

ILLINOIS POLLUTION CONTROL BOARD

August 21, 2025

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

Adopted Rule. Final Notice.

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

On March 10, 2025, the Illinois Environmental Protection Agency (IEPA) filed a proposal to amend numerous Parts of the Board’s rules. Because its Springfield office moved to a new location, IEPA proposed to update the address of that office in each rule in which it appears. For the reasons below, the Board today adopts amendments updating that address.

PROCEDURAL HISTORY

On March 10, 2025, IEPA filed a proposal to amend Parts 101, 310, 502, 620, 704, 721, 733, 739, 742, 807, 811, 840, 848, 1010, and 1501 of the Board’s rules. The proposal included IEPA’s Statement of Reasons (SR) and the text of the proposed amendments to each of the Parts included in it.

On March 20, 2025, the Board accepted IEPA’s proposal for hearing and submitted the proposal to first-notice publication in the *Illinois Register* without commenting on its substantive merits. On the same date, the Board requested that the Department of Commerce and Economic Opportunity (DCEO) conduct an economic impact study of the proposal by May 5, 2025. *See* 415 ILCS 5/27(b) (2024).

Also on March 20, 2025, the Board hearing officer issued an order scheduling two hearings, the first on April 17, 2025, and the second on June 5, 2025. Notice of the two hearings appeared in the *Chicago Sun-Times* on March 22, 2025, and in *The State Journal-Register* of Springfield on March 26, 2025.

On March 27, 2025, the Board’s hearing officer issued an order submitting questions to IEPA about its proposal. On April 11, 2025, IEPA filed its responses.

The first hearing took place as scheduled on April 17, 2025, and the Board received the transcript (Tr.1) on April 30, 2025.

On April 25, 2025, the Board's first-notice proposal appeared in the *Illinois Register*. See 49 Ill. Reg. 5681, 5693, 5702, 5707, 5718, 5726, 5737, 5748, 5758, 5773, 5781, 5793, 5799, 5806, 5811 (Apr. 25, 2025).

On May 5, 2025, the hearing officer issued an order noting that the transcript of the first hearing included a question for IEPA (Tr.1 at 7-8) and that IEPA had agreed to address it by May 29, 2025 (Tr.1 at 9-10). On May 23, 2025, IEPA filed its response.

The second hearing took place as scheduled on June 5, 2025, and the Board received the transcript (Tr.2) on June 17, 2025. In an order on June 18, 2025, the hearing officer set a deadline of July 7, 2025, for post-hearing comments, which no participant submitted. Tr.2 at 7.

On July 10, 2025, the Board adopted its second-notice proposal. At its meeting on August 13, 2025, the Joint Committee on Administrative Rules (JCAR) issued its certificate of no objection for each of the Parts included in this rulemaking docket.

IEPA'S ORIGINAL PROPOSAL

Constructing high-speed rail resulted in demolishing part of the building in which IEPA had its Springfield office and necessitated moving the office to a new location. SR at 2. IEPA asserted that this move requires updating that address in each Board rule in which it appears. *Id.* IEPA argued that these revisions are necessary to ensure continued public access to its programs and personnel. *Id.*

SECOND-NOTICE CHANGES

Second Notice Proposal

In its Statement of Reasons, IEPA stated that its proposed amendments “merely substitute the Agency’s new address for the previous one on North Grand which is currently listed in the Board’s regulations.” SR at 2; *see id.* at 4. However, IEPA originally proposed to revise the rules by directing the reader to the address of its headquarters as designated on its website. SR at 2. Using 35 Ill. Adm. Code 502.202 as an example, IEPA proposed that

[a]ll permit applications must be mailed or delivered to Illinois Environmental Protection Agency, Bureau of Water, at the address of the Illinois EPA’s headquarters as designated on the Illinois EPA’s website~~1021 N. Grand Ave. E., Springfield IL 62794.~~

IEPA added that updating the address in this manner means that it “will not need to update the regulations should it move locations in the future.” *Id.*

In questions to IEPA, the Board noted that the original proposal would replace a specific street address with a general reference to a website from which the address can be obtained. It also noted that the proposal did not provide the address of the website.

Based on these factors, the Board requested IEPA's comment on whether it objected to submitting to JCAR a second-notice proposal that replaced IEPA's former street address with the current street address or the address obtained from its website. Using 35 Ill. Adm. Code 502.202 as an example, the Board requested comment on the following potential amendment:

All permit applications must be mailed or delivered to Illinois Environmental Protection Agency, Bureau of Water, 2520 West Iles Avenue, PO Box 192764021
~~N. Grand Ave. E.~~, Springfield IL 62794-9276 or at the address of the Illinois
EPA's headquarters as designated on the Illinois EPA's website.

IEPA responded that it did "not object to the Board's suggested revision." However, IEPA stated that it "preferred "the language it originally proposed, which refers users to the Agency's website rather than listing a specific address." IEPA acknowledged that it did not anticipate another office relocation.

In its second-notice opinion, the Board believed that providing both the updated street address and a reference to IEPA's website furthered public access to IEPA personnel and programs. While the Board recognized that the specific street address may require updating at some unspecified future time, it stressed IEPA's acknowledgment that it did not anticipate relocating its Springfield office. The Board recognized IEPA's preference but concluded to submit the proposed revision above to second-notice review by JCAR.

JCAR Changes

During its second-notice review, JCAR recommended that the amended rules refer - as they now do - to IEPA's street address rather than its website. JCAR requested changing each of the 15 Parts to strike references to IEPA's website.

The Board first notes that IEPA originally proposed to refer only to its address as designated on its website. IEPA explained that referring to it in this manner means that no future relocation would require it to update the rules. However, in response to a Board question, IEPA reported that it does not anticipate another relocation. The Board believes that this diminishes IEPA's basis for relying only on its web address and suggests that updating its address is not likely to be necessary for many years.

The Board also notes that IEPA's Statement of Reasons indicated that it intended to "merely substitute the Agency's new address for the previous on North Grand which is currently listed in the Board's regulations." SR at 2. Although JCAR's change is not entirely consistent

with the Board’s second-notice proposal, the Board concludes that it aligns with IEPA’s stated general intention.

Finally, the Board considers JCAR’s change to be consistent with the current language of its rules, which lists IEPA’s current street address without referring to a website or the address of one. *See, e.g.*, 35 Ill. Adm. Code 520.202.

After considering these factors, the Board accepts JCAR’s second-notice change and update its rules to refer specifically to the new street address of IEPA’s Springfield office without also referring to or providing the address of IEPA’s website.

In addition, JCAR suggested a limited number of corrections and similar non-substantive revisions, which the Board accepts without specifically discussing them in this opinion.

TECHNICAL FEASIBILITY AND ECONOMIC REASONABLENESS

Request to Perform Economic Impact Study

As noted above under “Procedural History” and as required by the Act, the Board on March 20, 2025, requested that DCEO conduct an economic impact study of the proposal by May 5, 2025. *See* 415 ILCS 5/27(b) (2024). The Board has received no response to the request. Although the hearing officer at both hearings provided an opportunity to testify or comment on the Board’s request, no person at either hearing offered testimony or comment on it. *See* Tr.1 at 8-9; Tr.2 at 6-7.

Geographic Regions and Sources Affected

In its Statement of Reasons, IEPA stated that its proposal was “of general applicability and thus the amendments are statewide.” SR at 4.

Projected Environmental Impact

In its Statement of Reasons, IEPA stated that its proposed revisions “are emissions-neutral and administrative in nature and will not affect emission levels of any pollutant within the State.” SR at 2.

