

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Hazardous Waste Management System: General

2) Code Citation: 35 Ill. Adm. Code 720

3) Section Numbers: Proposed Action:
720.110 Amend
720.111 Amend

4) Statutory Authority: 415 ILCS 5/7.2, 13, 22.4, and 27

5) A Complete Description of the Subjects and Issues Involved: The following briefly describes the subjects and issues involved in the docket R14-13 rulemaking of which this rulemaking is a single segment. Also affected is 35 Ill. Adm. Code 721, which is covered by a separate notice in this issue of the *Illinois Register*. A comprehensive description is contained in the Board's opinion and order of February 6, 2014, proposing amendments in docket R14-13, which opinion and order is available from the address below.

This proceeding updates the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste rules to correspond with amendments adopted by the USEPA that appeared in the Federal Register during a single update period. The docket and time period that is involved in this proceeding is the following:

R14-13 Federal RCRA Subtitle C hazardous waste amendments that occurred during the period July 1, 2013 through December 31, 2013.

The R14-13 docket amends rules in Parts 720 and 721. The amendments to the various Parts are inter-related. The following briefly summarizes the federal action in the update period:

July 31, 2013 (78 Fed. Reg. 46448)	Conditional exclusions of solvent-contaminated wipes from the definitions of solid waste and hazardous waste.
---------------------------------------	---

In addition to the federal actions that fall within the timeframe of this docket, the Board included one additional federal action that occurred later. This additional action directly impacted one of the actions that USEPA took within the timeframe that is involved.

January 3, 2014 (79 Fed. Reg. 350)	Conditional exclusion from regulation as hazardous waste for carbon dioxide streams injected into a Class VI carbon sequestration well.
---------------------------------------	---

Specifically, the rulemaking to Part 720 implement segments of the federal amendments of July 31, 2013 and January 3, 2014. The amendments add definitions and one

RECEIVED
CLERK'S OFFICE
FEB 27 2014

STATE OF ILLINOIS
Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

incorporation by reference that support the exclusions. The Board has included a limited number of corrections and clarifying amendments that are not directly derived from the instant federal amendments. The Board has also included amendments proposed in the pending consolidated update docket, UIC Update, USEPA Amendments (January 1, 2013 through June 30, 2013), R14-1, RCRA Subtitle D (Municipal Solid Waste Landfill) Update, USEPA Amendments (January 1, 2013 through June 30, 2013), R14-2, and RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2013 through June 30, 2013), R14-3 (Dec. 5, 2013), which the Board is voted to adopt on February 6, 2014, but which will not be filed until after publication of the present amendments. A table in the Board's opinion and order in docket R14-13 itemizes the amendments from consolidated docket R14-1/R14-2/R14-3.

Tables appear in the Board's opinion and order of February 6, 2014 in docket R14-13 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the February 6, 2014 opinion and order in docket R14-13.

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

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will these proposed amendments replace emergency amendments currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Do these proposed rulemakings contain incorporations by reference? Yes
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)].
- 11) Are there any other rulemakings pending on this Part? Yes

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
720.111	Amend	37 Ill. Reg. 20003, December 20, 2013

- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R14-13 and be addressed to:

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

Please direct inquiries to the following person and reference docket R14-13:

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

312/814-6924
e-mail: mccambm@ipcb.state.il.us

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

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)]
- B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records. These proposed

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)].

- C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer. These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2012)]
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2014: published at 37 Ill. Reg. 20463, 20501 (December 20, 2013)

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

RECEIVED
CLERK'S OFFICE
FEB 27 2014
STATE OF ILLINOIS
Pollution Control Board

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

6 PART 720
7 HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL
8

9 SUBPART A: GENERAL PROVISIONS
10

11 Section

- 12 720.101 Purpose, Scope, and Applicability
13 720.102 Availability of Information; Confidentiality of Information
14 720.103 Use of Number and Gender
15 720.104 Electronic Reporting
16

17 SUBPART B: DEFINITIONS AND REFERENCES
18

19 Section

- 20 720.110 Definitions
21 720.111 References
22

23 SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES
24

25 Section

- 26 720.120 Rulemaking
27 720.121 Alternative Equivalent Testing Methods
28 720.122 Waste Delisting
29 720.123 Petitions for Regulation as Universal Waste
30 720.130 Procedures for Solid Waste Determinations and Non-Waste Determinations
31 720.131 Solid Waste Determinations
32 720.132 Boiler Determinations
33 720.133 Procedures for Determinations
34 720.134 Non-Waste Determinations
35 720.140 Additional Regulation of Certain Hazardous Waste Recycling Activities on a
36 Case-by-Case Basis
37 720.141 Procedures for Case-by-Case Regulation of Hazardous Waste Recycling
38 Activities
39 720.142 Notification Requirement for Hazardous Secondary Materials
40 720.143 Legitimate Recycling of Hazardous Secondary Materials
41

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

44
 45 AUTHORITY: Implementing Sections 7.2, 13, and 22.4 and authorized by Section 27 of the
 46 Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4, and 27].
 47
 48 SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and
 49 codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-19 at 7 Ill. Reg.
 50 14015, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11819, effective July 24,
 51 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10
 52 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective
 53 December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended
 54 in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg.
 55 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January
 56 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16
 57 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278,
 58 effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20,
 59 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14
 60 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective
 61 May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-
 62 1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489,
 63 effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992;
 64 amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill.
 65 Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective
 66 April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in
 67 R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg.
 68 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1,
 69 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997;
 70 amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-
 71 3/R98-5 at 22 Ill. Reg. 17496, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at
 72 23 Ill. Reg. 1704, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9094, effective
 73 July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1063, effective January 6, 2000; amended in
 74 R00-13 at 24 Ill. Reg. 9443, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1266,
 75 effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9168, effective July 9,
 76 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6550, effective April 22, 2002; amended
 77 in R03-7 at 27 Ill. Reg. 3712, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg.
 78 12713, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5974, effective April 13, 2005;
 79 amended in R05-2 at 29 Ill. Reg. 6290, effective April 22, 2005; amended in R06-5/R06-6/R06-7
 80 at 30 Ill. Reg. 2930, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill.
 81 Reg. 730, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11726,
 82 effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 922, effective December 30, 2008;
 83 amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-
 84 2/R11-16 at 35 Ill. Reg. 17672, effective October 14, 2011; amended in R12-7 at 36 Ill. Reg.
 85 8740, effective June 4, 2012; amended in R13-5 at 37 Ill. Reg. 3180, effective March 4, 2013;

129 electrolyte, plus such connections (electrical and mechanical) as may be needed to
130 allow the cell to deliver or receive electrical energy. The term battery also
131 includes an intact, unbroken battery from which the electrolyte has been removed.
132

133 "Board" means the Illinois Pollution Control Board;:-

134
135 "Boiler" by means an enclosed device using controlled flame combustion and
136 having the following characteristics:
137

138 Boiler by physical characteristics.

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

157
158 While in operation, the unit must maintain a thermal energy
159 recovery efficiency of at least 60 percent, calculated in terms of the
160 recovered energy compared with the thermal value of the fuel; and
161

162 The unit must export and utilize at least 75 percent of the
163 recovered energy, calculated on an annual basis. In this
164 calculation, no credit may be given for recovered heat used
165 internally in the same unit. (Examples of internal use are the
166 preheating of fuel or combustion air, and the driving of induced or
167 forced draft fans or feedwater pumps.); or
168

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

172
173 "Carbon dioxide stream" means carbon dioxide that has been captured from an
174 emission source (e.g., a power plant), plus incidental associated substances
175 derived from the source materials and the capture process, and any substances
176 added to the stream to enable or improve the injection process.
177
178 "Carbon regeneration unit" means any enclosed thermal treatment device used to
179 regenerate spent activated carbon.
180
181 "Cathode ray tube" or "CRT" means a vacuum tube, composed primarily of glass,
182 which is the visual or video display component of an electronic device. A "used,
183 intact CRT" means a CRT whose vacuum has not been released. A "used, broken
184 CRT" means glass removed from its housing or casing whose vacuum has been
185 released.
186
187 "Certification" means a statement of professional opinion based upon knowledge
188 and belief.
189
190 "Closed portion" means that portion of a facility that an owner or operator has
191 closed in accordance with the approved facility closure plan and all applicable
192 closure requirements. (See also "active portion" and "inactive portion.")
193
194 "Component" means either the tank or ancillary equipment of a tank system.
195
196 "Confined aquifer" means an aquifer bounded above and below by impermeable
197 beds or by beds of distinctly lower permeability than that of the aquifer itself; an
198 aquifer containing confined groundwater.
199
200 "Container" means any portable device in which a material is stored, transported,
201 treated, disposed of, or otherwise handled.
202
203 "Containment building" means a hazardous waste management unit that is used to
204 store or treat hazardous waste pursuant to the provisions of Subpart DD of 35 Ill.
205 Adm. Code 724 and Subpart DD of 35 Ill. Adm. Code 725.
206
207 "Contingency plan" means a document setting out an organized, planned and
208 coordinated course of action to be followed in case of a fire, explosion, or release
209 of hazardous waste or hazardous waste constituents that could threaten human
210 health or the environment.
211
212 "Corrosion expert" means a person who, by reason of knowledge of the physical
213 sciences and the principles of engineering and mathematics, acquired by a
214 professional education and related practical experience, is qualified to engage in

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

221
222 "CRT collector" means a person who receives used, intact CRTs for recycling,
223 repair, resale, or donation.

224
225 "CRT glass manufacturer" means an operation or part of an operation that uses a
226 furnace to manufacture CRT glass.

227
228 "CRT processing" means conducting all of the following activities:

229
230 Receiving broken or intact CRTs;

231
232 Intentionally breaking intact CRTs or further breaking or separating
233 broken CRTs; and

234
235 Sorting or otherwise managing glass removed from CRT monitors.

236
237 "Designated facility" means either of the following entities:

238
239 A hazardous waste treatment, storage, or disposal facility that has been
240 designated on the manifest by the generator, pursuant to 35 Ill. Adm. Code
241 722.120, of which any of the following is true:

242
243 The facility has received a RCRA permit (or interim status)
244 pursuant to 35 Ill. Adm. Code 702, 703, and 705;

245
246 The facility has received a RCRA permit from USEPA pursuant to
247 40 CFR 124 and 270-~~(2010)~~;

248
249 The facility has received a RCRA permit from a state authorized
250 by USEPA pursuant to 40 CFR 271-~~(2010)~~; or

251
252 The facility is regulated pursuant to 35 Ill. Adm. Code
253 721.106(c)(2) or Subpart F of 35 Ill. Adm. Code 266; or

254
255 A generator site designated by the hazardous waste generator on the
256 manifest to receive back its own waste as a return shipment from a
257 designated hazardous waste treatment, storage, or disposal facility that has

258 rejected the waste in accordance with 35 Ill. Adm. Code 724.172(f) or
259 725.172(f).
260

261 If a waste is destined to a facility in a state other than Illinois that has been
262 authorized by USEPA pursuant to 40 CFR 271, but which has not yet obtained
263 authorization to regulate that waste as hazardous, then the designated facility
264 must be a facility allowed by the receiving state to accept such waste.
265

266 "Destination facility" means a facility that treats, disposes of, or recycles a
267 particular category of universal waste, except those management activities
268 described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A
269 facility at which a particular category of universal waste is only accumulated is
270 not a destination facility for the purposes of managing that category of universal
271 waste.
272

273 "Dike" means an embankment or ridge of either natural or manmade materials
274 used to prevent the movement of liquids, sludges, solids, or other materials.
275

276 "Dioxins and furans" or "D/F" means tetra-, penta-, hexa-, hepta-, and octa-
277 chlorinated dibenzo dioxins and furans.
278

279 "Director" means the Director of the Illinois Environmental Protection Agency.
280

281 "Discharge" or "hazardous waste discharge" means the accidental or intentional
282 spilling, leaking, pumping, pouring, emitting, emptying, or dumping of hazardous
283 waste into or on any land or water.
284

285 "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or
286 placing of any solid waste or hazardous waste into or on any land or water so that
287 such solid waste or hazardous waste or any constituent thereof may enter the
288 environment or be emitted into the air or discharged into any waters, including
289 groundwaters.
290

291 "Disposal facility" means a facility or part of a facility at which hazardous waste
292 is intentionally placed into or on any land or water and at which waste will remain
293 after closure. The term disposal facility does not include a corrective action
294 management unit (CAMU) into which remediation wastes are placed.
295

296 "Drip pad" means an engineered structure consisting of a curbed, free-draining
297 base, constructed of non-earthen materials and designed to convey preservative
298 kick-back or drippage from treated wood, precipitation and surface water runoff to
299 an associated collection system at wood preserving plants.
300

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

302
303 It is used for neutralizing wastes that are hazardous only because they
304 exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122
305 or which are listed in Subpart D of 35 Ill. Adm. Code 721 only for this
306 reason; and

307
308 It meets the definition of tank, tank system, container, transport vehicle,
309 or vessel in this Section.

310
311 "EPA hazardous waste number" or "USEPA hazardous waste number" means the
312 number assigned by USEPA to each hazardous waste listed in Subpart D of 35 Ill.
313 Adm. Code 721 and to each characteristic identified in Subpart C of 35 Ill. Adm.
314 Code 721.

315
316 "EPA identification number" or "USEPA identification number" means the
317 number assigned by USEPA pursuant to 35 Ill. Adm. Code 722 through 725 to
318 each generator; transporter; and treatment, storage, or disposal facility.

319
320 "EPA region" or "USEPA region" means the states and territories found in any
321 one of the following ten regions:

322
323 Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut,
324 and Rhode Island.

325
326 Region II: New York, New Jersey, Commonwealth of Puerto Rico, and
327 the U.S. Virgin Islands.

328
329 Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia,
330 and the District of Columbia.

331
332 Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama,
333 Georgia, South Carolina, and Florida.

334
335 Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio.

336
337 Region VI: New Mexico, Oklahoma, Arkansas, Louisiana, and Texas.

338
339 Region VII: Nebraska, Kansas, Missouri, and Iowa.

340
341 Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah,
342 and Colorado.

343

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

346
347 Region X: Washington, Oregon, Idaho, and Alaska.

348
349 "Equivalent method" means any testing or analytical method approved by the
350 Board pursuant to Section 720.120.

351
352 "Existing hazardous waste management (HWM) facility" or "existing facility"
353 means a facility that was in operation or for which construction commenced on or
354 before November 19, 1980. A facility had commenced construction if the owner
355 or operator had obtained the federal, State, and local approvals or permits
356 necessary to begin physical construction and either of the following had occurred:

357
358 A continuous on-site, physical construction program had begun; or

359
360 The owner or operator had entered into contractual obligations that could
361 not be canceled or modified without substantial loss for physical
362 construction of the facility to be completed within a reasonable time.

363
364 "Existing portion" means that land surface area of an existing waste management
365 unit, included in the original Part A permit application, on which wastes have
366 been placed prior to the issuance of a permit.

367
368 "Existing tank system" or "existing component" means a tank system or
369 component that is used for the storage or treatment of hazardous waste and which
370 was in operation, or for which installation was commenced, on or prior to July 14,
371 1986. Installation will be considered to have commenced if the owner or operator
372 has obtained all federal, State, and local approvals or permits necessary to begin
373 physical construction of the site or installation of the tank system and if either of
374 the following is true:

375
376 A continuous on-site physical construction or installation program has
377 begun; or

378
379 The owner or operator has entered into contractual obligations that cannot
380 be canceled or modified without substantial loss for physical construction
381 of the site or installation of the tank system to be completed within a
382 reasonable time.

