	720.109	Electronic Reporting
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20 SUBPART B: DEFINITIONS AND REFERENCES
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23	720.110	Definitions
24	720.111	References
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29	720.120	Rulemaking
30	720.121	Alternative Equivalent Testing Methods
31	720.122	Waste Delisting
32	720.123	Petitions for Regulation as Universal Waste
33	720.130	Procedures for Solid Waste Determinations and Non-Waste Determinations
34	720.131	Solid Waste and Verified Facility Determinations
35	720.132	Boiler Determinations
36	720.133	Procedures for Determinations
37	720.134	Non-Waste Determinations
38	720.140	Additional Regulation of Certain Hazardous Waste Recycling Activities on a
39		Case-by-Case Basis
40	720.141	Procedures for Case-by-Case Regulation of Hazardous Waste Recycling
41		Activities
42	720.142	Notification Requirement for Hazardous Secondary Materials
43	720.143	Legitimate Recycling of Hazardous Secondary Materials

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720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste) Regulations
(Repealed)

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

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 R82-19 at 7 Ill. Reg. 14015, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17496, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1704, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9094, effective July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1063, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9443, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1266, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9168, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6550, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 3712, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg. 12713, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5974, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6290, effective April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2930, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 730, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11726, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 922, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-

87 2/R11-16 at 35 Ill. Reg. 17672, effective October 14, 2011; amended in R12-7 at 36 Ill. Reg.
88 8740, effective June 4, 2012; amended in R13-5 at 37 Ill. Reg. 3180, effective March 4, 2013;
89 amended in R13-15 at 37 Ill. Reg. 17726, effective October 24, 2013; amended in R14-1/R14-
90 2/R14-3 at 38 Ill. Reg. 7189, effective March 13, 2014; amended in R14-13 at 38 Ill. Reg. 12378,
91 effective May 27, 2014; amended in R15-1 at 39 Ill. Reg. 1542, effective January 12, 2015;
92 amended in R16-7 at 40 Ill. Reg. 11286, effective August 9, 2016; amended in R17-14/R17-
93 15/R18-12/R18-31 at 42 Ill. Reg. 21215, effective November 19, 2018; amended in R19-3 at 43
94 Ill. Reg. 446, effective December 6, 2018; amended in R19-11 at 43 Ill. Reg. _____, effective
95 _____.

96
97 **SUBPART B: DEFINITIONS AND REFERENCES**

98
99 **Section 720.110 Definitions**

100
101 When used in 35 Ill. Adm. Code 720 through 728, 733, 738, and 739 only, the following terms
102 have the meanings given below:

103
104 "Aboveground tank" means a device meeting the definition of tank that is situated
105 in such a way that the entire surface area of the tank is completely above the plane
106 of the adjacent surrounding surface and the entire surface area of the tank
107 (including the tank bottom) ~~canis able to~~ be visually inspected.

108
109 "Active life" of a facility means the period from the initial receipt of hazardous
110 waste at the facility until the Agency receives certification of final closure.

111
112 "Active portion" means that portion of a facility where treatment, storage, or
113 disposal operations are being or have been conducted after May 19, 1980, and
114 which is not a closed portion. (See also "closed portion".)

115
116 "Acute hazardous waste" means hazardous waste that meets the listing criteria in
117 35 Ill. Adm. Code 721.111(a)(2) and therefore is either listed in 35 Ill. Adm. Code
118 721.131 with the assigned hazard code of (H) or is listed in 35 Ill. Adm. Code
119 721.133(e).

120 BOARD NOTE: These are USEPA hazardous waste numbers F020, F021, F022,
121 F023, F026, and F027, and all USEPA hazardous waste numbers having the
122 prefix "P".

123
124 "Administrator" means the Administrator of the United States Environmental
125 Protection Agency or the Administrator's designee.

126
127 "Agency" means the Illinois Environmental Protection Agency.
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"Airbag waste" means any hazardous waste airbag modules or hazardous waste airbag inflators.

"Airbag waste collection facility" means any facility that receives airbag waste from airbag handlers subject to regulation under 35 Ill. Adm. Code 721.104(j) and which accumulates the waste for more than 10 days.

"Airbag waste handler" means any person, by site, that generates airbag waste which is subject to regulation under 35 Ill. Adm. Code 721.104(j).

"Ancillary equipment" means any device, including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps, that is used to distribute, meter, or control the flow of hazardous waste from its point of generation to storage or treatment tanks, between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

"Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

"Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent, or person of equivalent responsibility.

"Battery" means a device that consists of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Board" means the Illinois Pollution Control Board.

"Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

Boiler by physical characteristics:

The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids, or heated gases; and the unit's combustion chamber and primary energy recovery sections must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery sections (such as waterwalls and superheaters) must be

172 physically formed into one manufactured or assembled unit. A
173 unit in which the combustion chamber and the primary energy
174 recovery sections are joined only by ducts or connections carrying
175 flue gas is not integrally designed; however, secondary energy
176 recovery equipment (such as economizers or air preheaters) need
177 not be physically formed into the same unit as the combustion
178 chamber and the primary energy recovery section. The following
179 units are not precluded from being boilers solely because they are
180 not of integral design: process heaters (units that transfer energy
181 directly to a process stream) and fluidized bed combustion units;
182 and

184 While in operation, the unit must maintain a thermal energy
185 recovery efficiency of at least 60 percent, calculated in terms of the
186 recovered energy compared with the thermal value of the fuel; and

188 The unit must export and utilize at least 75 percent of the
189 recovered energy, calculated on an annual basis. In this
190 calculation, no credit may be given for recovered heat used
191 internally in the same unit. (Examples of internal use are the
192 preheating of fuel or combustion air, and the driving of induced or
193 forced draft fans or feedwater pumps.); or

194
195 Boiler by designation. The unit is one that the Board has determined, on
196 a case-by-case basis, to be a boiler, after considering the standards in
197 Section 720.132.

198
199 "Carbon dioxide stream" means carbon dioxide that has been captured from an
200 emission source (e.g., a power plant), plus incidental associated substances
201 derived from the source materials and the capture process, and any substances
202 added to the stream to enable or improve the injection process.

203
204 "Carbon regeneration unit" means any enclosed thermal treatment device used to
205 regenerate spent activated carbon.

206
207 "Cathode ray tube" or "CRT" means a vacuum tube, composed primarily of glass,
208 which is the visual or video display component of an electronic device. A "used,
209 intact CRT" means a CRT whose vacuum has not been released. A "used, broken
210 CRT" means glass removed from its housing or casing whose vacuum has been
211 released.

212
213 "Central accumulation area" means any on-site area where hazardous waste is
214 accumulating in units subject to either 35 Ill. Adm. Code 722.116 (for an SQG) or

215 35 Ill. Adm. Code 722.117 (for an LQG). A central accumulation area at an
216 eligible academic entity that chooses to operate under Subpart K of 35 Ill. Adm.
217 Code 722 is also subject to 35 Ill. Adm. Code 722.311 when accumulating
218 unwanted material or hazardous waste.

219
220 "Certification" means a statement of professional opinion based upon knowledge
221 and belief.

222
223 "Closed portion" means that portion of a facility that an owner or operator has
224 closed in accordance with the approved facility closure plan and all applicable
225 closure requirements. (See also "active portion".)

226
227 "Component" means either the tank or ancillary equipment of a tank system.

228
229 "Confined aquifer" means an aquifer bounded above and below by impermeable
230 beds or by beds of distinctly lower permeability than that of the aquifer itself; an
231 aquifer containing confined groundwater.

232
233 "Contained" means held in a unit (including a land-based unit, as defined in this
234 Section) that meets either of the following containment situations:

235
236 Containment situation 1 (non-hazardous waste containment):

237
238 The unit is in good condition, with no leaks or other continuing or
239 intermittent unpermitted releases of the hazardous secondary
240 materials to the environment, and is designed, as appropriate for
241 the hazardous secondary materials, to prevent unpermitted releases
242 of hazardous secondary materials to the environment.

243 "Unpermitted releases" are releases that are not covered by a
244 permit (such as a permit to discharge to water or air) and may
245 include, but are not limited to, releases through surface transport
246 by precipitation ~~run-off~~runoff, releases to soil and groundwater,
247 windblown dust, fugitive air emissions, and catastrophic unit
248 failures;

249
250 The unit is properly labeled or otherwise has a system (such as a
251 log) to immediately identify the hazardous secondary materials in
252 the unit; and

253
254 The unit holds hazardous secondary materials that are compatible
255 with other hazardous secondary materials placed in the unit, is
256 compatible with the materials used to construct the unit, and
257 addresses any potential risks of fires or explosions.

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Containment situation 2 (hazardous waste containment):

Hazardous secondary materials in units that meet the applicable requirements of 35 Ill. Adm. Code 724 or 725 are presumptively contained.

"Container" means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

"Containment building" means a hazardous waste management unit that is used to store or treat hazardous waste pursuant to the provisions of Subpart DD of 35 Ill. Adm. Code 724 and Subpart DD of 35 Ill. Adm. Code 725.

"Contingency plan" means a document setting out an organized, planned and coordinated course of action to be followed in case of a fire, explosion, or release of hazardous waste or hazardous waste constituents that could threaten human health or the environment.

"Corrosion expert" means a person who, by reason of knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

"CRT collector" means a person who receives used, intact CRTs for recycling, repair, resale, or donation.

"CRT exporter" means any person in the United States that initiates a transaction to send used CRTs outside the United States or its territories for recycling or reuse, or any intermediary in the United States arranging for such export.

"CRT glass manufacturer" means an operation or part of an operation that uses a furnace to manufacture CRT glass.

"CRT processing" means conducting all of the following activities:

Receiving broken or intact CRTs;

301 Intentionally breaking intact CRTs or further breaking or separating
302 broken CRTs; and

303
304 Sorting or otherwise managing glass removed from CRT monitors.
305

306 "Designated facility" means either of the following entities:
307

308 A hazardous waste treatment, storage, or disposal facility that has been
309 designated on the manifest by the generator, pursuant to 35 Ill. Adm. Code
310 722.120, of which any of the following is true:

311
312 The facility has received a RCRA permit (or interim status)
313 pursuant to 35 Ill. Adm. Code 702, 703, and 705;

314
315 The facility has received a RCRA permit from USEPA pursuant to
316 40 CFR 124 and 270;

317
318 The facility has received a RCRA permit from a state authorized
319 by USEPA pursuant to 40 CFR 271; or

320
321 The facility is regulated pursuant to 35 Ill. Adm. Code
322 721.106(c)(2) or Subpart F of 35 Ill. Adm. Code 266; or

323
324 A generator site designated by the hazardous waste generator on the
325 manifest to receive back its own waste as a return shipment from a
326 designated hazardous waste treatment, storage, or disposal facility that has
327 rejected the waste in accordance with 35 Ill. Adm. Code 724.172(f) or
328 725.172(f).

329
330 If a waste is destined to a facility in a state other than Illinois that has been
331 authorized by USEPA pursuant to 40 CFR 271, but which has not yet obtained
332 authorization to regulate that waste as hazardous, then the designated facility
333 must be a facility allowed by the receiving state to accept such waste.
334

335 "Destination facility" means a facility that treats, disposes of, or recycles a
336 particular category of universal waste, except those management activities
337 described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A
338 facility at which a particular category of universal waste is only accumulated is
339 not a destination facility for the purposes of managing that category of universal
340 waste.

341
342 "Dike" means an embankment or ridge of either natural or manmade materials
343 used to prevent the movement of liquids, sludges, solids, or other materials.

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"Dioxins and furans" means tetra-, penta-, hexa-, hepta-, and octa-chlorinateddibenzo dioxins and furans.

"Director" means the Director of the Illinois Environmental Protection Agency.

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of hazardous waste into or on any land or water.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

"Disposal facility" means a facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water and at which waste will remain after closure. The term disposal facility does not include a corrective action management unit (CAMU) into which remediation wastes are placed.

"Drip pad" means an engineered structure consisting of a curbed, free-draining base, constructed of non-earthen materials and designed to convey preservative kick-back or drippage from treated wood, precipitation and surface water run-on/run-off to an associated collection system at wood preserving plants.

"Electronic import-export reporting compliance date" means the date that USEPA will announce in the Federal Register, on or after which exporters, importers, and receiving facilities will be required to submit certain export and import related documents to USEPA using USEPA's Waste Import Export Tracking System, or its successor system.

BOARD NOTE: A compliance date in Illinois regulations is limited to a date certain on or after the Board has adopted the date by rulemaking. Adoption by rulemaking of the electronic import-export reporting compliance date can occur only after USEPA has made its announcement in the Federal Register. Until the Board has incorporated a date certain by rulemaking, the Board intends that no "electronic import-export reporting compliance date" will apply in the context of the Illinois rules. The federal electronic import-export reporting compliance date named by USEPA, however, may apply as provided by federal law.

"Electronic manifest" or "e-Manifest" means the electronic format of the hazardous waste manifest that is obtained from USEPA's national e-Manifest System and transmitted electronically to the e-Manifest System, and which is the

387 legal equivalent of USEPA Forms 8700-22 (Manifest) and 8700-22A
388 (Continuation Sheet).

389
390 "Electronic Manifest System" or "e-Manifest System" means USEPA's national
391 information technology system through which the e-Manifest may be obtained,
392 completed, transmitted, and distributed to users of the e-Manifest System and to
393 regulatory agencies.

394
395 "Elementary neutralization unit" means a device of which the following is true:
396

397 It is used for neutralizing wastes that are hazardous only because they
398 exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122
399 or which are listed in Subpart D of 35 Ill. Adm. Code 721 only for this
400 reason; and

401
402 It meets the definition of tank, tank system, container, transport vehicle, or
403 vessel in this Section.
404

405 "EPA region" or "USEPA region" means the states and territories found in any
406 one of the following 10 regions:
407

408 Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut,
409 and Rhode Island.