Technical Feasibility

IEPA asserted that its proposed amendments “are purely ministerial in nature.” SR at 4. It argued that the revisions impose no technical burdens on the public and that “no sources will be impacted.” *Id.*

In its second-notice opinion, the Board agreed that updating the address of IEPA's Springfield office would not add or increase any technical burden on regulated entities or present any technical issues for complying with the Board's substantive rules. The Board concluded that its second-notice proposal was technically feasible. Clean-Up Amendments to 35 Ill. Adm. Code Parts 101, 310, 502, 620, 704, 721, 733, 739, 742, 807, 811, 840, 848, 1010, and 1501, R 25-23, slip op. at 4-5 (July 10, 2025).

The record does not persuasively dispute the conclusion the Board reached in its second-notice opinion. The second-notice changes discussed above do not foreseeably affect the technical feasibility of the amended rules. Based on its review of the record, the Board concludes that its adopted rules are technically feasible.

Economic Reasonableness

IEPA asserted that its proposed amendments "are purely ministerial in nature." SR at 4. It argued that the revisions place no economic burden on the public and that "no sources will be impacted." *Id.*

In its second-notice opinion, the Board agreed that updating the address of IEPA's Springfield address will not add or increase any economic burden on regulated entities or increase costs of complying with the Board's substantive rules. The Board concluded that its second-notice proposal was economically reasonable. Clean-Up Amendments to 35 Ill. Adm. Code Parts 101, 310, 502, 620, 704, 721, 733, 739, 742, 807, 811, 840, 848, 1010, and 1501, R 25-23, slip op. at 5 (July 10, 2025).

The record does not persuasively dispute the conclusion the Board reached in its second-notice opinion. The second-notice changes discussed above do not foreseeably affect the economic reasonableness of the amended rules. Based on its review of the record, the Board concludes that its adopted rules are economically reasonable.

Board Conclusion on Feasibility and Reasonableness

The Board concludes that the amended rules are technically feasible and economically reasonable, and it further concludes that they will not have "any adverse economic impact on the people of the State of Illinois." 415 ICLS 5/27(b) (2024).

CONCLUSION

For the reasons above, the Board concludes to adopt revisions to 15 Parts of its rules to update the address of IEPA's Springfield office. The Board finds that the amendments are technically feasible and economically reasonable and will not have an adverse impact on the people of the State of Illinois. *See* 415 ILCS 5/27(b) (2024). The adopted rules appear in the

order below with proposed additions underlined and proposed deletions from its second-notice proposal double struck through.

ORDER

The Board directs its Clerk to submit the amended rules to the Secretary of State for publication in the *Illinois Register*.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on August 21, 2025, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board

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

PART 101
GENERAL RULES

SUBPART A: GENERAL PROVISIONS

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101.110	Public Participation
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SUBPART C: COMPUTATION OF TIME, FILING, SERVICE
OF DOCUMENTS, AND STATUTORY DECISION DEADLINES

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101.300	Computation of Time
101.302	Filing of Documents
101.304	Service of Documents
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101.404	Agency as a Party in Interest
101.406	Consolidation of Claims
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101.506	Motions Attacking the Sufficiency of the Petition, Complaint, or Other Pleading
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101.610	Duties and Authority of the Hearing Officer
101.612	Schedule to Complete the Record
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101.624	Examination of Adverse, Hostile, or Unwilling Witnesses
101.626	Information Produced at Hearing
101.627	Electronic Filing of Hearing Exhibits After Adjudicatory or TLWQS Hearing
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SUBPART G: ORAL ARGUMENT

Section
101.700 Oral Argument

SUBPART H: SANCTIONS

Section
101.800 Sanctions for Failure to Comply with Procedural Rules, Board Orders, or Hearing Officer Orders
101.802 Abuse of Discovery Procedures

SUBPART I: REVIEW OF FINAL BOARD OPINIONS AND ORDERS

Section
101.902 Motions for Reconsideration
101.904 Relief from Final Opinions and Orders
101.906 Judicial Review of Board Orders
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SUBPART J: ELECTRONIC FILING AND E-MAIL SERVICE

Section
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101.1010 Electronic Filing Authorization and Signatures
101.1020 Filing Electronic Documents
101.1030 Form of Electronic Documents for Filing
101.1040 Filing Fees
101.1050 Documents Required in Paper or Excluded from Electronic Filing
101.1060 E-Mail Service
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101.APPENDIX A Captions
101.ILLUSTRATION A Enforcement Case
101.ILLUSTRATION B Citizen's Enforcement Case
101.ILLUSTRATION C Variance
101.ILLUSTRATION D Adjusted Standard Petition
101.ILLUSTRATION E Joint Petition for an Adjusted Standard
101.ILLUSTRATION F Permit Appeal
101.ILLUSTRATION G Underground Storage Tank Appeal
101.ILLUSTRATION H Pollution Control Facility Siting Appeal
101.ILLUSTRATION I Administrative Citation
101.ILLUSTRATION J Administrative Citation Under Section 23.1 of the Public Water Supply Operations Act

101.ILLUSTRATION K	General Rulemaking
101.ILLUSTRATION L	Site-specific Rulemaking
101.APPENDIX B	Appearance Form
101.APPENDIX C	Withdrawal of Appearance Form
101.APPENDIX D	Notice of Filing
101.APPENDIX E	Affidavit or Certificate of Service
101.ILLUSTRATION A	Service by Non-Attorney
101.ILLUSTRATION B	Service by Attorney
101.APPENDIX F	Notice of Withdrawal (Repealed)
101.APPENDIX G	Comparison of Former and Current Rules (Repealed)
101.APPENDIX H	Affidavit or Certificate of E-Mail Service
101.ILLUSTRATION A	E-Mail Service by Non-Attorney
101.ILLUSTRATION B	E-Mail Service by Attorney
101.APPENDIX I	Consent to Receipt of E-Mail Service

AUTHORITY: Implementing Sections of the Environmental Protection Act [415 ILCS 5/5, 7.1, 7.2, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 40, 40.1, 40.2, 41, and 58.7] and authorized by Sections 26 and 27 of the Act [415 ILCS 5/26 and 27] and Section 25-101 of the Electronic Commerce Security Act (Repealed by P.A. 102-38).

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

SUBPART C: COMPUTATION OF TIME, FILING, SERVICE OF DOCUMENTS, AND STATUTORY DECISION DEADLINES

Section 101.304 Service of Documents

- a) **Service Requirements.** This Section contains the Board's general service requirements. However, the more specific Part for a proceeding type may contain additional requirements.

- b) **Duty to Serve and When to Initiate Service.** A party filing a document with the Clerk under Section 101.302 must also serve one copy of the document upon each of the other parties to the adjudicatory proceeding and, if a hearing officer has been assigned, upon the assigned hearing officer. Service of a document must be initiated concurrently with submitting the document to the Clerk for filing.
- 1) Service of a document upon a party must be made upon a person authorized by law to receive service on behalf of the party. If a party is represented by an attorney who has filed an appearance, service upon the party is made by serving the document upon the party's attorney. If more than one attorney appears for a party, service upon one of the party's attorneys is sufficient.
 - 2) Each document being served (e.g., enforcement complaint, petition for review) must be accompanied by a notice of filing (see Appendix D) and a copy of the documentation of service (see subsection (d)).
 - 3) The date on which service of a document is considered to have been completed is determined under Section 101.300(c).
 - 4) A proceeding is subject to dismissal, and the filing party is subject to sanctions, if service is not timely initiated or completed.
 - 5) Whether service of a document was proper may be challenged by the party allegedly served. To avoid waiving the right to contest personal jurisdiction, any challenge to service must be made under Section 101.400(a)(5).
- c) **Methods of Service.** A document must be served in one of the following ways:
- 1) Except as provided in subsection (c)(2), service of documents may be made by any of the following methods:
 - A) Personal service;
 - B) U.S. Mail;
 - C) Third-party commercial carrier;
 - D) E-mail in compliance with Subpart J; and

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

notice identifying the filed document to which the signed affidavit, certificate, or declaration corresponds. A copy of the signed affidavit, certificate, or declaration and the notice must be served under subsection (a).

