

ILLINOIS POLLUTION CONTROL BOARD  
November 16, 2006

IN THE MATTER OF:	)	
	)	
UIC UPDATE, USEPA AMENDMENTS	)	R06-16
(July 1, 2005 through December 31, 2005)	)	(Identical-in-Substance
	)	Rulemaking - Land)
RCRA SUBTITLE D UPDATE, USEPA	)	R06-17
AMENDMENTS (July 1, 2005 through	)	(Identical-in-Substance
December 31, 2005)	)	Rulemaking - Land)
RCRA SUBTITLE C UPDATE, USEPA	)	R06-18
AMENDMENTS (July 1, 2005 through	)	(Identical-in-Substance
December 31, 2005 and March 23, 2006)	)	Rulemaking - Land)
	)	(Consolidated)

Adopted Rule. Final Order.

OPINION OF THE BOARD (by G.T. Girard):

**SUMMARY OF TODAY'S ACTION**

This identical-in-substance rulemaking consists of three separate consolidated dockets. The rulemaking updates the Illinois underground injection control, municipal solid waste landfill, and hazardous waste regulations to incorporate revisions to the federal regulations. The federal amendments that prompted this action were made by the United States Environmental Protection Agency (USEPA) during the period of July 1, 2005 through December 31, 2005, as well as March 23, 2006 amendments affecting earlier hazardous waste amendments. This proceeding adopts amendments to 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 733, 738, 810, and 811. It further adds new 35 Ill. Adm. Code 727. These amendments also make a series of non-substantive corrections and stylistic revisions to segments of the text that are not otherwise affected by the covered federal amendments, principally to the text of 35 Ill. Adm. Code 704 and 730.

The Board has added clarifying amendments to Section 725.153 to the final amendments. This was in response to a comment received. The amendments are considered in the discussion that appears on page 61 of this opinion. Since the amendments Section 725.153 did not appear in the April 6, 2006 proposal for public comment in this matter, the Board solicits public comments on the amendments. The Board must receive any comments filed in response to this request before November 30, 2006.

This opinion and the related order adopt identical-in-substance amendments in three distinct program areas:

1. Sections 7.2 and 13(c) of the Environmental Protection Act (Act) (415 ILCS 5/7.2 and 13(c) (2004)) require the Board to adopt regulations that are “identical in substance” to underground injection control (UIC) regulations that the USEPA adopted to implement Section 1421 of the federal Safe Drinking Water Act (SDWA) (42 U.S.C. § 300h (2003)). The federal UIC regulations are found at 40 C.F.R. 144 through 148.
2. Sections 7.2 and 22.40(a) of the Act (415 ILCS 5/7.2 and 22.4(a) (2004)) require the Board to adopt regulations that are “identical in substance” to municipal solid waste landfill (MSWLF) regulations adopted by the USEPA. These USEPA rules implement Subtitle D of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6941 *et seq.* (2003)). The federal RCRA Subtitle D MSWLF regulations are found at 40 C.F.R. 258.
3. Sections 7.2 and 22.4(a) of the Act (415 ILCS 5/7.2 and 22.4(a) (2004)) require the Board to adopt regulations that are “identical in substance” to hazardous waste regulations adopted by the USEPA. These USEPA rules implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (2003)). The federal RCRA Subtitle C hazardous waste management regulations are found at 40 C.F.R. 260 through 266, 268, 270, 271, 273, and 279. During the present update period, USEPA added new 40 C.F.R. 267.

Sections 13(c), 22.4(a), and 22.40(a) also provide that Title VII of the Act and Section 5 of the Administrative Procedure Act (5 ILCS 100/5-35 and 5-40 (1998)) do not apply to the Board’s adoption of identical-in-substance regulations.

This opinion supports an order that the Board also adopts today.

### **CONSOLIDATION OF DOCKETS**

The Board has previously determined that it was necessary to consolidate three separate dockets in this rulemaking. The following segment of this opinion outlines the various federal actions considered in this proceeding.

### **FEDERAL ACTIONS CONSIDERED IN THIS RULEMAKING**

The following listing briefly summarizes the federal actions considered in this consolidated UIC, RCRA Subtitle D, and RCRA Subtitle C update rulemaking:

#### **Docket R06-16: July 1, 2005 through December 31, 2005** **UIC Amendments**

USEPA amended the federal UIC regulations once during the period July 1, 2005 through December 31, 2005, as is summarized below:

**70 Fed. Reg. 59848 (October 13, 2005)**

USEPA adopted requirements for electronic filing of documents, such as permit applications and reports, under the various federal programs, including federally authorized state programs. The amendments affect, *inter alia*, the drinking water, underground injection control, municipal solid waste landfill, hazardous waste, underground storage tank, and wastewater pretreatment regulations.

**Docket R06-17: July 1, 2005 through December 31, 2005**  
**RCRA Subtitle D Municipal Solid Waste Landfill Amendments**

USEPA amended the federal RCRA Subtitle D regulations twice during the period July 1, 2005 through December 31, 2005, as are summarized below:

**70 Fed. Reg. 44150 (August 1, 2005)**

USEPA corrected the hazardous waste and municipal solid waste landfill segments of its June 14, 2005 (70 Fed. Reg. 34538) amendments to allow the use of alternative methods to “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods.”

**70 Fed. Reg. 59848 (October 13, 2005)**

USEPA adopted requirements for electronic filing of required documents, as described immediately above in the listing for docket R06-16.

**Docket R06-18: July 1, 2005 through December 31, 2005**  
**RCRA Subtitle C Amendments**

USEPA amended the federal RCRA Subtitle C regulations on six occasions during the period July 1, 2005 through December 31, 2005, as are summarized below:

**70 Fed. Reg. 44150 (August 1, 2005)**

USEPA corrected the hazardous waste and municipal solid waste landfill segments of its June 14, 2005 (70 Fed. Reg. 34538) amendments, as described immediately above in the listing for docket R06-17.

**70 Fed. Reg. 45508 (August 5, 2005)**

USEPA adopted amendments that include mercury-containing devices under the Universal Waste Rule, removing these materials from regulation as hazardous waste when regulated according to the universal waste provisions.

**70 Fed. Reg. 53420 (September 8, 2005)**

USEPA adopted new standardized permit provisions for hazardous waste treatment and storage facilities in a new 40 C.F.R. 267. The federal amendments included conforming amendments to the existing permit provisions of 40 C.F.R. 124 and 270 and the substantive hazardous waste rules of 40 C.F.R. 260 and 261.

**70 Fed. Reg. 57769 (October 4, 2005)**

USEPA amended the wastewater headworks exemption from the definition of hazardous

waste. It added benzene and 2-ethoxyethanol to the list of solvents whose mixtures are exempted from the definition. It added scrubber waters that are derived from the combustion of any of the excluded solvents to the exclusion. It now allows the hazardous waste generator to measure solvent levels directly at the headworks of the wastewater treatment plant to determine whether the wastewater mixture is exempt. Finally, it extended the eligibility for the *de minimis* exemption to listed hazardous wastes other than solely to discarded commercial chemical products and to non-manufacturing facilities.

**70 Fed. Reg. 59402 (October 12, 2005)**

USEPA finalized the Hazardous Waste Combustor Rule. This rule imposes national emission standards for hazardous air pollutants (NESHAPs) on hazardous waste combustors. USEPA calls incinerators, cement kilns, and lightweight aggregate kilns that burn hazardous waste “Phase I sources,” since it adopted standards for these sources on September 30, 1999 (at 64 Fed. Reg. 52828). USEPA calls industrial, commercial, or institutional boilers and process heaters and hydrochloric acid production furnaces that burn hazardous waste “Phase II sources.” The present amendments include the Phase II standards and final replacement standards to replace interim standards adopted February 13, 2002 for Phase I sources (in response to litigation in Cement Kiln Recycling Coalition v. EPA, 255 F.3d 855 (D.C. Cir. 2001) (vacatur of portions of the original Phase I standards)).