410
411 Region II: New York, New Jersey, Commonwealth of Puerto Rico, and
412 the U.S. Virgin Islands.

413
414 Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia,
415 and the District of Columbia.

416
417 Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama,
418 Georgia, South Carolina, and Florida.

419
420 Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio.

421
422 Region VI: New Mexico, Oklahoma, Arkansas, Louisiana, and Texas.

423
424 Region VII: Nebraska, Kansas, Missouri, and Iowa.

425
426 Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah,
427 and Colorado.

428
429 Region IX: California, Nevada, Arizona, Hawaii, Guam, American

430 Samoa, and Commonwealth of the Northern Mariana Islands.

431

432 Region X: Washington, Oregon, Idaho, and Alaska.

433

434 "Equivalent method" means any testing or analytical method approved by the
435 Board pursuant to Section 720.120.

436

437 "Existing hazardous waste management (HWM) facility" or "existing facility"
438 means a facility that was in operation or for which construction commenced on or
439 before November 19, 1980. A facility had commenced construction if the owner
440 or operator had obtained the federal, State, and local approvals or permits
441 necessary to begin physical construction and either of the following had occurred:

442

443 A continuous on-site, physical construction program had begun; or

444

445 The owner or operator had entered into contractual obligations that could
446 not be canceled or modified without substantial loss for physical
447 construction of the facility to be completed within a reasonable time.

448

449 "Existing portion" means that land surface area of an existing waste management
450 unit, included in the original Part A permit application, on which wastes have
451 been placed prior to the issuance of a permit.

452

453 "Existing tank system" or "existing component" means a tank system or
454 component that is used for the storage or treatment of hazardous waste and which
455 was in operation, or for which installation was commenced, on or prior to July 14,
456 1986. Installation will be considered to have commenced if the owner or operator
457 has obtained all federal, State, and local approvals or permits necessary to begin
458 physical construction of the site or installation of the tank system and if either of
459 the following is true:

460

461 A continuous on-site physical construction or installation program has
462 begun; or

463

464 The owner or operator has entered into contractual obligations that cannot
465 be canceled or modified without substantial loss for physical construction
466 of the site or installation of the tank system to be completed within a
467 reasonable time.

468

469 "Explosives or munitions emergency" means a situation involving the suspected
470 or detected presence of unexploded ordnance (UXO), damaged or deteriorated
471 explosives or munitions, an improvised explosive device (IED), other potentially
472 explosive material or device, or other potentially harmful military chemical

473 munitions or device, that creates an actual or potential imminent threat to human
 474 health, including safety, or the environment, including property, as determined by
 475 an explosives or munitions emergency response specialist. Such situations may
 476 require immediate and expeditious action by an explosives or munitions
 477 emergency response specialist to control, mitigate, or eliminate the threat.
 478

479 "Explosives or munitions emergency response" means all immediate response
 480 activities by an explosives and munitions emergency response specialist to
 481 control, mitigate, or eliminate the actual or potential threat encountered during an
 482 explosives or munitions emergency. An explosives or munitions emergency
 483 response may include in-place render-safe procedures, treatment, or destruction of
 484 the explosives or munitions or transporting those items to another location to be
 485 rendered safe, treated, or destroyed. Any reasonable delay in the completion of an
 486 explosives or munitions emergency response caused by a necessary, unforeseen,
 487 or uncontrollable circumstance will not terminate the explosives or munitions
 488 emergency. Explosives and munitions emergency responses can occur on either
 489 public or private lands and are not limited to responses at RCRA facilities.
 490

491 "Explosives or munitions emergency response specialist" means an individual
 492 trained in chemical or conventional munitions or explosives handling,
 493 transportation, render-safe procedures, or destruction techniques. Explosives or
 494 munitions emergency response specialists include United States Department of
 495 Defense (USDOD) emergency explosive ordnance disposal (EOD), technical
 496 escort unit (TEU), and USDOD-certified civilian or contractor personnel and
 497 other federal, State, or local government or civilian personnel who are similarly
 498 trained in explosives or munitions emergency responses.
 499

500 "Facility" means the following:
 501

502 All contiguous land and structures, other appurtenances, and
 503 improvements on the land used for treating, storing, or disposing of
 504 hazardous waste or for managing hazardous secondary materials prior to
 505 reclamation. A facility may consist of several treatment, storage, or
 506 disposal operational units (e.g., one or more landfills, surface
 507 impoundments, or combinations of them).
 508

509 ~~For the purpose of implementing corrective action pursuant to 35 Ill. Adm.~~
 510 ~~Code 724.201 or 35 Ill. Adm. Code 727.201, all contiguous property under~~
 511 ~~the control of the owner or operator seeking a permit under Subtitle C of~~
 512 ~~RCRA. This definition also applies to facilities implementing corrective~~
 513 ~~action pursuant to RCRA section 3008(h).~~
 514

515 Notwithstanding the immediately-preceding paragraph of this definition, a

516 remediation waste management site is not a facility that is subject to 35 Ill.
517 Adm. Code 724.201, but a facility that is subject to corrective action
518 requirements if the site is located within such a facility.
519

520 "Federal agency" means any department, agency, or other instrumentality of the
521 federal government, any independent agency or establishment of the federal
522 government, including any government corporation and the Government Printing
523 Office.
524

525 "Federal, State, and local approvals or permits necessary to begin physical
526 construction" means permits and approvals required under federal, State, or local
527 hazardous waste control statutes, regulations, or ordinances.
528

529 "Final closure" means the closure of all hazardous waste management units at the
530 facility in accordance with all applicable closure requirements so that hazardous
531 waste management activities pursuant to 35 Ill. Adm. Code 724 and 725 are no
532 longer conducted at the facility unless subject to the provisions of 35 Ill. Adm.
533 Code 722.116.
534

535 "Food-chain crops" means tobacco, crops grown for human consumption, and
536 crops grown for feed for animals whose products are consumed by humans.
537

538 "Freeboard" means the vertical distance between the top of a tank or surface
539 impoundment dike and the surface of the waste contained therein.
540

541 "Free liquids" means liquids that readily separate from the solid portion of a waste
542 under ambient temperature and pressure.
543

544 "Generator" means any person, by site, whose act or process produces hazardous
545 waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a
546 hazardous waste to become subject to regulation.
547

548 "Groundwater" means water below the land surface in a zone of saturation.
549

550 "Hazardous secondary material" means a secondary material (e.g., spent material,
551 by-product, or sludge) that, when discarded, would be identified as hazardous
552 waste pursuant to 35 Ill. Adm. Code 721.
553

554 "Hazardous secondary material generator" means any person whose act or process
555 produces hazardous secondary materials at the generating facility. For purposes
556 of this definition, "generating facility" means all contiguous property owned,
557 leased, or otherwise controlled by the hazardous secondary material generator.
558 For the purposes of Sections 721.102(a)(2)(B) and 721.104(a)(23), a facility that

559 collects hazardous secondary materials from other persons is not the hazardous
560 secondary material generator.

561
562 "Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code
563 721.103.

564
565 "Hazardous waste constituent" means a constituent that caused the hazardous
566 waste to be listed in Subpart D of 35 Ill. Adm. Code 721, or a constituent listed in
567 35 Ill. Adm. Code 721.124.

568
569 "Hazardous waste management unit" is a contiguous area of land on or in which
570 hazardous waste is placed, or the largest area in which there is significant
571 likelihood of mixing hazardous waste constituents in the same area. Examples of
572 hazardous waste management units include a surface impoundment, a waste pile,
573 a land treatment area, a landfill cell, an incinerator, a tank and its associated
574 piping and underlying containment system, and a container storage area. A
575 container alone does not constitute a unit; the unit includes containers, and the
576 land or pad upon which they are placed.

577
578 "Incinerator" means any enclosed device of which the following is true:

579
580 The facility uses controlled flame combustion, and both of the following
581 are true of the facility:

582
583 The facility does not meet the criteria for classification as a boiler,
584 sludge dryer, or carbon regeneration unit, nor

585
586 The facility is not listed as an industrial furnace; or

587
588 The facility meets the definition of infrared incinerator or plasma arc
589 incinerator.

590
591 "Incompatible waste" means a hazardous waste that is unsuitable for the
592 following:

593
594 Placement in a particular device or facility because it may cause corrosion
595 or decay of containment materials (e.g., container inner liners or tank
596 walls); or

597
598 Commingling with another waste or material under uncontrolled
599 conditions because the commingling might produce heat or pressure, fire,
600 or explosion, violent reaction, toxic dusts, mists, fumes or gases, or
601 flammable fumes or gases.

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(See Appendix E to 35 Ill. Adm. Code 724 and Appendix E to 35 Ill. Adm. Code 725 for references that list examples.)

"Individual generation site" means the contiguous site at or on which one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.

"Industrial furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy:

Cement kilns;

Lime kilns;

Aggregate kilns;

Phosphate kilns;

Coke ovens;

Blast furnaces;

Smelting, melting, and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces);

Titanium dioxide chloride process oxidation reactors;

Methane reforming furnaces;

Pulping liquor recovery furnaces;

Combustion devices used in the recovery of sulfur values from spent sulfuric acid;

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least three percent, the acid

645 product is used in a manufacturing process, and, except for hazardous
646 waste burned as fuel, hazardous waste fed to the furnace has a minimum
647 halogen content of 20 percent, as generated; and
648

649 Any other such device as the Agency determines to be an industrial
650 furnace based on the basis of one or more of the following factors:
651

652 The design and use of the device primarily to accomplish recovery
653 of material products;
654

655 The use of the device to burn or reduce raw materials to make a
656 material product;
657

658 The use of the device to burn or reduce secondary materials as
659 effective substitutes for raw materials, in processes using raw
660 materials as principal feedstocks;
661

662 The use of the device to burn or reduce secondary materials as
663 ingredients in an industrial process to make a material product;
664

665 The use of the device in common industrial practice to produce a
666 material product; and
667

668 Other relevant factors.
669

670 "Infrared incinerator" means any enclosed device that uses electric powered
671 resistance heaters as a source of radiant heat followed by an afterburner using
672 controlled flame combustion and which is not listed as an industrial furnace.
673

674 "Inground tank" means a device meeting the definition of tank whereby a portion
675 of the tank wall is situated to any degree within the ground, thereby preventing
676 visual inspection of that external surface area of the tank that is in the ground.
677

678 "In operation" refers to a facility that is treating, storing, or disposing of
679 hazardous waste.
680

681 "Injection well" means a well into which fluids are being injected. (See also
682 "underground injection".)
683

684 "Inner liner" means a continuous layer of material placed inside a tank or
685 container that protects the construction materials of the tank or container from the
686 contained waste or reagents used to treat the waste.
687

688 "Installation inspector" means a person who, by reason of knowledge of the
689 physical sciences and the principles of engineering, acquired by a professional
690 education and related practical experience, is qualified to supervise the
691 installation of tank systems.

692
693 "Intermediate facility" means any facility that stores hazardous secondary
694 materials for more than 10 days and which is neither a hazardous secondary
695 material generator nor a reclaimer of hazardous secondary material.

696
697 "International shipment" means the transportation of hazardous waste into or out
698 of the jurisdiction of the United States.

699
700 "Lamp" or "universal waste lamp" means the bulb or tube portion of an electric
701 lighting device. A lamp is specifically designed to produce radiant energy, most
702 often in the ultraviolet, visible, or infrared regions of the electromagnetic
703 spectrum. Examples of common universal waste lamps include, but are not
704 limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-
705 pressure sodium, and metal halide lamps.

706
707 "Land-based unit" means an area where hazardous secondary materials are placed
708 in or on the land before recycling. This definition does not include land-based
709 production units.

710
711 "Land treatment facility" means a facility or part of a facility at which hazardous
712 waste is applied onto or incorporated into the soil surface; such facilities are
713 disposal facilities if the waste will remain after closure.

714
715 "Landfill" means a disposal facility or part of a facility where hazardous waste is
716 placed in or on land and which is not a pile, a land treatment facility, a surface
717 impoundment, an underground injection well, a salt dome formation, a salt bed
718 formation, an underground mine, a cave, or a corrective action management unit
719 (CAMU).

720
721 "Landfill cell" means a discrete volume of a hazardous waste landfill that uses a
722 liner to provide isolation of wastes from adjacent cells or wastes. Examples of
723 landfill cells are trenches and pits.

724
725 "Large quantity generator" or "LQG" means a generator that generates any of the
726 following amounts of material in a calendar month:

727
728 Greater than or equal to 1,000 kg (2,200 lbs) of non-acute hazardous
729 waste;

730

731 Greater than 1 kg (2.2 lbs) of acute hazardous waste listed in 35 Ill Adm.
732 Code 721.131 or 721.133(e); or
733
734 Greater than 100 kg (220 lbs) of any residue or contaminated soil, water,
735 or other debris resulting from the cleanup of a spill, into or on any land or
736 water, of any acute hazardous waste listed in 35 Ill Adm. Code 721.131 or
737 721.133(e).
738
739 "LDS" means leak detection system.
740
741 "Leachate" means any liquid, including any suspended components in the liquid,
742 that has percolated through or drained from hazardous waste.
743
744 "Liner" means a continuous layer of natural or manmade materials beneath or on
745 the sides of a surface impoundment, landfill, or landfill cell that restricts the
746 downward or lateral escape of hazardous waste, hazardous waste constituents, or
747 leachate.
748
749 "Leak-detection system" means a system capable of detecting the failure of either
750 the primary or secondary containment structure or the presence of a release of
751 hazardous waste or accumulated liquid in the secondary containment structure.
752 Such a system must employ operational controls (e.g., daily visual inspections for
753 releases into the secondary containment system of aboveground tanks) or consist
754 of an interstitial monitoring device designed to detect continuously and
755 automatically the failure of the primary or secondary containment structure or the
756 presence of a release of hazardous waste into the secondary containment structure.
757
758 "Management" or "hazardous waste management" means the systematic control
759 of the collection, source separation, storage, transportation, processing, treatment,
760 recovery, and disposal of hazardous waste.
761
762 "Manifest" means the shipping document USEPA Form 8700-22 (including, if
763 necessary, USEPA Form 8700-22A), or the e-Manifest, originated and signed in
764 accordance with the applicable requirements of 35 Ill. Adm. Code 722 through
765 727.
766
767 "Manifest tracking number" means the alphanumeric identification number (i.e., a
768 unique three letter suffix preceded by nine numerical digits) that is pre-printed in
769 Item 4 of the manifest by a registered source.
770
771 "Mercury-containing equipment" means a device or part of a device (including
772 thermostats, but excluding batteries and lamps) that contains elemental mercury
773 integral to its function.