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

envelope or package containing the document; and that proper postage or the delivery charge was prepaid.

- 5) An affidavit of service must be notarized and is for use by a non-attorney. A certificate of service is for use by an attorney. Sample forms of an affidavit of service and a certificate of service are available in Appendices E and H.
- 6) A certificate of service must bear an attorney's signature. Signatures in affidavits of service, declarations of service, and delivery confirmations must be written by hand. A handwritten signature in documentation of service filed with the Clerk may be a facsimile or digitized electronic signature.
- e) Service of Amicus Curiae Briefs. Any person who files an amicus curiae brief with the Board in any proceeding must serve copies of that brief on all parties in compliance with this Section.
- f) Service of Comments of Participants in an Adjudicatory Proceeding. Participants must serve comments upon the parties to the proceeding. The Board will consider the comments as time and the Act or other applicable law allow.
- g) Service on Agencies. Service must be at the addresses listed below unless a specific person has an appearance on file with the Board or has, in compliance with Section 101.1070, consented to e-mail service.
 - 1) Service on the Illinois Environmental Protection Agency. The Agency must be served at [the:](#)

Division of Legal Counsel
[2520 West Iles Avenue, PO Box 19276,](#)
[Springfield, Illinois 62794-9276](#)
~~[or at the address of the Illinois EPA's headquarters as designated on the](#)~~
~~[Illinois EPA's website](#)~~
~~[Illinois Environmental Protection Agency](#)~~
~~[1021 North Grand Avenue East](#)~~
~~[P.O. Box 19276](#)~~
~~[Springfield IL 62794-9276](#)~~
~~[epa.dlc@illinois.gov](#)~~
 - 2) Service on Office of State Fire Marshal. The OSFM must be served at:

Division of Petroleum and Chemical Safety

Office of the State Fire Marshal
1035 Stevenson Dr.
Springfield IL 62703

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

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

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

Office of Legal Services
Illinois Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

- 5) Service on the Illinois Department of Transportation. IDOT must be served at:

Office of Chief Counsel
DOT Administration Building
2300 S. Dirksen Parkway, Room 300
Springfield IL 62764

- 6) Service on Region V of the United States Environmental Protection Agency. USEPA Region V must be served at:

USEPA, Region V
77 West Jackson
Chicago IL 60604

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

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

PART 310
PRETREATMENT PROGRAMS

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310.104	State Law
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310.107	Incorporations by Reference
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310.111	New Source
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310.202	Specific Prohibitions
310.210	Local Limits Developed by POTW
310.211	Status of Local Limits
310.220	Categorical Standards
310.221	Source Category Determination Request
310.222	Deadline for Compliance with Categorical Standards
310.230	Concentration and Mass Limits
310.232	Dilution Prohibited as a Substitute for Treatment
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310.303	Conditions for Authorization to Grant Removal Credits
310.310	Calculation of Revised Discharge Limits
310.311	Demonstration of Consistent Removal

310.312	Provisional Credits
310.320	Compensation for Overflow
310.330	Exception to POTW Pretreatment Program
310.340	Application for Removal Credits Authorization
310.341	Agency Review
310.343	Assistance of POTW
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310.410	Application
310.411	Certification of Capacity
310.412	Signatures
310.413	Site Visit
310.414	Completeness
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310.420	Standard for Issuance
310.421	Final Action
310.430	Conditions
310.431	Duration of Permits
310.432	Schedules of Compliance
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310.505	Reissuance or Modification of Permits
310.510	Pretreatment Program Requirements
310.511	Receiving Electronic Documents
310.521	Program Approval

310.522	Contents of Program Submission
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310.531	Agency Action
310.532	Defective Submission
310.533	Water Quality Management
310.541	Deadline for Review
310.542	Public Notice and Hearing
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310.903	Conditions Necessary for an Upset
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310.905	Reviewability of Claims of Upset
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SUBPART L: FEDERAL PROJECT XL AGREEMENTS

Section	
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310.930 Federally Approved Pretreatment Program Reinvention Pilot Projects Under
Project XL (Repealed)

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

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

SUBPART F: REPORTING REQUIREMENTS

Section 310.635 Notification of Discharge of Hazardous Waste

a) Requirement for Notification

- 1) The industrial user must notify the POTW; the Director, Waste Management Division, USEPA Region 5, 230 South Dearborn Street, Chicago, Illinois 60604; and the Manager, Division of Land Pollution Control, Illinois Environmental Protection Agency, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276, in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 35 Ill. Adm. Code 721. Such notification must include the name of

the hazardous waste as set forth in 35 Ill. Adm. Code 721, the USEPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification must also contain the following information to the extent such information is known and readily available to the industrial user:

- A) An identification of the hazardous constituents contained in the wastes;
 - B) An estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and
 - C) An estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.
- 2) Time for Notification. All notifications required under subsection (a)(1) must take place within 180 days after April 27, 1992. Industrial users who commence discharging after April 27, 1992, must provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste.
 - 3) Frequency for Notification. Any notification required under subsection (a)(1) need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 310.613.
 - 4) Exception for Notification Under Other Provisions. The notification requirement of subsection (a)(1) does not apply to pollutants already reported under the self-monitoring requirements of Sections 310.602, 310.604, and 310.605.
- b) Exemption to Reporting Requirement. An industrial user is exempt from the requirements of subsection (a)(1) during a calendar month in which the industrial user discharges no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes, as specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

- c) Newly Listed Hazardous Wastes. In the case of any new regulations under section 3001 of the federal RCRA (42 U.S.C. 6921) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW; USEPA Region 5, Waste Management Division; and the Agency, Division of Land Pollution Control of the discharge of such substance, pursuant to subsection (a)(1), within 90 days of the effective date of those regulations.
- d) Required Certification. In the case of any notification made under this Section, the industrial user must certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

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

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

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

PART 502
PERMITS

SUBPART A: PERMITS REQUIRED

Section	
502.101	NPDES Permit Requirement and Duty to Maintain Permit Coverage
502.102	Land Application Discharges and Agricultural Stormwater
502.103	Large CAFOs
502.104	Medium CAFOs
502.105	Small CAFOs
502.106	Case-By-Case Designation Requiring NPDES Permits

SUBPART B: PERMIT APPLICATIONS

Section	
502.201	Permit Applications
502.202	Permit Application Submissions
502.203	New Applications (Repealed)
502.204	Renewal
502.205	New Operations (Repealed)
502.206	Signatures
502.207	Disclosure Required for Land Trusts

SUBPART C: PERMIT ISSUANCE AND CONDITIONS

Section	
502.301	Standards for Issuance
502.302	Duration of Permits
502.303	New Source Standards
502.304	Issuance and Conditions
502.305	Agency Criteria
502.310	CAFOs Seeking Coverage Under NPDES General Permits
502.315	CAFO Permit Requirements
502.320	Recordkeeping Requirements
502.325	Annual Report

SUBPART D: APPEAL AND ENFORCEMENT

Section	
502.401	Appeals from Conditions in Permits
502.402	Defenses
502.403	Modification or Termination of Permits

SUBPART E: REQUIREMENTS FOR DEVELOPING AND IMPLEMENTING NUTRIENT MANAGEMENT PLANS

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

SUBPART F: LIVESTOCK WASTE DISCHARGE LIMITATIONS AND TECHNICAL STANDARDS

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

SUBPART G: ADDITIONAL LIVESTOCK WASTE DISCHARGE LIMITATIONS

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

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

Section	
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502.800	Applicability
502.810	Production Area Requirements
502.820	Land Application Area Requirements
502.830	Alternative Best Management Practice Livestock Waste Discharge Limitations
502.840	Technical Evaluation

502.APPENDIX A References to Previous Rules (Repealed)

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

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

SUBPART B: PERMIT APPLICATIONS

Section 502.202 Permit Application Submissions

All permit applications must be mailed or delivered to Illinois Environmental Protection Agency, Bureau of Water, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ 1021 North Grand Ave. E, Springfield IL 62794.