**70 Fed. Reg. 59848 (October 13, 2005)**

USEPA adopted requirements for electronic filing of documents, as described above in the listing for docket R06-16.

**Cited Actions on Which No Board Action Was Be Necessary**

No Board action was required on one set of the amendments listed above. The Board completed action on the August 1, 2005 (70 Fed. Reg. 44150) corrections to the June 14, 2005 (70 Fed. Reg. 34538) amendments relating to the use of “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods” in the prior consolidated update docket, UIC Update, USEPA Regulations (January 1, 2005 through June 30, 2005), R06-5, RCRA Subtitle D Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-6, and RCRA Subtitle C Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-7 (Jan. 5, 2006 and Feb. 2, 2006). No further action is necessary in this matter.

**Later UIC, RCRA Subtitle D (MSWLF), and RCRA Subtitle C (Hazardous Waste) Amendment of Interest**

The Board engages in ongoing monitoring of federal actions. As of the date of this opinion and accompanying order, the Board has identified one USEPA action since December 31, 2005, that further affects the RCRA Subtitle D MSWLF and RCRA Subtitle C hazardous waste rules in a way that requires immediate Board attention. The federal action is described as follows:

**71 Fed. Reg. 14655 (March 23, 2006)**

USEPA administratively stayed the effective date of the October 12, 2006 (70 Fed. Reg. 59402) amendments to the Hazardous Waste Combustor Rule. USEPA stayed the effective date of the rules when granting a request for reconsideration of a segment of the amendments. USEPA simultaneously proposed amendments to the rule (at 71 Fed. Reg. 14665). The 90-day stay of the effective date expired June 23, 2006.

The federal stay expired before the present amendments can be filed with the Office of the Secretary of State and become effective. Even so, the Board amends the incorporation of Subpart EEE of 40 C.F.R. 63 by reference to include the federal amendments that effect the stay.

When the Board observes an action outside the nominal timeframe of a docket that requires expedited consideration, the Board will expedite consideration of those amendments in the pending docket. Federal actions that could warrant expedited consideration include those that directly affect the amendments involved in this docket, those for which compelling reasons would warrant consideration as soon as possible, and those for which the Board has received a request for expedited consideration.

**Summary Listing of the Federal Actions Forming the Basis  
of the Board's Actions in This Docket**

Based on the foregoing, the five federal actions that form the basis for Board action in this update docket are the following, listed in chronological order:

August 5, 2005 (70 Fed. Reg. 45508)	Amendments including mercury-containing devices under the Universal Waste Rule.
September 8, 2005 (70 Fed. Reg. 53420)	Standardized permit provisions for hazardous waste treatment and storage facilities.
October 4, 2005 (70 Fed. Reg. 57769)	Amendments to the wastewater headworks exemption from the definition of hazardous waste.
October 12, 2005 (70 Fed. Reg. 59402)	Amendments that finalize the Hazardous Waste Combustor Rule, imposing NESHAPs on Phase II hazardous waste combustor sources and amending the interim standards adopted February 13, 2002 for Phase I sources.
October 13, 2005 (70 Fed. Reg. 59848)	Requirements for electronic filing of required documents in federally-authorized programs.
March 23, 2006 (71 Fed. Reg. 14655)	Administrative stay of October 12, 2006 Hazardous Waste Combustor Rule amendments.

**Other Federal Actions Having a Direct Impact on the  
Illinois UIC and RCRA Subtitle C Regulations**

In addition to the amendments to the federal UIC, RCRA Subtitle D MSWLF, or RCRA Subtitle C regulations, amendments to certain other federal regulations occasionally have an effect on the Illinois hazardous waste rules. Most notably, 35 Ill. Adm. Code 720.111 includes several incorporations of federal regulations by reference. The incorporated regulations include segments of various USEPA environmental regulations and United States Department of Transportation hazardous materials transportation regulations that USEPA has incorporated into the federal hazardous waste rules.

The latest available version of the *Code of Federal Regulations* is now the 2006 edition (issued January 1, 2006) for Title 10 (Nuclear Regulatory Commission (NRC)), the 2005 edition (issued July 1, 2005) for Titles 33 (U.S. Coast Guard (Coast Guard)) and 40 (USEPA), and the 2005 edition (issued October 1, 2005) for Title 49 (U.S. Department of Transportation (USDOT)). Each of these is incorporated by reference in Section 720.111 of the hazardous waste regulations. Title 40 is also incorporated by reference in Section 810.104 of the non-hazardous waste landfill regulations. The Board will amend the incorporations of these federal regulations by reference to include those editions of the *Code*. This will assure that all USDOT amendments through September 30, 2004, all NRC regulations through December 31, 2004, and all Coast Guard and USEPA amendments through December 31, 2005, will be included in the incorporations of the pertinent regulations by reference.

The Board has found only minor sets of amendments to the incorporated materials in Section 720.111 past these respective dates. These amendments update incorporated segments of the *Code of Federal Regulations*, but it is unlikely that those amendments affect the implementation of the federal hazardous waste requirements. Nevertheless, the Board updates the incorporations to include the later federal amendments. The *Federal Register* citations to the later amendments that are added to the incorporations by reference are listed in Table 1, which begins on page 62 of this opinion.

**PUBLIC COMMENTS**

The Board adopted a proposal for public comment in this matter on April 6, 2006. Notices of Proposed Amendment appeared in the April 21, 2006 issue of the *Illinois Register*, at 30 Ill. Reg. 6675 (Part 702), 6724 (Part 703), 6839 (Part 704), 6938 (Part 705), 6961 (Part 720), 7022 (Part 721), 7103 (Part 722), 7113 (Part 723), 7125 (Part 724), 7263 (Part 725), 7329 (Part 726), 7380 (Part 727), 7488 (Part 728), 7515 (Part 730), 7586 (Part 733), 7640 (Part 738), 7646 (Part 739), 7658 (Part 810), 7668 (Part 811), 7694 (Part 812), 7699 (Part 813), and 7705 (Part 814). The public comment period was initially to have ended 45 days after the appearance of the Notices in the *Register*, on June 5, 2006. But by an order dated June 1, 2006, the Board granted a motion filed by the Illinois Environmental Protection Agency (Agency) and extended the comment period until June 30, 2006.

The Board received two public comments on this proposal, both of which were from the Agency:

- PC 1 Comments of the Illinois Environmental Protection Agency, by Kimberly Geving, Assistant Counsel, Agency, Division of Legal Counsel, dated and docketed June 30, 2006.
- PC 2 E-mail from Scott Phillips, Agency, Division of Legal Counsel, dated August 4, 2006 and docketed August 14, 2006.

By PC 1, the Agency offered a large number of significant comments and suggestions for changes and corrections to the proposed amendments. By PC 2, the Agency offered a suggestion for a single correction to a segment of the rules that was not originally involved in the proposal. The responses to the Agency suggestions in PC 1 are considered in the segments of the discussion that begin on pages 13 and 18 of this opinion. The Board response to PC 2 is discussed on page 59 of this opinion.

The Board will delay filing these adopted rules with the Secretary of State for 30 days after adoption, particularly to allow additional time for USEPA to review the adopted amendments before they are filed and become effective.