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"Military munitions" means all ammunition products and components produced or used by or for the United States Department of Defense or the United States Armed Services for national defense and security, including military munitions under the control of the United States Department of Defense (USDOD), the United States Coast Guard, the United States Department of Energy (USDOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by USDOD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components of these items and devices. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components of these items and devices. However, the term does include non-nuclear components of nuclear devices, managed under USDOE's nuclear weapons program after all sanitization operations required under the Atomic Energy Act of 1954 (42 USC 2014 et seq.), as amended, have been completed.

"Mining overburden returned to the mine site" means any material overlying an economic mineral deposit that is removed to gain access to that deposit and is then used for reclamation of a surface mine.

"Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored, or disposed of and that is not a container; tank; surface impoundment; pile; land treatment unit; landfill; incinerator; boiler; industrial furnace; underground injection well with appropriate technical standards pursuant to 35 Ill. Adm. Code 730; containment building; corrective action management unit (CAMU); unit eligible for a research, development, and demonstration permit pursuant to 35 Ill. Adm. Code 703.231; or staging pile.

"Movement" means hazardous waste that is transported to a facility in an individual vehicle.

"NAICS Code" means the code number assigned a facility using the "North American Industry Classification System", incorporated by reference in Section 720.111.

"New hazardous waste management facility", "new HWM facility", or "new facility" means a facility that began operation, or for which construction commenced after November 19, 1980. (See also "Existing hazardous waste management facility".)

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"New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of hazardous waste and for which installation commenced after July 14, 1986; except, however, for purposes of 35 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for which construction commenced after July 14, 1986. (See also "existing tank system".)

"No free liquids", as used in 35 Ill. Adm. Code 721.104(a)(26) and (b)(18), means that solvent-contaminated wipes may not contain free liquids, as determined by Method 9095B (Paint Filter Liquids Test), included in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", incorporated by reference in Section 720.111, and that there is no free liquid in the container holding the wipes. No free liquids may also be determined using another standard or test method that the Agency has determined by permit condition is equivalent to Method 9095B.

"Non-acute hazardous waste" means hazardous waste that is not acute hazardous waste, as defined in this Section.

"~~On-ground~~ On-ground tank" means a device meeting the definition of tank that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

"On-site" means the same or geographically contiguous property that may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that the owner controls and to which the public does not have access is also considered on-site property.

"Open burning" means the combustion of any material without the following characteristics:

Control of combustion air to maintain adequate temperature for efficient combustion;

Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

Control of emission of the gaseous combustion products.

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(See also "incineration" and "thermal treatment".)

"Operator" means the person responsible for the overall operation of a facility.

"Owner" means the person that owns a facility or part of a facility.

"Partial closure" means the closure of a hazardous waste management unit in accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or 725 at a facility that contains other active hazardous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile, or other hazardous waste management unit, while other units of the same facility continue to operate.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, or any interstate body.

"Personnel" or "facility personnel" means all persons who work at or oversee the operations of a hazardous waste facility and whose actions or failure to act may result in noncompliance with 35 Ill. Adm. Code 724 or 725.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA; 21 USC 321(v)), incorporated by reference in Section 720.111(c);

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services pursuant to FFDCA section 512 (21 USC 360b), incorporated by reference in Section 720.111(c), to be an exempted new animal drug; or

It is an animal feed under FFDCA section 201(w) (21 USC 321(w)), incorporated by reference in Section 720.111(c), that bears or contains any substances described in either of the two preceding paragraphs of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 260.10 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new

903 animal drug". This is very similar to the language of section 2(u) of the
904 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 USC
905 136(u)). The three exceptions, taken together, appear intended not to
906 include as pesticide any material within the scope of federal Food and
907 Drug Administration regulation. The Board codified this provision with
908 the intent of retaining the same meaning as its federal counterpart while
909 adding the definiteness required under Illinois law.
910

911 "Pile" means any non-containerized accumulation of solid, non-flowing
912 hazardous waste that is used for treatment or storage, and that is not a
913 containment building.
914

915 "Plasma arc incinerator" means any enclosed device that uses a high intensity
916 electrical discharge or arc as a source of heat followed by an afterburner using
917 controlled flame combustion and which is not listed as an industrial furnace.
918

919 "Point source" means any discernible, confined, and discrete conveyance,
920 including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well,
921 discrete fissure, container, rolling stock, concentrated animal feeding operation, or
922 vessel or other floating craft from which pollutants are or may be discharged.
923 This term does not include return flows from irrigated agriculture.
924

925 "Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code
926 310.110.
927

928 "Qualified groundwater scientist" means a scientist or engineer who has received
929 a baccalaureate or postgraduate degree in the natural sciences or engineering, and
930 has sufficient training and experience in groundwater hydrology and related
931 fields, as demonstrated by state registration, professional certifications, or
932 completion of accredited university courses that enable the individual to make
933 sound professional judgments regarding groundwater monitoring and contaminant
934 rate and transport.

935 BOARD NOTE: State registration includes, but is not limited to, registration as a
936 professional engineer with the Department of Professional Regulation, pursuant to
937 225 ILCS 325 and 68 Ill. Adm. Code 1380. Professional certification includes,
938 but is not limited to, certification under the certified groundwater professional
939 program of the National Ground Water Association.
940

941 "RCRA" means the Solid Waste Disposal Act, as amended by the Resource
942 Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.).
943

944 "RCRA standardized permit" means a RCRA permit issued pursuant to Subpart J
945 of 35 Ill. Adm. Code 703 and Subpart G of 35 Ill. Adm. Code 702 that authorizes

946 management of hazardous waste. The RCRA standardized permit may have two
 947 parts: a uniform portion issued in all cases and a supplemental portion issued at
 948 the discretion of the Agency.

949
 950 "Recognized trader" means a person domiciled in the United States, by site of
 951 business, who acts to arrange and facilitate transboundary movements of wastes
 952 destined for recovery or disposal operations, either by purchasing from and
 953 subsequently selling to United States and foreign facilities, or by acting under
 954 arrangements with a United States waste facility to arrange for the export or
 955 import of the wastes.

956
 957 "Regional Administrator" means the Regional Administrator for the USEPA
 958 region in which the facility is located or the Regional Administrator's designee.
 959

960 "Remanufacturing" means processing a higher-value hazardous secondary
 961 material in order to manufacture a product that serves a similar functional purpose
 962 as the original commercial-grade material. For the purpose of this definition, a
 963 hazardous secondary material is considered higher-value if it was generated from
 964 the use of a commercial-grade material in a manufacturing process and can be
 965 remanufactured into a similar commercial-grade material.
 966

967 "Remediation waste" means all solid and hazardous wastes, and all media
 968 (including groundwater, surface water, soils, and sediments) and debris that are
 969 managed for implementing cleanup.
 970

971 "Remediation waste management site" means a facility where an owner or
 972 operator is or will be treating, storing, or disposing of hazardous remediation
 973 wastes. A remediation waste management site is not a facility that is subject to
 974 corrective action pursuant to 35 Ill. Adm. Code 724.201, but a remediation waste
 975 management site is subject to corrective action requirements if the site is located
 976 in such a facility that is subject to corrective action pursuant to 35 Ill. Adm. Code
 977 724.201.
 978

979 "Replacement unit" means a landfill, surface impoundment, or waste pile unit
 980 from which all or substantially all of the waste is removed, and which is
 981 subsequently reused to treat, store, or dispose of hazardous waste. Replacement
 982 unit does not include a unit from which waste is removed during closure, if the
 983 subsequent reuse solely involves the disposal of waste from that unit and other
 984 closing units or corrective action areas at the facility, in accordance with a closure
 985 or corrective action plan approved by USEPA or the Agency.
 986

987 "Representative sample" means a sample of a universe or whole (e.g., waste pile,
 988 lagoon, groundwater) that can be expected to exhibit the average properties of the

- 989 universe or whole.
990
991 "Run-off"~~"Runoff"~~ means any rainwater, leachate, or other liquid that drains over
992 land from any part of a facility.
993
994 "Run-on"~~"Runon"~~ means any rainwater, leachate, or other liquid that drains over
995 land onto any part of a facility.
996
997 "Saturated zone" or "zone of saturation" means that part of the earth's crust in
998 which all voids are filled with water.
999
1000 "SIC code" means "Standard Industrial Classification code", as assigned to a site
1001 by the United States Department of Transportation, Federal Highway
1002 Administration, based on the particular activities that occur on the site, as set forth
1003 in its publication "Standard Industrial Classification Manual", incorporated by
1004 reference in Section 720.111(a).
1005
1006 "Sludge" means any solid, semi-solid, or liquid waste generated from a municipal,
1007 commercial, or industrial wastewater treatment plant, water supply treatment
1008 plant, or air pollution control facility, exclusive of the treated effluent from a
1009 wastewater treatment plant.
1010
1011 "Sludge dryer" means any enclosed thermal treatment device that is used to
1012 dehydrate sludge and which has a total thermal input, excluding the heating value
1013 of the sludge itself, of 2,500 Btu/lb or less of sludge treated on a wet-weight basis.
1014
1015 "Small quantity generator" or "SQG" means a generator that generates the
1016 following amounts of material in a calendar month:
1017
1018 Greater than 100 kg (220 lbs) but less than 1,000 kilograms (2,200 lbs) of
1019 non-acute hazardous waste;
1020
1021 Less than or equal to 1 kg (2.2 lbs) of acute hazardous waste listed in 35
1022 Ill Adm. Code 721.131 or 721.133(e); and
1023
1024 Less than or equal to 100 kg (220 lbs) of any residue or contaminated soil,
1025 water, or other debris resulting from the cleanup of a spill, into or on any
1026 land or water, of any acute hazardous waste listed in 35 Ill Adm. Code
1027 721.131 or 721.133(e).
1028
1029 "Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.
1030
1031 "Solvent-contaminated wipe" means the following:

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A wipe that, after use or after cleaning up a spill, fulfills one or more of the following conditions:

The wipe contains one or more of the F001 through F005 solvents listed in 35 Ill. Adm. Code 721.131 or the corresponding P- or U-listed solvents found in 35 Ill. Adm. Code 721.133;

The wipe exhibits a hazardous characteristic found in Subpart C of 35 Ill. Adm. Code 721 when that characteristic results from a solvent listed in 35 Ill. Adm. Code 721; or

The wipe exhibits only the hazardous waste characteristic of ignitability found in 35 Ill. Adm. Code 721.121 due to the presence of one or more solvents that are not listed in 35 Ill. Adm. Code 721.

Solvent-contaminated wipes that contain listed hazardous waste other than solvents, or exhibit the characteristic of toxicity, corrosivity, or reactivity due to contaminants other than solvents, are not eligible for the exclusions at 35 Ill. Adm. Code 721.104(a)(26) and (b)(18).

"Sorbent" means a material that is used to soak up free liquids by either adsorption or absorption, or both. "Sorb" means to either adsorb or absorb, or both.

"Staging pile" means an accumulation of solid, non-flowing "remediation waste" (as defined in this Section) that is not a containment building and that is used only during remedial operations for temporary storage at a facility. Staging piles must be designated by the Agency according to 35 Ill. Adm. Code 724.654.