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

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

PART 620
GROUNDWATER QUALITY

SUBPART A: GENERAL

Section	
620.105	Purpose
620.110	Definitions
620.115	Prohibition
620.125	Incorporations by Reference
620.130	Exemption from General Use Standards and Public and Food Processing Water Supply Standards
620.135	Exclusion for Underground Waters in Certain Man-Made Conduits

SUBPART B: GROUNDWATER CLASSIFICATION

Section	
620.201	Groundwater Designations
620.210	Class I: Potable Resource Groundwater
620.220	Class II: General Resource Groundwater
620.230	Class III: Special Resource Groundwater
620.240	Class IV: Other Groundwater
620.250	Groundwater Management Zone
620.260	Reclassification of Groundwater by Adjusted Standard

SUBPART C: NONDEGRADATION PROVISIONS
FOR APPROPRIATE GROUNDWATERS

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

SUBPART D: GROUNDWATER QUALITY STANDARDS

Section	
620.401	Applicability
620.405	General Prohibitions Against Violations of Groundwater Quality Standards

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

SUBPART E: GROUNDWATER MONITORING AND ANALYTICAL PROCEDURES

Section	
620.505	Compliance Determination
620.510	Monitoring and Analytical Requirements

SUBPART F: HEALTH ADVISORIES

Section	
620.601	Purpose of a Health Advisory
620.605	Issuance of a Health Advisory
620.610	Publishing Health Advisories
620.615	Additional Health Advice for Mixtures of Similar-Acting Substances
620.APPENDIX A	Procedures for Determining Human Toxicant Advisory Concentrations for Class I: Potable Resource Groundwater
620.APPENDIX B	Procedures for Determining Hazard Indices for Class I: Potable Resource Groundwater for Mixtures of Similar-Acting Substances
620.APPENDIX C	Guidelines for Determining When Dose Addition of Similar-Acting Substances in Class I: Potable Resource Groundwaters is Appropriate
620.APPENDIX D	Information Required for Groundwater Management Zone Application under 35 Ill. Adm. Code 620.250(b) and Corrective Action Completion Certification under 35 Ill. Adm. Code 620.250(d)
620.APPENDIX E	Similar-Acting Substances
620.TABLE A	Similar-Acting Noncarcinogenic Constituents
620.TABLE B	Similar-Acting Carcinogenic Constituents

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

SOURCE: Adopted in R89-14(B) at 15 Ill. Reg. 17614, effective November 25, 1991; amended in R89-14(C) at 16 Ill. Reg. 14667, effective September 11, 1992; amended in R93-27 at 18 Ill. Reg. 14084, effective August 24, 1994; amended in R96-18 at 21 Ill. Reg. 6518, effective May 8, 1997; amended in R97-11 at 21 Ill. Reg. 7869, effective July 1, 1997; amended in R01-14 at 26

Ill. Reg. 2662, effective February 5, 2002; amended in R08-18 at 36 Ill. Reg. 15206, effective October 5, 2012; amended in R08-18(B) at 37 Ill. Reg. 16529, effective October 7, 2013; amended in R22-18 at 49 Ill. Reg. 4488, effective March 28, 2025; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 620.125 Incorporations by Reference

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

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

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

"Standard Test Method for Determination of Per- and Polyfluoroalkyl Substances in Water, Sludge, Influent, Effluent, and Wastewater by Liquid Chromatography Tandem Mass Spectrometry (LC/MS/MS) ASTM D7979-20.

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

Method Detection Limit Definition, appendix B to Part 136, 40 CFR 136, appendix B – Revision 2 (82 FR 40939, Aug. 28, 2017).

Control of Lead and Copper, general requirements, 40 CFR 141.80 (72 FR 57814, Oct. 10, 2007).

Maximum contaminant levels for organic contaminants, 40 CFR 141.61 (59 FR 34324, July 1, 1994).

Maximum contaminant levels for inorganic contaminants, 40 CFR 141.62 (69 FR 38855, June 29, 2004).

Maximum contaminant levels for radionuclides, 40 CFR 141.66 (65 FR 76748, Dec. 7, 2000).

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

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

Illinois Environmental Protection Agency, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~2520 W. Iles Ave., P.O. Box 19276, Springfield, IL 62794-9276 (217) 785-4787.

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

"Illinois Integrated Water Quality Report and Section 303(d) List, 2020/2022", Agency, June 2022.

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

Illinois Pollution Control Board, 60 E. Van Buren, Suite 630, Chicago, IL 60605 (312) 814-3669.

"Class III Groundwater Listing Notice Fogelpole Cave Nature Preserve", Environmental Register, No. 587, May 2003.

"Class III Groundwater Listing Notice Pautler Cave Nature Preserve and Stemler Cave Nature Preserve", Environmental Register, No. 611, May 2005.

"Class III Groundwater Listing Notice Armin Kruger Speleological Area", Environmental Register, No. 666, Dec. 2009.

"Class III Groundwater Listing Notice Cotton Creek Marsh Nature Preserve and Spring Grove Fen Nature Preserve", Environmental Register, No. 697, July 2012.

BOARD NOTE: The Environmental Register is a Board publication available on the Board's website at <https://pcb.illinois.gov/Resources/EnvironmentalRegister>.

NAS National Academy of Sciences, Engineering, and Medicine, 500 5th St. NW, Washington DC, 20001 (202) 334-2000.

"Water Quality Criteria 1972", EPA.R3.73-033, 1973.
<https://nepis.epa.gov>

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

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

USEPA, 1200 Pennsylvania Avenue, N. W., Washington DC, 20460
(202) 564-4700

"Low Stress (low flow) Purging and Sampling Procedure for the
Collection of Groundwater Samples from Monitoring Wells", EPA
Publication EQASOP-GW4, Region 1 Low-Stress (low flow) SOP
Revision No. 4, July 30, 1996; revised September 19, 2017.

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

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

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

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

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

"Methods for the Determination of Organic Compounds in
Drinking Water, Supplement I", Doc. No. PB91-146027.

EPA/600/4-90/020 (July 1990) (available online at <http://nepis.epa.gov/>).

"Methods for the Determination of Organic Compounds in Drinking Water, Supplement II", Doc. No. PB92-207703. EPA/600/R-92/129 (August 1992) (available online at <http://nepis.epa.gov/>).

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

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

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

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

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

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

"Selected Analytical Methods for Environmental Remediation and Recovery (SAM) 2017". Record last revision date February 10, 2020.

https://cfpub.epa.gov/si/si_public_record_report.cfm?Lab=NHSRC&dirEntryId=339252.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA Publication No. SW-846, Third Edition, Final Updates I (1993), II (1995), IIA (1994), IIB (1995), III (1997), IIIA (1999), IIIB (2005), IV (2008), V (2015), VI Phase 1 (2017), VI Phase 2 (2018), VI Phase 3 (2019), and VII Phase 1 (2020).

<http://www.epa.gov/hw-sw846/sw-846-compendium>.

USEPA, Office of Ground Water and Drinking Water, Standards and Risk Management Division.

"Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry", November 2019.

<https://www.epa.gov/sites/default/files/2019-12/documents/method-533-815b19020.pdf>.

USEPA, Office of Research and Development, Center for Environmental Solutions & Emergency Response

Shoemaker, J. and Dan Tettendorst, Method 537.1: Determination of selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass spectrometry (LC/MS/MS). U.S. Environmental Protection Agency, Office of Research and Development, Center for Environmental Assessment, Washington, DC. Version 2.0, March 2020.

USEPA, Office of Resource Conservation and Recovery.

"Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, (March 2009 Unified Guidance)", EPA 530/R-09-007.