383
384 "Explosives or munitions emergency" means a situation involving the suspected
385 or detected presence of unexploded ordnance (UXO), damaged or deteriorated
386 explosives or munitions, an improvised explosive device (IED), other potentially

387 explosive material or device, or other potentially harmful military chemical
 388 munitions or device, that creates an actual or potential imminent threat to human
 389 health, including safety, or the environment, including property, as determined by
 390 an explosives or munitions emergency response specialist. Such situations may
 391 require immediate and expeditious action by an explosives or munitions
 392 emergency response specialist to control, mitigate, or eliminate the threat.
 393

394 "Explosives or munitions emergency response" means all immediate response
 395 activities by an explosives and munitions emergency response specialist to
 396 control, mitigate, or eliminate the actual or potential threat encountered during an
 397 explosives or munitions emergency. An explosives or munitions emergency
 398 response may include in-place render-safe procedures, treatment, or destruction of
 399 the explosives or munitions or transporting those items to another location to be
 400 rendered safe, treated, or destroyed. Any reasonable delay in the completion of an
 401 explosives or munitions emergency response caused by a necessary, unforeseen,
 402 or uncontrollable circumstance will not terminate the explosives or munitions
 403 emergency. Explosives and munitions emergency responses can occur on either
 404 public or private lands and are not limited to responses at RCRA facilities.
 405

406 "Explosives or munitions emergency response specialist" means an individual
 407 trained in chemical or conventional munitions or explosives handling,
 408 transportation, render-safe procedures, or destruction techniques. Explosives or
 409 munitions emergency response specialists include United States Department of
 410 Defense (USDOD) emergency explosive ordnance disposal (EOD), technical
 411 escort unit (TEU), and USDOD-certified civilian or contractor personnel and
 412 other federal, State, or local government or civilian personnel who are similarly
 413 trained in explosives or munitions emergency responses.
 414

415 "Facility" means the following:

416
 417 All contiguous land and structures, other appurtenances, and
 418 improvements on the land used for treating, storing, or disposing of
 419 hazardous waste or for managing hazardous secondary materials prior to
 420 reclamation. A facility may consist of several treatment, storage, or
 421 disposal operational units (e.g., one or more landfills, surface
 422 impoundments, or combinations of them).
 423

424 For the purpose of implementing corrective action pursuant to 35 Ill. Adm.
 425 Code 724.201 or 35 Ill. Adm. Code 727.201, all contiguous property under
 426 the control of the owner or operator seeking a permit under Subtitle C of
 427 RCRA. This definition also applies to facilities implementing corrective
 428 action pursuant to RCRA section 3008(h).
 429

430 Notwithstanding the immediately-preceding paragraph of this definition, a
431 remediation waste management site is not a facility that is subject to 35 Ill.
432 Adm. Code 724.201, but a facility that is subject to corrective action
433 requirements if the site is located within such a facility.
434

435 "Federal agency" means any department, agency, or other instrumentality of the
436 federal government, any independent agency or establishment of the federal
437 government, including any government corporation and the Government Printing
438 Office.
439

440 "Federal, State, and local approvals or permits necessary to begin physical
441 construction" means permits and approvals required under federal, State, or local
442 hazardous waste control statutes, regulations, or ordinances.
443

444 "Final closure" means the closure of all hazardous waste management units at the
445 facility in accordance with all applicable closure requirements so that hazardous
446 waste management activities pursuant to 35 Ill. Adm. Code 724 and 725 are no
447 longer conducted at the facility unless subject to the provisions of 35 Ill. Adm.
448 Code 722.134.
449

450 "Food-chain crops" means tobacco, crops grown for human consumption, and
451 crops grown for feed for animals whose products are consumed by humans.
452

453 "Freeboard" means the vertical distance between the top of a tank or surface
454 impoundment dike and the surface of the waste contained therein.
455

456 "Free liquids" means liquids that readily separate from the solid portion of a
457 waste under ambient temperature and pressure.
458

459 "Gasification" means, for the purpose of complying with 35 Ill. Adm. Code
460 721.104(a)(12)(A), a process conducted in an enclosed device or system that is
461 designed and operated to process petroleum feedstock, including oil-bearing
462 hazardous secondary materials, through a series of highly controlled steps
463 utilizing thermal decomposition, limited oxidation, and gas cleaning to yield a
464 synthesis gas composed primarily of hydrogen and carbon monoxide gas.
465

466 "Generator" means any person, by site, whose act or process produces hazardous
467 waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a
468 hazardous waste to become subject to regulation.
469

470 "Groundwater" means water below the land surface in a zone of saturation.
471

472 "Hazardous secondary material" means a secondary material (e.g., spent material,
473 by-product, or sludge) that, when discarded, would be identified as hazardous
474 waste pursuant to 35 Ill. Adm. Code 721.
475

476 "Hazardous secondary material generated and reclaimed under the control of the
477 generator" means one of the following materials:
478

479 A material that is both generated and reclaimed at the generating facility
480 (for purposes of this definition, generating facility means all contiguous
481 property owned, leased, or otherwise controlled by the hazardous
482 secondary material generator);
483

484 A material that is generated and reclaimed at different facilities, if both of
485 the following conditions are fulfilled:
486

487 Either the reclaiming facility is controlled by the generator, or both
488 the generating facility and the reclaiming facility are controlled by
489 the same person, as "person" is defined in this Section; and
490

491 The generator provides either of the following certifications:
492

493 "On behalf of [insert generator facility name], I certify that
494 this facility will send the indicated hazardous secondary
495 material to [insert reclaimer facility name], which is
496 controlled by [insert generator facility name] and that
497 [insert the name of either facility] has acknowledged full
498 responsibility for the safe management of the hazardous
499 secondary material."
500

501 or
502

503 "On behalf of [insert generator facility name] I certify that
504 this facility will send the indicated hazardous secondary
505 material to [insert reclaimer facility name], that both
506 facilities are under common control, and that [insert name
507 of either facility] has acknowledged full responsibility for
508 the safe management of the hazardous secondary material."
509

510 For purposes of this definition, "control" means the power to
511 direct the policies of the facility, whether by the ownership of
512 stock, voting rights, or otherwise, except that contractors who
513 operate facilities on behalf of a different person, as "person" is

514 defined in this Section, shall not be deemed to "control" such
515 facilities; or

516
517 A material that is generated pursuant to a written contract between a
518 tolling contractor and a toll manufacturer and which is reclaimed by the
519 tolling contractor, if the tolling contractor certifies the following:

520
521 "On behalf of [insert tolling contractor name], I certify that [insert
522 tolling contractor name], has a written contract with [insert toll
523 manufacturer name] to manufacture [insert name of product or
524 intermediate] which is made from specified unused materials, and
525 that [insert tolling contractor name] will reclaim the hazardous
526 secondary materials generated during this manufacture. On behalf
527 of [insert tolling contractor name], I also certify that [insert tolling
528 contractor name] retains ownership of, and responsibility for, the
529 hazardous secondary materials that are generated during the course
530 of the manufacture, including any releases of hazardous secondary
531 materials that occur during the manufacturing process."

532
533 For purposes of this definition, "tolling contractor" means a person
534 who arranges for the production of a product or intermediate made
535 from specified unused materials through a written contract with a toll
536 manufacturer. "Toll manufacturer" means a person who produces a
537 product or intermediate made from specified unused materials pursuant
538 to a written contract with a tolling contractor.

539
540 "Hazardous secondary material generator" means any person whose act or process
541 produces hazardous secondary materials at the generating facility. For purposes
542 of this definition, "generating facility" means all contiguous property owned,
543 leased, or otherwise controlled by the hazardous secondary material generator.
544 For the purposes of Sections 721.102(a)(2)(B) and 721.104(a)(23), a facility that
545 collects hazardous secondary materials from other persons is not the hazardous
546 secondary material generator.

547
548 "Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code
549 721.103.

550
551 "Hazardous waste constituent" means a constituent that caused the hazardous
552 waste to be listed in Subpart D of 35 Ill. Adm. Code 721, or a constituent listed in
553 35 Ill. Adm. Code 721.124.

554
555 "Hazardous waste management unit" is a contiguous area of land on or in which
556 hazardous waste is placed, or the largest area in which there is significant

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

563
564 "Inactive portion" means that portion of a facility that was not operated after
565 November 19, 1980. (See also "active portion" and "closed portion.")
566

567 "Incinerator" means any enclosed device of which the following is true:
568

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

571 The facility does not meet the criteria for classification as a boiler,
572 sludge dryer, or carbon regeneration unit, nor
573

574 The facility is not listed as an industrial furnace; or
575

576 The facility meets the definition of infrared incinerator or plasma arc
577 incinerator.
578

579
580 "Incompatible waste" means a hazardous waste that is unsuitable for the
581 following:
582

583 Placement in a particular device or facility because it may cause corrosion
584 or decay of containment materials (e.g., container inner liners or tank
585 walls); or
586

587 Commingling with another waste or material under uncontrolled
588 conditions because the commingling might produce heat or pressure, fire,
589 or explosion, violent reaction, toxic dusts, mists, fumes or gases, or
590 flammable fumes or gases.
591

592 (See Appendix E to 35 Ill. Adm. Code 724 and Appendix E to 35 Ill.
593 Adm. Code 725 for references that list examples.)
594

595 "Industrial furnace" means any of the following enclosed devices that are integral
596 components of manufacturing processes and that use thermal treatment to
597 accomplish recovery of materials or energy:
598

599 Cement kilns;

- 600
- 601 Lime kilns;
- 602
- 603 Aggregate kilns;
- 604
- 605 Phosphate kilns;
- 606
- 607 Coke ovens;
- 608
- 609 Blast furnaces;
- 610
- 611 Smelting, melting, and refining furnaces (including pyrometallurgical
- 612 devices such as cupolas, reverberator furnaces, sintering machines,
- 613 roasters, and foundry furnaces);
- 614
- 615 Titanium dioxide chloride process oxidation reactors;
- 616
- 617 Methane reforming furnaces;
- 618
- 619 Pulping liquor recovery furnaces;
- 620
- 621 Combustion devices used in the recovery of sulfur values from spent
- 622 sulfuric acid;
- 623
- 624 Halogen acid furnaces (HAFs) for the production of acid from halogenated
- 625 hazardous waste generated by chemical production facilities where the
- 626 furnace is located on the site of a chemical production facility, the acid
- 627 product has a halogen acid content of at least three percent, the acid
- 628 product is used in a manufacturing process, and, except for hazardous
- 629 waste burned as fuel, hazardous waste fed to the furnace has a minimum
- 630 halogen content of 20 percent, as generated; and
- 631
- 632 Any other such device as the Agency determines to be an industrial
- 633 furnace on the basis of one or more of the following factors:
- 634
- 635 The design and use of the device primarily to accomplish recovery
- 636 of material products;
- 637
- 638 The use of the device to burn or reduce raw materials to make a
- 639 material product;
- 640
- 641 The use of the device to burn or reduce secondary materials as
- 642 effective substitutes for raw materials, in processes using raw

643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685

materials as principal feedstocks;

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

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

Other relevant factors.

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

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

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

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

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

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

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

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

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

688
 689 "Lamp" or "universal waste lamp" means the bulb or tube portion of an electric
 690 lighting device. A lamp is specifically designed to produce radiant energy, most
 691 often in the ultraviolet, visible, or infrared regions of the electromagnetic
 692 spectrum. Examples of common universal waste lamps include, but are not
 693 limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-
 694 pressure sodium, and metal halide lamps.

695
 696 "Land-based unit" means an area where hazardous secondary materials are placed
 697 in or on the land before recycling. This definition does not include land-based
 698 production units.

699
 700 "Land treatment facility" means a facility or part of a facility at which hazardous
 701 waste is applied onto or incorporated into the soil surface; such facilities are
 702 disposal facilities if the waste will remain after closure.

703
 704 "Landfill" means a disposal facility or part of a facility where hazardous waste is
 705 placed in or on land and which is not a pile, a land treatment facility, a surface
 706 impoundment, an underground injection well, a salt dome formation, a salt bed
 707 formation, an underground mine, a cave, or a corrective action management unit
 708 (CAMU).

709
 710 "Landfill cell" means a discrete volume of a hazardous waste landfill that uses a
 711 liner to provide isolation of wastes from adjacent cells or wastes. Examples of
 712 landfill cells are trenches and pits.

713
 714 "LDS" means leak detection system.

715
 716 "Leachate" means any liquid, including any suspended components in the liquid,
 717 that has percolated through or drained from hazardous waste.

718
 719 "Liner" means a continuous layer of natural or manmade materials beneath or on
 720 the sides of a surface impoundment, landfill, or landfill cell that restricts the
 721 downward or lateral escape of hazardous waste, hazardous waste constituents, or
 722 leachate.

723
 724 "Leak-detection system" means a system capable of detecting the failure of either
 725 the primary or secondary containment structure or the presence of a release of
 726 hazardous waste or accumulated liquid in the secondary containment structure.
 727 Such a system must employ operational controls (e.g., daily visual inspections for
 728 releases into the secondary containment system of aboveground tanks) or consist

729 of an interstitial monitoring device designed to detect continuously and
 730 automatically the failure of the primary or secondary containment structure or the
 731 presence of a release of hazardous waste into the secondary containment structure.
 732

733 "Management" or "hazardous waste management" means the systematic control
 734 of the collection, source separation, storage, transportation, processing, treatment,
 735 recovery, and disposal of hazardous waste.
 736

737 "Manifest" means the shipping document USEPA Form 8700-22 (including, if
 738 necessary, USEPA Form 8700-22A) originated and signed by the generator or
 739 offeror that contains the information required by Subpart B of 35 Ill. Adm. Code
 740 722 and the applicable requirements of 35 Ill. Adm. Code 722 through 727.
 741

742 "Manifest tracking number" means the alphanumeric identification number (i.e., a
 743 unique three letter suffix preceded by nine numerical digits) that is pre-printed in
 744 Item 4 of the manifest by a registered source.
 745

746 "Mercury-containing equipment" means a device or part of a device (including
 747 thermostats, but excluding batteries and lamps) that contains elemental mercury
 748 integral to its function.
 749

750 "Military munitions" means all ammunition products and components produced or
 751 used by or for the United States Department of Defense or the United States
 752 Armed Services for national defense and security, including military munitions
 753 under the control of the United States Department of Defense (USDOD), the
 754 United States Coast Guard, the United States Department of Energy (USDOE),
 755 and National Guard personnel. The term military munitions includes: confined
 756 gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot
 757 control agents, smokes, and incendiaries used by USDOD components, including
 758 bulk explosives and chemical warfare agents, chemical munitions, rockets, guided
 759 and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition,
 760 small arms ammunition, grenades, mines, torpedoes, depth charges, cluster
 761 munitions and dispensers, demolition charges, and devices and components of
 762 these items and devices. Military munitions do not include wholly inert items,
 763 improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear
 764 components of these items and devices. However, the term does include non-
 765 nuclear components of nuclear devices, managed under USDOE's nuclear
 766 weapons program after all sanitization operations required under the Atomic
 767 Energy Act of 1954 (42 USC 2014 et seq.), as amended, have been completed.
 768

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

772
 773 "Miscellaneous unit" means a hazardous waste management unit where hazardous
 774 waste is treated, stored, or disposed of and that is not a container; tank; surface
 775 impoundment; pile; land treatment unit; landfill; incinerator; boiler; industrial
 776 furnace; underground injection well with appropriate technical standards pursuant
 777 to 35 Ill. Adm. Code 730; containment building; corrective action management
 778 unit (CAMU); unit eligible for a research, development, and demonstration permit
 779 pursuant to 35 Ill. Adm. Code 703.231; or staging pile.

780
 781 "Movement" means hazardous waste that is transported to a facility in an
 782 individual vehicle.

783
 784 "NAICS Code" means the code number assigned a facility using the "North
 785 American Industry Classification System," incorporated by reference in Section
 786 720.111.

787
 788 "New hazardous waste management facility" or "new facility" means a facility
 789 that began operation, or for which construction commenced after November 19,
 790 1980. (See also "Existing hazardous waste management facility.")

791
 792 "New tank system" or "new tank component" means a tank system or component
 793 that will be used for the storage or treatment of hazardous waste and for which
 794 installation commenced after July 14, 1986; except, however, for purposes of 35
 795 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for
 796 which construction commenced after July 14, 1986. (See also "existing tank
 797 system.")

798
 799 "No free liquids", as used in 35 Ill. Adm. Code 721.104(a)(26) and (b)(18),
 800 means that solvent-contaminated wipes may not contain free liquids, as
 801 determined by Method 9095B (Paint Filter Liquids Test), included in "Test
 802 Methods for Evaluating Solid Waste, Physical/Chemical Methods", incorporated
 803 by reference in Section 720.111, and that there is no free liquid in the container
 804 holding the wipes. No free liquids may also be determined using another standard
 805 or test method that the Agency has determined by permit condition is equivalent
 806 to Method 9095B.

807
 808 "Onground tank" means a device meeting the definition of tank that is situated in
 809 such a way that the bottom of the tank is on the same level as the adjacent
 810 surrounding surfaces so that the external tank bottom cannot be visually
 811 inspected.

812
 813 "On-site" means the same or geographically contiguous property that may be
 814 divided by public or private right-of-way, provided the entrance and exit between

815 the properties is at a crossroads intersection and access is by crossing as opposed
816 to going along the right-of-way. ~~Non-contiguous~~Noneontiguous properties
817 owned by the same person but connected by a right-of-way that the owner
818 controls and to which the public does not have access is also considered on-site
819 property.

820
821 "Open burning" means the combustion of any material without the following
822 characteristics:

823
824 Control of combustion air to maintain adequate temperature for efficient
825 combustion;

826
827 Containment of the combustion reaction in an enclosed device to provide
828 sufficient residence time and mixing for complete combustion; and

829
830 Control of emission of the gaseous combustion products.

831
832 (See also "incineration" and "thermal treatment.")

833
834 "Operator" means the person responsible for the overall operation of a facility.

835
836 "Owner" means the person that owns a facility or part of a facility.

837
838 "Partial closure" means the closure of a hazardous waste management unit in
839 accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or
840 725 at a facility that contains other active hazardous waste management units.
841 For example, partial closure may include the closure of a tank (including its
842 associated piping and underlying containment systems), landfill cell, surface
843 impoundment, waste pile, or other hazardous waste management unit, while other
844 units of the same facility continue to operate.