"State" means any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment, or disposal facilities; except that, as used in the landfill, surface impoundment, and waste pile rules, sump means any lined pit or reservoir that serves to collect liquids drained from a leachate

1075 collection and removal system or leak detection system for subsequent removal
 1076 from the system.
 1077
 1078 "Surface impoundment" or "impoundment" means a facility or part of a facility
 1079 that is a natural topographic depression, manmade excavation, or diked area
 1080 formed primarily of earthen materials (although it may be lined with manmade
 1081 materials) that is designed to hold an accumulation of liquid wastes or wastes
 1082 containing free liquids and which is not an injection well. Examples of surface
 1083 impoundments are holding, storage, settling and aeration pits, ponds, and lagoons.
 1084
 1085 "Tank" means a stationary device, designed to contain an accumulation of
 1086 hazardous waste that is constructed primarily of non-earthen materials (e.g.,
 1087 wood, concrete, steel, plastic) that provide structural support.
 1088
 1089 "Tank system" means a hazardous waste storage or treatment tank and its
 1090 associated ancillary equipment and containment system.
 1091
 1092 "TEQ" means toxicity equivalence, the international method of relating the
 1093 toxicity of various dioxin and furan congeners to the toxicity of 2,3,7,8-
 1094 tetrachlorodibenzo-p-dioxin.
 1095
 1096 "Thermal treatment" means the treatment of hazardous waste in a device that uses
 1097 elevated temperatures as the primary means to change the chemical, physical, or
 1098 biological character or composition of the hazardous waste. Examples of thermal
 1099 treatment processes are incineration, molten salt, pyrolysis, calcination, wet air
 1100 oxidation, and microwave discharge. (See also "incinerator" and "open burning".)
 1101
 1102 "Thermostat" means a temperature control device that contains metallic mercury
 1103 in an ampule attached to a bimetal sensing element and mercury-containing
 1104 ampules that have been removed from such a temperature control device in
 1105 compliance with 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).
 1106
 1107 "Totally enclosed treatment facility" means a facility for the treatment of
 1108 hazardous waste that is directly connected to an industrial production process and
 1109 which is constructed and operated in a manner that prevents the release of any
 1110 hazardous waste or any constituent thereof into the environment during treatment.
 1111 An example is a pipe in which waste acid is neutralized.
 1112
 1113 "Transfer facility" means any transportation-related facility, including loading
 1114 docks, parking areas, storage areas, and other similar areas where shipments of
 1115 hazardous waste or hazardous secondary materials are held during the normal
 1116 course of transportation.
 1117

1118 "Transport vehicle" means a motor vehicle or rail car used for the transportation
1119 of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car,
1120 etc.) is a separate transport vehicle.
1121

1122 "Transportation" means the movement of hazardous waste by air, rail, highway,
1123 or water.
1124

1125 "Transporter" means a person engaged in the off-site transportation of hazardous
1126 waste by air, rail, highway, or water.
1127

1128 "Treatability study" means the following:
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1130 A study in which a hazardous waste is subjected to a treatment process to
1131 determine the following:
1132

1133 Whether the waste is amenable to the treatment process;
1134

1135 What pretreatment (if any) is required;
1136

1137 The optimal process conditions needed to achieve the desired
1138 treatment;
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1140 The efficiency of a treatment process for a specific waste or
1141 wastes; and
1142

1143 The characteristics and volumes of residuals from a particular
1144 treatment process;
1145

1146 Also included in this definition for the purpose of 35 Ill. Adm. Code
1147 721.104(e) and (f) exemptions are liner compatibility, corrosion and other
1148 material compatibility studies, and toxicological and health effects studies.
1149 A treatability study is not a means to commercially treat or dispose of
1150 hazardous waste.
1151

1152 "Treatment" means any method, technique, or process, including neutralization,
1153 designed to change the physical, chemical, or biological character or composition
1154 of any hazardous waste so as to neutralize the waste, recover energy or material
1155 resources from the waste, or render the waste non-hazardous or less hazardous;
1156 safer to transport, store, or dispose of; or amenable for recovery, amenable for
1157 storage, or reduced in volume.
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1159 "Treatment zone" means a soil area of the unsaturated zone of a land treatment
1160 unit within which hazardous constituents are degraded, transformed, or

1161 immobilized.

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"Underground injection" means the subsurface emplacement of fluids through a bored, drilled, or driven well or through a dug well, where the depth of the dug well is greater than the largest surface dimension. (See also "injection well".)

"Underground tank" means a device meeting the definition of tank whose entire surface area is totally below the surface of and covered by the ground.

"Unfit-for-use tank system" means a tank system that has been determined, through an integrity assessment or other inspection, to be no longer capable of storing or treating hazardous waste without posing a threat of release of hazardous waste to the environment.

"United States" means the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"Universal waste" means any of the following hazardous wastes that are managed pursuant to the universal waste requirements of 35 Ill. Adm. Code 733:

Batteries, as described in 35 Ill. Adm. Code 733.102;

Pesticides, as described in 35 Ill. Adm. Code 733.103;

Mercury-containing equipment, as described in 35 Ill. Adm. Code 733.104; and

Lamps, as described in 35 Ill. Adm. Code 733.105.

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates the universal waste, and sends that universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean either of the following:

A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles

1204 universal waste; or
1205
1206 A person engaged in the off-site transportation of universal waste
1207 by air, rail, highway, or water, including a universal waste transfer
1208 facility.
1209
1210 "Universal waste transporter" means a person engaged in the off-site
1211 transportation of universal waste by air, rail, highway, or water.
1212
1213 "Unsaturated zone" or "zone of aeration" means the zone between the land surface
1214 and the water table.
1215
1216 "Uppermost aquifer" means the geologic formation nearest the natural ground
1217 surface that is an aquifer, as well as lower aquifers that are hydraulically
1218 interconnected with this aquifer within the facility's property boundary.
1219
1220 "USDOT" or "Department of Transportation" means the United States
1221 Department of Transportation.
1222
1223 "Used oil" means any oil that has been refined from crude oil, or any synthetic oil,
1224 that has been used and as a result of such use is contaminated by physical or
1225 chemical impurities.
1226
1227 "USEPA" or "EPA" means the United States Environmental Protection Agency.
1228
1229 "USEPA hazardous waste number" or "EPA hazardous waste number" means the
1230 number assigned by USEPA to each hazardous waste listed in Subpart D of 35 Ill.
1231 Adm. Code 721 and to each characteristic identified in Subpart C of 35 Ill. Adm.
1232 Code 721.
1233
1234 "USEPA identification number" or "USEPA ID number" is the unique
1235 alphanumeric identifier that USEPA assigns a hazardous waste generator;
1236 transporter; treatment, storage, or disposal facility; or reclamation facility upon
1237 notification in compliance with the requirements of section 3010 of RCRA (42
1238 USC 6930).
1239
1240 "User of the Electronic Manifest System" or "user of the e-Manifest System"
1241 means a hazardous waste generator, a hazardous waste transporter, an owner or
1242 operator of a hazardous waste treatment, storage, recycling, or disposal facility, or
1243 any other person or entity –
1244
1245 that is required to use a manifest to comply with any federal or state
1246 requirement to track the shipment, transportation, and receipt of either –

1247
1248 hazardous waste or other waste material that is shipped from the
1249 site of generation to an off-site designated facility for treatment,
1250 storage, recycling, or disposal; or
1251
1252 rejected wastes or regulated container residues that are shipped
1253 from a designated facility to an alternative facility, or returned to
1254 the generator; and
1255

1256 which elects to use either –

1257
1258 the e-Manifest System to obtain, complete and transmit an e-
1259 Manifest format supplied by the USEPA e-Manifest System; or
1260
1261 the paper manifest form and submits to the e-Manifest System for
1262 data processing purposes a paper copy of the manifest (or data
1263 from such a paper copy), in accordance with 35 Ill. Adm. Code
1264 724.171(a)(2)(E) or 725.171(a)(2)(E).
1265

1266 A paper copy submitted for data processing purposes is submitted for data
1267 exchange purposes only and is not the official copy of record for legal
1268 purposes.
1269

1270 "USPS" means the United States Postal Service.
1271

1272 "Very small quantity generator" or "VSQG" means a generator that generates less
1273 than or equal to the following amounts of material in a calendar month:
1274

1275 100 kg (220 lbs) of nonacute hazardous waste;
1276 1 kg (2.2 lbs) of acute hazardous waste listed in 35 Ill Adm. Code 721.131
1277 or 721.133(e); and
1278

1279 100 kg (220 lbs) of any residue or contaminated soil, water, or other debris
1280 resulting from the cleanup of a spill, into or on any land or water, of any
1281 acute hazardous waste listed in 35 Ill Adm. Code 721.131 or 721.133(e).
1282

1283 "Vessel" includes every description of watercraft used or capable of being used as
1284 a means of transportation on the water.
1285

1286 "Wastewater treatment unit" means a device of which the following is true:
1287

1288 It is part of a wastewater treatment facility that has an NPDES permit
1289 pursuant to 35 Ill. Adm. Code 309 or a pretreatment permit or

1290 authorization to discharge pursuant to 35 Ill. Adm. Code 310;
1291
1292 It receives and treats or stores an influent wastewater that is a hazardous
1293 waste as defined in 35 Ill. Adm. Code 721.103, or generates and
1294 accumulates a wastewater treatment sludge that is a hazardous waste as
1295 defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater
1296 treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code
1297 721.103; and
1298

1299 It meets the definition of tank or tank system in this Section.
1300

1301 "Water (bulk shipment)" means the bulk transportation of hazardous waste that is
1302 loaded or carried on board a vessel without containers or labels.
1303

1304 "Well" means any shaft or pit dug or bored into the earth, generally of a
1305 cylindrical form, and often walled with bricks or tubing to prevent the earth from
1306 caving in.
1307

1308 "Well injection" (See "underground injection".)
1309

1310 "Wipe" means a woven or non-woven shop towel, rag, pad, or swab made of
1311 wood pulp, fabric, cotton, polyester blends, or other material.
1312

1313 "Zone of engineering control" means an area under the control of the owner or
1314 operator that, upon detection of a hazardous waste release, can be readily cleaned
1315 up prior to the release of hazardous waste or hazardous constituents to
1316 groundwater or surface water.
1317

1318 (Source: Amended at 43 Ill. Reg. _____, effective _____)
1319

1320 **Section 720.111 References**
1321

1322 The following documents are incorporated by reference for the purposes of this Part and 35 Ill.
1323 Adm. Code 702 through 705, 721 through 728, 730, 733, 738, and 739:
1324

1325 a) Non-Regulatory Government Publications and Publications of Recognized
1326 Organizations and Associations:
1327

1328 ACGME. Available from the Accreditation Council for Graduate Medical
1329 Education, 515 North State Street, Suite 2000, Chicago, IL 60654, 312-
1330 755-5000:
1331

- 1332 "Accreditation Council for Graduate Medical Education: Glossary
1333 of Terms", March 19, 2009, referenced in 35 Ill. Adm. Code
1334 722.300.
1335
1336 BOARD NOTE: Also available on the Internet for download and
1337 viewing as a PDF file at the following Internet address:
1338 http://www.acgme.org/acWebsite/about/ab_ACGMEglossary.pdf.
1339
1340 ACI. Available from the American Concrete Institute, Box 19150,
1341 Redford Station, Detroit, MI 48219:
1342
1343 ACI 318-83: "Building Code Requirements for Reinforced
1344 Concrete", adopted November 1983, referenced in 35 Ill. Adm.
1345 Code 724.673 and 725.543.
1346
1347 ANSI. Available from the American National Standards Institute, 1430
1348 Broadway, New York, NY 10018, 212-354-3300:
1349
1350 See ASME/ANSI B31.3 and B31.4 and supplements below in this
1351 subsection (a) under ASME.
1352
1353 API. Available from the American Petroleum Institute, 1220 L Street,
1354 N.W., Washington, DC 20005, 202-682-8000:
1355
1356 "Cathodic Protection of Underground Petroleum Storage Tanks
1357 and Piping Systems", API Recommended Practice 1632, Second
1358 Edition, December 1987, referenced in 35 Ill. Adm. Code 724.292,
1359 724.295, 725.292, and 725.295.
1360
1361 "Evaporative Loss from External Floating-Roof Tanks", API
1362 publication 2517, Third Edition, February 1989, USEPA-approved
1363 for 35 Ill. Adm. Code 721.983 and 725.984.
1364
1365 "Guide for Inspection of Refinery Equipment", Chapter XIII,
1366 "Atmospheric and Low Pressure Storage Tanks", 4th Edition, 1981,
1367 reaffirmed December 1987, referenced in 35 Ill. Adm. Code
1368 721.291, 724.291, 724.293, 725.291, and 725.292.
1369
1370 "Installation of Underground Petroleum Storage Systems", API
1371 Recommended Practice 1615, Fourth Edition, November 1987,
1372 referenced in 35 Ill. Adm. Code 724.292.
1373
1374 ASME. Available from the American Society of Mechanical Engineers, 345 East

- 1375 47th Street, New York, NY 10017, 212-705-7722:
1376
1377 "Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3-
1378 1987, as supplemented by B31.3a-1988 and B31.3b-1988, referenced in
1379 35 Ill. Adm. Code 724.292 and 725.292. Also available from ANSI.
1380
1381 "Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas,
1382 Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4-1986, as
1383 supplemented by B31.4a-1987, referenced in 35 Ill. Adm. Code 724.292
1384 and 725.292. Also available from ANSI.
1385
1386 ASTM. Available from American Society for Testing and Materials, 100 Barr
1387 Harbor Drive, West Conshohocken, PA 19428-2959, 610-832-9585:
1388
1389 ASTM C 94-90, "Standard Specification for Ready-Mixed Concrete",
1390 approved March 30, 1990, referenced in 35 Ill. Adm. Code 724.673 and
1391 725.543.
1392
1393 ASTM D 88-87, "Standard Test Method for Saybolt Viscosity", approved
1394 April 24, 1981, reapproved January 1987, referenced in 35 Ill. Adm. Code
1395 726.200.
1396
1397 ASTM D 93-85, "Standard Test Methods for Flash Point by Pensky-
1398 Martens Closed Tester", approved October 25, 1985, USEPA-approved
1399 for 35 Ill. Adm. Code 721.121.
1400
1401 ASTM D 140-70, "Standard Practice for Sampling Bituminous Materials",
1402 approved 1970, referenced in Appendix A to 35 Ill. Adm. Code 721.
1403
1404 ASTM D 346-75, "Standard Practice for Collection and Preparation of
1405 Coke Samples for Laboratory Analysis", approved 1975, referenced in
1406 Appendix A to 35 Ill. Adm. Code 721.
1407
1408 ASTM D 420-69, "Guide to Site Characterization for Engineering,
1409 Design, and Construction Purposes", approved 1969, referenced in
1410 Appendix A to 35 Ill. Adm. Code 721.
1411
1412 ASTM D 1452-65, "Standard Practice for Soil Investigation and Sampling
1413 by Auger Borings", approved 1965, referenced in Appendix A to 35 Ill.
1414 Adm. Code 721.
1415
1416 ASTM D 1946-90, "Standard Practice for Analysis of Reformed Gas by
1417 Gas Chromatography", approved March 30, 1990, USEPA-approved for