USEPA, Office of Water, Engineering and Analysis Division

USEPA, Office of Water, Engineering and Analysis Division.
"Method 1633: Analysis of Per- and Polyfluoroalkyl Substances (PFAS) in Aqueous, Solid, Biosolids, and Tissue Samples by LC-MS/MS", January 2024, EPA 821-R-24-001.

USEPA, Risk Assessment forum, Washington, D.C.

"A Review of the Reference Dose and Reference Concentration Process", EPA/630/P-02/002F, December 2002.

"Guidance for Applying Quantitative Data to Develop Data-Derived Extrapolation Factors for Interspecies and Intraspecies Extrapolation", EPA/R-14/002F, September 2014.

"Guidelines for Carcinogen Risk Assessment", EPA/630/P-03/001F, March 2005.

"Supplemental Guidance for Assessing Susceptibility for Early-Life Exposure to Carcinogens", EPA/630/R-03/003F, March 2005.

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

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

b) This Section incorporates no later editions or amendments.

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

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

PART 704
UIC PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section

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

SUBPART B: PROHIBITIONS

Section

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

SUBPART C: AUTHORIZATION OF UNDERGROUND INJECTION BY RULE

Section

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

704.149	Requiring Other Information
704.150	Requirements for Class I and III Injection Wells Authorized by Rule
704.151	RCRA Interim Status for Class I Injection Wells

SUBPART D: APPLICATION FOR PERMIT

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

SUBPART E: PERMIT CONDITIONS

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

SUBPART F: REQUIREMENTS FOR WELLS INJECTING HAZARDOUS WASTE

Section	
704.201	Applicability
704.202	Authorization
704.203	Requirements

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

Section	
704.210	Applicability
704.211	Definitions
704.212	Cost Estimate for Plugging and Abandonment

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

SUBPART H: ISSUED PERMITS

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

SUBPART I: REQUIREMENTS FOR CLASS V INJECTION WELLS

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

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

SOURCE: Adopted in R81-32 at 6 Ill. Reg. 12479, effective March 3, 1984; amended in R82-19, at 7 Ill. Reg. 14402, effective March 3, 1984; amended in R83-39, at 55 PCB 319, at 7 Ill. Reg. 17338, effective December 19, 1983; amended in R85-23 at 10 Ill. Reg. 13290, effective July 29, 1986; amended in R87-29 at 12 Ill. Reg. 6687, effective March 28, 1988; amended in

R88-2 at 12 Ill. Reg. 13700, effective August 16, 1988; amended in R88-17 at 13 Ill. Reg. 478, effective December 30, 1988; amended in R89-2 at 14 Ill. Reg. 3116, effective February 20, 1990; amended in R94-17 at 18 Ill. Reg. 17641, effective November 23, 1994; amended in R94-5 at 18 Ill. Reg. 18351, effective December 20, 1994; amended in R00-11/R01-1 at 24 Ill. Reg. 18612, effective December 7, 2000; amended in R01-30 at 25 Ill. Reg. 11139, effective August 14, 2001; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 605, effective December 20, 2006; amended in R11-14 at 36 Ill. Reg. 1613, effective January 20, 2012; amended in R13-15 at 37 Ill. Reg. 17708, effective October 24, 2013; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21095, effective November 19, 2018; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

SUBPART I: REQUIREMENTS FOR CLASS V INJECTION WELLS

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

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

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

- b) This subsection (b) corresponds with 40 CFR 144.87(b), which set forth now-past compliance deadlines for identifying groundwater protection areas. This statement maintains structural consistency with the federal rules.
- c) This subsection (c) corresponds with 40 CFR 144.87(c), which set forth now-past compliance deadlines for identifying other sensitive groundwater areas. This statement maintains structural consistency with the federal rules.
- d) Finding Out If a well Is in a Groundwater Protection Area or Sensitive Groundwater Area. The Agency must make that listing available for public inspection and copying upon request. Any interested person may contact the Illinois Environmental Protection Agency, Bureau of Water, Division of Public Water Supplies, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on~~

~~the Illinois EPA's website 1021 North Grand Ave. East P.O. Box 19276, Springfield Illinois 62794-9276~~ (217-785-8653) to obtain information on the listing or to determine if any Class V injection well is situated in a groundwater protection area or another sensitive groundwater area.

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

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

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

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

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

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

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

PART 721
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

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721.TABLE D	Wastes Excluded by the Board by Adjusted Standard
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AUTHORITY: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].

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

21/R01-23 at 25 Ill. Reg. 9108, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6584, effective April 22, 2002; amended in R03-18 at 27 Ill. Reg. 12760, effective July 17, 2003; amended in R04-16 at 28 Ill. Reg. 10693, effective July 19, 2004; amended in R05-8 at 29 Ill. Reg. 6003, effective April 13, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2992, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 791, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11786, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 986, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18611, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 17734, effective October 14, 2011; amended in R13-5 at 37 Ill. Reg. 3213, effective March 4, 2013; amended in R14-13 at 38 Ill. Reg. 12442, effective May 27, 2014; amended in R15-1 at 39 Ill. Reg. 1607, effective January 12, 2015; amended in R16-7 at 40 Ill. Reg. 11367, effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21673, effective November 19, 2018; amended in R19-3 at 43 Ill. Reg. 496, effective December 6, 2018; amended in R19-11 at 43 Ill. Reg. 5884, effective May 2, 2019; amended in R20-8/R20-16 at 44 Ill. Reg. 15142, effective September 3, 2020; amended in R21-13, R22-13, R24-4 at 48 Ill. Reg. 9827, effective June 20, 2024; amended in R24-12 at 48 Ill. Reg. 16813, effective November 7, 2024; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

SUBPART E: EXCLUSIONS AND EXEMPTIONS

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

- a) A CRT exporter that exports used, intact CRTs for reuse must send a notification to the Agency and USEPA. This notification may cover export activities extending over a 12-month or lesser period.
 - 1) The notification must be in writing, signed by the exporter, and include the following information:
 - A) Name, mailing address, telephone number, and USEPA identification number (if applicable) of the exporter of the used, intact CRTs;
 - B) The estimated frequency or rate at which the used, intact CRTs are to be exported for reuse and the period of time over which they are to be exported;
 - C) The estimated total quantity of used, intact CRTs specified in kilograms;
 - D) All points of entry to and departure from each transit country through which the used, intact CRTs will pass, a description of the approximate length of time the used, intact CRTs will remain in that country, and the nature of their handling while there;

- E) A description of the means by which each shipment of the used, intact CRTs will be transported (e.g., mode of transportation vehicle (air, highway, rail, water, etc.), types of container (drums, boxes, tanks, etc.));
- F) The name and address of the ultimate destination facility or facilities where the used, intact CRTs will be reused, refurbished, distributed, or sold for reuse and the estimated quantity of used, intact CRTs to be sent to each facility, as well as the name of any alternate destination facility or facilities;
- G) A description of the manner in which the used, intact CRTs will be reused (including reuse after refurbishment) in the foreign country that will be receiving the used, intact CRTs; and
- H) A certification signed by the CRT exporter that states as follows:

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

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

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

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

Office of Enforcement and Compliance Assurance
Office of Federal Activities
International Compliance Assurance Division (Mail Code 2254A)

Environmental Protection Agency
William Jefferson Clinton Building, Room 6144
1200 Pennsylvania Ave., NW
Washington, DC 20004

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

"Attention: Notification of Intent to Export CRTs".