845
846 "Person" means an individual, trust, firm, joint stock company, federal agency,
847 corporation (including a government corporation), partnership, association, state,
848 municipality, commission, political subdivision of a state, or any interstate body.

849
850 "Personnel" or "facility personnel" means all persons who work at or oversee the
851 operations of a hazardous waste facility and whose actions or failure to act may
852 result in noncompliance with 35 Ill. Adm. Code 724 or 725.

853
854 "Pesticide" means any substance or mixture of substances intended for
855 preventing, destroying, repelling, or mitigating any pest or intended for use as a
856 plant regulator, defoliant, or desiccant, other than any article that fulfills one of
857 the following descriptions:

858
 859 It is a new animal drug under section 201(v) of the Federal Food, Drug
 860 and Cosmetic Act (FFDCA; 21 USC 321(v)), incorporated by reference in
 861 Section 720.111(c);

862
 863 It is an animal drug that has been determined by regulation of the federal
 864 Secretary of Health and Human Services pursuant to FFDCA section 512
 865 (21 USC 360b), incorporated by reference in Section 720.111(c), to be an
 866 exempted new animal drug; or

867
 868 It is an animal feed under FFDCA section 201(w) (21 USC 321(w)),
 869 incorporated by reference in Section 720.111(c), that bears or contains any
 870 substances described in either of the two preceding paragraphs of this
 871 definition.

872 BOARD NOTE: The second exception of corresponding 40 CFR 260.10
 873 reads as follows: "Is an animal drug that has been determined by
 874 regulation of the Secretary of Health and Human Services not to be a new
 875 animal drug." This is very similar to the language of section 2(u) of the
 876 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 USC
 877 136(u)). The three exceptions, taken together, appear intended not to
 878 include as pesticide any material within the scope of federal Food and
 879 Drug Administration regulation. The Board codified this provision with
 880 the intent of retaining the same meaning as its federal counterpart while
 881 adding the definiteness required under Illinois law.

882
 883 "Pile" means any ~~non-containerized~~ ~~non-containerized~~ accumulation of solid, non-
 884 flowing hazardous waste that is used for treatment or storage, and that is not a
 885 containment building.

886
 887 "Plasma arc incinerator" means any enclosed device that uses a high intensity
 888 electrical discharge or arc as a source of heat followed by an afterburner using
 889 controlled flame combustion and which is not listed as an industrial furnace.

890
 891 "Point source" means any discernible, confined, and discrete conveyance,
 892 including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well,
 893 discrete fissure, container, rolling stock, concentrated animal feeding operation, or
 894 vessel or other floating craft from which pollutants are or may be discharged.
 895 This term does not include return flows from irrigated agriculture.

896
 897 "Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code
 898 310.110.

899
 900 "Qualified groundwater scientist" means a scientist or engineer who has received

901 a baccalaureate or postgraduate degree in the natural sciences or engineering, and
 902 has sufficient training and experience in groundwater hydrology and related
 903 fields, as demonstrated by state registration, professional certifications, or
 904 completion of accredited university courses that enable the individual to make
 905 sound professional judgments regarding groundwater monitoring and contaminant
 906 rate and transport.

907 BOARD NOTE: State registration includes, but is not limited to, registration as a
 908 professional engineer with the Department of Professional Regulation, pursuant to
 909 225 ILCS 325 and 68 Ill. Adm. Code 1380. Professional certification includes,
 910 but is not limited to, certification under the certified groundwater professional
 911 program of the National Ground Water Association.

912
 913 "RCRA" means the Solid Waste Disposal Act, as amended by the Resource
 914 Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.).
 915

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

921 "Regional Administrator" means the Regional Administrator for the USEPA
 922 region in which the facility is located or the Regional Administrator's designee.
 923

924 "Remediation waste" means all solid and hazardous wastes, and all media
 925 (including groundwater, surface water, soils, and sediments) and debris that are
 926 managed for implementing cleanup.
 927

928 "Remediation waste management site" means a facility where an owner or
 929 operator is or will be treating, storing, or disposing of hazardous remediation
 930 wastes. A remediation waste management site is not a facility that is subject to
 931 corrective action pursuant to 35 Ill. Adm. Code 724.201, but a remediation waste
 932 management site is subject to corrective action requirements if the site is located
 933 in such a facility.
 934

935 "Replacement unit" means a landfill, surface impoundment, or waste pile unit
 936 from which all or substantially all of the waste is removed, and which is
 937 subsequently reused to treat, store, or dispose of hazardous waste. Replacement
 938 unit does not include a unit from which waste is removed during closure, if the
 939 subsequent reuse solely involves the disposal of waste from that unit and other
 940 closing units or corrective action areas at the facility, in accordance with a closure
 941 or corrective action plan approved by USEPA or the Agency.
 942
 943

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

947
948 "Runoff" means any rainwater, leachate, or other liquid that drains over land from
949 any part of a facility.

950
951 "Runon" means any rainwater, leachate, or other liquid that drains over land onto
952 any part of a facility.

953
954 "Saturated zone" or "zone of saturation" means that part of the earth's crust in
955 which all voids are filled with water.

956
957 "SIC code" means "Standard Industrial Classification code," as assigned to a site
958 by the United States Department of Transportation, Federal Highway
959 Administration, based on the particular activities that occur on the site, as set forth
960 in its publication "Standard Industrial Classification Manual," incorporated by
961 reference in Section 720.111(a).

962
963 "Sludge" means any solid, semi-solid, or liquid waste generated from a municipal,
964 commercial, or industrial wastewater treatment plant, water supply treatment
965 plant, or air pollution control facility, exclusive of the treated effluent from a
966 wastewater treatment plant.

967
968 "Sludge dryer" means any enclosed thermal treatment device that is used to
969 dehydrate sludge and which has a total thermal input, excluding the heating value
970 of the sludge itself, of 2,500 Btu/lb or less of sludge treated on a wet-weight basis.

971
972 "Small quantity generator" means a generator that generates less than 1,000 kg of
973 hazardous waste in a calendar month.

974
975 "Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.

976
977 "Solvent-contaminated wipe" means a wipe that, after use or after cleaning up a
978 spill, fulfills one or more of the following conditions:

979
980 The wipe contains one or more of the F001 through F005 solvents listed in
981 35 Ill. Adm. Code 721.131 or the corresponding P- or U-listed solvents
982 found in 35 Ill. Adm. Code 721.133;

983
984 The wipe exhibits a hazardous characteristic found in Subpart C of 35 Ill.
985 Adm. Code 721 when that characteristic results from a solvent listed in 35
986 Ill. Adm. Code 721; or

987
988
989
990
991
992
993
994
995
996
997
998
999
1000
1001
1002
1003
1004
1005
1006
1007
1008
1009
1010
1011
1012
1013
1014
1015
1016
1017
1018
1019
1020
1021
1022
1023
1024
1025
1026
1027
1028
1029

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

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

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

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

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

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

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

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

"Tank" means a stationary device, designed to contain an accumulation of hazardous waste that is constructed primarily of ~~non-earthen~~~~nonearthen~~ materials

- 1030 (e.g., wood, concrete, steel, plastic) that provide structural support.
1031
1032 "Tank system" means a hazardous waste storage or treatment tank and its
1033 associated ancillary equipment and containment system.
1034
1035 "TEQ" means toxicity equivalence, the international method of relating the
1036 toxicity of various dioxin and furan congeners to the toxicity of 2,3,7,8-tetra-
1037 chlorodibenzo-p-dioxin.
1038
1039 "Thermal treatment" means the treatment of hazardous waste in a device that uses
1040 elevated temperatures as the primary means to change the chemical, physical, or
1041 biological character or composition of the hazardous waste. Examples of thermal
1042 treatment processes are incineration, molten salt, pyrolysis, calcination, wet air
1043 oxidation, and microwave discharge. (See also "incinerator" and "open burning.")
1044
1045 "Thermostat" means a temperature control device that contains metallic mercury
1046 in an ampule attached to a bimetal sensing element and mercury-containing
1047 ampules that have been removed from such a temperature control device in
1048 compliance with 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).
1049
1050 "Totally enclosed treatment facility" means a facility for the treatment of
1051 hazardous waste that is directly connected to an industrial production process and
1052 which is constructed and operated in a manner that prevents the release of any
1053 hazardous waste or any constituent thereof into the environment during treatment.
1054 An example is a pipe in which waste acid is neutralized.
1055
1056 "Transfer facility" means any transportation-related facility, including loading
1057 docks, parking areas, storage areas, and other similar areas where shipments of
1058 hazardous waste or hazardous secondary materials are held during the normal
1059 course of transportation.
1060
1061 "Transport vehicle" means a motor vehicle or rail car used for the transportation
1062 of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car,
1063 etc.) is a separate transport vehicle.
1064
1065 "Transportation" means the movement of hazardous waste by air, rail, highway, or
1066 water.
1067
1068 "Transporter" means a person engaged in the off-site transportation of hazardous
1069 waste by air, rail, highway, or water.
1070
1071 "Treatability study" means the following:
1072

1073 A study in which a hazardous waste is subjected to a treatment process to
1074 determine the following:

1075
1076 Whether the waste is amenable to the treatment process;

1077
1078 What pretreatment (if any) is required;

1079
1080 The optimal process conditions needed to achieve the desired
1081 treatment;

1082
1083 The efficiency of a treatment process for a specific waste or
1084 wastes; and

1085
1086 The characteristics and volumes of residuals from a particular
1087 treatment process;

1088
1089 Also included in this definition for the purpose of 35 Ill. Adm. Code
1090 721.104(e) and (f) exemptions are liner compatibility, corrosion and other
1091 material compatibility studies, and toxicological and health effects studies.
1092 A treatability study is not a means to commercially treat or dispose of
1093 hazardous waste.

1094
1095 "Treatment" means any method, technique, or process, including neutralization,
1096 designed to change the physical, chemical, or biological character or composition
1097 of any hazardous waste so as to neutralize the waste, recover energy or material
1098 resources from the waste, or render the waste non-hazardous or less hazardous;
1099 safer to transport, store, or dispose of; or amenable for recovery, amenable for
1100 storage, or reduced in volume.

1101
1102 "Treatment zone" means a soil area of the unsaturated zone of a land treatment
1103 unit within which hazardous constituents are degraded, transformed, or
1104 immobilized.

1105
1106 "Underground injection" means the subsurface emplacement of fluids through a
1107 bored, drilled, or driven well or through a dug well, where the depth of the dug
1108 well is greater than the largest surface dimension. (See also "injection well.")

1109
1110 "Underground tank" means a device meeting the definition of tank whose entire
1111 surface area is totally below the surface of and covered by the ground.

1112
1113 "Unfit-for-use tank system" means a tank system that has been determined,
1114 through an integrity assessment or other inspection, to be no longer capable of
1115 storing or treating hazardous waste without posing a threat of release of hazardous

1116 waste to the environment.

1117
1118 "United States" means the 50 states, the District of Columbia, the Commonwealth
1119 of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the
1120 Commonwealth of the Northern Mariana Islands.

1121
1122 "Universal waste" means any of the following hazardous wastes that are managed
1123 pursuant to the universal waste requirements of 35 Ill. Adm. Code 733:

1124
1125 Batteries, as described in 35 Ill. Adm. Code 733.102;

1126
1127 Pesticides, as described in 35 Ill. Adm. Code 733.103;

1128
1129 Mercury-containing equipment, as described in 35 Ill. Adm. Code
1130 733.104; and

1131
1132 Lamps, as described in 35 Ill. Adm. Code 733.105.

1133
1134 "Universal waste handler" means either of the following:

1135
1136 A generator (as defined in this Section) of universal waste; or

1137
1138 The owner or operator of a facility, including all contiguous property, that
1139 receives universal waste from other universal waste handlers, accumulates
1140 the universal waste, and sends that universal waste to another universal
1141 waste handler, to a destination facility, or to a foreign destination.

1142
1143 "Universal waste handler" does not mean either of the following:

1144
1145 A person that treats (except under the provisions of Section
1146 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles
1147 universal waste; or

1148
1149 A person engaged in the off-site transportation of universal waste
1150 by air, rail, highway, or water, including a universal waste transfer
1151 facility.

1152
1153 "Universal waste transporter" means a person engaged in the off-site
1154 transportation of universal waste by air, rail, highway, or water.

1155
1156 "Unsaturated zone" or "zone of aeration" means the zone between the land surface
1157 and the water table.

1158

1159 "Uppermost aquifer" means the geologic formation nearest the natural ground
1160 surface that is an aquifer, as well as lower aquifers that are hydraulically
1161 interconnected with this aquifer within the facility's property boundary.
1162
1163 "USDOT" or "Department of Transportation" means the United States
1164 Department of Transportation.
1165
1166 "Used oil" means any oil that has been refined from crude oil, or any synthetic oil,
1167 that has been used and as a result of such use is contaminated by physical or
1168 chemical impurities.
1169
1170 "USEPA" or "EPA" means the United States Environmental Protection Agency.
1171
1172 "USPS" means the United States Postal Service.
1173
1174 "Vessel" includes every description of watercraft used or capable of being used as
1175 a means of transportation on the water.
1176
1177 "Wastewater treatment unit" means a device of which the following is true:
1178
1179 It is part of a wastewater treatment facility that has an NPDES permit
1180 pursuant to 35 Ill. Adm. Code 309 or a pretreatment permit or
1181 authorization to discharge pursuant to 35 Ill. Adm. Code 310;
1182
1183 It receives and treats or stores an influent wastewater that is a hazardous
1184 waste as defined in 35 Ill. Adm. Code 721.103, or generates and
1185 accumulates a wastewater treatment sludge that is a hazardous waste as
1186 defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater
1187 treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code
1188 721.103; and
1189
1190 It meets the definition of tank or tank system in this Section.
1191
1192 "Water (bulk shipment)" means the bulk transportation of hazardous waste that is
1193 loaded or carried on board a vessel without containers or labels.
1194
1195 "Well" means any shaft or pit dug or bored into the earth, generally of a
1196 cylindrical form, and often walled with bricks or tubing to prevent the earth from
1197 caving in.
1198
1199 "Well injection" (See "underground injection.")
1200
1201 "Wipe" means a woven or non-woven shop towel, rag, pad, or swab made of

1202 wood pulp, fabric, cotton, polyester blends, or other material.
1203

1204 "Zone of engineering control" means an area under the control of the owner or
1205 operator that, upon detection of a hazardous waste release, can be readily cleaned
1206 up prior to the release of hazardous waste or hazardous constituents to
1207 groundwater or surface water.
1208

1209 (Source: Amended at 38 Ill. Reg. _____, effective _____)
1210

1211 **Section 720.111 References**
1212

1213 The following documents are incorporated by reference for the purposes of this Part and 35 Ill.
1214 Adm. Code 702 through 705, 721 through 728, 730, 733, 738, and 739:
1215

- 1216 a) Non-Regulatory Government Publications and Publications of Recognized
1217 Organizations and Associations:
1218

1219 ACGME. Available from the Accreditation Council for Graduate Medical
1220 Education, 515 North State Street, Suite 2000, Chicago, IL 60654, 312-
1221 755-5000:
1222

1223 "Accreditation Council for Graduate Medical Education: Glossary
1224 of Terms," March 19, 2009, referenced in 35 Ill. Adm. Code
1225 722.300.
1226

1227 BOARD NOTE: Also available on the Internet for download and
1228 viewing as a PDF file at the following Internet address:
1229 http://www.acgme.org/acWebsite/about/ab_ACGMEglossary.pdf.
1230

1231 ACI. Available from the American Concrete Institute, Box 19150,
1232 Redford Station, Detroit, Michigan 48219:
1233

1234 ACI 318-83: "Building Code Requirements for Reinforced
1235 Concrete," adopted November 1983, referenced in 35 Ill. Adm.
1236 Code 724.673 and 725.543.
1237

1238 ANSI. Available from the American National Standards Institute, 1430
1239 Broadway, New York, New York 10018, 212-354-3300:
1240

1241 See ASME/ANSI B31.3 and B31.4 and supplements below in this
1242 subsection (a) under ASME.
1243

1244 API. Available from the American Petroleum Institute, 1220 L Street,

1245
1246
1247
1248
1249
1250
1251
1252
1253
1254
1255
1256
1257
1258
1259
1260
1261
1262
1263
1264
1265
1266
1267
1268
1269
1270
1271
1272
1273
1274
1275
1276
1277
1278
1279
1280
1281
1282
1283
1284
1285
1286
1287

N.W., Washington, D.C. 20005, 202-682-8000:

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

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

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

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

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

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

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

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

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

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

- 1288 ASTM D 93-85, "Standard Test Methods for Flash Point by Pensky-
 1289 Martens Closed Tester," approved October 25, 1985, USEPA-approved
 1290 for 35 Ill. Adm. Code 721.121.
 1291
 1292 ASTM D 140-70, "Standard Practice for Sampling Bituminous Materials,"
 1293 approved 1970, referenced in Appendix A to 35 Ill. Adm. Code 721.
 1294
 1295 ASTM D 346-75, "Standard Practice for Collection and Preparation of
 1296 Coke Samples for Laboratory Analysis," approved 1975, referenced in
 1297 Appendix A to 35 Ill. Adm. Code 721.
 1298
 1299 ASTM D 420-69, "Guide to Site Characterization for Engineering,
 1300 Design, and Construction Purposes," approved 1969, referenced in
 1301 Appendix A to 35 Ill. Adm. Code 721.
 1302
 1303 ASTM D 1452-65, "Standard Practice for Soil Investigation and Sampling
 1304 by Auger Borings," approved 1965, referenced in Appendix A to 35 Ill.
 1305 Adm. Code 721.
 1306
 1307 ASTM D 1946-90, "Standard Practice for Analysis of Reformed Gas by
 1308 Gas Chromatography," approved March 30, 1990, USEPA-approved for
 1309 35 Ill. Adm. Code 724.933 and 725.933.
 1310
 1311 ASTM D 2161-87, "Standard Practice for Conversion of Kinematic
 1312 Viscosity to Saybolt Universal or to Saybolt Furol Viscosity," March 27,
 1313 1987, referenced in 35 Ill. Adm. Code 726.200.
 1314
 1315 ASTM D 2234-76, "Standard Practice for Collection of a Gross Sample of
 1316 Coal," approved 1976, referenced in Appendix A to 35 Ill. Adm. Code
 1317 721.
 1318
 1319 ASTM D 2267-88, "Standard Test Method for Aromatics in Light
 1320 Naphthas and Aviation Gasolines by Gas Chromatography," approved
 1321 November 17, 1988, USEPA-approved for 35 Ill. Adm. Code 724.963.
 1322
 1323 ASTM D 2382-88, "Standard Test Method for Heat of Combustion of
 1324 Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method),"
 1325 approved October 31, 1988, USEPA-approved for 35 Ill. Adm. Code
 1326 724.933 and 725.933.
 1327
 1328 ASTM D 2879-92, "Standard Test Method for Vapor Pressure-
 1329 Temperature Relationship and Initial Decomposition Temperature of
 1330 Liquids by Isoteniscope," approved 1992, USEPA-approved for 35 Ill.