- 1418 35 Ill. Adm. Code 724.933 and 725.933.
 1419
 1420 ASTM D 2161-87, "Standard Practice for Conversion of Kinematic
 1421 Viscosity to Saybolt Universal or to Saybolt Furol Viscosity", March 27,
 1422 1987, referenced in 35 Ill. Adm. Code 726.200.
 1423
 1424 ASTM D 2234-76, "Standard Practice for Collection of a Gross Sample of
 1425 Coal", approved 1976, referenced in Appendix A to 35 Ill. Adm. Code
 1426 721.
 1427
 1428 ASTM D 2267-88, "Standard Test Method for Aromatics in Light
 1429 Naphthas and Aviation Gasolines by Gas Chromatography", approved
 1430 November 17, 1988, USEPA-approved for 35 Ill. Adm. Code 721.963 and
 1431 724.963.
 1432
 1433 ASTM D 2382-88, "Standard Test Method for Heat of Combustion of
 1434 Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method)",
 1435 approved October 31, 1988, USEPA-approved for 35 Ill. Adm. Code
 1436 724.933 and 725.933.
 1437
 1438 ASTM D 2879-92, "Standard Test Method for Vapor Pressure-
 1439 Temperature Relationship and Initial Decomposition Temperature of
 1440 Liquids by Isoteniscope", approved 1992, USEPA-approved for 35 Ill.
 1441 Adm. Code 725.984, referenced in 35 Ill. Adm. Code 721.963, 724.963,
 1442 and 725.963.
 1443
 1444 ASTM D 3828-87, "Standard Test Methods for Flash Point of Liquids by
 1445 Setaflash Closed Tester", approved December 14, 1988, USEPA-approved
 1446 for 35 Ill. Adm. Code 721.121(a).
 1447
 1448 ASTM E 168-88, "Standard Practices for General Techniques of Infrared
 1449 Quantitative Analysis", approved May 27, 1988, USEPA-approved for 35
 1450 Ill. Adm. Code 721.963 and 724.963.
 1451
 1452 ASTM E 169-87, "Standard Practices for General Techniques of
 1453 Ultraviolet-Visible Quantitative Analysis", approved February 1, 1987,
 1454 USEPA-approved for 35 Ill. Adm. Code 721.963 and 724.963.
 1455
 1456 ASTM E 260-85, "Standard Practice for Packed Column Gas
 1457 Chromatography", approved June 28, 1985, USEPA-approved for 35 Ill.
 1458 Adm. Code 724.963.
 1459
 1460 ASTM G 21-70 (1984a), "Standard Practice for Determining Resistance of

- 1461 Synthetic Polymer Materials to Fungi", referenced in 35 Ill. Adm. Code
1462 724.414 and 725.414.
1463
1464 ASTM G 22-76 (1984b), "Standard Practice for Determining Resistance
1465 of Plastics to Bacteria", referenced in 35 Ill. Adm. Code 724.414 and
1466 725.414.
1467
1468 GPO. Available from the Superintendent of Documents, U.S. Government
1469 Printing Office, Washington, DC 20402, 202-512-1800:
1470
1471 Standard Industrial Classification Manual (1972), and 1977 Supplement,
1472 republished in 1983, referenced in 35 Ill. Adm. Code 702.110 and Section
1473 720.110.
1474
1475 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods",
1476 USEPA publication number EPA-530/SW-846 (Third Edition, November
1477 1986), as amended by Updates I (July 1992), II (November 1994), IIA
1478 (August 1993), IIB (January 1995), III (December 1996), IIIA (April
1479 1998), and IIIB (November 2004) (document number 955-001-00000-1).
1480 See below in this subsection (a) under NTIS.
1481
1482 ISO. Available from the International Organization for Standardization, BIBC II,
1483 Chemin de Blandonne 8, CP 401, 1214 Vernier, Geneva, Switzerland (phone:
1484 +41 22 749 01 11; www.iso.org/stare):
1485
1486 International Standard ISO 3166-1:2013, "Codes for the representation of
1487 names of countries and their subdivisions – Part 1: Country code", Third
1488 edition (2013), referenced in 35 Ill. Adm. Code 702.183 and Section
1489 722.182.
1490
1491 BOARD NOTE: ISO maintains a web page with a free on-line list of
1492 country codes: <https://www.iso.org/obp/ui/#search>.
1493
1494 NACE. Available from the National Association of Corrosion Engineers, 1400
1495 South Creek Dr., Houston, TX 77084, 713-492-0535:
1496
1497 "Control of External Corrosion on Metallic Buried, Partially Buried, or
1498 Submerged Liquid Storage Systems", NACE Recommended Practice
1499 RP0285-85, approved March 1985, referenced in 35 Ill. Adm. Code
1500 724.292, 724.295, 725.292, and 725.295.
1501
1502 NFPA. Available from the National Fire Protection Association, 1 Batterymarch
1503 Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:

- 1504
1505 "Flammable and Combustible Liquids Code", NFPA 30 (1977), referenced
1506 in 35 Ill. Adm. Code 722.116.
1507
1508 "Flammable and Combustible Liquids Code", NFPA 30 (1981), referenced
1509 in 35 Ill. Adm. Code 722.116.
1510
1511 "Flammable and Combustible Liquids Code", NFPA 30 (1984), referenced
1512 in 35 Ill. Adm. Code 721.298, 724.298, 725.298, 726.211, and 727.290.
1513
1514 "Flammable and Combustible Liquids Code", NFPA 30 (1987), referenced
1515 in 35 Ill. Adm. Code 721.298, 722.116, 724.298, 725.298, 726.211, and
1516 727.290.
1517
1518 "Flammable and Combustible Liquids Code", NFPA 30 (2003), as
1519 supplemented by TIA 03-1 (2004), and corrected by Errata 30-03-01
1520 (2004), referenced in 35 Ill. Adm. Code 721.298, 722.116, 724.298,
1521 725.298, 726.211, and 727.290.
1522
1523 "Standard System for the Identification of the Hazards of Materials for
1524 Emergency Response", NFPA 704 (2012 or 2017), referenced in 35 Ill.
1525 Adm. Code 722.114 and 722.116.
1526
1527 NTIS. Available from the U.S. Department of Commerce, National Technical
1528 Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-605-
1529 6000 or 800-553-6847 (Internet address: www.ntis.gov):
1530
1531 "APTI Course 415: Control of Gaseous Emissions", December 1981,
1532 USEPA publication number EPA-450/2-81-005, NTIS document number
1533 PB80-208895, USEPA-approved for 35 Ill. Adm. Code 703.210, 703.211,
1534 703.352, 724.935, and 725.935.
1535
1536 BOARD NOTE: "APTI" denotes USEPA's "Air Pollution Training
1537 Institute" (Internet address: www.epa.gov/air/oaqps/eog/).
1538
1539 "Generic Quality Assurance Project Plan for Land Disposal Restrictions
1540 Program", USEPA publication number EPA-530/SW-87-011, March 15,
1541 1987, NTIS document number PB88-170766, referenced in 35 Ill. Adm.
1542 Code 728.106.
1543
1544 "Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and
1545 Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar
1546 Material) by Extraction and Gravimetry", Revision A, February 1999,

1547 USEPA publication number EPA-821/R-98-002, NTIS document number
1548 PB99-121949, or Revision B, February 2010, USEPA publication number
1549 EPA-821/R-10-001, NTIS document number PB2011-100735, USEPA-
1550 approved for Appendix I to 35 Ill. Adm. Code 721.
1551
1552 BOARD NOTE: Also available on the Internet for free download as a
1553 PDF document from the USEPA website at: [water.epa.gov/scitech/
1554 methods/cwa/methods_index.cfm](http://water.epa.gov/scitech/methods/cwa/methods_index.cfm). Revision A is also from the USEPA,
1555 National Service Center for Environmental Publications (NSCEP) website
1556 at www.epa.gov/nscep/index.html.
1557
1558 "Methods for Chemical Analysis of Water and Wastes", Third Edition,
1559 March 1983, USEPA document number EPA-600/4-79-020, NTIS
1560 document number PB84-128677, referenced in 35 Ill. Adm. Code
1561 725.192.
1562
1563 BOARD NOTE: Also available on the Internet as a viewable/printable
1564 HTML document from the USEPA website at:
1565 www.epa.gov/clariton/clhtml/pubtitleORD.html as document 600479002.
1566
1567 "North American Industry Classification System", July 2007, U.S.
1568 Department of Commerce, Bureau of the Census, document number
1569 PB2007-100002 (hardcover printed volume) or PB2007-500023,
1570 referenced in Section 720.110 (definition of "NAICS Code") for the
1571 purposes of Section 720.142, and in 35 Ill. Adm. Code 721.104.
1572
1573 BOARD NOTE: Also available on the Internet from the Bureau of
1574 Census: www.census.gov/naics/2007/naicod07.htm.
1575
1576 "Procedures Manual for Ground Water Monitoring at Solid Waste
1577 Disposal Facilities", August 1977, EPA-530/SW-611, NTIS document
1578 number PB84-174820, referenced in 35 Ill. Adm. Code 725.192.
1579
1580 "Screening Procedures for Estimating the Air Quality Impact of Stationary
1581 Sources", October 1992, USEPA publication number EPA-454/R-92-019,
1582 NTIS document number 93-219095, referenced in 35 Ill. Adm. Code
1583 726.204 and 726.206.
1584
1585 BOARD NOTE: Also available on the Internet for free download as a
1586 WordPerfect document from the USEPA website at the following Internet
1587 address: www.epa.gov/scram001/guidance/guide/scrng.wpd.
1588
1589 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods",

1590 USEPA publication number EPA-530/SW-846 (Third Edition, November
 1591 1986; Revision 6, January 2005), as amended by Updates I (July 1992), II
 1592 (November 1994), IIA (August 1993), IIB (January 1995), III (December
 1593 1996), IIIA (April 1998), and IIIB (November 2004) (document number
 1594 955-001-00000-1), generally referenced in Appendices A and I to 35 Ill.
 1595 Adm. Code 721 and 35 Ill. Adm. Code 726.200, 726.206, 726.212, and
 1596 728.106 (in addition to the references cited below for specific methods):
 1597
 1598 Method 0010 (November 1986) (Modified Method 5 Sampling
 1599 Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1600
 1601 Method 0011 (December 1996) (Sampling for Selected Aldehyde
 1602 and Ketone Emissions from Stationary Sources), USEPA-approved
 1603 for Appendix I to 35 Ill. Adm. Code 721 and for Appendix I to 35
 1604 Ill. Adm. Code 726.
 1605
 1606 Method 0020 (November 1986) (Source Assessment Sampling
 1607 System), USEPA-approved for Appendix I to 35 Ill. Adm. Code
 1608 721.
 1609
 1610 Method 0023A (December 1996) (Sampling Method for
 1611 Polychlorinated Dibenzo-p-Dioxins and Polychlorinated
 1612 Dibenzofuran Emissions from Stationary Sources), USEPA-
 1613 approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to
 1614 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.204.
 1615
 1616 Method 0030 (November 1986) (Volatile Organic Sampling
 1617 Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1618
 1619 Method 0031 (December 1996) (Sampling Method for Volatile
 1620 Organic Compounds (SMVOC)), USEPA-approved for Appendix
 1621 I to 35 Ill. Adm. Code 721.
 1622
 1623 Method 0040 (December 1996) (Sampling of Principal Organic
 1624 Hazardous Constituents from Combustion Sources Using Tedlar®
 1625 Bags), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1626
 1627 Method 0050 (December 1996) (Isokinetic HCl/Cl₂ Emission
 1628 Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm.
 1629 Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm.
 1630 Code 726.207.
 1631

1632 Method 0051 (December 1996) (Midget Impinger HCl/Cl₂
 1633 Emission Sampling Train), USEPA-approved for Appendix I to 35
 1634 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35
 1635 Ill. Adm. Code 726.207.
 1636
 1637 Method 0060 (December 1996) (Determination of Metals in Stack
 1638 Emissions), USEPA-approved for Appendix I to 35 Ill. Adm. Code
 1639 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code
 1640 726.206.
 1641
 1642 Method 0061 (December 1996) (Determination of Hexavalent
 1643 Chromium Emissions from Stationary Sources), USEPA-approved
 1644 for Appendix I to 35 Ill. Adm. Code 721, 35 Ill. Adm. Code
 1645 726.206, and Appendix I to 35 Ill. Adm. Code 726.
 1646
 1647 Method 1010A (November 2004) (Test Methods for Flash Point by
 1648 Pensky-Martens Closed Cup Tester), USEPA-approved for
 1649 Appendix I to 35 Ill. Adm. Code 721.
 1650
 1651 Method 1020B (November 2004) (Standard Test Methods for
 1652 Flash Point by Setaflash (Small Scale) Closed-cup Apparatus),
 1653 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1654
 1655 Method 1110A (November 2004) (Corrosivity Toward Steel),
 1656 USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I
 1657 to 35 Ill. Adm. Code 721.
 1658
 1659 Method 1310B (November 2004) (Extraction Procedure (EP)
 1660 Toxicity Test Method and Structural Integrity Test), USEPA-
 1661 approved for Appendix I to 35 Ill. Adm. Code 721 and referenced
 1662 in Appendix I to 35 Ill. Adm. Code 728.
 1663
 1664 Method 1311 (November 1992) (Toxicity Characteristic Leaching
 1665 Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code
 1666 721; for 35 Ill. Adm. Code 721.124, 728.107, and 728.140; and for
 1667 Table T to 35 Ill. Adm. Code 728.
 1668
 1669 Method 1312 (November 1994) (Synthetic Precipitation Leaching
 1670 Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code
 1671 721.
 1672
 1673 Method 1320 (November 1986) (Multiple Extraction Procedure),
 1674 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

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Method 1330A (November 1992) (Extraction Procedure for Oily Wastes), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9010C (November 2004) (Total and Amenable Cyanide: Distillation), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148, referenced in Table H to 35 Ill. Adm. Code 728.