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

Illinois Environmental Protection Agency
Bureau of Land Pollution Control
2520 West Iles Avenue
PO Box 19276
Springfield, Illinois 62794-9276
~~or at the The address of the Illinois EPA's headquarters as~~
~~designated on the Illinois EPA's website.~~

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

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

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

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

PART 733
STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

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SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

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733.111	Prohibitions
733.112	Notification
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733.114	Labeling and Marking
733.115	Accumulation Time Limits
733.116	Employee Training
733.117	Response to Releases
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SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

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733.130	Applicability
733.131	Prohibitions
733.132	Notification
733.133	Waste Management

733.134	Labeling and Marking
733.135	Accumulation Time Limits
733.136	Employee Training
733.137	Response to Releases
733.138	Off-Site Shipments
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733.140	Exports

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SUBPART E: STANDARDS FOR DESTINATION FACILITIES

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SUBPART F: IMPORT REQUIREMENTS

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SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

Section	
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733.181	Factors for Petitions to Include Other Wastes

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

SOURCE: Adopted in R95-20 at 20 Ill. Reg. 11291, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 944, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7650, effective April 15, 1998; amended in R99-15 at 23 Ill. Reg. 9502, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9874, effective June 20, 2000; amended in R05-8 at 29

Ill. Reg. 6058, effective April 13, 2005; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1352, effective December 20, 2006; amended in R16-7 at 40 Ill. Reg. 12268, effective August 9, 2016; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 25200, effective November 19, 2018; amended in R19-11 at 43 Ill. Reg. 6095, effective May 2, 2019; amended in R20-8/R20-16 at 44 Ill. Reg. 15520, effective September 3, 2020; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

Section 733.118 Off-Site Shipments

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

- 1) Receive the waste back when notified that the shipment has been rejected;
or
 - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A small quantity handler of universal waste may reject a shipment containing universal waste or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it must contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler must perform either of the following actions:
- 1) Send the shipment back to the originating handler; or
 - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify the Agency (Bureau of Land, Illinois EPA, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~, ~~1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~ (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
- h) If a small quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (non-hazardous) waste regulations.

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

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

SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

Section 733.138 Off-Site Shipments

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

of the rejection and to discuss reshipment of the load. The handler must perform either of the following actions:

- 1) Send the shipment back to the originating handler; or
 - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler must immediately notify the Agency (Bureau of Land, Illinois EPA, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ 1021 North Grand Avenue East, Springfield, Illinois 62794-9276 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
- h) If a large quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (non-hazardous) waste regulations.

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

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

SUBPART E: STANDARDS FOR DESTINATION FACILITIES

Section 733.161 Off-Site Shipments

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

- 1) Send the shipment back to the original shipper; or
 - 2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.
- c) If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility must immediately notify the Agency (Bureau of Land, Illinois EPA, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ 1021 North Grand Avenue East, Springfield, Illinois 62794-9276 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the shipper. The Agency will provide instructions for managing the hazardous waste.
- d) If the owner or operator of a destination facility receives a shipment of non-hazardous, non-universal waste, the owner or operator may manage the waste in any way that is in compliance with applicable federal or State solid (non-hazardous) waste regulations.

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

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

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

PART 739
STANDARDS FOR THE MANAGEMENT OF USED OIL

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FACILITIES

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SUBPART F: STANDARDS FOR USED OIL PROCESSORS

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739.152	General Facility Standards
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739.158	Off-Site Shipments of Used Oil
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739.162	Notification
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SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

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739.170	Applicability
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Section

739.180	Applicability
739.181	Disposal
739.182	Use As a Dust Suppressant

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

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

SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

Section 739.142 Notification

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

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-

line for download in PDF file format: www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and.

- B) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
- i) The transporter company name;
 - ii) The owner of the transporter company;
 - iii) The mailing address for the transporter;
 - iv) The name and telephone number for the transporter point of contact;
 - v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);
 - vi) The location of all transfer facilities at which used oil is stored;
 - vii) The name and telephone number for a contact at each transfer facility.
- 2) A used oil transporter that has not received an Illinois special waste identification number may obtain one pursuant to 35 Ill. Adm. Code 809 by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website: 1021 North Grand Avenue, Springfield, Illinois 62794-9276~~ (217-782-6761).

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

SUBPART F: STANDARDS FOR USED OIL PROCESSORS

Section 739.151 Notification

- a) Identification Numbers. A used oil processor or re-refiner that has not previously complied with the notification requirements of RCRA section 3010 must obtain a USEPA identification number pursuant to RCRA section 3010 and an Illinois special waste identification number.
- b) Mechanics of Notification

- 1) A used oil processor or re-refiner that has not received a USEPA identification number may obtain one by notifying the Agency of its used oil activity by submitting either of the following:

- A) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to the Agency; or

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

www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and-

- B) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:

- i) The processor or re-refiner company name;
- ii) The owner of the processor or re-refiner company;
- iii) The mailing address for the processor or re-refiner;
- iv) The name and telephone number for the processor or re-refiner point of contact;
- v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);
- vi) The location of all transfer facilities at which used oil is stored;
- vii) The name and telephone number for a contact at each transfer facility.

- 2) A used oil processor or re-refiner that has not received an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website 1021 North Grand Avenue, Springfield, Illinois 62794-9276~~ (217-782-6761).

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

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

Section 739.162 Notification

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

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format: www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and.
 - 2) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
 - A) The burner company name;
 - B) The owner of the burner company;
 - C) The mailing address for the burner;
 - D) The name and telephone number for the burner point of contact;
 - E) The type of used oil activity; and
 - F) The location of the burner facility.
- c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, [2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276](#) ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ [1021 North Grand Avenue, Springfield, Illinois 62794-9276](#) (217-782-6761).

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

SUBPART H: STANDARDS FOR USED OIL FUEL MARKETERS

Section 739.173 Notification

- a) A used oil fuel marketer subject to the requirements of this Section that has not previously complied with the notification requirements of RCRA section 3010 must comply with these requirements and obtain a USEPA identification number pursuant to RCRA section 3010 and an Illinois special waste identification number.
- b) A used oil marketer that has not received a USEPA identification number may obtain one by notifying the USEPA Region 5 of its used oil activity by submitting either of the following:
 - 1) A completed Notification of RCRA Subtitle C Activities (Site Identification Form) (USEPA Form 8700-12) to the Agency; or

BOARD NOTE: USEPA Form 8700-12 is available from the Agency, Bureau of Land (217-782-6762). It is also available on-line for download in PDF file format: www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage-and.
 - 2) A letter to the Agency requesting a USEPA identification number. The letter should include the following information:
 - A) The marketer company name;
 - B) The owner of the marketer;
 - C) The mailing address for the marketer;
 - D) The name and telephone number for the marketer point of contact; and
 - E) The type of used oil activity (i.e., generator directing shipments of off-specification used oil to a burner).
- c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website, 1021 North Grand Avenue, Springfield, Illinois 62794-9276~~ (217-782-6761).

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

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

PART 742
TIERED APPROACH TO CORRECTIVE ACTION OBJECTIVES

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

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

SUBPART B: GENERAL

Section 742.210 Incorporations by Reference

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ASTM D 1140-00, Standard Test Methods for Amount of Material in Soils Finer than the No. 200 (75 μm) Sieve, approved June 10, 2000.

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

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

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

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

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

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

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

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

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

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

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Illinois Environmental Protection Agency, [2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276](http://www.epa.gov/illinois) ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ [1021 N. Grand Ave East, Springfield IL 62701](http://www.epa.gov/illinois), (217) 785-0830.

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

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

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United States Environmental Protection Agency, [1200 Pennsylvania Avenue, N.W., Washington, DC 20460 \(202\) 564-4700](#)

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

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

40 CFR 761 (1998).

- c) This Section incorporates no later editions or amendments.