#### **TIMETABLE FOR COMPLETION OF THIS RULEMAKING AND EXTENSION OF THE DEADLINE FOR FINAL BOARD ACTION**

Under Section 7.2 of the Act (415 ILCS 5/7.2(b) (2004)), the Board must complete this rulemaking within one year of the date of the earliest set of federal amendments considered in this docket. USEPA adopted the earliest federal amendments that required Board attention on August 5, 2005, so that the original deadline for Board adoption of these amendments was August 5, 2006.

The Board adopted an order on June 1, 2006, in response to a motion filed by the Agency. That Order extended the public comment period until June 30, 2006, and the due date until September 14, 2006. The Agency had requested additional time to formulate and submit its comments on the proposal, and the Board granted that request.

By another order dated September 7, 2006, the Board extended the deadline for filing the amendments until December 6, 2006. The Board determined that the added time was necessary to fully evaluate and respond to the significant comments submitted by the Agency.

The Board now finds for the third time that additional time is necessary to complete the amendments. While the Board had anticipated adopting these amendments no later than November 2, 2006 when it ordered the second extension of the deadline, an additional two weeks proved necessary. The Board found it necessary to prioritize adoption of the second-notice opinion and order in Proposed New 35 Ill. Adm. Code 225 Control of Emissions From Large Combustion Sources (Mercury), R06-25 (Nov. 2, 2006).

Since this opinion and order adopts the amendments in this matter, no delay other than the routine 30-day hold on the hazardous waste amendments before their filing with the Office of

the Secretary of State. Thus, the Board anticipates that the present amendments will be filed and will become effective no later than December 26, 2006. The following table summarizes the anticipated progress of this consolidated docket to completion:

Nominal Due date:	August 5, 2006
Date of Board vote to propose amendments:	April 6, 2006
Submission for <i>Illinois Register</i> publication:	April 17, 2006
Probable <i>Illinois Register</i> publication dates:	April 28, 2006
End of 45-day public comment period:	June 30, 2006
Date of Board vote to adopt amendments:	November 16, 2006
End of 30-day hold period for USEPA review:	December 19, 2006
Probable filing and effective date:	December 26, 2006
Probable <i>Illinois Register</i> publication date:	January 12, 2007

## **DISCUSSION**

The following discussion begins with a description of the types of deviations the Board makes from the literal text of federal regulations in adopting identical-in-substance rules. It is followed by a discussion of the amendments and actions undertaken in direct response to the federal actions involved in this proceeding. This first series of discussions is organized by federal subject matter, generally appearing in chronological order of the relevant *Federal Register* notices involved. Finally, this discussion closes with a description of the amendments and actions that are not directly derived from the federal actions.

### **General Revisions and Deviations from the Federal Text**

In incorporating the federal rules into the Illinois system, some deviation from the federal text is unavoidable. This deviation arises primarily through differences between the federal and state regulatory structure and systems. Some deviation also arises through errors in and problems with the federal text itself. The Board conforms the federal text to the Illinois rules and regulatory scheme and corrects errors found in the text in the course of these routine update rulemakings.

In addition to the amendments derived from federal amendments, the Board often finds it necessary to alter the text of various passages of the existing rules as provisions are opened for update in response to USEPA actions. This involves correcting deficiencies, clarifying provisions, and making other changes that are necessary to establish a clear set of rules that closely parallel the corresponding federal requirements within the codification scheme of the *Illinois Administrative Code*.

The Board updated the citations to the *Code of Federal Regulations* to the most recent version available. As discussed above, the most recent versions of the *Code of Federal Regulations* available to the Board are the January 1, 2006 edition for NRC regulations (Title 10), the July 1, 2005 edition for Coast Guard and USEPA regulations (Titles 33 and 40, respectively), and the October 1, 2005 edition for USDOT regulations (Title 49). Thus, the Board has updated all citations to Title 10 to the 2006 edition of the *Code of Federal Regulations*



and citations to Titles 33, 40, and 49 to the 2005 edition, adding references to later amendments using their appropriate *Federal Register* citation, where necessary.

The Board substituted “or” for “/” in most instances where this appeared in the federal base text, using “and” where more appropriate. The Board further used this opportunity to make a number of corrections to punctuation, grammar, spelling, and cross-reference format throughout the opened text. We changed “who” to “that” and “he” or “she” to “it,” where the person to which the regulation referred was not necessarily a natural person, or to “he or she,” where a natural person was evident; changed “which” to “that” for restrictive relative clauses; substituted “must” for “shall”; capitalized the section headings and corrected their format where necessary; and corrected punctuation within sentences.

In addition, the federal rules have been edited to establish a uniform usage throughout the Board’s regulations. For example, with respect to “shall,” “will,” and “may,” “must” is used when an action is required by the rule, without regard to whether the action is required of the subject of the sentence or not. “Shall” is no longer used, since it is not used in everyday language. Thus, where a federal rule uses “shall,” the Board substitutes “must.” This is a break from our former practice where “shall” was used when the subject of a sentence has a duty to do something. “Will” is used when the Board obliges itself to do something. “May” is used when choice of a provision is optional. “Or” is used rather than “and/or,” and denotes “one or both.” “Either . . . or” denotes “one but not both.” “And” denotes “both.”

The Joint Committee on Administrative Rules has requested that the Board refer to the United States Environmental Protection Agency in the same manner throughout all of our bodies of regulations—*i.e.*, air, water, drinking water, RCRA Subtitle D (municipal solid waste landfill), RCRA Subtitle C (hazardous waste), underground injection control (UIC), etc. The Board has decided to refer to the United States Environmental Protection Agency as “USEPA.” The Board will continue this conversion in future rulemakings as additional sections become open to amendment. The Board will further convert “EPA” used in federal text to “USEPA,” where USEPA is clearly intended.

The Board has assembled tables to aid in the location of these alterations and to briefly outline their intended purpose. Table A sets forth the miscellaneous deviations from the federal text, and Table B itemizes the corrections to the pre-amended base text of the rules in detail. Table A begins on page 75 of this opinion, and Table B begins on page 163. There is no further discussion of most of the deviations and revisions elsewhere in this opinion.

### **Discussion of Corrective Amendments**

The Board has traditionally used the occasion of these identical-in-substance updates to correct segments of the base text of the Illinois regulations. These corrections are non-substantive in effect. The Board is including a significant number of non-substantive corrections in this docket. Some were prompted by the current federal amendments.

When a necessary minor correction comes to the attention of the Board, Board staff makes a note of the correction, and it is set aside until the next opportunity to make the

correction. The next opportunity generally presents itself when the section involved is next opened for amendment as a result of amendments to the corresponding federal text. Over the last few years, the Board has cataloged very many changes, but the pace of completing the corrections has been slow, since only a limited number of all the sections involved in the hazardous waste regulations have been the subjects of federal amendments.

In preceding RCRA Subtitle C update dockets, the Board included necessary corrections to many segments of the text of the rules that were not already involved in the pertinent docket as a result of federal amendments. The Board has continued this process through the following RCRA Subtitle C update dockets:

RCRA Subtitle C Update, USEPA Regulations (January 1, 2002 through June 30, 2002), R03-7 (Jan. 9, 2003)

RCRA Subtitle C Update, USEPA Regulations (July 1, 2002 through December 31, 2002), R03-18 (June 5, 2003)

RCRA Subtitle C Update, USEPA Regulations (July 1, 2003 through December 31, 2003), R04-16 (Apr. 1, 2004)

RCRA Subtitle C Update, USEPA Regulations (January 1, 2004 through June 30, 2004 and October 25, 2004), R05-2 (Mar. 3, 2005)

UIC Update, USEPA Regulations (January 1, 2005 through June 30, 2005), R06-5; RCRA Subtitle D Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-6; and RCRA Subtitle C Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-7 (consolidated), (Jan. 5, 2006 and Feb. 2, 2006)

In this ongoing review of the rules, the Board has so far reviewed the entire text of Parts 703, 705, 720, 721, 722, 723, 724, 725, 726, 728, 733, 738, and 739 of the RCRA Subtitle C and UIC regulations. The Board included all the necessary corrections to the base text of which the Board was aware. The Board believes that prompt completion of the corrections benefits the Agency's implementation of the rules and the regulated community.