- 1331 Adm. Code 725.984, referenced in 35 Ill. Adm. Code 724.963 and
1332 725.963.
1333
- 1334 ASTM D 3828-87, "Standard Test Methods for Flash Point of Liquids by
1335 Setaflash Closed Tester," approved December 14, 1988, USEPA-approved
1336 for 35 Ill. Adm. Code 721.121(a).
1337
- 1338 ASTM E 168-88, "Standard Practices for General Techniques of Infrared
1339 Quantitative Analysis," approved May 27, 1988, USEPA-approved for 35
1340 Ill. Adm. Code 724.963.
1341
- 1342 ASTM E 169-87, "Standard Practices for General Techniques of
1343 Ultraviolet-Visible Quantitative Analysis," approved February 1, 1987,
1344 USEPA-approved for 35 Ill. Adm. Code 724.963.
1345
- 1346 ASTM E 260-85, "Standard Practice for Packed Column Gas
1347 Chromatography," approved June 28, 1985, USEPA-approved for 35 Ill.
1348 Adm. Code 724.963.
1349
- 1350 ASTM G 21-70 (1984a), "Standard Practice for Determining Resistance of
1351 Synthetic Polymer Materials to Fungi," referenced in 35 Ill. Adm. Code
1352 724.414 and 725.414.
1353
- 1354 ASTM G 22-76 (1984b), "Standard Practice for Determining Resistance
1355 of Plastics to Bacteria," referenced in 35 Ill. Adm. Code 724.414 and
1356 725.414.
1357
- 1358 GPO. Available from the Superintendent of Documents, U.S. Government
1359 Printing Office, Washington, D.C. 20402, 202-512-1800:
1360
- 1361 Standard Industrial Classification Manual (1972), and 1977 Supplement,
1362 republished in 1983, referenced in 35 Ill. Adm. Code 702.110 and Section
1363 720.110.
1364
- 1365 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,"
1366 USEPA publication number EPA-530/SW-846 (Third Edition, November
1367 1986), as amended by Updates I (July 1992), II (November 1994), IIA
1368 (August, 1993), IIB (January 1995), III (December 1996), IIIA (April
1369 1998), and IIIB (November 2004) (document number 955-001-00000-1).
1370 See below in this subsection (a) under NTIS.
1371
- 1372 NACE. Available from the National Association of Corrosion Engineers, 1400
1373 South Creek Dr., Houston, TX 77084, 713-492-0535:

- 1374
 1375 "Control of External Corrosion on Metallic Buried, Partially Buried, or
 1376 Submerged Liquid Storage Systems," NACE Recommended Practice
 1377 RP0285-85, approved March 1985, referenced in 35 Ill. Adm. Code
 1378 724.292, 724.295, 725.292, and 725.295.
 1379
 1380 NFPA. Available from the National Fire Protection Association, 1 Batterymarch
 1381 Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:
 1382
 1383 "Flammable and Combustible Liquids Code," NFPA 30, issued July 18,
 1384 2003, as supplemented by TIA 03-1, issued July 15, 2004, and corrected
 1385 by Errata 30-03-01, issued August 13, 2004, USEPA-approved for 35 Ill.
 1386 Adm. Code 724.298, 725.298, and 727.290, referenced in 35 Ill. Adm.
 1387 Code 725.301 and 726.211.
 1388
 1389 NTIS. Available from the U.S. Department of Commerce, National Technical
 1390 Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-605-
 1391 6000 or 800-553-6847 (Internet address: www.ntis.gov):
 1392
 1393 "APTI Course 415: Control of Gaseous Emissions," December 1981,
 1394 USEPA publication number EPA-450/2-81-005, NTIS document number
 1395 PB80-208895, USEPA-approved for 35 Ill. Adm. Code 703.210, 703.211,
 1396 703.352, 724.935, and 725.935.
 1397
 1398 BOARD NOTE: "APTI" denotes USEPA's "Air Pollution Training
 1399 Institute" (Internet address: www.epa.gov/air/oaqps/eog/).
 1400
 1401 "Generic Quality Assurance Project Plan for Land Disposal Restrictions
 1402 Program," USEPA publication number EPA-530/SW-87-011, March 15,
 1403 1987, NTIS document number PB88-170766, referenced in 35 Ill. Adm.
 1404 Code 728.106.
 1405
 1406 "Method 1664, n-Hexane Extractable Material (HEM; Oil and Grease) and
 1407 Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Nonpolar
 1408 Material) by Extraction and Gravimetry," Revision A, February 1999,
 1409 USEPA publication number EPA-821/R-98-002, NTIS document number
 1410 PB99-121949, or Revision B, February 2010, USEPA publication number
 1411 EPA-821/R-10-001, NTIS document number PB2011-100735, USEPA-
 1412 approved for Appendix I to 35 Ill. Adm. Code 721.
 1413
 1414 BOARD NOTE: Also available on the Internet for free download as a
 1415 PDF document from the USEPA website at: [water.epa.gov/scitech/
 1416 methods/cwa/methods_index.cfm](http://water.epa.gov/scitech/methods/cwa/methods_index.cfm). Revision A is also from the USEPA,

- 1417 National Service Center for Environmental Publications (NSCEP) website
1418 at www.epa.gov/nscep/index.html.
1419
- 1420 "Methods for Chemical Analysis of Water and Wastes," Third Edition,
1421 March 1983, USEPA document number EPA-600/4-79-020, NTIS
1422 document number PB84-128677, referenced in 35 Ill. Adm. Code
1423 725.192.
1424
- 1425 BOARD NOTE: Also available on the Internet as a viewable/printable
1426 HTML document from the USEPA website at:
1427 www.epa.gov/clariton/clhtml/pubtitleORD.html as document 600479002.
1428
- 1429 "North American Industry Classification System," July 2007, U.S.
1430 Department of Commerce, Bureau of the Census, document number
1431 PB2007-100002 (hardcover printed volume) or PB2007-500023,
1432 referenced in Section 720.110 (definition of "NAICS Code") for the
1433 purposes of Section 720.142.
1434
- 1435 BOARD NOTE: Also available on the Internet from the Bureau of
1436 Census: www.census.gov/naics/2007/naicod07.htm.
1437
- 1438 "Procedures Manual for Ground Water Monitoring at Solid Waste
1439 Disposal Facilities," August 1977, EPA-530/SW-611, NTIS document
1440 number PB84-174820, referenced in 35 Ill. Adm. Code 725.192.
1441
- 1442 "Screening Procedures for Estimating the Air Quality Impact of Stationary
1443 Sources," October 1992, USEPA publication number EPA-454/R-92-019,
1444 NTIS document number 93-219095, referenced in 35 Ill. Adm. Code
1445 726.204 and 726.206.
1446
- 1447 BOARD NOTE: Also available on the Internet for free download as a
1448 WordPerfect document from the USEPA website at the following Internet
1449 address: www.epa.gov/scram001/guidance/guide/scrng.wpd.
1450
- 1451 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,"
1452 USEPA publication number EPA-530/SW-846 (Third Edition, November
1453 1986; Revision 6, January 2005), as amended by Updates I (July 1992), II
1454 (November 1994), IIA (August 1993), IIB (January 1995), III (December
1455 1996), IIIA (April 1998), and IIIB (November 2004) (document number
1456 955-001-00000-1), generally referenced in Appendices A and I to 35 Ill.
1457 Adm. Code 721 and 35 Ill. Adm. Code 726.200, 726.206, 726.212, and
1458 728.106 (in addition to the references cited below for specific methods):
1459

- 1460 Method 0010 (November 1986) (Modified Method 5 Sampling
 1461 Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1462
 1463 Method 0011 (December 1996) (Sampling for Selected Aldehyde
 1464 and Ketone Emissions from Stationary Sources), USEPA-approved
 1465 for Appendix I to 35 Ill. Adm. Code 721 and for Appendix I to 35
 1466 Ill. Adm. Code 726.
 1467
 1468 Method 0020 (November 1986) (Source Assessment Sampling
 1469 System), USEPA-approved for Appendix I to 35 Ill. Adm. Code
 1470 721.
 1471
 1472 Method 0023A (December 1996) (Sampling Method for
 1473 Polychlorinated Dibenzo-p-Dioxins and Polychlorinated
 1474 Dibenzofuran Emissions from Stationary Sources), USEPA-
 1475 approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to
 1476 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.204.
 1477
 1478 Method 0030 (November 1986) (Volatile Organic Sampling
 1479 Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1480
 1481 Method 0031 (December 1996) (Sampling Method for Volatile
 1482 Organic Compounds (SMVOC)), USEPA-approved for Appendix
 1483 I to 35 Ill. Adm. Code 721.
 1484
 1485 Method 0040 (December 1996) (Sampling of Principal Organic
 1486 Hazardous Constituents from Combustion Sources Using Tedlar[®]
 1487 Bags), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
 1488
 1489 Method 0050 (December 1996) (Isokinetic HCl/Cl₂ Emission
 1490 Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm.
 1491 Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm.
 1492 Code 726.207.
 1493
 1494 Method 0051 (December 1996) (Midget Impinger HCl/Cl₂
 1495 Emission Sampling Train), USEPA-approved for Appendix I to 35
 1496 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35
 1497 Ill. Adm. Code 726.207.
 1498
 1499 Method 0060 (December 1996) (Determination of Metals in Stack
 1500 Emissions), USEPA-approved for Appendix I to 35 Ill. Adm. Code
 1501 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code
 1502 726.206.

1503	
1504	
1505	Method 0061 (December 1996) (Determination of Hexavalent
1506	Chromium Emissions from Stationary Sources), USEPA-approved
1507	for Appendix I to 35 Ill. Adm. Code 721, 35 Ill. Adm. Code
1508	726.206, and Appendix I to 35 Ill. Adm. Code 726.
1509	
1510	Method 1010A (November 2004) (Test Methods for Flash Point by
1511	Pensky-Martens Closed Cup Tester), USEPA-approved for
1512	Appendix I to 35 Ill. Adm. Code 721.
1513	
1514	Method 1020B (November 2004) (Standard Test Methods for
1515	Flash Point by Setaflash (Small Scale) Closed-cup Apparatus),
1516	USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
1517	
1518	Method 1110A (November 2004) (Corrosivity Toward Steel),
1519	USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I
1520	to 35 Ill. Adm. Code 721.
1521	
1522	Method 1310B (November 2004) (Extraction Procedure (EP)
1523	Toxicity Test Method and Structural Integrity Test), USEPA-
1524	approved for Appendix I to 35 Ill. Adm. Code 721 and referenced
1525	in Appendix I to 35 Ill. Adm. Code 728.
1526	
1527	Method 1311 (November 1992) (Toxicity Characteristic Leaching
1528	Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1529	721; for 35 Ill. Adm. Code 721.124, 728.107, and 728.140; and for
1530	Table T to 35 Ill. Adm. Code 728.
1531	
1532	Method 1312 (November 1994) (Synthetic Precipitation Leaching
1533	Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1534	721.
1535	
1536	Method 1320 (November 1986) (Multiple Extraction Procedure),
1537	USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
1538	
1539	Method 1330A (November 1992) (Extraction Procedure for Oily
1540	Wastes), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1541	721.
1542	
1543	Method 9010C (November 2004) (Total and Amenable Cyanide:
1544	Distillation), USEPA-approved for Appendix I to 35 Ill. Adm.
1545	Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148,
	referenced in Table H to 35 Ill. Adm. Code 728.

- 1546
 1547 Method 9012B (November 2004) (Total and Amenable Cyanide
 1548 (Automated Colorimetric, with Off-Line Distillation)), USEPA-
 1549 approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill.
 1550 Adm. Code 728.140, 728.144, and 728.148, referenced in Table H
 1551 to 35 Ill. Adm. Code 728.
 1552
 1553 Method 9040C (November 2004) (pH Electrometric
 1554 Measurement), USEPA-approved for 35 Ill. Adm. Code 721.122
 1555 and Appendix I to 35 Ill. Adm. Code 721.
 1556
 1557 Method 9045D (November 2004) (Soil and Waste pH), USEPA-
 1558 approved for Appendix I to 35 Ill. Adm. Code 721.
 1559
 1560 Method 9060A (November 2004) (Total Organic Carbon),
 1561 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35
 1562 Ill. Adm. Code 724.934, 724.963, 725.934, and 725.963.
 1563
 1564 Method 9070A (November 2004) (n-Hexane Extractable Material
 1565 (HEM) for Aqueous Samples), USEPA-approved for Appendix I
 1566 to 35 Ill. Adm. Code 721.
 1567
 1568 Method 9071B (April 1998) (n-Hexane Extractable Material
 1569 (HEM) for Sludge, Sediment, and Solid Samples), USEPA-
 1570 approved for Appendix I to 35 Ill. Adm. Code 721.
 1571
 1572 Method 9095B (November 2004) (Paint Filter Liquids Test),
 1573 USEPA-approved for 35 Ill. Adm. Code 720.110; Appendix I to 35
 1574 Ill. Adm. Code 721; and 35 Ill. Adm. Code 724.290, 724.414,
 1575 725.290, 725.414, 725.981, 727.290, and 728.132.
 1576
 1577 BOARD NOTE: Also available on the Internet for free download in
 1578 segments in PDF format from the USEPA website at: [www.epa.gov/SW-](http://www.epa.gov/SW-846)
 1579 [846](http://www.epa.gov/SW-846).
 1580
 1581 OECD. Organisation for Economic Co-operation and Development,
 1582 Environment Directorate, 2 rue Andre Pascal, F-75775 Paris Cedex 16,
 1583 France, +33 (0) 1 45 24 81 67 (www.oecd.org), also OECD Washington
 1584 Center, 2001 L Street, NW, Suite 650, Washington, DC 20036-4922, 202-
 1585 785-6323 or 800-456-6323 (www.oecdwash.org):
 1586
 1587 OECD Guidance Manual. "Guidance Manual for the
 1588 Implementation of Council Decision C(2001)107/FINAL, as

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

"Annex A: OECD Decision C(2001)107/FINAL, as Amended by C(2004)20; C(2005)141; and C(2008)156" (also called "Revision of Council Decision C(92)39/FINAL on the Control of Transboundary Movements of Wastes Destined for Recovery Operations," within the text of Annex A, and "Decision of the Council Concerning the Control of Transboundary Movements of Wastes Destined for Recovery Operations" in the original OECD decision source document, C(2001)107/FINAL (June 14, 2001), as amended by C(2001)107/ADD1 (February 28, 2002), C(2004)20 (March 9, 2004), C(2005)141 (December 2, 2005), and C(2008)156 (December 4, 2008)).