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

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

PART 807
SOLID WASTE

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807.101	Authority, Policy and Purposes
807.102	Repeals
807.103	Severability
807.104	Definitions
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807.202	Operating Permits
807.203	Experimental Permits
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807.205	Applications for Permit
807.206	Permit Conditions
807.207	Standards for Issuance
807.208	Permit No Defense
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SUBPART F: FINANCIAL ASSURANCE FOR CLOSURE AND POST-CLOSURE CARE

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807.602	Time for Submission of Financial Assurance
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807.604	Release of Financial Institution
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807.624	Interim Formula for Cost Estimate
807.640	Mechanisms for Financial Assurance
807.641	Use of Multiple Financial Mechanisms
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807.643	Trust Fund for Unrelated Sites
807.644	RCRA Financial Assurance
807.661	Trust Fund
807.662	Surety Bond Guaranteeing Payment
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SUBPART G: SITE-SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL APPLICABILITY

Section

807.700 Cretex Pressure Pipe, Inc. Concrete Waste Disposal Site

807.APPENDIX A Financial Assurance Forms

807.ILLUSTRATION A	Trust Agreement
807.ILLUSTRATION B	Certificate of Acknowledgment
807.ILLUSTRATION C	Forfeiture Bond
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807.ILLUSTRATION E	Irrevocable Standby Letter of Credit
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807.ILLUSTRATION I	Letter from Chief Financial Officer

807.APPENDIX B Old Rule Numbers Referenced

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

SOURCE: Adopted as an emergency rule and filed with the Secretary of State July 27, 1973; amended at 2 Ill. Reg. 16, p. 3, effective April 10, 1978; codified at 7 Ill. Reg. 13636; recodified from Subchapter h to Subchapter i at 8 Ill. Reg. 13198; emergency amendment in R84-22A at 9 Ill. Reg. 741, effective January 3, 1985, for a maximum of 150 days; amended in R84-22B at 9 Ill. Reg. 6722, effective April 29, 1985; amended in R84-22C at 9 Ill. Reg. 18942, effective November 25, 1985; amended in R84-45 at 12 Ill. Reg. 15566, effective September 14, 1988; amended in R88-7 at 14 Ill. Reg. 15832, effective September 18, 1990; emergency amendment in

R93-25 at 17 Ill. Reg. 17268, effective September 24, 1993, for a maximum of 150 days; amended in R90-26 at 18 Ill. Reg. 12451, effective August 1, 1994; amended in R96-1 at 20 Ill. Reg. 12459, effective August 15, 1996; amended in R10-9 at 35 Ill. Reg. 10784, effective June 22, 2011; amended in R10-09(A) at 35 Ill. Reg. 18867, effective October 24, 2011; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

Section 807.APPENDIX A Financial Assurance Forms

Section 807.ILLUSTRATION E Irrevocable Standby Letter of Credit

IRREVOCABLE STANDBY LETTER OF CREDIT

Director
Illinois Environmental Protection Agency
C/O Bureau of Land #24
Financial Assurance Program

2520 West Iles Avenue

PO Box 19276

Springfield, Illinois 62794-9276

~~or at [the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]~~

~~1021 North Grand Avenue East~~

~~Post Office Box 19276~~

~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

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

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

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

This letter of credit is effective as of _____ [date] and shall expire on _____ [date at least one year later], but, such expiration date shall be automatically extended for a period of

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

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

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

Signature

Typed Name

Title

Date

Name and address of issuing institution

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

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

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

PART 811
STANDARDS FOR NEW SOLID WASTE LANDFILLS

SUBPART A: GENERAL STANDARDS FOR ALL LANDFILLS

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

SUBPART B: INERT WASTE LANDFILLS

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

SUBPART C: PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS

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811.301	Scope and Applicability
811.302	Facility Location
811.303	Design Period
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811.305	Foundation Construction
811.306	Liner Systems
811.307	Leachate Drainage System
811.308	Leachate Collection System
811.309	Leachate Treatment and Disposal System
811.310	Landfill Gas Monitoring
811.311	Landfill Gas Management System
811.312	Landfill Gas Processing and Disposal System
811.313	Intermediate Cover
811.314	Final Cover System
811.315	Hydrogeologic Site Investigations
811.316	Plugging and Sealing of Drill Holes
811.317	Groundwater Impact Assessment
811.318	Design, Construction, and Operation of Groundwater Monitoring Systems
811.319	Groundwater Monitoring Programs
811.320	Groundwater Quality Standards
811.321	Waste Placement
811.322	Final Slope and Stabilization
811.323	Load Checking Program
811.324	Corrective Action Measures for MSWLF Units
811.325	Selection of remedy for MSWLF Units
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SUBPART D: MANAGEMENT OF SPECIAL WASTES AT LANDFILLS

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

SUBPART E: CONSTRUCTION QUALITY ASSURANCE PROGRAMS

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811.501	Scope and Applicability
811.502	Duties and Qualifications of Key Personnel
811.503	Inspection Activities
811.504	Sampling Requirements
811.505	Documentation
811.506	Foundations and Subbases
811.507	Compacted Earth Liners

- 811.508 Geomembranes
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SUBPART G: FINANCIAL ASSURANCE

Section

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

811.APPENDIX A Financial Assurance Forms

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

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

811.APPENDIX C List of Leachate Monitoring Parameters

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

SOURCE: Adopted in R88-7 at 14 Ill. Reg. 15861, effective September 18, 1990; amended in R92-19 at 17 Ill. Reg. 12413, effective July 19, 1993; amended in R93-10 at 18 Ill. Reg. 1308, effective January 13, 1994; expedited correction at 18 Ill. Reg. 7504, effective July 19, 1993; amended in R90-26 at 18 Ill. Reg. 12481, effective August 1, 1994; amended in R95-13 at 19 Ill. Reg. 12257, effective August 15, 1995; amended in R96-1 at 20 Ill. Reg. 12000, effective August 15, 1996; amended in R97-20 at 21 Ill. Reg. 15831, effective November 25, 1997; amended in R98-9 at 22 Ill. Reg. 11491, effective June 23, 1998; amended in R99-1 at 23 Ill. Reg. 2794, effective February 17, 1999; amended in R98-29 at 23 Ill. Reg. 6880, effective July 1, 1999; amended in R04-5/R04-15 at 28 Ill. Reg. 9107, effective June 18, 2004; amended in R05-1 at 29 Ill. Reg. 5044, effective March 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 4136, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1435, effective December 20, 2006; amended in R07-8 at 31 Ill. Reg. 16172, effective November 27, 2007; amended in R10-9 at 35 Ill. Reg. 10842, effective June 22, 2011; amended in R10-09(A) at 35 Ill. Reg. 18882, effective October 24, 2011; amended in R14-1/R14-2/R14-3 at 38 Ill. Reg. 7259, effective March 13, 2014; amended in R17-14/R17-15/R18-12/R18-31 at 42 Ill. Reg. 21330, effective November 19, 2018; amended in R20-8/R20-16 at 44 Ill. Reg. 15577, effective September 3, 2020; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

Section 811.APPENDIX A Financial Assurance Forms

Section 811.ILLUSTRATION E Irrevocable Standby Letter of Credit

IRREVOCABLE STANDBY LETTER OF CREDIT

Director
Illinois Environmental Protection Agency
C/O Bureau of Land #24
Financial Assurance Program
2520 West Iles Avenue
PO Box 19276
Springfield, Illinois 62794-9276
~~or at [the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]~~
~~1021 North Grand Avenue East~~
~~Post Office Box 19276~~
~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

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

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

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

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

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

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

Signature _____

Typed Name _____

Title _____

Date _____

Name and address of issuing
institution _____

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

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

Section 811.ILLUSTRATION I Letter from Chief Financial Officer

LETTER FROM CHIEF FINANCIAL OFFICER

Director
Illinois Environmental Protection Agency
C/O Bureau of Land #24
2520 West Iles Avenue
PO Box 19276
Springfield, Illinois 62794-9276
~~or at [the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]~~
~~1021 North Grand Avenue East~~
~~Post Office Box 19276~~
~~Springfield, Illinois 62794-9276~~

Dear Sir or Madam:

I am the chief financial officer of _____

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

Owner or Operator:

Name: _____

Address: _____

City: _____

Current cost estimate: \$ _____

Owner or Operator:

Name: _____

Address: _____

City: _____

Current cost estimate: \$ _____

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

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

Gross Revenue Test

1. Gross revenue of the firm \$ _____
2. Gross revenue from waste disposal operation \$ _____
3. Line 2 divided by line 3 _____