Method 9012B (November 2004) (Total and Amenable Cyanide (Automated Colorimetric, with Off-Line Distillation)), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148, referenced in Table H to 35 Ill. Adm. Code 728.

Method 9040C (November 2004) (pH Electrometric Measurement), USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I to 35 Ill. Adm. Code 721.

Method 9045D (November 2004) (Soil and Waste pH), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9060A (November 2004) (Total Organic Carbon), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 721.934, 721.963, 724.934, 724.963, 725.934, and 725.963.

Method 9070A (November 2004) (n-Hexane Extractable Material (HEM) for Aqueous Samples), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9071B (April 1998) (n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9095B (November 2004) (Paint Filter Liquids Test), USEPA-approved for 35 Ill. Adm. Code 720.110; Appendix I to 35 Ill. Adm. Code 721; and 35 Ill. Adm. Code 724.290, 724.414, 725.290, 725.414, 725.981, 727.290, and 728.132.

1716 BOARD NOTE: Also available on the Internet for free download in
1717 segments in PDF format from the USEPA website at: www.epa.gov/SW-
1718 846.

1719
1720 OECD. Organization for Economic Cooperation and Development,
1721 Environment Directorate, 2 rue Andre Pascal, F-75775 Paris Cedex 16,
1722 France, +33 (0) 1 45 24 81 67 (www.oecd.org), also OECD Washington
1723 Center, 2001 L Street, NW, Suite 650, Washington, DC 20036-4922, 202-
1724 785-6323 or 800-456-6323 (www.oecdwash.org):
1725

1726 OECD Guidance Manual. "Guidance Manual for the
1727 Implementation of Council Decision C(2001)107/FINAL, as
1728 Amended, on the Control of Transboundary Movements of Wastes
1729 Destined for Recovery Operations", 2009 (also called "Guidance
1730 Manual for the Control of Transboundary Movements of
1731 Recoverable Materials" in OECD documents), but only the
1732 following segments, which set forth the substantive requirements
1733 of OECD decision C(2001)107/FINAL (June 14, 2001), as
1734 amended by C(2001)107/ADD1 (February 28, 2002), C(2004)20
1735 (March 9, 2004), C(2005)141 (December 2, 2005), and
1736 C(2008)156 (December 4, 2008):
1737

1738 "Annex B: OECD Consolidated List of Wastes Subject to
1739 the Green Control Procedure" (individually referred to as
1740 "Annex B to OECD Guidance Manual" in 35 Ill. Adm.
1741 Code 722), combining Appendix 3 to OECD decision
1742 C(2001)107/FINAL, as amended as described above,
1743 together with the text of Annex IX ("List B") to the "Basel
1744 Convention on the Control of Transboundary Movements
1745 of Hazardous Wastes and Their Disposal" ("Basel
1746 Convention").
1747

1748 "Annex C: OECD Consolidated List of Wastes Subject to
1749 the Amber Control Procedure" (individually referred to as
1750 "Annex C to OECD Guidance Manual" in 35 Ill. Adm.
1751 Code 722), combining Appendix 4 to OECD decision
1752 C(2001)107/FINAL, as amended, together with the text of
1753 Annexes II ("Categories of Wastes Requiring Special
1754 Consideration") and VIII ("List A") to the Basel
1755 Convention.
1756

1757 BOARD NOTE: The OECD Guidance Manual is available online
1758 from OECD at www.oecd.org/dataoecd/57/1/42262259.pdf. The

1759 OECD and the Basel Convention consider the OECD Guidance
 1760 Manual unofficial text of these documents. Despite this unofficial
 1761 status, the Board has chosen to follow USEPA's lead and
 1762 incorporate the OECD Guidance Manual by reference, instead of
 1763 separately incorporating the OECD decision C(2001)107/FINAL
 1764 (with its subsequent amendments: OECD decisions
 1765 C(2001)107/ADD1, C(2004)20, C(2005)141, and C(2008)156) and
 1766 the Basel Convention by reference. Use of the OECD Guidance
 1767 Manual eases reference to the documents, increases access to the
 1768 documents, and facilitates future updates to this incorporation by
 1769 reference. All references to "OECD C(2001)107/FINAL" in the
 1770 text of 35 Ill. Adm. Code 722 refer to both the OECD decision and
 1771 the Basel Convention that the OECD decision references. The
 1772 OECD Guidance Manual includes as Annex A the full text of
 1773 OECD document C(2001)107/FINAL, with amendments, and
 1774 Annexes B and C set forth lists of wastes subject to Green control
 1775 procedures and wastes subject to Amber control procedures,
 1776 respectively, which consolidate the wastes from
 1777 C(2001)107/FINAL together with those from the Basel
 1778 Convention.
 1779

1780 OECD Guideline for Testing of Chemicals, "Ready Biodegradability",
 1781 Method 301B (July 17, 1992), "CO₂ Evolution (Modified Sturm Test)",
 1782 referenced in 35 Ill. Adm. Code 724.414.
 1783

1784 STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL
 1785 60062, 708-498-1980:
 1786

1787 "Standard for Dual Wall Underground Steel Storage Tanks" (1986),
 1788 referenced in 35 Ill. Adm. Code 724.293.
 1789

1790 USDOD. Available from the United States Department of Defense:
 1791

1792 "DOD Ammunition and Explosives Safety Standards" (DOD 6055.09), as
 1793 in effect on February 29, 2008 and revised December 15, 2017, December
 1794 18, 2017, December 29, 2017, and January 24, 2018, referenced in 35 Ill.
 1795 Adm. Code 726.305.
 1796

1797 "The Motor Vehicle Inspection Report" (DD Form 626), as in effect in
 1798 October 2011, referenced in 35 Ill. Adm. Code 726.303.
 1799

1800 "Requisition Tracking Form" (DD Form 1348), as in effect in July 1991,
 1801 referenced in 35 Ill. Adm. Code 726.303.

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"The Signature and Tally Record" (DD Form 1907), as in effect in October 2011, referenced in 35 Ill. Adm. Code 726.303.

"DOD Multimodal Dangerous Goods Declaration" (DD Form 2890), as in effect in September 2015, referenced in 35 Ill. Adm. Code 726.303.

BOARD NOTE: DOD 6055.09, DD Form 626, DD Form 1348, DD Form 1907, and DD Form 2890 are available on-line for download in pdf format from www.esd.whs.mil/DD/.

USEPA, e-Manifest System. Available from United States Environmental Protection Agency, e-Manifest System (<https://www.epa.gov/e-manifest>):

"Hazardous Waste Manifest Instructions". Instructions for revision 12-17 of USEPA Forms 8700-22 and 8700-22A, referenced in 35 Ill. Adm. Code 722.121.

BOARD NOTE: Also available on-line from the USEPA website at the following Internet address: www.epa.gov/hwgenerators/uniform-hazardous-waste-manifest-instructions-sample-form-and-continuation-sheet.

USEPA, Office of Ground Water and Drinking Water. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, DC 20460:

"Inventory of Injection Wells", USEPA Form 7520-16 (Revised 8-01), referenced in 35 Ill. Adm. Code 704.148 and 704.283.

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", USEPA publication number EPA-570/9-87-002, August 1987, referenced in 35 Ill. Adm. Code 730.165.

USEPA, Receptor Analysis Branch. Available from Receptor Analysis Branch, USEPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October 1992, USEPA publication number EPA-450/R-92-019, USEPA-approved for Appendix I to 35 Ill. Adm. Code 726.

BOARD NOTE: Also available for purchase from NTIS (see above) and

1845 on the Internet for free download as a WordPerfect document from the
1846 USEPA website at following Internet address:
1847 www.epa.gov/scram001/guidance/guide/scrng.wpd.
1848
1849 USEPA Region 6. Available from United States Environmental Protection
1850 Agency, Region 6, Multimedia Permitting and Planning Division, 1445 Ross
1851 Avenue, Dallas, TX 75202 (phone: 214-665-7430):
1852
1853 "EPA RCRA Delisting Program – Guidance Manual for the Petitioner",
1854 March 23, 2000, referenced in Section 720.122.
1855
1856 USGSA. Available from the United States Government Services Administration:
1857
1858 Government Bill of Lading (GBL) (GSA Standard Form 1103, rev 9/2003,
1859 supplemented as necessary with GSA Standard Form 1109, rev 09/1998),
1860 referenced in Section 726.303.
1861
1862 BOARD NOTE: Available on-line for download in various formats from
1863 www.gsa.gov/forms/forms.htm.
1864
1865 b) Code of Federal Regulations. Available from the Superintendent of Documents,
1866 U.S. Government Printing Office, Washington, DC 20401, 202-783-3238:
1867
1868 10 CFR 20.2006 (2018) (Transfer for Disposal and Manifests), referenced
1869 in 35 Ill. Adm. Code 726.425 and 726.450.
1870
1871 Table II, column 2 in appendix B to 10 CFR 20 (2018) (Water Effluent
1872 Concentrations), referenced in 35 Ill. Adm. Code 702.110, 730.103, and
1873 730.151.
1874
1875 Appendix G to 10 CFR 20 (2018) (Requirements for Transfers of Low-
1876 Level Radioactive Waste Intended for Disposal at Licensed Land Disposal
1877 Facilities and Manifests), referenced in 35 Ill. Adm. Code 726.440.
1878
1879 10 CFR 71 (2018) (Packaging and Transportation of Radioactive
1880 Material), referenced generally in 35 Ill. Adm. Code 726.430.
1881
1882 10 CFR 71.5 (2018) (Transportation of Licensed Material), referenced in
1883 35 Ill. Adm. Code 726.425.
1884
1885 15 CFR 30.4(b) (2018) (Electronic Export Information Filing, Procedures,
1886 Deadlines, and Certification Statements), referenced in 35 Ill. Adm. Code
1887 721.139.

1888
 1889 15 CFR 30.6 (2018) (Electronic Export Information Data Elements),
 1890 referenced in 35 Ill. Adm. Code 721.139.
 1891
 1892 29 CFR 1910.1200 (2018) (Hazard Communication), referenced in 35 Ill.
 1893 Adm. Code 722.115.
 1894
 1895 33 CFR 153.203 (2018) (Procedure for the Notice of Discharge),
 1896 referenced in 35 Ill. Adm. Code 723.130 and 739.143.
 1897
 1898 40 CFR 3.3 (2018) (What Definitions Are Applicable to This Part?),
 1899 referenced in Section 720.104.
 1900
 1901 40 CFR 3.10 (2018) (What Are the Requirements for Electronic Reporting
 1902 to EPA?), referenced in Section 720.104.
 1903
 1904 40 CFR 3.2000 (2018) (What Are the Requirements Authorized State,
 1905 Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in
 1906 Section 720.104.
 1907
 1908 40 CFR 51.100(ii) (2018) (Definitions), referenced in 35 Ill. Adm. Code
 1909 726.200.
 1910
 1911 Appendix W to 40 CFR 51 (2018) (Guideline on Air Quality Models),
 1912 referenced in 35 Ill. Adm. Code 726.204.
 1913
 1914 BOARD NOTE: Also available from NTIS (see above for contact
 1915 information) as "Guideline on Air Quality Models", Revised 1986,
 1916 USEPA publication number EPA-450/12-78-027R, NTIS document
 1917 numbers PB86-245248 (Guideline) and PB88-150958 (Supplement).
 1918
 1919 Appendix B to 40 CFR 52.741 ~~(2018)~~(2017) (VOM Measurement
 1920 Techniques for Capture Efficiency), referenced in 35 Ill. Adm. Code
 1921 703.213, 703.352, 721.984, 721.986, 721.989, 724.982, 724.984, 724.986,
 1922 724.989, 725.983, 725.985, 725.987, and 725.990.
 1923
 1924 40 CFR 60 (2018) (Standards of Performance for New Stationary
 1925 Sources), referenced generally in 35 Ill. Adm. Code 721.104, 721.950,
 1926 721.964, 721.980, 724.964, 724.980, 725.964, and 725.980.
 1927
 1928 Subpart VV of 40 CFR 60 (2018) (Standards of Performance for
 1929 Equipment Leaks of VOC in the Synthetic Organic Chemicals
 1930 Manufacturing Industry), referenced in 35 Ill. Adm. Code 721.989,

1931	724.989, and 725.990.
1932	
1933	Appendix A to 40 CFR 60 (2018) (Test Methods), referenced generally in
1934	35 Ill. Adm. Code 726.205 (in addition to the references cited below for
1935	specific methods):
1936	
1937	Method 1 (Sample and Velocity Traverses for Stationary Sources),
1938	referenced in 35 Ill. Adm. Code 726.205.
1939	
1940	Method 2 (Determination of Stack Gas Velocity and Volumetric
1941	Flow Rate (Type S Pitot Tube)), referenced in 35 Ill. Adm. Code
1942	721.934, 724.933, 724.934, 725.933, 725.934, and 726.205.
1943	
1944	Method 2A (Direct Measurement of Gas Volume through Pipes
1945	and Small Ducts), referenced in 35 Ill. Adm. Code 721.933,
1946	724.933, 725.933, and 726.205.
1947	
1948	Method 2B (Determination of Exhaust Gas Volume Flow Rate
1949	from Gasoline Vapor Incinerators), referenced in 35 Ill. Adm.
1950	Code 726.205.
1951	
1952	Method 2C (Determination of Gas Velocity and Volumetric Flow
1953	Rate in Small Stacks or Ducts (Standard Pitot Tube)), referenced in
1954	35 Ill. Adm. Code 721.933, 724.933, 725.933, and 726.205.
1955	
1956	Method 2D (Measurement of Gas Volume Flow Rates in Small
1957	Pipes and Ducts), referenced in 35 Ill. Adm. Code 721.933,
1958	724.933, 725.933, and 726.205.
1959	
1960	Method 2E (Determination of Landfill Gas Production Flow Rate),
1961	referenced in 35 Ill. Adm. Code 726.205.
1962	
1963	Method 2F (Determination of Stack Gas Velocity and Volumetric
1964	Flow Rate with Three-Dimensional Probes), referenced in 35 Ill.
1965	Adm. Code 726.205.
1966	
1967	Method 2G (Determination of Stack Gas Velocity and Volumetric
1968	Flow Rate with Two-Dimensional Probes), referenced in 35 Ill.
1969	Adm. Code 726.205.
1970	
1971	Method 2H (Determination of Stack Gas Velocity Taking into
1972	Account Velocity Decay Near the Stack Wall), referenced in 35 Ill.
1973	Adm. Code 726.205.