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

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

1631 BOARD NOTE: The OECD Guidance Manual is available online
 1632 from OECD at www.oecd.org/dataoecd/57/1/42262259.pdf. The
 1633 OECD and the Basel Convention consider the OECD Guidance
 1634 Manual unofficial text of these documents. Despite this unofficial
 1635 status, the Board has chosen to follow USEPA's lead and
 1636 incorporate the OECD Guidance Manual by reference, instead of
 1637 separately incorporating the OECD decision C(2001)107/FINAL
 1638 (with its subsequent amendments: OECD decisions
 1639 C(2001)107/ADD1, C(2004)20, C(2005)141, and C(2008)156) and
 1640 the Basel Convention by reference. Use of the OECD Guidance
 1641 Manual eases reference to the documents, increases access to the
 1642 documents, and facilitates future updates to this incorporation by
 1643 reference. All references to "OECD C(2001)107/FINAL" in the
 1644 text of 35 Ill. Adm. Code 722 refer to both the OECD decision and
 1645 the Basel Convention that the OECD decision references. The
 1646 OECD Guidance Manual includes as Annex A the full text of
 1647 OECD document C(2001)107/FINAL, with amendments, and
 1648 Annexes B and C set forth lists of wastes subject to Green control
 1649 procedures and wastes subject to Amber control procedures,
 1650 respectively, which consolidate the wastes from
 1651 C(2001)107/FINAL together with those from the Basel
 1652 Convention.

1653
 1654 OECD Guideline for Testing of Chemicals, "Ready Biodegradability,"
 1655 Method 301B (July 17, 1992), "CO₂ Evolution (Modified Sturm Test),"
 1656 referenced in 35 Ill. Adm. Code 724.414.

1657
 1658 STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL
 1659 60062, 708-498-1980:

1660
 1661 "Standard for Dual Wall Underground Steel Storage Tanks" (1986),
 1662 referenced in 35 Ill. Adm. Code 724.293.

1663
 1664 USDOD. Available from the United States Department of Defense:

1665
 1666 "DOD Ammunition and Explosives Safety Standards" (DOD 6055.09-
 1667 STD), as in effect on February 29, 2008, referenced in 35 Ill. Adm. Code
 1668 726.305.

1669
 1670 "The Motor Vehicle Inspection Report" (DD Form 626), as in effect in
 1671 March 2007, referenced in 35 Ill. Adm. Code 726.303.

1672
 1673 "Requisition Tracking Form" (DD Form 1348), as in effect in July 1991,

1674 referenced in 35 Ill. Adm. Code 726.303.
1675
1676 "The Signature and Tally Record" (DD Form 1907), as in effect in
1677 November 2006, referenced in 35 Ill. Adm. Code 726.303.
1678
1679 "Dangerous Goods Shipping Paper/Declaration and Emergency Response
1680 Information for Hazardous Materials Transported by Government
1681 Vehicles" (DD Form 836), as in effect in December 2007, referenced in 35
1682 Ill. Adm. Code 726.303.
1683
1684 BOARD NOTE: DOD 6055.09-STD is available on-line for download in pdf
1685 format from <http://www.ddesb.pentagon.mil>. DD Form 1348, DD Form 1907,
1686 DD Form 836, and DOD 6055.09-STD are available on-line for download in pdf
1687 format from [http://www.dtic.mil/whs/directives/infomgt/forms/](http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm)
1688 [formsprogram.htm](http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm).
1689
1690 USEPA, Office of Ground Water and Drinking Water. Available from United
1691 States Environmental Protection Agency, Office of Drinking Water, State
1692 Programs Division, WH 550 E, Washington, D.C. 20460:
1693
1694 "Inventory of Injection Wells," USEPA Form 7520-16 (Revised 8-01),
1695 referenced in 35 Ill. Adm. Code 704.148 and 704.283.
1696
1697 "Technical Assistance Document: Corrosion, Its Detection and Control in
1698 Injection Wells," USEPA publication number EPA-570/9-87-002, August
1699 1987, referenced in 35 Ill. Adm. Code 730.165.
1700
1701 USEPA, Receptor Analysis Branch. Available from Receptor Analysis Branch,
1702 USEPA (MD-14), Research Triangle Park, NC 27711:
1703
1704 "Screening Procedures for Estimating the Air Quality Impact of Stationary
1705 Sources, Revised," October 1992, USEPA publication number EPA-
1706 450/R-92-019, USEPA-approved for Appendix I to 35 Ill. Adm. Code
1707 726.
1708
1709 BOARD NOTE: Also available for purchase from NTIS (see above) and
1710 on the Internet for free download as a WordPerfect document from the
1711 USEPA website at following Internet address:
1712 www.epa.gov/scram001/guidance/guide/scrng.wpd.
1713
1714 USEPA Region 6. Available from United States Environmental Protection
1715 Agency, Region 6, Multimedia Permitting and Planning Division, 1445 Ross
1716 Avenue, Dallas, TX 75202 (phone: 214-665-7430):

1717
1718
1719
1720
1721
1722
1723
1724
1725
1726
1727
1728
1729
1730
1731
1732
1733
1734
1735
1736
1737
1738
1739
1740
1741
1742
1743
1744
1745
1746
1747
1748
1749
1750
1751
1752
1753
1754
1755
1756
1757
1758
1759

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

USGSA. Available from the United States Government Services Administration:

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

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

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

10 CFR 20.2006 (2013) (Transfer for Disposal and Manifests), referenced
in 35 Ill. Adm. Code 726.425 and 726.450.

Table II, column 2 in appendix B to 10 CFR 20 (2013) (Water Effluent
Concentrations), referenced in 35 Ill. Adm. Code 702.110, 730.103, and
730.151.

Appendix G to 10 CFR 20 (2013) (Requirements for Transfers of Low-
Level Radioactive Waste Intended for Disposal at Licensed Land Disposal
Facilities and Manifests), referenced in 35 Ill. Adm. Code 726.440.

10 CFR 71 (2013), as amended at 78 Fed. Reg. 16922 (Mar. 19, 2013)~~77
Fed. Reg. 39899 (July 6, 2012)~~ (Packaging and Transportation of
Radioactive Material), referenced generally in 35 Ill. Adm. Code 726.430.

10 CFR 71.5 (2013) (Transportation of Licensed Material), referenced in
35 Ill. Adm. Code 726.425.

33 CFR 153.203 (2013) (Procedure for the Notice of Discharge),
referenced in 35 Ill. Adm. Code 723.130 and 739.143.

40 CFR 3.3 ~~(2013)~~~~(2012)~~ (What Definitions Are Applicable to This Part?),
referenced in Section 720.104.

40 CFR 3.10 ~~(2013)~~~~(2012)~~ (What Are the Requirements for Electronic
Reporting to EPA?), referenced in Section 720.104.

1760 40 CFR 3.2000 (2013)~~(2012)~~ (What Are the Requirements Authorized
 1761 State, Tribe, and Local Programs' Reporting Systems Must Meet?),
 1762 referenced in Section 720.104.
 1763
 1764 40 CFR 51.100(ii) (2013)~~(2012)~~ (Definitions), referenced in 35 Ill. Adm.
 1765 Code 726.200.
 1766
 1767 Appendix W to 40 CFR 51 (2013)~~(2012)~~ (Guideline on Air Quality
 1768 Models), referenced in 35 Ill. Adm. Code 726.204.
 1769
 1770 BOARD NOTE: Also available from NTIS (see above for contact
 1771 information) as "Guideline on Air Quality Models," Revised 1986,
 1772 USEPA publication number EPA-450/12-78-027R, NTIS document
 1773 numbers PB86-245248 (Guideline) and PB88-150958 (Supplement).
 1774
 1775 Appendix B to 40 CFR 52.741 (2013)~~(2012)~~ (VOM Measurement
 1776 Techniques for Capture Efficiency), referenced in 35 Ill. Adm. Code
 1777 703.213, 703.352, 724.982, 724.984, 724.986, 724.989, 725.983, 725.985,
 1778 725.987, and 725.990.
 1779
 1780 40 CFR 60 (2013), as amended at 78 Fed. Reg. 58415 (Sept. 19, 2013) and
 1781 78 Fed. Reg. 76753 (Dec. 19, 2013)~~(2012)~~, as amended at 77 Fed. Reg.
 1782 44488 (July 30, 2012); 77 Fed. Reg. 48433 (Aug. 14, 2012); 77 Fed. Reg.
 1783 49489 (Aug. 16, 2012); 77 Fed. Reg. 56421 (Sept. 12, 2012) (Standards of
 1784 Performance for New Stationary Sources), referenced generally in 35 Ill.
 1785 Adm. Code 724.964, 724.980, 725.964, and 725.980.
 1786
 1787 Subpart VV of 40 CFR 60 (2013)~~(2012)~~ (Standards of Performance for
 1788 Equipment Leaks of VOC in the Synthetic Organic Chemicals
 1789 Manufacturing Industry), referenced in 35 Ill. Adm. Code 724.989 and
 1790 725.990.
 1791
 1792 Appendix A to 40 CFR 60 (2013)~~(2012)~~ (Test Methods), referenced
 1793 generally in 35 Ill. Adm. Code 726.205 (in addition to the references cited
 1794 below for specific methods):
 1795
 1796 Method 1 (Sample and Velocity Traverses for Stationary Sources),
 1797 referenced in 35 Ill. Adm. Code 726.205.
 1798
 1799 Method 2 (Determination of Stack Gas Velocity and Volumetric
 1800 Flow Rate (Type S Pitot Tube)), referenced in 35 Ill. Adm. Code
 1801 724.933, 724.934, 725.933, 725.934, and 726.205.
 1802

- 1803 Method 2A (Direct Measurement of Gas Volume through Pipes
 1804 and Small Ducts), referenced in 35 Ill. Adm. Code 724.933,
 1805 725.933, and 726.205.
 1806
- 1807 Method 2B (Determination of Exhaust Gas Volume Flow Rate
 1808 from Gasoline Vapor Incinerators), referenced in 35 Ill. Adm.
 1809 Code 726.205.
 1810
- 1811 Method 2C (Determination of Gas Velocity and Volumetric Flow
 1812 Rate in Small Stacks or Ducts (Standard Pitot Tube)), referenced in
 1813 35 Ill. Adm. Code 724.933, 725.933, and 726.205.
 1814
- 1815 Method 2D (Measurement of Gas Volume Flow Rates in Small
 1816 Pipes and Ducts), referenced in 35 Ill. Adm. Code 724.933,
 1817 725.933, and 726.205.
 1818
- 1819 Method 2E (Determination of Landfill Gas Production Flow Rate),
 1820 referenced in 35 Ill. Adm. Code 726.205.
 1821
- 1822 Method 2F (Determination of Stack Gas Velocity and Volumetric
 1823 Flow Rate with Three-Dimensional Probes), referenced in 35 Ill.
 1824 Adm. Code 726.205.
 1825
- 1826 Method 2G (Determination of Stack Gas Velocity and Volumetric
 1827 Flow Rate with Two-Dimensional Probes), referenced in 35 Ill.
 1828 Adm. Code 726.205.
 1829
- 1830 Method 2H (Determination of Stack Gas Velocity Taking into
 1831 Account Velocity Decay Near the Stack Wall), referenced in 35 Ill.
 1832 Adm. Code 726.205.
 1833
- 1834 Method 3 (Gas Analysis for the Determination of Dry Molecular
 1835 Weight), referenced in 35 Ill. Adm. Code 724.443 and 726.205.
 1836
- 1837 Method 3A (Determination of Oxygen and Carbon Dioxide
 1838 Concentrations in Emissions from Stationary Sources
 1839 (Instrumental Analyzer Procedure)), referenced in 35 Ill. Adm.
 1840 Code 726.205.
 1841
- 1842 Method 3B (Gas Analysis for the Determination of Emission Rate
 1843 Correction Factor or Excess Air), referenced in 35 Ill. Adm. Code
 1844 726.205.
 1845

1846	Method 3C (Determination of Carbon Dioxide, Methane, Nitrogen, and Oxygen from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1847	
1848	
1849	Method 4 (Determination of Moisture Content in Stack Gases), referenced in 35 Ill. Adm. Code 726.205.
1850	
1851	
1852	Method 5 (Determination of Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1853	
1854	
1855	Method 5A (Determination of Particulate Matter Emissions from the Asphalt Processing and Asphalt Roofing Industry), referenced in 35 Ill. Adm. Code 726.205.
1856	
1857	
1858	
1859	Method 5B (Determination of Nonsulfuric Acid Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1860	
1861	
1862	
1863	Method 5D (Determination of Particulate Matter Emissions from Positive Pressure Fabric Filters), referenced in 35 Ill. Adm. Code 726.205.
1864	
1865	
1866	
1867	Method 5E (Determination of Particulate Matter Emissions from the Wool Fiberglass Insulation Manufacturing Industry), referenced in 35 Ill. Adm. Code 726.205.
1868	
1869	
1870	
1871	Method 5F (Determination of Nonsulfate Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1872	
1873	
1874	
1875	Method 5G (Determination of Particulate Matter Emissions from Wood Heaters (Dilution Tunnel Sampling Location)), referenced in 35 Ill. Adm. Code 726.205.
1876	
1877	
1878	
1879	Method 5H (Determination of Particulate Emissions from Wood Heaters from a Stack Location), referenced in 35 Ill. Adm. Code 726.205.
1880	
1881	
1882	
1883	Method 5I (Determination of Low Level Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
1884	
1885	
1886	
1887	

1888	Method 18 (Measurement of Gaseous Organic Compound Emissions by Gas Chromatography), referenced in 35 Ill. Adm. Code 724.933, 724.934, 725.933, and 725.934.
1889	
1890	
1891	Method 21 (Determination of Volatile Organic Compound Leaks), referenced in 35 Ill. Adm. Code 703.213, 724.934, 724.935, 724.963, 725.934, 725.935, 725.963, and 725.984.
1892	
1893	
1894	
1895	
1896	Method 22 (Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares), referenced in 35 Ill. Adm. Code 724.933, 724.1101, 725.933, 725.1101, and 727.900.
1897	
1898	
1899	
1900	Method 25A (Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer), referenced in 35 Ill. Adm. Code 724.934 and 725.985.
1901	
1902	
1903	
1904	Method 25D (Determination of the Volatile Organic Concentration of Waste Samples), referenced in 35 Ill. Adm. Code 724.982, 725.983, and 725.984.
1905	
1906	
1907	
1908	Method 25E (Determination of Vapor Phase Organic Concentration in Waste Samples), referenced in 35 Ill. Adm. Code 725.984.
1909	
1910	
1911	Method 27 (Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure-Vacuum Test), referenced in 35 Ill. Adm. Code 724.986 and 725.987.
1912	
1913	
1914	
1915	
1916	
1917	40 CFR 61 (20013) (2012) (National Emission Standards for Hazardous Air Pollutants), referenced generally in 35 Ill. Adm. Code 724.933, 724.964, 725.933, 725.964, and 725.980.
1918	
1919	
1920	Subpart V of 40 CFR 61 (2013) (2012) (National Emission Standard for Equipment Leaks (Fugitive Emission Sources)), referenced in 35 Ill. Adm. Code 724.989 and 725.990.
1921	
1922	
1923	
1924	Subpart FF of 40 CFR 61 (2013) (2012) (National Emission Standard for Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and 725.983.
1925	
1926	
1927	
1928	40 CFR 63 (2013), as amended at 78 Fed. Reg. 79317 (Dec. 30, 2013) (2012) , as amended at 77 Fed. Reg. 41075 (July 12, 2012); 77 Fed.
1929	
1930	

1931	Reg. 49489 (Aug. 16, 2012); 77 Fed. Reg. 55698 (Sept. 11, 2012); 77 Fed.
1932	Reg. 58219 (Sept. 19, 2012); 77 Fed. Reg. 65135 (Oct. 25, 2012); 77 Fed.
1933	Reg. 75739 (Dec. 21, 2012) (National Emission Standards for Hazardous
1934	Air Pollutants for Source Categories), referenced generally in 35 Ill. Adm.
1935	Code 724.933, 724.964, 724.980, 725.933, 725.964, 725.980, and
1936	726.200.
1937	
1938	Subpart RR of 40 CFR 63 (2013)(2012) (National Emission Standards for
1939	Individual Drain Systems), referenced in 35 Ill. Adm. Code 724.984,
1940	724.985, 725.985, and 725.986.
1941	
1942	Subpart EEE of 40 CFR 63 (2000) (National Emission Standards for
1943	Hazardous Air Pollutants from Hazardous Waste Combustors), referenced
1944	in 35 Ill. Adm. Code 703.280.
1945	
1946	Subpart EEE of 40 CFR 63 (2013)(2012) (National Emission Standards
1947	for Hazardous Air Pollutants from Hazardous Waste Combustors)
1948	(includes 40 CFR 63.1206 (When and How Must You Comply with the
1949	Standards and Operating Requirements?), 63.1215 (What are the Health-
1950	Based Compliance Alternatives for Total Chlorine?), 63.1216 (What are
1951	the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?),
1952	63.1217 (What are the Standards for Liquid-Fuel Boilers that Burn
1953	Hazardous Waste?), 63.1218 (What are the Standards for Hydrochloric
1954	Acid Production Furnaces that Burn Hazardous Waste?), 63.1219 (What
1955	are the Replacement Standards for Hazardous Waste Incinerators?),
1956	63.1220 (What are the Replacement Standards for Hazardous Waste-
1957	Burning Cement Kilns?), and 63.1221 (What are the Replacement
1958	Standards for Hazardous Waste-Burning Lightweight Aggregate Kilns?)),
1959	referenced in Appendix A to 35 Ill. Adm. Code 703 and 35 Ill. Adm. Code
1960	703.155, 703.205, 703.208, 703.221, 703.232, 703.320, 703.280, 724.440,
1961	724.701, 724.950, 725.440, and 726.200.
1962	
1963	Method 301 (Field Validation of Pollutant Measurement Methods from
1964	Various Waste Media) in appendix A to 40 CFR 63 (2013)(2012) (Test
1965	Methods), referenced in 35 Ill. Adm. Code 725.984.
1966	
1967	Appendix C to 40 CFR 63 (2013)(2012) (Determination of the Fraction
1968	Biodegraded (F_{bio}) in a Biological Treatment Unit), referenced in 35 Ill.
1969	Adm. Code 725.984.
1970	
1971	Appendix D to 40 CFR 63 (2013)(2012) (Test Methods), referenced in 35
1972	Ill. Adm. Code 725.984.
1973	