The Board is completing the review by continuing this approach in this current docket. The Board has made corrections to the final three Parts of the regulations: Parts 702, 704, and 730. Thus, after completion of this rulemaking, the Board will have reviewed the entire text of Parts 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 727, 728, 733, 738, and 739 of the hazardous waste and UIC regulations and made necessary corrections. Completion of this project has taken more than three years due to the extreme volume of the UIC and RCRA Subtitle C rules,<sup>1</sup> and due to the fact that Board has waited for each Part of the rules to open for federally derived amendments.

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<sup>1</sup> The entire text of the hazardous waste and underground injection control regulations includes over half a million words and spans about 2000 pages.

The Board will not discuss particular corrective amendments in this segment of this discussion. The corrections are itemized in the Table A which begins on page 75 of this opinion.

### **Redesignation of Part 738 as Hazardous Waste Requirements**

Since its initial adoption in UIC Update, USEPA Regulations (July 1, 1988 through December 31, 1988), R89-2 (Jan. 25, 1990), 35 Ill. Adm. Code 738 has been grouped together with the underground injection control regulations. It is derived from 40 C.F.R. 148, which is adjacent to the underground injection control requirements of 40 C.F.R. 144 through 147, the drinking water standards of 40 C.F.R. 141 through 143, and the sole source aquifer regulations of 40 C.F.R. 149, each of which is derived from various segments of the federal Safe Drinking Water Act (42 U.S.C. 300f *et seq.* (2003)).

The authority asserted by USEPA for adoption of 40 C.F.R. 148, however, is section 3004 of RCRA (42 U.S.C. 6924 (2003)). This is the authorization for USEPA to adopt standards applicable to hazardous waste treatment, storage, and disposal facilities. The authority for Board adoption of federal hazardous waste management standards is Section 22.4(a) of the Act (415 ILCS 5/22.4 (2004)). Section 22.4(a), *inter alia*, mandates adoption of regulations that are identical-in-substance to hazardous waste management standards adopted by USEPA pursuant to Section 3004 of RCRA. Thus, adoption of Illinois regulations to correspond with the underground injection aspects of the federal land disposal restrictions of 40 C.F.R. 148 falls under the Board's mandate of Section 22.4(a) of the Act (415 ILCS 5/22.4(a) (2004)). The adoption of those land disposal restrictions cannot fall under the mandate of Section 13(c) of the Act (415 ILCS 5/13(c) (2004)), which relates exclusively to federal regulations adopted pursuant to section 1421 of SDWA (42 U.S.C. 300h (2003)), pertaining exclusively to underground injection control.

For the foregoing reasons, the Board is amending 35 Ill. Adm. Code 738 to classify it as a segment of the Illinois hazardous waste regulations. While Part 738 will retain its existing Part number, the Board is changing the Subtitle designation from 35 Ill. Adm. Code: Subchapter d (Underground Injection Control and Underground Storage Tank Programs) to 35 Ill. Adm. Code: Subchapter c (Hazardous Waste Operating Requirements). This is accomplished with a single amendment to the table of contents Subchapter heading for Part 738.

The Board believes that associating Part 738 with the hazardous waste requirements more accurately reflects the authority under which USEPA adopted the Part 738 restrictions and the authority under which the Board is mandated to incorporate those standards into the Illinois regulations. This will narrow the scope of future underground injection control update dockets to incorporating amendments of 40 C.F.R. 146 into 35 Ill. Adm. Code 730. It will concomitantly broaden the scope of future hazardous waste updates to include incorporation of amendments to 40 C.F.R. 148.

In redesignating Part 738 under Subchapter c, the Board is mindful that this places one more Part of the hazardous waste regulations out of what would appear a natural sequence of Part and Subchapter numbering. At present, the Part and Subchapter numbering of the 700-

series of the Subtitle G regulations is as indicated in Table 2-A, which appears on page 64 of this opinion.

One possible renumbering of the Parts and redesignation of Subchapters among this material that is indicated in Table 2-B, which appears on page 65 of this opinion. The reorganization of material indicated in that table changes only those Parts adopted by the Board under the identical-in-substance authorities of sections 13(c) and 22.4(a) of the Act (415 ILCS 5/13(c) and 22.4(a) (2003)). This reorganization may not require the use of the general rulemaking authority of Section 27 of the Act (415 ILCS 5/27 (2004)).

The Board requested public comment on moving the underground injection aspects of the federal land disposal restrictions into the hazardous waste regulations. Specifically, the Board requested comment on the redesignation of Part 738 from Subchapter d to Subchapter c to associate these requirements as hazardous waste requirements. The Board further requested comment whether it might one day be desirable to renumber the hazardous waste regulations of Parts 720 through 728 and 738 to Parts 710 through 718 and 720 and renumber Parts 733 and 739 to Parts 721 and 722, so that all of Subchapter c appears in numerical order before Subchapter d.

In PC 1, the Agency stated in response as follows:

The Illinois EPA does not believe that it would be beneficial to renumber all of the existing hazardous waste regulations. The regulations are already difficult enough to follow due to how differently they are structured compared to the federal requirements. Additionally, the regulated community and the Illinois EPA have become familiar with the existing numbering system and to change it at this juncture could be very confusing.

The Board is sensitive to the need for easy comparison with the federal rules. The problem that exists at present derives from the interspersed of RCRA, UIC, and UST rules. The Board will take the Agency comments under advisement should the future present an opportunity to consider correction of the problems inherent to the existing structure of the rules.

### **Discussion of the Particular Federal Actions Involved in This Docket**

#### **Amendment of the Universal Waste Rule to Include Mercury-Containing Devices--Parts 703, 720, 721, 724, 725, 728, and 733<sup>2</sup>**

On August 5, 2005 (70 Fed. Reg. 45508), USEPA amended the Universal Waste Rule to include mercury-containing devices. Items that are designated “universal waste,” and which are managed in accordance with the Universal Waste Rule, are not subject to regulation as hazardous waste. USEPA explained that common mercury-containing equipment (MCE)

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<sup>2</sup> The specific Sections involved are 703.123, 720.110, 721.109, 724.101, 725.101, 728.101, 733.101, 733.104, 733.109, 733.113, 733.114, 733.132, 733.133, and 733.134.

includes thermostats, barometers, manometers, flow meters, pressure relief gauges, water treatment gauges, gas safety relays, and electronic mercury switches that are in common industrial, commercial, governmental, and household use.

The Board does not review the substance and merits of the underlying federal action in an identical-in-substance proceeding, except to the extent that it may be necessary to do so in order to incorporate the federal provisions into the Illinois regulations. Persons interested in the details of the federal amendments should consult the August 5, 2005 *Federal Register* notice. Having stated this, the Board observes for the benefit of the regulated community that the October 12, 2005 amendments to the Universal Waste Rule replace an earlier exemption for MCE that the Board adopted under authority of State law.

The Board previously included MCE in the Universal Waste Rule in Standards for Universal Waste Management (35 Ill. Adm. Code 703, 720, 721, 725, 728, and 733), R05-8 (Apr. 7, 2005). The Board adopted that rule on a petition filed by the Agency pursuant to Section 22.23b of the Act (415 ILCS 5/22.23b (2004)). That Agency proposal was based on amendments to the Universal Waste Rule that USEPA proposed on June 12, 2002 (67 Fed. Reg. 40507). That USEPA proposal resulted in the October 12, 2005 federal amendments now under consideration by the Board.