1974	
1975	
1976	Method 3 (Gas Analysis for the Determination of Dry Molecular Weight), referenced in 35 Ill. Adm. Code 724.443 and 726.205.
1977	
1978	Method 3A (Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)), referenced in 35 Ill. Adm. Code 726.205.
1979	
1980	
1981	
1982	
1983	Method 3B (Gas Analysis for the Determination of Emission Rate Correction Factor or Excess Air), referenced in 35 Ill. Adm. Code 726.205.
1984	
1985	
1986	
1987	Method 3C (Determination of Carbon Dioxide, Methane, Nitrogen, and Oxygen from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1988	
1989	
1990	
1991	Method 4 (Determination of Moisture Content in Stack Gases), referenced in 35 Ill. Adm. Code 726.205.
1992	
1993	
1994	Method 5 (Determination of Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1995	
1996	
1997	Method 5A (Determination of Particulate Matter Emissions from the Asphalt Processing and Asphalt Roofing Industry), referenced in 35 Ill. Adm. Code 726.205.
1998	
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2000	
2001	Method 5B (Determination of Nonsulfuric Acid Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
2002	
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2004	
2005	Method 5D (Determination of Particulate Matter Emissions from Positive Pressure Fabric Filters), referenced in 35 Ill. Adm. Code 726.205.
2006	
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2009	Method 5E (Determination of Particulate Matter Emissions from the Wool Fiberglass Insulation Manufacturing Industry), referenced in 35 Ill. Adm. Code 726.205.
2010	
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2012	
2013	Method 5F (Determination of Nonsulfate Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
2014	
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2017	Method 5G (Determination of Particulate Matter Emissions from Wood Heaters (Dilution Tunnel Sampling Location)), referenced in 35 Ill. Adm. Code 726.205.
2018	
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2021	Method 5H (Determination of Particulate Emissions from Wood Heaters from a Stack Location), referenced in 35 Ill. Adm. Code 726.205.
2022	
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2025	Method 5I (Determination of Low Level Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
2026	
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2029	Method 18 (Measurement of Gaseous Organic Compound Emissions by Gas Chromatography), referenced in 35 Ill. Adm. Code 721.933, 721.934, 724.933, 724.934, 725.933, and 725.934.
2030	
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2033	Method 21 (Determination of Volatile Organic Compound Leaks), referenced in 35 Ill. Adm. Code 703.213, 721.934, 721.935, 721.963, 721.983, 724.934, 724.935, 724.963, 725.934, 725.935, 725.963, and 725.984.
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2038	Method 22 (Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares), referenced in 35 Ill. Adm. Code 721.933, 724.933, 724.1101, 725.933, 725.1101, and 727.900.
2039	
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2043	Method 25A (Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer), referenced in 35 Ill. Adm. Code 721.934, 724.934, and 725.985.
2044	
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2047	Method 25D (Determination of the Volatile Organic Concentration of Waste Samples), referenced in 35 Ill. Adm. Code 721.983, 724.982, 725.983, and 725.984.
2048	
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2050	
2051	Method 25E (Determination of Vapor Phase Organic Concentration in Waste Samples), referenced in 35 Ill. Adm. Code 721.983 and 725.984.
2052	
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2054	
2055	Method 27 (Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure-Vacuum Test), referenced in 35 Ill. Adm. Code 721.986, 724.986, and 725.987.
2056	
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2058	

2059 40 CFR 61 (2018) (National Emission Standards for Hazardous Air
 2060 Pollutants), referenced generally in 35 Ill. Adm. Code 721.104, 721.933,
 2061 721.950, 721.964, 721.980, 724.933, 724.964, 725.933, 725.964, and
 2062 725.980.
 2063
 2064 Subpart V of 40 CFR 61 (2018) (National Emission Standard for
 2065 Equipment Leaks (Fugitive Emission Sources)), referenced in 35 Ill. Adm.
 2066 Code 721.989, 724.989, and 725.990.
 2067
 2068 Subpart FF of 40 CFR 61 (2018) (National Emission Standard for
 2069 Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and
 2070 725.983.
 2071
 2072 40 CFR 63 (2018) (National Emission Standards for Hazardous Air
 2073 Pollutants for Source Categories), referenced generally in 35 Ill. Adm.
 2074 Code 721.293, 721.933, 721.950, 721.964, 721.980, 724.933, 724.964,
 2075 724.980, 725.933, 725.964, 725.980, and 726.200.
 2076
 2077 Subpart RR of 40 CFR 63 (2018) (National Emission Standards for
 2078 Individual Drain Systems), referenced in 35 Ill. Adm. Code 721.984,
 2079 724.984, 724.985, 725.985, and 725.986.
 2080
 2081 Subpart EEE of 40 CFR 63 (2000) (National Emission Standards for
 2082 Hazardous Air Pollutants from Hazardous Waste Combustors), referenced
 2083 in 35 Ill. Adm. Code 703.280.
 2084
 2085 Subpart EEE of 40 CFR 63 (2018) (National Emission Standards for
 2086 Hazardous Air Pollutants from Hazardous Waste Combustors) (includes
 2087 40 CFR 63.1206 (When and How Must You Comply with the Standards
 2088 and Operating Requirements?), 63.1215 (What are the Health-Based
 2089 Compliance Alternatives for Total Chlorine?), 63.1216 (What are the
 2090 Standards for Solid-Fuel Boilers that Burn Hazardous Waste?), 63.1217
 2091 (What are the Standards for Liquid-Fuel Boilers that Burn Hazardous
 2092 Waste?), 63.1218 (What are the Standards for Hydrochloric Acid
 2093 Production Furnaces that Burn Hazardous Waste?), 63.1219 (What are the
 2094 Replacement Standards for Hazardous Waste Incinerators?), 63.1220
 2095 (What are the Replacement Standards for Hazardous Waste-Burning
 2096 Cement Kilns?), and 63.1221 (What are the Replacement Standards for
 2097 Hazardous Waste-Burning Lightweight Aggregate Kilns?)), referenced in
 2098 Appendix A to 35 Ill. Adm. Code 703 and 35 Ill. Adm. Code 703.155,
 2099 703.205, 703.208, 703.221, 703.232, 703.320, 703.280, 724.440, 724.701,
 2100 724.950, 725.440, and 726.200.
 2101

2102	Method 301 (Field Validation of Pollutant Measurement Methods from Various Waste Media) in appendix A to 40 CFR 63 (2018) (Test Methods), referenced in 35 Ill. Adm. Code 721.983 and 725.984.
2103	
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2107	Appendix C to 40 CFR 63 (2018) (Determination of the Fraction Biodegraded (F_{bio}) in a Biological Treatment Unit), referenced in 35 Ill. Adm. Code 725.984.
2108	
2109	
2110	
2111	Appendix D to 40 CFR 63 (2018) (Test Methods), referenced in 35 Ill. Adm. Code 721.983 and 725.984.
2112	
2113	40 CFR 136.3 (Identification of Test Procedures) (2018), referenced in 35 Ill. Adm. Code 702.110, 704.150, 704.187, and 730.103.
2114	
2115	
2116	40 CFR 144.70 (2018) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 704.240.
2117	
2118	
2119	40 CFR 232.2 (2018) (Definitions), referenced in 35 Ill. Adm. Code 721.104.
2120	
2121	
2122	40 CFR 257 (2018)(2017) (Criteria for Classification of Solid Waste Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code 739.181.
2123	
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2126	
2127	Subpart B of 40 CFR 257 (2018)(2017) (Disposal Standards for the Receipt of Conditionally Exempt Small Quantity Generator (CESQG) Wastes at Non-Municipal Non-Hazardous Waste Disposal Units) (40 CFR 257.5 through 257.30), referenced in 35 Ill. Adm. Code 722.114.
2128	
2129	
2130	
2131	40 CFR 258 (2018)(2017) (Criteria for Municipal Solid Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.
2132	
2133	
2134	40 CFR 260.21(b) (2018) (Alternative Equivalent Testing Methods), referenced in Section 720.121.
2135	
2136	
2137	40 CFR 261.151 (2018) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 721.251.
2138	
2139	
2140	Appendix III to 40 CFR 261 (2018) (Chemical Analysis Test Methods), referenced in 35 Ill. Adm. Code 704.150 and 704.187.
2141	
2142	
2143	
2144	Appendix to 40 CFR 262 (2018) (Uniform Hazardous Waste Manifest and Instructions (EPA Forms 8700-22 and 8700-22A and Their Instructions)),

2145 referenced in Appendix A to 35 Ill. Adm. Code 722 and 35 Ill. Adm. Code
2146 724.986 and 725.987.
2147
2148 40 CFR 264.151 (2018) (Wording of the Instruments), referenced in 35 Ill.
2149 Adm. Code 724.251 and 727.240.
2150
2151 40 CFR 264.1311 (2018) (Manifest Transactions Subject to Fees),
2152 referenced in 35 Ill. Adm. Code 724.171.
2153
2154 40 CFR 264.1312 (2018) (User Fee Calculation Methodology), referenced
2155 in 35 Ill. Adm. Code 724.171.
2156
2157 40 CFR 264.1313 (2018) (User Fee Revisions), referenced in 35 Ill. Adm.
2158 Code 724.171.
2159
2160 40 CFR 264.1314 (2018) (How to Make User Fee Payments), referenced
2161 in 35 Ill. Adm. Code 724.171.
2162
2163 40 CFR 264.1315 (2018) (Sanctions for Delinquent Payments), referenced
2164 in 35 Ill. Adm. Code 724.171.
2165
2166 40 CFR 264.1316 (2018) (Informal Fee Dispute Resolution), referenced in
2167 35 Ill. Adm. Code 724.171.
2168
2169 Subpart FF of 40 CFR 264 (2018) (Fees for the Electronic Hazardous
2170 Waste Manifest Program), referenced in Sections 720.104 and 720.105.
2171
2172 Appendix I to 40 CFR 264 (2018) (Recordkeeping Instructions),
2173 referenced in Appendix A to 35 Ill. Adm. Code 724.
2174
2175 Appendix IV to 40 CFR 264 (2018) (Cochran's Approximation to the
2176 Behrens-Fisher Students' T-Test), referenced in Appendix D to 35 Ill.
2177 Adm. Code 724.
2178
2179 Appendix V to 40 CFR 264 (2018) (Examples of Potentially Incompatible
2180 Waste), referenced in Appendix E to 35 Ill. Adm. Code 724 and 35 Ill.
2181 Adm. Code 727.270.
2182
2183 Appendix VI to 40 CFR 264 (2018) (Political Jurisdictions in Which
2184 Compliance with § 264.18(a) Must Be Demonstrated), referenced in 35 Ill.
2185 Adm. Code 703.306, 724.118, and 727.110.
2186

2187	40 CFR 265.1311 (2018) (Manifest Transactions Subject to Fees),
2188	referenced in 35 Ill. Adm. Code 724.171.
2189	
2190	40 CFR 265.1312 (2018) (User Fee Calculation Methodology), referenced
2191	in 35 Ill. Adm. Code 724.171.
2192	
2193	40 CFR 265.1313 (2018) (User Fee Revisions), referenced in 35 Ill. Adm.
2194	Code 724.171.
2195	
2196	40 CFR 265.1314 (2018) (How to Make User Fee Payments), referenced
2197	in 35 Ill. Adm. Code 724.171.
2198	
2199	40 CFR 265.1315 (2018) (Sanctions for Delinquent Payments), referenced
2200	in 35 Ill. Adm. Code 724.171.
2201	
2202	40 CFR 265.1316 (2018) (Informal Fee Dispute Resolution), referenced in
2203	35 Ill. Adm. Code 724.171.
2204	
2205	Subpart FF of 40 CFR 265 (2018) (Fees for the Electronic Hazardous
2206	Waste Manifest Program), referenced in Sections 720.104 and 720.105.
2207	
2208	Appendix I to 40 CFR 265 (2018) (Recordkeeping Instructions),
2209	referenced in Appendix A to 35 Ill. Adm. Code 725.
2210	
2211	Appendix III to 40 CFR 265 (2018) (EPA Interim Primary Drinking Water
2212	Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.
2213	
2214	Appendix IV to 40 CFR 265 (2018) (Tests for Significance), referenced in
2215	Appendix D to 35 Ill. Adm. Code 725.
2216	
2217	Appendix V to 40 CFR 265 (2018) (Examples of Potentially Incompatible
2218	Waste), referenced in 35 Ill. Adm. Code 725.277, 725.301, 725.330,
2219	725.357, 725.382, and 725.413 and Appendix E to 35 Ill. Adm. Code 725.
2220	
2221	Appendix IX to 40 CFR 266 (2018)(2017) (Methods Manual for
2222	Compliance with the BIF Regulations), referenced generally in Appendix I
2223	to 35 Ill. Adm. Code 726.
2224	
2225	Section 4.0 (Procedures for Estimating the Toxicity Equivalence of
2226	Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners),
2227	referenced in 35 Ill. Adm. Code 726.200 and 726.204.
2228	