1974	40 CFR 136.3 (Identification of Test Procedures) <u>(2013)</u> (2012) , referenced in 35 Ill. Adm. Code 702.110, 704.150, 704.187, and 730.103.
1975	
1976	
1977	40 CFR 144.70 <u>(2013)</u> (2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 704.240.
1978	
1979	
1980	40 CFR 232.2 <u>(2013)</u> (2012) (Definitions), referenced in 35 Ill. Adm. Code 721.104.
1981	
1982	
1983	40 CFR 257 <u>(2013)</u> (2012) (Criteria for Classification of Solid Waste Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code 739.181.
1984	
1985	
1986	
1987	<u>Subpart B of 40 CFR 257 (2013) (Disposal Standards for the Receipt of Conditionally Exempt Small Quantity Generator (CESQG) Wastes at Non-Municipal Non-Hazardous Waste Disposal Units) (40 CFR 257.5 through 257.30)</u> , referenced in 35 Ill. Adm. Code 721.105.
1988	
1989	
1990	
1991	
1992	40 CFR 258 <u>(2013)</u> (2012) (Criteria for Municipal Solid Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.
1993	
1994	
1995	40 CFR 260.21(b) <u>(2013)</u> (2012) (Alternative Equivalent Testing Methods), referenced in Section 720.121.
1996	
1997	
1998	40 CFR 261.151 <u>(2013)</u> (2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 721.251.
1999	
2000	
2001	Appendix III to 40 CFR 261 <u>(2013)</u> (2012) (Chemical Analysis Test Methods), referenced in 35 Ill. Adm. Code 704.150 and 704.187.
2002	
2003	
2004	40 CFR 262.53 <u>(2013)</u> (2012) (Notification of Intent to Export), referenced in 35 Ill. Adm. Code 722.153.
2005	
2006	
2007	40 CFR 262.54 <u>(2013)</u> (2012) (Special Manifest Requirements), referenced in 35 Ill. Adm. Code 722.154.
2008	
2009	
2010	40 CFR 262.55 <u>(2013)</u> (2012) (Exception Reports), referenced in 35 Ill. Adm. Code 722.155.
2011	
2012	
2013	40 CFR 262.56 <u>(2013)</u> (2012) (Annual Reports), referenced in 35 Ill. Adm. Code 722.156.
2014	
2015	

2016 40 CFR 262.57 (2013)~~(2012)~~ (Recordkeeping), referenced in 35 Ill. Adm.
 2017 Code 722.157.
 2018
 2019 Appendix to 40 CFR 262 (2013)~~(2012)~~ (Uniform Hazardous Waste
 2020 Manifest and Instructions (EPA Forms 8700-22 and 8700-22A and Their
 2021 Instructions)), referenced in Appendix A to 35 Ill. Adm. Code 722 and 35
 2022 Ill. Adm. Code 724.986 and 725.987.
 2023
 2024 40 CFR 264.151 (2013)~~(2012)~~ (Wording of the Instruments), referenced in
 2025 35 Ill. Adm. Code 724.251 and 727.240.
 2026
 2027 Appendix I to 40 CFR 264 (2013)~~(2012)~~ (Recordkeeping Instructions),
 2028 referenced in Appendix A to 35 Ill. Adm. Code 724.
 2029
 2030 Appendix IV to 40 CFR 264 (2013)~~(2012)~~ (Cochran's Approximation to
 2031 the Behrens-Fisher Students' T-Test), referenced in Appendix D to 35 Ill.
 2032 Adm. Code 724.
 2033
 2034 Appendix V to 40 CFR 264 (2013)~~(2012)~~ (Examples of Potentially
 2035 Incompatible Waste), referenced in Appendix E to 35 Ill. Adm. Code 724
 2036 and 35 Ill. Adm. Code 727.270.
 2037
 2038 Appendix VI to 40 CFR 264 (2013)~~(2012)~~ (Political Jurisdictions in
 2039 Which Compliance with Section 264.18(a) Must Be Demonstrated),
 2040 referenced in 35 Ill. Adm. Code 703.306, 724.118, and 727.110.
 2041
 2042 Appendix I to 40 CFR 265 (2013)~~(2012)~~ (Recordkeeping Instructions),
 2043 referenced in Appendix A to 35 Ill. Adm. Code 725.
 2044
 2045 Appendix III to 40 CFR 265 (2013)~~(2012)~~ (EPA Interim Primary Drinking
 2046 Water Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.
 2047
 2048 Appendix IV to 40 CFR 265 (2013)~~(2012)~~ (Tests for Significance),
 2049 referenced in Appendix D to 35 Ill. Adm. Code 725.
 2050
 2051 Appendix V to 40 CFR 265 (2013)~~(2012)~~ (Examples of Potentially
 2052 Incompatible Waste), referenced in 35 Ill. Adm. Code 725.277, 725.301,
 2053 725.330, 725.357, 725.382, and 725.413 and Appendix E to 35 Ill. Adm.
 2054 Code 725.
 2055
 2056 Appendix IX to 40 CFR 266 (2013)~~(2012)~~ (Methods Manual for
 2057 Compliance with the BIF Regulations), referenced generally in Appendix I
 2058 to 35 Ill. Adm. Code 726.

2059
2060 Section 4.0 (Procedures for Estimating the Toxicity Equivalence of
2061 Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners),
2062 referenced in 35 Ill. Adm. Code 726.200 and 726.204.
2063
2064 Section 5.0 (Hazardous Waste Combustion Air Quality Screening
2065 Procedure), referenced in 35 Ill. Adm. Code 726.204 and 726.206.
2066
2067 Section 7.0 (Statistical Methodology for Bevill Residue
2068 Determinations), referenced in 35 Ill. Adm. Code 726.212.
2069
2070 BOARD NOTE: Also available from NTIS (see above for contact
2071 information) as "Methods Manual for Compliance with BIF Regulations:
2072 Burning Hazardous Waste in Boilers and Industrial Furnaces," December
2073 1990, USEPA publication number EPA-530/SW-91-010, NTIS document
2074 number PB91-120006.
2075
2076 40 CFR 267.151 ~~(2013)~~(2012) (Wording of the Instruments), referenced in
2077 35 Ill. Adm. Code 727.240.
2078
2079 40 CFR 270.5 ~~(2013)~~(2012) (Noncompliance and Program Reporting by
2080 the Director), referenced in 35 Ill. Adm. Code 703.305.
2081
2082 40 CFR 761 ~~(2013)~~(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3,
2083 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012) (Polychlorinated Biphenyls
2084 (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use
2085 Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.
2086
2087 40 CFR 761.3 ~~(2013)~~(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3,
2088 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012) (Definitions), referenced in 35
2089 Ill. Adm. Code 728.102 and 739.110.
2090
2091 40 CFR 761.60 ~~(2013)~~(2012) (Disposal Requirements), referenced in 35
2092 Ill. Adm. Code 728.142.
2093
2094 40 CFR 761.65 ~~(2013)~~(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3,
2095 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012) (Storage for Disposal),
2096 referenced in 35 Ill. Adm. Code 728.150.
2097
2098 40 CFR 761.70 ~~(2013)~~(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3,
2099 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012) (Incineration), referenced in 35
2100 Ill. Adm. Code 728.142.
2101

2102 Subpart B of 49 CFR 107 ~~(2013)(2012)~~ (Exemptions), referenced
 2103 generally in 35 Ill. Adm. Code 724.986 and 725.987.
 2104
 2105 49 CFR 171 ~~(2013)~~, as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013) and
 2106 78 Fed. Reg. 65454 (Oct. 31, 2013)~~(2012)~~, as amended at 77 Fed. Reg.
 2107 60935 (Oct. 5, 2012) (General Information, Regulations, and Definitions),
 2108 referenced generally in 35 Ill. Adm. Code 721.104, 733.118, 733.138,
 2109 733.152, and 739.143.
 2110
 2111 49 CFR 171.3 ~~(2013)(2012)~~ (Hazardous Waste), referenced in 35 Ill.
 2112 Adm. Code 722.133.
 2113
 2114 49 CFR 171.8 ~~(2013)~~, as amended at 78 Fed. Reg. 65454 (Oct. 31,
 2115 2013)~~(2012)~~ (Definitions and Abbreviations), referenced in 35 Ill. Adm.
 2116 Code 733.118, 733.138, 733.152, 733.155, and 739.143.
 2117
 2118 49 CFR 171.15 ~~(2013)(2012)~~ (Immediate Notice of Certain Hazardous
 2119 Materials Incidents), referenced in 35 Ill. Adm. Code 723.130 and
 2120 739.143.
 2121
 2122 49 CFR 171.16 ~~(2013)(2012)~~ (Detailed Hazardous Materials Incident
 2123 Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.
 2124
 2125 49 CFR 172 ~~(2013)~~, as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013), 78
 2126 Fed. Reg. 65454 (Oct. 31, 2013), and 78 Fed. Reg. 69310 (Nov. 19,
 2127 2013)~~(2012)~~, as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (Hazardous
 2128 Materials Table, Special Provisions, Hazardous Materials
 2129 Communications, Emergency Response Information, and Training
 2130 Requirements), referenced generally in 35 Ill. Adm. Code 721.104,
 2131 722.131, 722.132, 724.986, 725.987, 733.114, 733.118, 733.134, 733.138,
 2132 733.152, 733.155, and 739.143.
 2133
 2134 49 CFR 172.304 ~~(2013)(2012)~~ (Marking Requirements), referenced in 35
 2135 Ill. Adm. Code 722.132.
 2136
 2137 Subpart F of 49 CFR 172 ~~(2013)~~, as amended at 78 Fed. Reg. 60745 (Oct.
 2138 2, 2013)~~(2012)~~, as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012)
 2139 (Placarding), referenced in 35 Ill. Adm. Code 722.133.
 2140
 2141 49 CFR 173 ~~(2013)~~, as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013) and
 2142 78 Fed. Reg. 65454 (Oct. 31, 2013)~~(2012)~~, as amended at 77 Fed. Reg.
 2143 60935 (Oct. 5, 2012) (Shippers – General Requirements for Shipments
 2144 and Packages), referenced generally in 35 Ill. Adm. Code 721.104,

2145	722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152,
2146	and 739.143.
2147	
2148	49 CFR 173.2 (2013)(2012) (Hazardous Materials Classes and Index to
2149	Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.
2150	
2151	49 CFR 173.12 (2013)(2012) , as amended at 77 Fed. Reg. 60935 (Oct. 5,
2152	2012) (Exceptions for Shipments of Waste Materials), referenced in 35 Ill.
2153	Adm. Code 724.416, 724.986, 725.416, and 725.987.
2154	
2155	49 CFR 173.28 (2013)(2012) (Reuse, Reconditioning, and Remanufacture
2156	of Packagings), referenced in 35 Ill. Adm. Code 725.273.
2157	
2158	49 CFR 173.50 (2013)(2012) (Class 1 – Definitions), referenced in 35 Ill.
2159	Adm. Code 721.123.
2160	
2161	49 CFR 173.54 (2013)(2012) (Forbidden Explosives), referenced in 35 Ill.
2162	Adm. Code 721.123.
2163	
2164	49 CFR 173.115 (2013)(2012) (Class 2, Divisions 2.1, 2.2, and 2.3 –
2165	Definitions), referenced in 35 Ill. Adm. Code 721.121.
2166	
2167	49 CFR 173.127 (2013)(2012) (Class 2, Divisions 2.1, 2.2, and 2.3 –
2168	Definitions), referenced in 35 Ill. Adm. Code 721.121.
2169	
2170	49 CFR 174 (2013)(2012) (Carriage by Rail), referenced generally in 35
2171	Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
2172	
2173	49 CFR 175 (2013), as amended at 78 Fed. Reg. 65454 (Oct. 31, 2013)
2174	(2012) , as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (Carriage by
2175	Aircraft), referenced generally in 35 Ill. Adm. Code 733.118, 733.138,
2176	733.152, and 739.143.
2177	
2178	49 CFR 176 (2013) as amended at 78 Fed. Reg. 65454 (Oct. 31, 2013)
2179	(2012) (Carriage by Vessel), referenced generally in 35 Ill. Adm. Code
2180	733.118, 733.138, 733.152, and 739.143.
2181	
2182	49 CFR 177 (2013), as amended at 78 Fed. Reg. 60745 (Oct. 31,
2183	2013)(2012) (Carriage by Public Highway), referenced generally in 35 Ill.
2184	Adm. Code 733.118, 733.138, 733.152, and 739.143.
2185	
2186	49 CFR 178 (2013), as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013) and
2187	78 Fed. Reg. 65454 (Oct. 31, 2013)(2012) , as amended at 77 Fed. Reg.

2188 60935 (Oct. 5, 2012) (Specifications for Packagings), referenced generally
 2189 in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416,
 2190 725.987, 733.118, 733.138, 733.152, and 739.143.

2191
 2192 49 CFR 179 (2013)(2012), as amended at 77 Fed. Reg. 60935 (Oct. 5,
 2193 2012) (Specifications for Tank Cars), referenced in 35 Ill. Adm. Code
 2194 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138,
 2195 733.152, and 739.143.

2196
 2197 49 CFR 180 (2013)(2012) (Continuing Qualification and Maintenance of
 2198 Packagings), referenced generally in 35 Ill. Adm. Code 724.986, 725.987,
 2199 733.118, 733.138, 733.152, and 739.143.

2200
 2201 49 CFR 190 (2013) (Pipeline Safety Programs and Rulemaking
 2202 Procedures), referenced generally in 35 Ill. Adm. Code 721.104.

2203
 2204 49 CFR 191 (2013) (Transportation of Natural and Other Gas by Pipeline:
 2205 Annual Reports, Incident Reports, and Safety-Related Condition Reports),
 2206 referenced generally in 35 Ill. Adm. Code 721.104.

2207
 2208 49 CFR 192 (2013) (Transportation of Natural and Other Gas by Pipeline:
 2209 Minimum Federal Safety Standards), referenced generally in 35 Ill. Adm.
 2210 Code 721.104.

2211
 2212 49 CFR 193 (2013) (Liquefied Natural Gas Facilities: Federal Safety
 2213 Standards), referenced generally in 35 Ill. Adm. Code 721.104.

2214
 2215 49 CFR 194 (2013) (Response Plans for Onshore Oil Pipelines),
 2216 referenced generally in 35 Ill. Adm. Code 721.104.

2217
 2218 49 CFR 195 (2013) (Transportation of Hazardous Liquids by Pipeline),
 2219 referenced generally in 35 Ill. Adm. Code 721.104.

2220
 2221 49 CFR 198 (2013) (Regulations for Grants to Aid State Pipeline Safety
 2222 Programs), referenced generally in 35 Ill. Adm. Code 721.104.

2223
 2224 49 CFR 199 (2013) (Drug and Alcohol Testing), referenced generally in
 2225 35 Ill. Adm. Code 721.104

2226
 2227 c) Federal Statutes:

2228
 2229 Section 11 of the Atomic Energy Act of 1954 (42 USC 2014)(2011),
 2230 referenced in 35 Ill. Adm. Code 721.104 and 726.310.

2231
2232 Sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and
2233 Cosmetic Act (FFDCA; 21 USC 321(v), 321(w), and 360b(j))
2234 ~~(2012)(2011)~~, referenced in Section 720.110 and 35 Ill. Adm. Code
2235 733.109.

2236
2237 Chapter 601 of subtitle VIII of 49 USC (49 USC 60101 through 60140)
2238 (2011), referenced in 35 Ill. Adm. Code 721.104.