Since the June 2002 proposal, USEPA has changed aspects of the amendments. Principally, USEPA changed its definition of MCE to include thermostats, which were formerly a separate category of universal waste. USEPA also reworded segments of the definition to clarify its intent as to what is included as MCE. USEPA further made a series of minor changes in the MCE management and transportation requirements of the final rule. Important among these changes is a new definition of “ampule,” added provisions for MCE in which the mercury is not contained in an ampule, and standards for removal of the mercury-containing component from the MCE. Thus, the version of the MCE provisions adopted by the Board on April 7, 2005, is no longer entirely consistent with the provisions adopted by USEPA on October 12, 2005.

The present amendments make the Illinois rules consistent with those now adopted by USEPA. The Board incorporated the August 5, 2005 federal amendments without substantive deviation from the corresponding federal text. The deviations from the text of the federal amendments are restricted to those structural and stylistic changes needed to make the text comport with the *Illinois Register* format and the Board’s preferred style. The Table A, which begins on page 75 of this opinion, itemizes the various revisions made in the federal text in adapting it into the State regulations.

The Board requested public comment on the incorporation of the August 5, 2005 federal amendments that included MCE as a category of universal waste. The Board received no comments on this aspect of the proposal.

**Standardized Permits for Hazardous Waste Management Facilities--Parts 702, 703, 705, 720, 721, and 727<sup>3</sup>**

The USEPA action of September 8, 2005 (70 Fed. Reg. 53420) modified the hazardous waste permit requirements. USEPA changed the federal permit rules to allow what it called a “standardized permit” for certain hazardous waste management facilities. The facilities eligible for coverage under the Standardized Permit Rule are facilities that are otherwise subject to the RCRA permit requirements and which generate and then store or non-thermally treat hazardous waste on-site in containers, tanks, or containment buildings. Also subject to the Standardized Permit Rule are facilities that receive waste for storage or treatment from a generator that is under the same ownership as the receiving facility. USEPA’s goal is to streamline the RCRA permit process to allow the subject facilities to more easily obtain and modify permits.

The Board incorporated the September 8, 2005 federal amendments without substantive deviation from the corresponding federal text. The deviations from the text of the federal amendments are restricted to those structural and stylistic changes needed to make the text comport with the *Illinois Register* format and the Board’s preferred style. Table A, which begins on page 75 of this opinion, itemizes the various revisions made in the federal text in adapting it into the State regulations.

The Board does not review the substance and merits of the underlying federal action in an identical-in-substance proceeding, except to the extent that it may be necessary to do so in order to incorporate the federal provisions into the Illinois regulations. Persons interested in the details of the federal amendments should consult the September 8, 2005 *Federal Register* notice. The only aspects of the present amendments that warrant such consideration here relate to the style and structure of the federal regulations.

Initially, the style in which USEPA presented the regulations is their current “user-friendly” format. The rules are presented in a question-and-answer format that the Board believes is more appropriate for an informational brochure than for regulations. The Board believes that the informal style and chatty format used by USEPA could one day result in adjudication that the rules are advisory, rather than compulsory. Thus, the Board has changed each appearance of headings and questions like “What requirements apply to my facility?” to a direct statement like “Applicable requirements.”

Second, USEPA chose to codify the new segments of the existing permit rules, subpart G of 40 C.F.R. 124 and subpart J of 40 C.F.R. 270, and the new Standardized Permit rules, 40 C.F.R. 267, in short, narrow sections. Many of the new provisions are far less than a page long when presented in the *Illinois Administrative Code* format. USEPA then subdivided the new subparts with topical subheadings that include two to five of these short sections each. The

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<sup>3</sup> The specific Sections involved are 702.101, 702.110, 702.120, 702.125, 703.100, 703.101, 703.125, 703.144, 703.191, 703.192, 703.260, 703.270, 703.272, 703.350 through 703.353, 705.128, 705.300 through 705.304, 720.110, 720.111, 721.107; 727.100, 727.130, 720.150, 727.170, 727.190, 727.210, 727.240, 727.270, 727.290, and 727.900.

subheadings are not allowed in the *Illinois Administrative Code* format. See 1 Ill. Adm. Code 100.310 (2004). The federal amendments added 15 sections to subpart G of 40 C.F.R. 124 under five topical subheadings, and 12 sections to subpart J of 40 C.F.R. 270 under four subheadings. New part 267 does not use the topical subheadings, but most of its 75 new sections are similarly short, in 12 subparts. Thus, the Board has made changes consistent with *Illinois Administrative Code* requirements.

Third, USEPA has marked a number of sections in the new rules as “reserved.” This is not allowed under the *Illinois Administrative Code* format. See 1 Ill. Adm. Code 100.310 (2004). See, e.g., 40 C.F.R. 267.91 through 267.100 and 267.144 through 267.146, as added at 70 Fed. Reg. 45508, 53460, 53465 (Aug. 5, 2005). This has required the Board to insert a statement at each of the corresponding subsections to maintain structural consistency with the federal regulations. See, e.g., 35 Ill. Adm. Code 727.190(b) through (m) and 727.240(e) through (g), as added in the order accompanying this opinion. Similarly, USEPA marked some subsections in the federal rules as “reserved.” See, e.g., 40 C.F.R. 267.141(c) and (e), as added at 70 Fed. Reg. 45508, 53462 (Aug. 5, 2005). The Board was easily able to maintain structural consistency by adding the explanatory statement in the corresponding subsection of the Illinois regulations. See, e.g., 35 Ill. Adm. Code 727.240(b)(3) and (b)(5), as added in the order accompanying this opinion (corresponding with the cited federal example reserved subsections).<sup>4</sup>

Incorporating the new federal Standardized Permit Rule requirements into the Illinois rules, the Board has deviated from the federal structure, while retaining a correlation with the federal structure.<sup>5</sup> The Board has chosen to use the topical subheading divisions as Section

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<sup>4</sup> Similarly reserved subparts in the federal regulations did not present a similar challenge to maintain structural consistency, since the Board only needed to leave gaps in the Section numbering to accommodate any future use of these federal provisions. Compare the table of contents of 40 C.F.R. 267, as added at 70 Fed. Reg. 45508, 53454 (Aug. 5, 2005) (reserving subparts K through CC) with the table of contents of 35 Ill. Adm. Code 727 in the order accompanying this opinion (leaving a large gap in numbering between Sections 727.290 and 727.900).

<sup>5</sup> Since they were initially codified, the Board has maintained a linear correlation with the substantive segments of the federal hazardous waste regulations. The State Section number has been the corresponding federal section number plus 460.100. Thus, for example, 40 C.F.R. 265.314 correlated with 35 Ill. Adm. Code 725.414. See Proposed Regulations for RCRA, R81-22, slip op. at 3 (Sept. 16, 1981). The only notable exception to this pattern has occurred when the Board has encountered federal provisions that exceed the allowable four subsection indent levels in their rules. See UIC Update, USEPA Regulations (January 1, 2005 through June 30, 2005), R06-5, RCRA Subtitle D Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-6, RCRA Subtitle C Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-7 (consolidated), (Jan. 5, 2006 and Feb. 2, 2006) at page 11. There has never been any effort to maintain structural parity between the State and federal permit rules.

divisions in the Illinois regulations, organizing the federal sections into subsections for new Subpart J of 35 Ill. Adm. Code 703 (corresponding with subpart J of 40 C.F.R. 270) and new Subpart G of 35 Ill. Adm. Code 705 (corresponding with subpart G of 40 C.F.R. 124). In new 35 Ill. Adm. Code 727 (corresponding with 40 C.F.R. 267), the Board has combined all federal sections in each federal subpart into a single State Section; each federal section appears as a subsection at the first indent level.<sup>6</sup> The Board has appended a Board note to each subsection that indicates the federal section from which it derives.