Financial Test Alternative I

1. Sum of current cost estimates (total of all cost estimates shown in paragraphs above) \$ _____
2. Total liabilities (if any portion of the cost estimates is included in total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4) \$ _____
3. Tangible net worth \$ _____

4. Net worth \$_____
5. Current assets \$_____
6. Current liabilities \$_____
7. Net working capital (line 5 minus line 6) \$_____
8. The sum of net income plus depreciation, depletion, and amortization
\$_____
9. Total assets in U.S. (required only if less than 90 percent of firm's assets are
located in the U.S.) \$_____
- Yes/No
10. Is line 3 at least \$10 million?_____
11. Is line 3 at least 6 times line 1?_____
12. Is line 7 at least 6 times line 1?_____
13. Are at least 90 percent of firm's assets located in the U.S.? If not, complete line
14. _____
14. Is line 9 at least 6 times line 1? _____
15. Is line 2 divided by line 4 less than 2.0?_____
16. Is line 8 divided by line 2 greater than 0.1?_____
17. Is line 5 divided by line 6 greater than 1.5?_____
- Signature_____
- Typed Name_____
- Title_____
- Date_____

Financial Test Alternative II

1. Sum of current cost estimates (total of all cost estimates shown in paragraphs above) \$_____
 2. Current bond rating of most recent issuance of this firm and name of rating service_____
 3. Date of issuance of bond_____
 4. Date of maturity of bond_____
 5. Tangible net worth (if any portion of the closure and post-closure cost estimates is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line) \$_____
 6. Total assets in U.S. (required only if less than 90 percent of firm's assets are located in the U.S.) \$_____
- Yes/No
7. Is line 5 at least \$10 million?_____
 8. Is line 5 at least 6 times line 1?_____
 9. Are at least 90 percent of firm's assets located in the U.S.? If not complete line 10.

 10. Is line 6 at least 6 times line 1?_____

Signature_____

Typed name_____

Title_____

Date_____

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

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

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

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

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

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

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

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

Section 840.144 Recordkeeping and Reporting Requirements

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

- e) The owner or operator of Ash Pond D must maintain the post-closure care plan for 10 years following the certification of the post-closure report required by Section 840.142 of this Subpart.
- f) All reports, plans, modifications and notifications required under this Subpart to be submitted to the Agency must be submitted in writing to the Bureau of Water, Division of Public Water Supplies, Attn: Hydrogeology and Compliance Unit, 2520 West Iles Avenue, PO Box 19276, Springfield, Illinois 62794-9276 ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website~~ 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 or electronically as authorized and directed by the Agency.

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

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

PART 848
MANAGEMENT OF USED AND WASTE TIRES

SUBPART A: GENERAL

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

SUBPART B: MANAGEMENT STANDARDS

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

SUBPART C: RECORDKEEPING AND REPORTING

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

SUBPART D: FINANCIAL ASSURANCE

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

SUBPART E: TIRE REMOVAL AGREEMENTS

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

SUBPART F: TIRE TRANSPORTATION REQUIREMENTS

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

SUBPART G: TIRE STORAGE PERMITS

Section

848.701	Tire Storage Permits
848.702	Application for Tire Storage Permits
848.703	Permit Conditions
848.704	Standards for Issuance of Tire Storage Permits
848.705	Permit No Defense
848.706	Permit Revision
848.707	No Transfer of Permits
848.708	Permit Revocation

848.APPENDIX A Financial Assurance Forms

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

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

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

Section 848.APPENDIX A Financial Assurance Forms

Section 848.ILLUSTRATION C Irrevocable Standby Letter of Credit

Director

Illinois Environmental Protection Agency

c/o Bureau of Land #24

Financial Assurance Program

2520 West Iles Avenue

PO Box 19276

Springfield, Illinois 62794-9276

or at [the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website]

1021 North Grand Ave. East

PO Box 19276

Springfield IL 62794-9276

Dear Sir or Madam:

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

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

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

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

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

Signature

Name

Title

Date

Name and address of issuing institution

This credit is subject to

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

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

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

SUBPART A: GENERAL PROVISIONS

Section	
1010.100	Purpose
1010.102	Applicability
1010.104	Scope
1010.106	Definitions
1010.108	Severability

SUBPART B: REPORTING

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

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

SOURCE: Adopted at 32 Ill. Reg. 7789, effective May 2, 2008; amended in R18-28 at 47 Ill. Reg. 6713, effective May 4, 2023; amended in R25-23 at 49 Ill. Reg. _____, effective _____.

SUBPART B: REPORTING

Section 1010.204 Follow-up Written Report

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

- a) The follow-up report must confirm and update the information provided by the licensee under Section 1010.202 utilizing the best data available and must also include the following information:

- 1) Copies of all lab analyses used to confirm the presence of, or conducted in response to, the release if lab analyses have been conducted;
 - 2) Plan view and, if available, geological cross-section maps showing the location of the release, the locations of samples taken to confirm the release if samples have been taken, the locations of samples taken in response to the release if samples have been taken, the measured and modeled extents of the release if known, the groundwater flow direction if known, groundwater contours if known, the boundary of the licensee controlled area, and structures, roads, and other surface features;
 - 3) An estimate of the volume and radionuclide concentrations (in pCi/L) of station generated liquids released but not recovered;
 - 4) An estimate of the quantities (in curies) of radionuclides released but not recovered;
 - 5) An updated description of activities taken in response to the release;
 - 6) If additional activities in response to the release are planned, a description of those activities; and
 - 7) The name and signature of the principal executive officer for the nuclear power plant or the principal executive officer's authorized agent.
- b) The follow-up report must be submitted electronically on forms and in a format prescribed by the Agency and must be submitted to addresses prescribed by the Agency and IEMA. Within five business days after submission of the electronic follow-up report, hard copies of the follow-up report must be submitted to the Agency and IEMA at the following addresses:

Illinois Environmental Protection Agency
Bureau of Water
Groundwater Section
2520 West Iles Avenue
PO Box 19276
Springfield, Illinois 62794-9276
or at the address of the Illinois EPA's headquarters as designated on the
Illinois EPA's website.
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

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

- c) The Agency must consult with IEMA in developing the forms and format for reports required under this Section.
- d) The Agency must post copies of the follow-up reports it receives under this Section on the Agency's website.

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

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

PART 1501
DRYCLEANER ENVIRONMENTAL RESPONSE
TRUST FUND PROGRAM

SUBPART A: GENERAL PROVISIONS

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

SUBPART B: LICENSES

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

SUBPART C: REMEDIAL ACTION CLAIMS

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

SUBPART D: INSURANCE CLAIMS

Section	
1501.400	General Insurance Provisions
1501.410	Eligibility
1501.420	Premium and Deductible Requirements
1501.430	Coverage Reimbursement Limitations
1501.440	Claim Prioritization
1501.450	Claim Procedures

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

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

SUBPART A: GENERAL PROVISIONS

Section 1501.195 Submissions and Certifications

- a) All submittals to the Agency must use the Agency forms available at <https://www2.illinois.gov/epa/topics/forms/land-forms/pages/drycleaner.aspx>.
- b) All submittals must be mailed to Illinois EPA, Attn: Drycleaner Trust Fund Program, Mail Code 24, 2520 West Iles Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276, ~~or at the address of the Illinois EPA's headquarters as designated on the Illinois EPA's website 1021 North Grand Avenue East, Springfield, Illinois 62794-9276~~. Submittals are considered received by the Agency on the date of receipt and the Agency's date of receipt will be conclusive.
- c) All budgets and requests for reimbursement submitted must contain the following certification from a Licensed Professional Engineer or Licensed Professional Geologist.

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

significant penalties for submitting false statements or representations to the Agency, including fines, imprisonment, or both as provided in Section 69.5 of the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135/69.5].

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