2239
2240 Section 1412 of the Department of Defense Authorization Act of 1986 (50
2241 USC 1521(j)(1)) (2011), referenced in 35 Ill. Adm. Code 726.301.

2242
2243 d) This Section incorporates no later editions or amendments.

2244
2245 (Source: Amended at 38 Ill. Reg. _____, effective _____)

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

RECEIVED
CLERK'S OFFICE
FEB 27 2014
STATE OF ILLINOIS
Pollution Control Board

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

PART 720
HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

Section	
720.101	Purpose, Scope, and Applicability
720.102	Availability of Information; Confidentiality of Information
720.103	Use of Number and Gender
720.104	Electronic Reporting

SUBPART B: DEFINITIONS AND REFERENCES

Section	
720.110	Definitions
720.111	References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

720.143 Legitimate Recycling of Hazardous Secondary Materials

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

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

SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-19 at 7 Ill. Reg. 14015, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17496, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1704, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9094, effective July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1063, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9443, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1266, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9168, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6550, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 3712, effective February 14, 2003; amended in R03-18 at

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

27 Ill. Reg. 12713, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5974, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6290, effective April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2930, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 730, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11726, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 922, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 17672, effective October 14, 2011; amended in R12-7 at 36 Ill. Reg. 8740, effective June 4, 2012; amended in R13-5 at 37 Ill. Reg. 3180, effective March 4, 2013; amended in R13-15 at 37 Ill. Reg. 17726, effective October 24, 2013; amended in R14-13 at 38 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS AND REFERENCES

Section 720.110 Definitions

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

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

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

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

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

"Agency" means the Illinois Environmental Protection Agency.

"Ancillary equipment" means any device, including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps, that is used to distribute,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

meter, or control the flow of hazardous waste from its point of generation to storage or treatment tanks, between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

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

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

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

“Board” means the Illinois Pollution Control Board.

“Boiler” by means an enclosed device using controlled flame combustion and having the following characteristics:

Boiler by physical characteristics:

The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids, or heated gases; and the unit's combustion chamber and primary energy recovery sections must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery sections (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit. A unit in which the combustion chamber and the primary energy recovery sections are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

and the primary energy recovery section. The following units are not precluded from being boilers solely because they are not of integral design: process heaters (units that transfer energy directly to a process stream) and fluidized bed combustion units; and

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

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

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

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

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

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

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

"Closed portion" means that portion of a facility that an owner or operator has

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

closed in accordance with the approved facility closure plan and all applicable closure requirements. (See also "active portion" and "inactive portion.")

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Receiving broken or intact CRTs;

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

Sorting or otherwise managing glass removed from CRT monitors.

“Designated facility” means either of the following entities:

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

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

The facility has received a RCRA permit from USEPA pursuant to 40 CFR 124 and 270 (2010);

The facility has received a RCRA permit from a state authorized by USEPA pursuant to 40 CFR 271 (2010); or

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

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

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

“Destination facility” means a facility that treats, disposes of, or recycles a

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

It is used for neutralizing wastes that are hazardous only because they exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

or which are listed in Subpart D of 35 Ill. Adm. Code 721 only for this reason; and

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

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

“EPA identification number” or “USEPA identification number” means the number assigned by USEPA pursuant to 35 Ill. Adm. Code 722 through 725 to each generator; transporter; and treatment, storage, or disposal facility.

“EPA region” or “USEPA region” means the states and territories found in any one of the following ten regions:

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

The owner or operator has entered into contractual obligations that cannot be canceled or modified without substantial loss for physical construction

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

of the site or installation of the tank system to be completed within a reasonable time.

"Explosives or munitions emergency" means a situation involving the suspected or detected presence of unexploded ordnance (UXO), damaged or deteriorated explosives or munitions, an improvised explosive device (IED), other potentially explosive material or device, or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety, or the environment, including property, as determined by an explosives or munitions emergency response specialist. Such situations may require immediate and expeditious action by an explosives or munitions emergency response specialist to control, mitigate, or eliminate the threat.

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

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

"Facility" means the following:

All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

hazardous waste or for managing hazardous secondary materials prior to reclamation. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

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

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

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

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

"Final closure" means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities pursuant to 35 Ill. Adm. Code 724 and 725 are no longer conducted at the facility unless subject to the provisions of 35 Ill. Adm. Code 722.134.

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

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

"Free liquids" means liquids that readily separate from the solid portion of a

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

waste under ambient temperature and pressure.

"Gasification" means, for the purpose of complying with 35 Ill. Adm. Code 721.104(a)(12)(A), a process conducted in an enclosed device or system that is designed and operated to process petroleum feedstock, including oil-bearing hazardous secondary materials, through a series of highly controlled steps utilizing thermal decomposition, limited oxidation, and gas cleaning to yield a synthesis gas composed primarily of hydrogen and carbon monoxide gas.

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

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

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

"Hazardous secondary material generated and reclaimed under the control of the generator" means one of the following materials:

A material that is both generated and reclaimed at the generating facility (for purposes of this definition, generating facility means all contiguous property owned, leased, or otherwise controlled by the hazardous secondary material generator);

A material that is generated and reclaimed at different facilities, if both of the following conditions are fulfilled:

Either the reclaiming facility is controlled by the generator, or both the generating facility and the reclaiming facility are controlled by the same person, as "person" is defined in this Section; and

The generator provides either of the following certifications:

"On behalf of [insert generator facility name], I certify that this facility will send the indicated hazardous secondary

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

material to [insert reclaimer facility name], which is controlled by [insert generator facility name] and that [insert the name of either facility] has acknowledged full responsibility for the safe management of the hazardous secondary material.^{22"}

or

^{22"}On behalf of [insert generator facility name] I certify that this facility will send the indicated hazardous secondary material to [insert reclaimer facility name], that both facilities are under common control, and that [insert name of either facility] has acknowledged full responsibility for the safe management of the hazardous secondary material.^{22"}

For purposes of this definition, ^{22"}control^{22"} means the power to direct the policies of the facility, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate facilities on behalf of a different person, as ^{22"}person^{22"} is defined in this Section, shall not be deemed to ^{22"}control^{22"} such facilities; or

A material that is generated pursuant to a written contract between a tolling contractor and a toll manufacturer and which is reclaimed by the tolling contractor, if the tolling contractor certifies the following:

^{22"}On behalf of [insert tolling contractor name], I certify that [insert tolling contractor name], has a written contract with [insert toll manufacturer name] to manufacture [insert name of product or intermediate] which is made from specified unused materials, and that [insert tolling contractor name] will reclaim the hazardous secondary materials generated during this manufacture. On behalf of [insert tolling contractor name], I also certify that [insert tolling contractor name] retains ownership of, and responsibility for, the hazardous secondary materials that are generated during the course of the manufacture, including any releases of hazardous secondary materials that occur during the manufacturing process.^{22"}

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

For purposes of this definition, "tolling contractor" means a person who arranges for the production of a product or intermediate made from specified unused materials through a written contract with a toll manufacturer. "Toll manufacturer" means a person who produces a product or intermediate made from specified unused materials pursuant to a written contract with a tolling contractor.

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

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

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

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

"Inactive portion" means that portion of a facility that ~~is~~ ~~was~~ ~~was~~ ~~is~~ not operated after November 19, 1980. (See also "active portion" and "closed portion.")

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

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

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

are true of the facility:

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

The facility is not listed as an industrial furnace; or

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

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

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

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

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

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

Cement kilns;

Lime kilns;

Aggregate kilns;

Phosphate kilns;

Coke ovens;

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

Blast furnaces;

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

Titanium dioxide chloride process oxidation reactors;

Methane reforming furnaces;

Pulping liquor recovery furnaces;

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

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

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

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

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

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

The use of the device to burn or reduce secondary materials as

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

ingredients in an industrial process to make a material product;

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

Other relevant factors.

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

“LDS” means leak detection system.

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

“Liner” means a continuous layer of natural or manmade materials beneath or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

on the sides of a surface impoundment, landfill, or landfill cell that restricts the downward or lateral escape of hazardous waste, hazardous waste constituents, or leachate.

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

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

“Manifest” means the shipping document USEPA Form 8700-22 (including, if necessary, USEPA Form 8700-22A) originated and signed by the generator or offeror that contains the information required by Subpart B of 35 Ill. Adm. Code 722 and the applicable requirements of 35 Ill. Adm. Code 722 through 727.

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

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

“Military munitions” means all ammunition products and components produced or used by or for the United States Department of Defense or the United States Armed Services for national defense and security, including military munitions under the control of the United States Department of Defense (USDOD), the United States Coast Guard, the United States Department of Energy (USDOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by USDOD components, including

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components of these items and devices. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components of these items and devices. However, the term does include non-nuclear components of nuclear devices, managed under USDOE's nuclear weapons program after all sanitization operations required under the Atomic Energy Act of 1954 (42 USC 2014 et seq.), as amended, have been completed.

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

system is one for which construction commenced after July 14, 1986. (See also "existing tank system.")

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

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

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

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

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

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

Control of emission of the gaseous combustion products.

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

BOARD NOTE: The second exception of corresponding 40 CFR 260.10

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

but is not limited to, certification under the certified groundwater professional program of the National Ground Water Association.

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

"Small quantity generator" means a generator that generates less than 1,000 kg of hazardous waste in a calendar month.

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

"Solvent-contaminated wipe" means ~~the following:~~ A wipe that, after use or after cleaning up a spill, fulfills one or more of the following conditions:

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

"Surface impoundment" or "impoundment" means a facility or part of a

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

“TEQ” means toxicity equivalence, the international method of relating the toxicity of various dioxin and furan congeners to the toxicity of 2,3,7,8-tetra~~chloro~~dibenzo tetra-chlorodibenzo-p-dioxin.

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

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

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

“Transfer facility” means any transportation-related facility, including loading

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

docks, parking areas, storage areas, and other similar areas where shipments of hazardous waste or hazardous secondary materials are held during the normal course of transportation.

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

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

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

"Treatability study" means the following:

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

Whether the waste is amenable to the treatment process;

What pretreatment (if any) is required;

The optimal process conditions needed to achieve the desired treatment;

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

"Universal waste handler" means either of the following:

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

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

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Agency.

"USPS" means the United States Postal Service.

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

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 38 Ill. Reg. ———, effective ———)

Section 720.111 References

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

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

ASTM D 2267-88, ["Standard Test Method for Aromatics in Light](#)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Naphthas and Aviation Gasolines by Gas Chromatography, ²² approved November 17, 1988, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM D 2382-88, ²² Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), ²² approved October 31, 1988, USEPA-approved for 35 Ill. Adm. Code 724.933 and 725.933.

ASTM D 2879-92, ²² Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, ²² approved 1992, USEPA-approved for 35 Ill. Adm. Code 725.984, referenced in 35 Ill. Adm. Code 724.963 and 725.963.

ASTM D 3828-87, ²² Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester, ²² approved December 14, 1988, USEPA-approved for 35 Ill. Adm. Code 721.121(a).

ASTM E 168-88, ²² Standard Practices for General Techniques of Infrared Quantitative Analysis, ²² approved May 27, 1988, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM E 169-87, ²² Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, ²² approved February 1, 1987, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM E 260-85, ²² Standard Practice for Packed Column Gas Chromatography, ²² approved June 28, 1985, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM G 21-70 (1984a), ²² Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi, ²² referenced in 35 Ill. Adm. Code 724.414 and 725.414.

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

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

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

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

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

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

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

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

~~““~~Flammable and Combustible Liquids Code,~~””~~ NFPA 30, issued July 18, 2003, as supplemented by TIA 03-1, issued July 15, 2004, and corrected by Errata 30-03-01, issued August 13, 2004, USEPA-approved for 35 Ill. Adm. Code 724.298, 725.298, and 727.290, referenced in 35 Ill. Adm. Code 725.301 and 726.211.

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

~~““~~APTI Course 415: Control of Gaseous Emissions,~~””~~ December 1981, USEPA publication number EPA-450/2-81-005, NTIS document number

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

PB80-208895, USEPA-approved for 35 Ill. Adm. Code 703.210, 703.211, 703.352, 724.935, and 725.935.

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

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

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

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

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

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

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

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

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

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

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

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

Method 1311 (November 1992) (Toxicity Characteristic Leaching Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721; for 35 Ill. Adm. Code 721.124, 728.107, and 728.140; and for Table T to 35 Ill. Adm. Code 728.

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

OECD Guidance Manual. ¹²²Guidance Manual for the Implementation of Council Decision C(2001)107/FINAL, as Amended, on the Control of Transboundary Movements of Wastes Destined for Recovery Operations,²²² 2009 (also called ¹²²Guidance Manual for the Control of Transboundary Movements of Recoverable Materials²²² in OECD documents), but only the following segments, which set forth the substantive requirements of OECD decision C(2001)107/FINAL (June 14, 2001), as amended by C(2001)107/ADD1 (February 28, 2002), C(2004)20 (March 9, 2004), C(2005)141 (December 2, 2005), and C(2008)156 (December 4, 2008):

¹²²Annex A: OECD Decision C(2001)107/FINAL, as Amended by C(2004)20; C(2005)141; and C(2008)156²²² (also called ¹²²Revision of Council Decision C(92)39/FINAL on the Control of Transboundary Movements of Wastes Destined for Recovery Operations,²²² within the text of Annex A, and ¹²²Decision of the Council Concerning the Control of Transboundary Movements of Wastes Destined for Recovery Operations²²² in the original OECD decision source document, C(2001)107/FINAL (June 14, 2001), as amended by C(2001)107/ADD1 (February 28, 2002), C(2004)20 (March 9, 2004), C(2005)141 (December 2, 2005), and C(2008)156 (December 4, 2008)).

¹²²Annex B: OECD Consolidated List of Wastes Subject to the Green Control Procedure²²² (individually referred to as ¹²²Annex B to OECD Guidance Manual²²² in 35 Ill. Adm. Code 722), combining Appendix 3 to OECD decision C(2001)107/FINAL, as amended as described above, together with the text of Annex IX (¹²²List B²²²) to the ¹²²Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal²²² (¹²²Basel Convention²²²).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

60062, 708-498-1980:

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

USDOD. Available from the United States Department of Defense:

~~"DOD Ammunition and Explosives Safety Standards"~~ (DOD
6055.09-STD), as in effect on February 29, 2008, referenced in 35 Ill.
Adm. Code 726.305.

~~"The Motor Vehicle Inspection Report"~~ (DD Form 626), as in effect in
March 2007, referenced in 35 Ill. Adm. Code 726.303.

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

~~"The Signature and Tally Record"~~ (DD Form 1907), as in effect in
November 2006, referenced in 35 Ill. Adm. Code 726.303.

~~"Dangerous Goods Shipping Paper/Declaration and Emergency Response
Information for Hazardous Materials Transported by Government
Vehicles"~~ (DD Form 836), as in effect in December 2007, referenced in
35 Ill. Adm. Code 726.303.

BOARD NOTE: DOD 6055.09-STD is available on-line for download in pdf
format from <http://www.ddesb.pentagon.mil>. DD Form 1348, DD Form 1907,
DD Form 836, and DOD 6055.09-STD are available on-line for download in pdf
format from [http://www.dtic.mil/whs/directives/infomgt/forms/
formsprogram.htm](http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm).

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

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

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENTS~~

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

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

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

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

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

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

USGSA. Available from the United States Government Services Administration:

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

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

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

10 CFR 20.2006 (2013) (Transfer for Disposal and Manifests), referenced in 35 Ill. Adm. Code 726.425 and 726.450.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Table II, column 2 in appendix B to 10 CFR 20 (2013) (Water Effluent Concentrations), referenced in 35 Ill. Adm. Code 702.110, 730.103, and 730.151.

Appendix G to 10 CFR 20 (2013) (Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests), referenced in 35 Ill. Adm. Code 726.440.

10 CFR 71 (2013), as amended at ~~77 Fed. Reg. 39899 (July 6, 2012)~~ 78 Fed. Reg. 16922 (Mar. 19, 2013) [77 Fed. Reg. 39899 \(July 6, 2012\)](#) (Packaging and Transportation of Radioactive Material), referenced generally in 35 Ill. Adm. Code 726.430.

10 CFR 71.5 (2013) (Transportation of Licensed Material), referenced in 35 Ill. Adm. Code 726.425.

33 CFR 153.203 (2013) (Procedure for the Notice of Discharge), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

40 CFR 3.3 (~~2012~~)(2013)[\(2012\)](#) (What Definitions Are Applicable to This Part?), referenced in Section 720.104.

40 CFR 3.10 (~~2012~~)(2013)[\(2012\)](#) (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 720.104.

40 CFR 3.2000 (~~2012~~)(2013)[\(2012\)](#) (What Are the Requirements Authorized State, Tribe, and Local Programs² Reporting Systems Must Meet?), referenced in Section 720.104.

40 CFR 51.100(ii) (~~2012~~)(2013)[\(2012\)](#) (Definitions), referenced in 35 Ill. Adm. Code 726.200.

Appendix W to 40 CFR 51 (~~2012~~)(2013)[\(2012\)](#) (Guideline on Air Quality Models), referenced in 35 Ill. Adm. Code 726.204.