Fourth, segments of the federal regulations extend beyond the level of subsection indents permissible under the *Illinois Administrative Code* format. This is made even more significant by the Board's having used the first indent level to combine several federal subsections into a single *Illinois Administrative Code* Section. For example, codification of new 40 C.F.R. 267.143(f)(2)(i)(A)(I)(i) through (f)(2)(i)(A)(I)(vi) without relocation of material would have required codification three indent levels below the permissible level of 35 Ill. Adm. Code 727.240(d)(6)(B)(i) (perhaps as 727.240(d)(6)(B)(i)(a)(I)(A) through (d)(6)(B)(i)(a)(I)(F)).<sup>7</sup> Instead, the Board moved provisions that would have required impermissible indent levels.

Finally, the Board notes that USEPA did not amend all general cross-references to the hazardous waste rules to include new 40 C.F.R. 267. In fact, USEPA amended only one general cross-reference in the rules to accommodate the adoption of new 40 C.F.R. 727. That cross-reference is at 40 C.F.R. 261.7(a)(1) (corresponding with 35 Ill. Adm. Code 721.107(a)(1)). The cross-reference now cites "parts 261 through 265, 267, 268, 270, or 124" (which the Board has rendered as "35 Ill. Adm. Code 702, 703, and 721 through 728" in the Illinois regulations). Many other general references to the rules still read "40 C.F.R. parts 260 through 266 and 268," "40 C.F.R. parts 262 through 265," or in some other way that does not include new part 267.

The Board can see nothing unique about the cross-reference at 40 C.F.R. 261.7(a)(1) that indicates USEPA intended it as the only general cross-reference to include new part 267. For this reason, the Board has amended each general cross-reference in the Illinois regulations to include new part 727. The Board has further examined the context of each and included or excluded citations to the waste- and facility-specific standards of Part 726, the universal waste management requirements of Part 733, the land disposal restrictions of Parts 728 and 738,<sup>8</sup> and the used oil management standards of Part 739, as appears appropriate. Table 3, which begins on

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<sup>6</sup> Numbered (a), (b), (c), etc., as appropriate.

<sup>7</sup> Further, since the *Illinois Administrative Code* codification requirements necessitates an additional half inch of indent for each lower level of subsection, with the first indent level starting two inches from the left margin of the page (*see* 1 Ill. Adm. Code 100.340(b) (2004)), the text of such a subsection at the seventh indent level would have been indented five inches from the left margin.

<sup>8</sup> The Board notes that Part 738 has traditionally been associated as underground injection control regulations. One segment of the present amendments would redesignate Part 738 as a segment of the hazardous waste regulations. See pages 11 and 12 of this opinion for discussion of this redesignation.



page 66 of this opinion lists all the federal regulations that do not yet include 40 C.F.R. 267 to a general citation to the hazardous waste regulations, the corresponding Illinois regulations, and how the Board has updated each cross-reference to include.

To accommodate the changes in structure and movements of text described in the foregoing paragraphs, the Board has added tables to the text of new Part 727 that indicate the correlation between the State and federal Standardized Permit Rule provisions. Added Table A of Appendix B to 35 Ill. Adm. Code 727 correlates the provisions added to 40 C.F.R. 124, 267, and 270 to those added at 35 Ill. Adm. Code 703, 705, and 727. Added Table B of Appendix B to 35 Ill. Adm. Code 727 correlates the added State provisions of 35 Ill. Adm. Code 703, 705, and 727 to those from which they derived in 40 C.F.R. 124, 267, and 270. The Board has further inserted Board notes at each provision of the permit rules to indicate the federal regulations from which it derived. *See, e.g.*, the end Board note attached to 35 Ill. Adm. Code 702.110 (2004). Where the Board found it necessary to deviate from the federal structure to move segments of text, explanatory Board notes at the location from which the text was moved indicate the new location of the text. Companion Board notes at the location to which the text moved indicate the source location. *See, e.g.*, the end Board notes attached to 35 Ill. Adm. Code 727.240(d)(6)(A) and (m) (2004) (indicating the movement of corresponding 40 C.F.R. 267.143(f)(1)). Table 4 which begins on page 68 of this opinion, itemizes the locations of the various federal Standardized Permit Rule provision in the Illinois regulations.<sup>9</sup>

The Board requested public comment on the incorporation of the September 8, 2005 federal Standardized Permit Rule. In particular, the Board requested comments on three specific aspects of these amendments. First, the Board requested comments on the shift in style from USEPA's now customary question-and-answer format to a more traditional format of using direct statements and imperatives for the rules. Second, the Board requested comments on the structural deviations from the corresponding federal rules. Finally, the Board requested comment on whether any or all of the generalized cross-references to the hazardous waste regulations should be expanded to include the Parts 728 and 738 land disposal restrictions, the Part 733 universal waste rule, and the Part 739 used oil standards. (See Table 3, which begins on page 66 of this opinion, and which lists the cross references updated to include the Part 727 Standardized Waste Rule requirements.)

The Agency submitted several comments on the text of the proposed amendments. The Board has review each comment and responded to each by either amending the text of the rules or taking no action. Table C, which begins on page 284 of this opinion, itemizes in summary form the changes made in the text in response to the Agency comments. Table D, which begins on page 318, itemizes summary responses to each Agency suggestion that the Board has declined to follow. There is no further discussion of most of the Agency suggestions other than what appears in Tables C and D. On the other hand, several Agency suggestions warrant more elaborate consideration and discussion. The following discussions consider the more significant aspects of the Agency comments. The discussions are arranged by topic.

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<sup>9</sup> This Table 4 is essentially the same as Table A of Appendix B to Part 727, as added in the order that accompanies this opinion.

**Exceptions to the Applicability of the Standardized Permit Rule.** The Agency questioned a series of exception declarations in the Standardized Permit Rule. These exception references appear in the applicability provisions of each substantive segment of the rules.<sup>10</sup> The applicability statements essentially say that the rules of Part 727 apply to the described facilities “except as provided otherwise in Subpart A of 35 Ill. Adm. Code 721 or 35 Ill. Adm. Code 724.101(f) and (g).”<sup>11</sup> The Agency asked whether these are “exceptions intended to require the reader to follow Part 721 and Section 724.101(f) and (g).” PC 1 at p. 2, ¶ 7. The Board’s response is that these exceptions provide as follows: the Standardized Permit Rule does not apply to (1) the management of any material other than regulated hazardous waste; and (2) any treatment, storage, or disposal (T/S/D) activity that is not subject to the permitted facility standards of 35 Ill. Adm. Code 724.

The first exception to the Standardized Permit Rule is as “provided otherwise” at Subpart A of 35 Ill. Adm. Code 721. This Subpart A sets forth the definitions of “solid waste” and “hazardous waste.” It further sets forth various exceptions to those definitions. In short, Subpart A of Part 721 essentially defines what is a regulated hazardous waste. Hence, it defines the scope of hazardous waste regulation. If a material is not a regulated hazardous waste, the person managing that material is not subject to the hazardous waste regulations. Pursuant to Section 727.100(a)(2), that person’s management of that material is not subject to Part 727.