2229	Section 5.0 (Hazardous Waste Combustion Air Quality Screening Procedure), referenced in 35 Ill. Adm. Code 726.204 and 726.206.
2230	
2231	
2232	Section 7.0 (Statistical Methodology for Bevill Residue Determinations), referenced in 35 Ill. Adm. Code 726.212.
2233	
2234	
2235	BOARD NOTE: Also available from NTIS (see above for contact information) as "Methods Manual for Compliance with BIF Regulations: Burning Hazardous Waste in Boilers and Industrial Furnaces", December 1990, USEPA publication number EPA-530/SW-91-010, NTIS document number PB91-120006.
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2240	
2241	40 CFR 267.151 (2018)(2017) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 727.240.
2242	
2243	
2244	40 CFR 270.5 (2018)(2017) (Noncompliance and Program Reporting by the Director), referenced in 35 Ill. Adm. Code 703.305.
2245	
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2247	40 CFR 302 (2018) (Designation, Reportable Quantities, and Notification), referenced in 35 Ill. Adm. Code 721.293.
2248	
2249	
2250	40 CFR 711.15(a)(4)(i)(C) (2018) (Designation, Reportable Quantities, and Notification), referenced in 35 Ill. Adm. Code 721.104.
2251	
2252	
2253	40 CFR 761 (2018) (Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.
2254	
2255	
2256	
2257	40 CFR 761.3 (2018) (Definitions), referenced in 35 Ill. Adm. Code 728.102 and 739.110.
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2260	40 CFR 761.60 (2018) (Disposal Requirements), referenced in 35 Ill. Adm. Code 728.142.
2261	
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2263	40 CFR 761.65 (2018) (Storage for Disposal), referenced in 35 Ill. Adm. Code 728.150.
2264	
2265	
2266	40 CFR 761.70 (2018) (Incineration), referenced in 35 Ill. Adm. Code 728.142.
2267	
2268	
2269	Subpart B of 49 CFR 107 (2018)(2017) (Exemptions), referenced generally in 35 Ill. Adm. Code 724.986 and 725.987.
2270	
2271	

2272 49 CFR 171 (2018)(2017) (General Information, Regulations, and
 2273 Definitions), referenced generally in 35 Ill. Adm. Code 721.104, 733.118,
 2274 733.138, 733.152, and 739.143.
 2275
 2276 49 CFR 171.3 (2018)(2017) (Hazardous Waste), referenced in 35 Ill.
 2277 Adm. Code 722.133.
 2278
 2279 49 CFR 171.8 (2018)(2017) (Definitions and Abbreviations), referenced in
 2280 35 Ill. Adm. Code 733.118, 733.138, 733.152, 733.155, and 739.143.
 2281
 2282 49 CFR 171.15 (2018)(2017) (Immediate Notice of Certain Hazardous
 2283 Materials Incidents), referenced in 35 Ill. Adm. Code 723.130 and
 2284 739.143.
 2285
 2286 49 CFR 171.16 (2018)(2017) (Detailed Hazardous Materials Incident
 2287 Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.
 2288
 2289 49 CFR 172 (2018)(2017) (Hazardous Materials Table, Special
 2290 Provisions, Hazardous Materials Communications, Emergency Response
 2291 Information, and Training Requirements), referenced generally in 35 Ill.
 2292 Adm. Code 721.104, 721.986, 722.131, 722.132, 724.986, 725.987,
 2293 733.114, 733.118, 733.134, 733.138, 733.152, 733.155, and 739.143.
 2294
 2295 Table to 49 CFR 172.101 (2018)(2017) (Hazardous Materials Table),
 2296 referenced in 35 Ill. Adm. Code 722.183, 722.184, 724.112, and 725.112.
 2297
 2298 49 CFR 172.304 (2018)(2017) (Marking Requirements), referenced in 35
 2299 Ill. Adm. Code 722.132.
 2300
 2301 Subpart C of 49 CFR 172 (2018)(2017) (Shipping Papers), referenced in
 2302 35 Ill. Adm. Code 722.124.
 2303
 2304 Subpart E of 49 CFR 172 (2018)(2017) (Labeling), referenced in 35 Ill.
 2305 Adm. Code 722.114 and 722.115.
 2306
 2307 Subpart F of 49 CFR 172 (2018)(2017) (Placarding), referenced in 35 Ill.
 2308 Adm. Code 722.114, 722.115, and 722.133.
 2309
 2310 49 CFR 173 (2018)(2017) (Shippers – General Requirements for
 2311 Shipments and Packages), referenced generally in 35 Ill. Adm. Code
 2312 721.104, 721.986, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118,
 2313 733.138, 733.152, and 739.143.
 2314

2315	49 CFR 173.2 (2018)(2017) (Hazardous Materials Classes and Index to Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.
2316	
2317	
2318	49 CFR 173.12 (2018)(2017) (Exceptions for Shipments of Waste Materials), referenced in 35 Ill. Adm. Code 724.416, 724.986, 725.416, and 725.987.
2319	
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2321	
2322	49 CFR 173.28 (2018)(2017) (Reuse, Reconditioning, and Remanufacture of Packagings), referenced in 35 Ill. Adm. Code 725.273.
2323	
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2325	49 CFR 173.50 (2018)(2017) (Class 1 – Definitions), referenced in 35 Ill. Adm. Code 721.123.
2326	
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2328	49 CFR 173.54 (2018)(2017) (Forbidden Explosives), referenced in 35 Ill. Adm. Code 721.123.
2329	
2330	
2331	49 CFR 173.115 (2018)(2017) (Class 2, Divisions 2.1, 2.2, and 2.3 – Definitions), referenced in 35 Ill. Adm. Code 721.121.
2332	
2333	
2334	49 CFR 173.127 (2018)(2017) (Class 2, Divisions 2.1, 2.2, and 2.3 – Definition and Assignment of Packaging Groups), referenced in 35 Ill. Adm. Code 721.121.
2335	
2336	
2337	
2338	49 CFR 174 (2018)(2017) (Carriage by Rail), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
2339	
2340	
2341	49 CFR 175 (2018)(2017) (Carriage by Aircraft), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
2342	
2343	
2344	49 CFR 176 (2018)(2017) (Carriage by Vessel), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
2345	
2346	
2347	49 CFR 177 (2018)(2017) (Carriage by Public Highway), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
2348	
2349	
2350	49 CFR 177.817 (2018)(2017) (Shipping Papers), referenced in 35 Ill. Adm. Code 722.124.
2351	
2352	
2353	49 CFR 178 (2018)(2017) (Specifications for Packagings), referenced generally in 35 Ill. Adm. Code 721.104, 721.986, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.
2354	
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2356	
2357	49 CFR 179 (2018)(2017) (Specifications for Tank Cars), referenced in 35

- 2358 Ill. Adm. Code 721.104, 721.986, 722.130, 724.416, 724.986, 725.416,
- 2359 725.987, 733.118, 733.138, 733.152, and 739.143.
- 2360
- 2361 49 CFR 180 (2018)~~(2017)~~ (Continuing Qualification and Maintenance of
- 2362 Packagings), referenced generally in 35 Ill. Adm. Code 721.986, 724.986,
- 2363 725.987, 733.118, 733.138, 733.152, and 739.143.
- 2364
- 2365 49 CFR 190 (2018)~~(2017)~~ (Pipeline Safety Programs and Rulemaking
- 2366 Procedures), referenced generally in 35 Ill. Adm. Code 721.104.
- 2367
- 2368 49 CFR 191 (2018)~~(2017)~~ (Transportation of Natural and Other Gas by
- 2369 Pipeline: Annual Reports, Incident Reports, and Safety-Related Condition
- 2370 Reports), referenced generally in 35 Ill. Adm. Code 721.104.
- 2371
- 2372 49 CFR 192 (2018)~~(2017)~~ (Transportation of Natural and Other Gas by
- 2373 Pipeline: Minimum Federal Safety Standards), referenced generally in 35
- 2374 Ill. Adm. Code 721.104.
- 2375
- 2376 49 CFR 193 (2018)~~(2017)~~ (Liquefied Natural Gas Facilities: Federal
- 2377 Safety Standards), referenced generally in 35 Ill. Adm. Code 721.104.
- 2378
- 2379 49 CFR 194 (2018)~~(2017)~~ (Response Plans for Onshore Oil Pipelines),
- 2380 referenced generally in 35 Ill. Adm. Code 721.104.
- 2381
- 2382 49 CFR 195 (2018)~~(2017)~~ (Transportation of Hazardous Liquids by
- 2383 Pipeline), referenced generally in 35 Ill. Adm. Code 721.104.
- 2384
- 2385 49 CFR 196 (2018)~~(2017)~~ (Protection of Underground Pipelines from
- 2386 Excavation Activity), referenced generally in 35 Ill. Adm. Code 721.104.
- 2387
- 2388 49 CFR 198 (2018)~~(2017)~~ (Regulations for Grants to Aid State Pipeline
- 2389 Safety Programs), referenced generally in 35 Ill. Adm. Code 721.104.
- 2390
- 2391 49 CFR 199 (2018)~~(2017)~~ (Drug and Alcohol Testing), referenced
- 2392 generally in 35 Ill. Adm. Code 721.104.
- 2393
- 2394 c) Federal Statutes:
- 2395
- 2396 Section 11 of the Atomic Energy Act of 1954 (42 USC 2014
- 2397 (2017)~~(2016)~~), referenced in 35 Ill. Adm. Code 721.104 and 726.310.
- 2398

2399 Sections 301, 304, 307, and 402 of the Clean Water Act (33 USC 1311,
 2400 1314, 1337, and 1342 ~~(2017)(2016)~~), referenced in 35 Ill. Adm. Code
 2401 721.293.
 2402

2403 Sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and
 2404 Cosmetic Act (FFDCA; 21 USC 321(v), 321(w), and 360b(j)
 2405 ~~(2017)(2016)~~), referenced in Section 720.110 and 35 Ill. Adm. Code
 2406 733.109.
 2407

2408 Section 1004 of the Resource Conservation and Recovery Act (42 USC
 2409 6903 ~~(2017)(2016)~~), referenced in 35 Ill. Adm. Code 721.931, 721.951,
 2410 721.981, 724.931, 724.981, 725.931, 725.951, and 725.981.
 2411

2412 Chapter 601 of subtitle VIII of 49 USC (49 USC 60101 through 60140
 2413 ~~(2017)(2016)~~), referenced in 35 Ill. Adm. Code 721.104.
 2414

2415 Section 1412 of the Department of Defense Authorization Act of 1986 (50
 2416 USC 1521(j)(1) (2015)), referenced in 35 Ill. Adm. Code 726.301.
 2417

2418 d) This Section incorporates no later editions or amendments.
 2419

2420 (Source: Amended at 43 Ill. Reg. _____, effective _____)
 2421

2422 SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES
 2423

2424 **Section 720.142 Notification Requirement for Hazardous Secondary Materials**
 2425

2426 a) A facility that manages hazardous secondary materials which are excluded from
 2427 regulation under 35 Ill. Adm. Code 721.104(a)(23), (a)(24), or (a)(27) must send a
 2428 notification to the Agency, Bureau of Land USEPA Region 5. The notification
 2429 must occur prior to operating under the regulatory provision and before March 1
 2430 of every even-numbered calendar year thereafter using a copy of Notification of
 2431 RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12)
 2432 ~~obtained from the Agency, Bureau of Land (217-782-6762)~~. The notification
 2433 must include the following information:
 2434

- 2435 1) The name, address, and USEPA identification number (if applicable) of
 2436 the facility;
- 2437 2) The name and telephone number of a contact person for the facility;
- 2438 3) The NAICS code of the facility;
- 2439
- 2440
- 2441

- 2442 BOARD NOTE: Determined using the "North American Industry
 2443 Classification System", incorporated by reference in Section 720.111.
 2444
 2445 4) The regulation under which the facility will manage the hazardous
 2446 secondary materials;
 2447
 2448 5) For reclaimers and intermediate facilities managing hazardous secondary
 2449 materials in accordance with 35 Ill. Adm. Code 721.104(a)(24) or (a)(25),
 2450 whether the reclaimer or intermediate facility has financial assurance (not
 2451 applicable for persons managing hazardous secondary materials generated
 2452 and reclaimed under the control of the generator);
 2453
 2454 6) When the facility began or expects to begin managing the hazardous
 2455 secondary materials in accordance with the regulation;
 2456
 2457 7) A list of hazardous secondary materials that the facility will manage
 2458 according to the regulation (reported as the USEPA hazardous waste
 2459 numbers that would apply if the hazardous secondary materials were
 2460 managed as hazardous wastes);
 2461
 2462 8) For each hazardous secondary material, whether the hazardous secondary
 2463 material, or any portion thereof, will be managed in a land-based unit;
 2464
 2465 9) The quantity of each hazardous secondary material to be managed
 2466 annually; and
 2467
 2468 10) The certification (included in USEPA Form 8700-12) signed and dated by
 2469 an authorized representative of the facility.
 2470
 2471 b) If a facility that manages hazardous secondary material has submitted a
 2472 notification, but then subsequently ceases managing hazardous secondary
 2473 materials in accordance with a regulation listed in subsection (a), the facility
 2474 owner or operator must notify the Agency within 30 days after the cessation using
 2475 a copy of USEPA Form 8700-12 ~~obtained from the Agency, Bureau of Land~~
 2476 ~~(217-782-6762)~~. For purposes of this Section, a facility has stopped managing
 2477 hazardous secondary materials if the facility no longer generates, manages, or
 2478 reclaims hazardous secondary materials under the regulation listed in subsection
 2479 (a), and the facility owner or operator does not expect to manage any amount of
 2480 hazardous secondary materials for at least one year.
 2481

2482 BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land
 2483 (217-782-6762). It is also available on-line for download in PDF file format:
 2484 www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-

2485 ~~transporters-and-treatment-storage-and-USEPA Form 8700-12 is the required instructions~~
2486 ~~and forms for notification of regulated waste activity.~~

2487

2488 (Source: Amended at 43 Ill. Reg. _____, effective _____)