BOARD NOTE: Also available from NTIS (see above for contact

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

information) as ~~"~~Guideline on Air Quality Models,~~"~~ Revised 1986, USEPA publication number EPA-450/12-78-027R, NTIS document numbers PB86-245248 (Guideline) and PB88-150958 (Supplement).

Appendix B to 40 CFR 52.741 (~~2012~~)(2013)(2012) (VOM Measurement Techniques for Capture Efficiency), referenced in 35 Ill. Adm. Code 703.213, 703.352, 724.982, 724.984, 724.986, 724.989, 725.983, 725.985, 725.987, and 725.990.

40 CFR 60 (2013), as amended at 78 Fed. Reg. 58415 (Sept. 19, 2013) and 78 Fed. Reg. 76753 (Dec. 19, 2013)(2012), as amended at 77 Fed. Reg. 44488 (July 30, 2012); 77 Fed. Reg. 48433 (Aug. 14, 2012); 77 Fed. Reg. 49489 (Aug. 16, 2012); 77 Fed. Reg. 56421 (Sept. 12, 2012); ~~(2013), as amended at 78 Fed. Reg. 58415 (Sept. 19, 2013) and 78 Fed. Reg. 76753 (Dec. 19, 2013)~~ (Standards of Performance for New Stationary Sources), referenced generally in 35 Ill. Adm. Code 724.964, 724.980, 725.964, and 725.980.

Subpart VV of 40 CFR 60 (~~2012~~)(2013)(2012) (Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry), referenced in 35 Ill. Adm. Code 724.989 and 725.990.

Appendix A to 40 CFR 60 (~~2012~~)(2013)(2012) (Test Methods), referenced generally in 35 Ill. Adm. Code 726.205 (in addition to the references cited below for specific methods):

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

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

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

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

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

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

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

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

40 CFR 61 (~~20013~~)(2012)~~(2013)~~ (National Emission Standards for Hazardous Air Pollutants), referenced generally in 35 Ill. Adm. Code 724.933, 724.964, 725.933, 725.964, and 725.980.

Subpart V of 40 CFR 61 (~~2012~~)(~~2013~~)(2012) (National Emission

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Standard for Equipment Leaks (Fugitive Emission Sources)), referenced in 35 Ill. Adm. Code 724.989 and 725.990.

Subpart FF of 40 CFR 61 (~~2012~~)(2013)(2012) (National Emission Standard for Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and 725.983.

40 CFR 63 (2013), as amended at 78 Fed. Reg. 79317 (Dec. 30, 2013)(2012), as amended at 77 Fed. Reg. 41075 (July 12, 2012); 77 Fed. Reg. 49489 (Aug. 16, 2012); 77 Fed. Reg. 55698 (Sept. 11, 2012); 77 Fed. Reg. 58219 (Sept. 19, 2012); 77 Fed. Reg. 65135 (Oct. 25, 2012); 77 Fed. Reg. 75739 (Dec. 21, 2012); ~~(2013), as amended at 78 Fed. Reg. 79317 (Dec. 30, 2013)~~ (National Emission Standards for Hazardous Air Pollutants for Source Categories), referenced generally in 35 Ill. Adm. Code 724.933, 724.964, 724.980, 725.933, 725.964, 725.980, and 726.200.

Subpart RR of 40 CFR 63 (~~2012~~)(2013)(2012) (National Emission Standards for Individual Drain Systems), referenced in 35 Ill. Adm. Code 724.984, 724.985, 725.985, and 725.986.

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

Subpart EEE of 40 CFR 63 (~~2012~~)(2013)(2012) (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors) (includes 40 CFR 63.1206 (When and How Must You Comply with the Standards and Operating Requirements?), 63.1215 (What are the Health-Based Compliance Alternatives for Total Chlorine?), 63.1216 (What are the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?), 63.1217 (What are the Standards for Liquid-Fuel Boilers that Burn Hazardous Waste?), 63.1218 (What are the Standards for Hydrochloric Acid Production Furnaces that Burn Hazardous Waste?), 63.1219 (What are the Replacement Standards for Hazardous Waste Incinerators?), 63.1220 (What are the Replacement Standards for Hazardous Waste-Burning Cement Kilns?), and 63.1221 (What are the Replacement Standards for Hazardous Waste-Burning Lightweight

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Aggregate Kilns?)), referenced in Appendix A to 35 Ill. Adm. Code 703 and 35 Ill. Adm. Code 703.155, 703.205, 703.208, 703.221, 703.232, 703.320, 703.280, 724.440, 724.701, 724.950, 725.440, and 726.200.

Method 301 (Field Validation of Pollutant Measurement Methods from Various Waste Media) in appendix A to 40 CFR 63 ~~(2013)~~(2012) ~~(2013)~~ (Test Methods), referenced in 35 Ill. Adm. Code 725.984.

Appendix C to 40 CFR 63 ~~(2012)~~~~(2013)~~(2012) (Determination of the Fraction Biodegraded (F_{bio}) ~~(F_{bio})~~ in a Biological Treatment Unit), referenced in 35 Ill. Adm. Code 725.984.

Appendix D to 40 CFR 63 ~~(2013)~~(2012) ~~(2013)~~ (Test Methods), referenced in 35 Ill. Adm. Code 725.984.

40 CFR 136.3 (Identification of Test Procedures) ~~(2013)~~(2012) ~~(2013)~~, referenced in 35 Ill. Adm. Code 702.110, 704.150, 704.187, and 730.103.

40 CFR 144.70 ~~(2012)~~~~(2013)~~(2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 704.240.

40 CFR 232.2 ~~(2012)~~~~(2013)~~(2012) (Definitions), referenced in 35 Ill. Adm. Code 721.104.

40 CFR 257 ~~(2012)~~~~(2013)~~(2012) (Criteria for Classification of Solid Waste Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code 739.181.

Subpart B of 40 CFR 257 (2013) (Disposal Standards for the Receipt of Conditionally Exempt Small Quantity Generator (CESQG) Wastes at Non-Municipal Non-Hazardous Waste Disposal Units) (40 CFR 257.5 through 257.30), referenced in 35 Ill. Adm. Code 721.105.

40 CFR 258 ~~(2012)~~~~(2013)~~(2012) (Criteria for Municipal Solid Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.

40 CFR 260.21(b) ~~(2012)~~~~(2013)~~(2012) (Alternative Equivalent Testing Methods), referenced in Section 720.121.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

40 CFR 261.151 (~~2012~~)(2013)(2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 721.251.

Appendix III to 40 CFR 261 (~~2012~~)(2013)(2012) (Chemical Analysis Test Methods), referenced in 35 Ill. Adm. Code 704.150 and 704.187.

40 CFR 262.53 (~~2012~~)(2013)(2012) (Notification of Intent to Export), referenced in 35 Ill. Adm. Code 722.153.

40 CFR 262.54 (~~2012~~)(2013)(2012) (Special Manifest Requirements), referenced in 35 Ill. Adm. Code 722.154.

40 CFR 262.55 (~~2012~~)(2013)(2012) (Exception Reports), referenced in 35 Ill. Adm. Code 722.155.

40 CFR 262.56 (~~2012~~)(2013)(2012) (Annual Reports), referenced in 35 Ill. Adm. Code 722.156.

40 CFR 262.57 (~~2012~~)(2013)(2012) (Recordkeeping), referenced in 35 Ill. Adm. Code 722.157.

Appendix to 40 CFR 262 (~~2012~~)(2013)(2012) (Uniform Hazardous Waste Manifest and Instructions (EPA Forms 8700-22 and 8700-22A and Their Instructions)), referenced in Appendix A to 35 Ill. Adm. Code 722 and 35 Ill. Adm. Code 724.986 and 725.987.

40 CFR 264.151 (~~2012~~)(2013)(2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 724.251 and 727.240.

Appendix I to 40 CFR 264 (~~2012~~)(2013)(2012) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 724.

Appendix IV to 40 CFR 264 (2013)(2012) (~~2013~~)(Cochran's Approximation to the Behrens-Fisher Students' T-Test), referenced in Appendix D to 35 Ill. Adm. Code 724.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Appendix V to 40 CFR 264 (~~2012~~)(2013)(2012) (Examples of Potentially Incompatible Waste), referenced in Appendix E to 35 Ill. Adm. Code 724 and 35 Ill. Adm. Code 727.270.

Appendix VI to 40 CFR 264 (2013)(2012) (~~2013~~) (Political Jurisdictions in Which Compliance with § Section264.18(a) Must Be Demonstrated), referenced in 35 Ill. Adm. Code 703.306, 724.118, and 727.110.

Appendix I to 40 CFR 265 (~~2012~~)(2013)(2012) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 725.

Appendix III to 40 CFR 265 (~~2012~~)(2013)(2012) (EPA Interim Primary Drinking Water Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.

Appendix IV to 40 CFR 265 (~~2012~~)(2013)(2012) (Tests for Significance), referenced in Appendix D to 35 Ill. Adm. Code 725.

Appendix V to 40 CFR 265 (~~2012~~)(2013)(2012) (Examples of Potentially Incompatible Waste), referenced in 35 Ill. Adm. Code 725.277, 725.301, 725.330, 725.357, 725.382, and 725.413 and Appendix E to 35 Ill. Adm. Code 725.

Appendix IX to 40 CFR 266 (~~2012~~)(2013)(2012) (Methods Manual for Compliance with the BIF Regulations), referenced generally in Appendix I to 35 Ill. Adm. Code 726.

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

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

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

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

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

40 CFR 267.151 (~~(2012)~~)(2013)(2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 727.240.

40 CFR 270.5 (~~(2012)~~)(2013)(2012) (Noncompliance and Program Reporting by the Director), referenced in 35 Ill. Adm. Code 703.305.

40 CFR 761 (2013)(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3, 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012)(~~2013~~) (Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.

40 CFR 761.3 (2013)(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3, 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012)(~~2013~~) (Definitions), referenced in 35 Ill. Adm. Code 728.102 and 739.110.

40 CFR 761.60 (~~(2012)~~)(2013)(2012) (Disposal Requirements), referenced in 35 Ill. Adm. Code 728.142.

40 CFR 761.65 (2013)(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3, 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012)(~~2013~~) (Storage for Disposal), referenced in 35 Ill. Adm. Code 728.150.

40 CFR 761.70 (2013)(2012), as amended at 77 Fed. Reg. 46289 (Aug. 3, 2012); 77 Fed. Reg. 54818 (Sept. 6, 2012)(~~2013~~) (Incineration), referenced in 35 Ill. Adm. Code 728.142.

Subpart B of 49 CFR 107 (~~(2012)~~)(2013)(2012) (Exemptions), referenced generally in 35 Ill. Adm. Code 724.986 and 725.987.

49 CFR 171 (~~(2012)~~, as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (2013), as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013) and 78 Fed. Reg. 65454 (Oct. 31, 2013)(2012), as amended at 77 Fed. Reg. 60935 (Oct. 5,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

[2012](#)) (General Information, Regulations, and Definitions), referenced generally in 35 Ill. Adm. Code 721.104, 733.118, 733.138, 733.152, and 739.143.

49 CFR 171.3 (~~2012~~)(2013)[\(2012\)](#) (Hazardous Waste), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 171.8 (~~2012~~) (2013), as amended at 78 Fed. Reg. 65454 (Oct. 31, 2013)[\(2012\)](#) (Definitions and Abbreviations), referenced in 35 Ill. Adm. Code 733.118, 733.138, 733.152, 733.155, and 739.143.

49 CFR 171.15 (~~2012~~)(2013)[\(2012\)](#) (Immediate Notice of Certain Hazardous Materials Incidents), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 171.16 (~~2012~~)(2013)[\(2012\)](#) (Detailed Hazardous Materials Incident Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 172 (~~2012~~), as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (2013), as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013), 78 Fed. Reg. 65454 (Oct. 31, 2013), and 78 Fed. Reg. 69310 (Nov. 19, 2013)[\(2012\)](#), as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), referenced generally in 35 Ill. Adm. Code 721.104, 722.131, 722.132, 724.986, 725.987, 733.114, 733.118, 733.134, 733.138, 733.152, 733.155, and 739.143.

49 CFR 172.304 (~~2012~~)(2013)[\(2012\)](#) (Marking Requirements), referenced in 35 Ill. Adm. Code 722.132.

Subpart F of 49 CFR 172 (~~2012~~), as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (2013), as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013)[\(2012\)](#), as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (Placarding), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 173 (~~2012~~), as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (2013), as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013) and 78 Fed. Reg.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

65454 (Oct. 31, 2013)~~(2012)~~, [as amended at 77 Fed. Reg. 60935 \(Oct. 5, 2012\)](#) (Shippers— General Requirements for Shipments and Packages), referenced generally in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 173.2 ~~(2012)~~~~(2013)~~[\(2012\)](#) (Hazardous Materials Classes and Index to Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.

49 CFR 173.12 [\(2013\)](#)~~(2012)~~, as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012)~~(2013)~~ (Exceptions for Shipments of Waste Materials), referenced in 35 Ill. Adm. Code 724.416, 724.986, 725.416, and 725.987.

49 CFR 173.28 ~~(2012)~~~~(2013)~~[\(2012\)](#) (Reuse, Reconditioning, and Remanufacture of Packagings), referenced in 35 Ill. Adm. Code 725.273.

49 CFR 173.50 ~~(2012)~~~~(2013)~~[\(2012\)](#) (Class 1— Definitions), referenced in 35 Ill. Adm. Code 721.123.

49 CFR 173.54 ~~(2012)~~~~(2013)~~[\(2012\)](#) (Forbidden Explosives), referenced in 35 Ill. Adm. Code 721.123.

49 CFR 173.115 [\(2013\)](#)~~(2012)~~ ~~(2013)~~ (Class 2, Divisions 2.1, 2.2, and 2.3— Definitions), referenced in 35 Ill. Adm. Code 721.121.

49 CFR 173.127 [\(2013\)](#)~~(2012)~~ ~~(2013)~~ (Class 2, Divisions 2.1, 2.2, and 2.3— Definitions), referenced in 35 Ill. Adm. Code 721.121.

49 CFR 174 ~~(2012)~~~~(2013)~~[\(2012\)](#) (Carriage by Rail), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 175 ~~(2012)~~, [as amended at 77 Fed. Reg. 60935 \(Oct. 5, 2012\)](#)~~(2013)~~, [as amended at 78 Fed. Reg. 65454 \(Oct. 31, 2013\)](#) ~~(2013)~~, [as amended at 78 Fed. Reg. 65454 \(Oct. 31, 2013\)](#) ~~(2012)~~, [as amended at 77 Fed. Reg. 60935 \(Oct. 5, 2012\)](#) (Carriage by Aircraft), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

49 CFR 176 ~~(2012)~~(2013), as amended at 78 Fed. Reg. 65454 (Oct. 31, 2013) ~~(2012)~~ (Carriage by Vessel), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 177 ~~(2012)~~ (2013), as amended at 78 Fed. Reg. 60745 (Oct. ~~2~~31, 2013)~~(2012)~~ (Carriage by Public Highway), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 178 ~~(2012)~~, as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (2013), as amended at 78 Fed. Reg. 60745 (Oct. 2, 2013) and 78 Fed. Reg. 65454 (Oct. 31, 2013)~~(2012)~~, as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012) (Specifications for Packagings), referenced generally in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 179 ~~(2013)~~(2012), as amended at 77 Fed. Reg. 60935 (Oct. 5, 2012)~~(2013)~~ (Specifications for Tank Cars), referenced in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 180 ~~(2012)~~(2013)~~(2012)~~ (Continuing Qualification and Maintenance of Packagings), referenced generally in 35 Ill. Adm. Code 724.986, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 190 (2013) (Pipeline Safety Programs and Rulemaking Procedures), referenced generally in 35 Ill. Adm. Code 721.104.

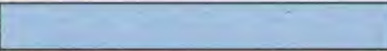




49 CFR 191 (2013) (Transportation of Natural and Other Gas by Pipeline: Annual Reports, Incident Reports, and Safety-Related Condition Reports), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 192 (2013) (Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards), referenced generally in 35 Ill. Adm. Code 721.104.

49 CFR 193 (2013) (Liquefied Natural Gas Facilities: Federal Safety Standards), referenced generally in 35 Ill. Adm. Code 721.104.

Document comparison by Workshare Compare on Monday, February 24, 2014
9:39:29 AM

Input:	
Document 1 ID	file:///I:/Input/Agency Rulemakings - Files Received/2014/Feb.2014/35-720-Agency(issue8).docx
Description	35-720-Agency(issue8)
Document 2 ID	file:///I:/Input/Agency Rulemakings - Files Received/2014/Feb.2014/35-720-r01(issue 8).docx
Description	35-720-r01(issue 8)
Rendering set	Standard

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

Statistics:	
	Count
Insertions	690
Deletions	700
Moved from	10
Moved to	10
Style change	0
Format changed	0
Total changes	1410