The second listed exception from the Standardized Permit Rule is as “provided otherwise” at 35 Ill. Adm. Code 721.101(f). Subsections (f) of Section 724.101 defines an exception to the applicability of the T/S/D facility standards for permitted facilities. The reference to Section 724.101(f), however, actually has no substantive effect. Section 724.101(f) directs attention to the corresponding federal provision, 40 C.F.R. 264.1(f), from which it derives. That federal provision relates exclusively to the applicability of the federal standards, and it has no direct counterpart in the Illinois regulations. The Board included subsection (f) in the Illinois regulations to maintain structural consistency with the corresponding federal regulations.<sup>12</sup>

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<sup>10</sup> In addition to the general provisions of subpart A of 40 C.F.R. 267, the substantive segments of the federal rule are subparts B, C, D, E, F, G, H, I, J, and DD of 40 C.F.R. 267. These federal subparts each appear as an individual Section in the Illinois rules: general Section 727.100 and substantive Sections 727.110, 727.130, 727.150, 727.170, 727.190, 727.210, 727.240, 727.270, 727.290, and 727.900, respectively. The applicability of each federal subpart is stated in the first section of the subpart. Each refers back to the first section of subpart A, which actually states the exception to applicability of the rules. Thus, translated into the Illinois regulations, the applicability provision of each Section is set forth in subsection (a) of each Section. Each refers back to the general applicability statement at Section 727.110(a), which actually sets forth the applicability statement for the rules.

<sup>11</sup> These provisions correspond with subpart A of 40 C.F.R. 261 and 40 C.F.R. 264.1(f) and (g).

<sup>12</sup> The exception renders the federal standards of 40 C.F.R. 264 inapplicable in authorized states. The 40 C.F.R. 267.1(b) reference to the exception of 264.1(f) essentially excludes from the

The exception from the Standardized Permit Rule is as “provided otherwise” at 35 Ill. Adm. Code 721.101(g). The exception of Section 724.101(g) is material. Subsection (g) of Section 724.101 defines another exception to the applicability of the T/S/D facility standards for permitted facilities. It includes a number of exceptions of various hazardous waste management activities from regulation under Part 724. Generally, those are limited facilities and activities subject to various strict conditions that would render them not subject to the T/S/D facility standards.<sup>13</sup>

Thus, the exceptions from regulation under the Part 727 Standardized Permit Rule that are set forth in 35 Ill. Adm. Code 727.100(a)(2) do not necessarily “require the reader to follow Part 721 and Section 724.101(f) and (g),” as stated by the Agency. Instead, they except from regulation under Part 727 those activities that are not regulated under the permitted T/S/D facility standards. The management of a material that is not included in the definition of “hazardous waste” and which is not exempted from regulation under Subpart A of Part 721 is not subject to the Standardized Permit Rule requirements of Part 727.<sup>14</sup> Activities excepted from the permitted T/S/D facility standards of Part 724 pursuant to Section 721.101(g) are also not subject to the Part 727 Standardized Permit Rule. Thus, the applicability provision references to Subpart A of 35 Ill. Adm. Code 721 and to 35 Ill. Adm. Code 264.101(g) exclude two enumerated activities from regulation under Part 727: (1) those that do not involve management of regulated hazardous waste; and (2) those that are excepted from the permitted T/S/D facility standards.

**Corporate Guarantee for Foreign Corporations.** The Agency requested that the Board substitute the language of 35 Ill. Adm. Code 724.247(g)(2) and (g)(3) for that proposed in Section 727.247(q)(1) and (q)(2). PC 1 at p. 5, ¶ 25. This provision relates to a corporate guarantee executed by a foreign corporation. After examination of the text of the rules, the Board agrees and makes that substitution.

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federal regulations of 40 C.F.R. 267 those facilities that are excepted from the federal permitted facility standards of 40 C.F.R. 264 pursuant to 40 C.F.R. 264.1(f) because they are in an authorized state. While the Board could delete the reference to 35 Ill. Adm. Code 721.101(f), it remains in the text.

<sup>13</sup> They include (1) permitted facilities that manage excluded small quantity generator hazardous waste (subsection (g)(1)); (2) facilities managing certain recyclable materials or used oil (subsection (g)(2)); (3) generators subject to the hazardous waste accumulation exclusion (subsection (g)(3)); (4) certain farmers disposing of waste pesticides (subsection (g)(4)); (5) totally enclosed treatment facilities (subsection (g)(5)); (6) certain elementary neutralization or wastewater treatment units (subsection (g)(6)); (7) certain immediate response activities (subsection (g)(8)); (8) transporters storing hazardous waste for a limited time in a transfer facility (subsection (g)(9)); (9) certain persons mixing absorbent materials and waste in a container (subsection (g)(10)); and (10) handlers or transporters of universal waste (subsection (g)(11)).

<sup>14</sup> Such activity is also not subject to the T/S/D facility standards of Part 724.

The text of 40 C.F.R. 267.147(g)(2) reads as follows:

(2)(i) In the case of corporations incorporated in the United States, a guarantee may be used to satisfy the requirements of this section only if the Attorneys General or Insurance Commissioners of the State in which the guarantor is incorporated, and each State in which a facility covered by the guarantee is located, have submitted a written statement to EPA that a guarantee executed as described in this section and 40 CFR 264.151(h)(2) is a legally valid and enforceable obligation in that State.

(ii) In the case of corporations incorporated outside the United States, a guarantee may be used to satisfy the requirements of this section only if:

(A) The non-U.S. corporation has identified a registered agent for service of process in each State in which a facility covered by the guarantee is located and in the State in which it has its principal place of business; and

(B) The Attorney General or Insurance Commissioner of each State in which a facility covered by the guarantee is located and the State in which the guarantor corporation has its principal place of business, has submitted a written statement to EPA that a guarantee executed as described in this section and 40 CFR 264.151(h)(2) is a legally valid and enforceable obligation in that State.

The text of 40 C.F.R. 267.147(g)(2) is substantively identical to that of 40 C.F.R. 264.147(g)(2). The only differences are in format.

In the Illinois rules, 35 Ill. Adm. Code 724.247(g)(2) is derived from 40 C.F.R. 264.147(g)(2). The Board adopted Section 724.247(g)(2) in RCRA Update, USEPA Regulations (July 1, 1986 through September 30, 1986), R86-46 (July 16, 1987). The Board chose not to follow the above federal language when adopting that provision. In place of the above language, the Board adopted the following:

- 1) The guarantor must execute the guarantee in Illinois. The guarantee must be accompanied by a letter signed by the guarantor that states as follows:
  - A) The guarantee was signed in Illinois by an authorized agent of the guarantor;
  - B) The guarantee is governed by Illinois law; and
  - C) The name and address of the guarantor's registered agent for service of process.
- 2) The guarantor must have a registered agent pursuant to Section 5.05 of the Business Corporation Act of 1983 [805 ILCS 5/5.05] or Section 105.05 of the General Not-for-Profit Corporation Act of 1986 [805 ILCS 105/105.05].

The Board included the following discussion when adopting this different language:

40 CFB 264.147(g)(2) provides that corporate guarantees may be used only if the Attorney General or the insurance commissioner of two states submit written statements to USEPA that the guarantee is valid and enforceable. The statements must come from officials in the state in which the facility is located and the state in which the guarantor is incorporated. There are a number of problems involved in translating this into State law.

There are several possible legal objections to this type of guarantee. The first is that the guarantor is in a sense writing an insurance contract, and may be subject to regulation as an insurer. The second objection has to do with the power of the guarantor. It may be incorporated under a state law which does not allow business corporations to write guarantees or insurance, or its articles of incorporation may so limit it. The third objection is whether the person signing the guarantee is an agent of the corporation with power to bind the corporation. The fourth objection has to do with the law of guarantees, which may be very restrictive in some states. There are also practical problems which would confront states if they had to collect on these guarantees in the courts of other states, since, unlike USEPA, they do not have offices and attorneys in all states.

The USEPA rule seems to require case-by-case certification where USEPA administers the RCRA program. For the Illinois program, the facility is always in Illinois. Therefore, the Board can get generic certification as to legality in Illinois. The Illinois Department of Insurance<sup>15</sup> has advised the Board that guarantees from parent corporations would not be subject to its regulation. (PC #1). The problem is how to get certification as to out-of-state guarantors.

The Board addressed several options in the Proposed Opinion for getting certification as to out-of-state guarantors. These included requiring each guarantor to produce an Attorney General's opinion for case-by-case review by the Agency, or requesting generic certifications from nearby states to form the basis of a list of acceptable states in the rule. The rules as adopted limit guarantees to those in which the guarantor subjects himself to Illinois law. This approach resolves some problems with the USEPA rule, and appears to be easy to administer. (PC #4).

The USEPA rule requires a statement from the state of incorporation of the guarantor. However, the validity of this type of guarantee is governed by the law of the place where it is executed, not the law of the state of incorporation. For example, consider a Delaware corporation with headquarters in New York and a subsidiary with a facility in Illinois. If the guarantee were executed in New

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<sup>15</sup> This is now designated the Department of Financial and Professional Regulation, Division of Insurance.

York, its validity, assuming the corporation had power to make guarantees, would be a matter of New York law. The USEPA rule would not require certification from New York. This is a major weakness, since many corporations have headquarters in states other than the state in which they are organized. Another major problem with the USEPA rule would be the expense associated with enforcement by states of the guarantee in the courts of other states.

The Board rule requires officials of the parent corporation to come into Illinois to execute the guarantee, to agree that the guarantee is governed by Illinois law, and to agree to submit to Illinois Court jurisdiction. This makes the question one of Illinois law, to which the Illinois Attorney General and Department of Insurance can certify acting alone. It also avoids the problems of enforcement in foreign courts. The power of the corporation to make the guarantee would still be subject to question. There could be some limitation on guarantees either in the law of the state of incorporation or in the articles of incorporation. The Agency can insist on proof that the parent has the power to make the guarantee on a case-by-case basis, just as it examines documents to assure that the corporate officials have the power to act for the corporation.

The Board believes that the same considerations apply to the adoption of Section 727.240(q)(1) and (q)(2) today that applied to the adoption of Section 724.247(g)(2) and (g)(3) in 1987. The use of the Section 724.247(g)(2) and (g)(3) language in Section 727.240(q)(1) and (q)(2) enhances the clarity of the rules and makes the two provisions entirely consistent. It appears that by the use of substantially identical language at 40 C.F.R. 264.147(g)(2) and 40 C.F.R. 267.147(g)(2), USEPA intended such consistency. Further, USEPA has reviewed the language of Section 724.247(g)(2) and (g)(3) and approved it as adequate.

For the foregoing reasons, the Board agrees with the Agency. The Board has followed the Agency's suggestion and borrowed the language from Section 724.247(g)(2) and (g)(3) and placed it in Section 727.240(q).

**Permit Application by Interim Status Facilities.** The Agency pointed out in PC 1 that 40 C.F.R. 270.10(a)(3)<sup>16</sup> requires that a permit application meet the requirements of 40 C.F.R. 270.70 through 270.73.<sup>17</sup> The Agency further pointed out that these are requirements applicable to interim status facilities. The Agency commented that the reference to 40 C.F.R. 270.70 through 270.73 may be more appropriate to 40 C.F.R. 270.10(a)(3). PC 1 at p. 7, ¶ 3.a. The Board agrees that the language of 40 C.F.R. 270.10(a)(3) is a bit confusing, but the adopted rules incorporate no changes based on this Agency comment. Unless a deviation from the literal text of the federal amendments clearly enhances the manifest federal intent, the Board prefers to retain the federal language. In the present instance, that means restoring the text to more closely follow the federal original.

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<sup>16</sup> Corresponding with 35 Ill. Adm. Code 702.120(b)(3) in the Illinois rules.

<sup>17</sup> Corresponding with 35 Ill. Adm. Code 703.153 through 703.157 in the Illinois rules.

The reference to 40 C.F.R. 270.70 through 270.73 was not added or amended in the present rules, although its relative position has changed. As amended on September 8, 2006, 40 C.F.R. 270.10(a) provides as follows:

- (a) Applying for a permit. Below is information on how to obtain a permit and where to find requirements for specific permits:
- (1) If you are covered by RCRA permits by rule (§ 270.60), you need not apply.
  - (2) If you currently have interim status, you must apply for permits when required by the Director.
  - (3) If you are required to have a permit (including new applicants and permittees with expiring permits), you must complete, sign, and submit an application to the Director, as described in this section and §§ 270.70 through 270.73.
  - (4) If you are seeking an emergency permit, the procedures for application, issuance, and administration are found exclusively in § 270.61.
  - (5) If you are seeking a research, development, and demonstration permit, the procedures for application, issuance, and administration are found exclusively in § 270.65.
  - (6) If you are seeking a standardized permit, the procedures for application and issuance are found in part 124, subpart G of this chapter and subpart J of this part.

The text of 40 C.F.R. 270.10(a) appeared as follows prior to the amendments (with the segment from which USEPA appears to have drawn subsection (a)(3) underlined for emphasis):

- (a) Permit application. Any person who is required to have a permit (including new applicants and permittees with expiring permits) shall complete, sign, and submit an application to the Director as described in this section and §§ 270.70 through 270.73. Persons currently authorized with interim status shall apply for permits when required by the Director. Persons covered by RCRA permits by rule (§ 270.60), need not apply. Procedures for applications, issuance and administration of emergency permits are found exclusively in § 270.61. Procedures for application, issuance and administration of research, development, and demonstration permits are found exclusively in § 270.65.

It is clear that both prior to and after the September 8, 2006 amendments, the reference to 40 C.F.R. 270.70 through 270.73 is in the sentence relating to a person required to have a permit, and it is separate from the sentence relating to interim status. It would, thus, appear inappropriate to follow the Agency suggestion to associate the reference with subsection (a)(2) relating to interim status.

The Agency is correct that 40 C.F.R. 270.70 through 270.73 pertain only to interim status facilities, but the citation is necessary to complete the reference to the permit application requirements in 40 C.F.R. 270.10(a). The reference to 40 C.F.R. 270.70 through 270.73 in 40 C.F.R. 270.10(a) has essentially existed unchanged since the inception of the hazardous waste regulations. USEPA adopted consolidated permit rules together with the initial RCRA hazardous waste regulations in May 19, 1980. Section 122.4(a) of the consolidated permit rules required a permit application “as described in this section and in §§ 122.23 (RCRA), 122.38 (UIC), 122.53 (NPDES), and 123.94 (404).” 40 C.F.R. 122.4(a) (1980). USEPA later deconsolidated the permit rules, and 40 C.F.R. 122.4(a) and 122.23 became 40 C.F.R. 270.10(a) and 270.70 through 270.73. *See* 48 Fed. Reg. 14146, 14152 (April 1, 1983) (correlation table). USEPA later corrected section 270.10(a) to add the omitted reference to sections 270.70 through 270.73. 48 Fed. Reg. 30113, 30114 (June 30, 1983). In the initial adoption of the reference to 40 C.F.R. 122.23 (which later became 40 C.F.R. 270.70 through 270.73), by its reference to “this section and in §§ 122.23 (RCRA), . . .” USEPA referred to all the existing RCRA permit application requirements.<sup>18</sup>

Examination of sections 270.70 through 270.73 indicates that they include some permit application requirements. Sections 270.70(b), 270.71(a)(3), and 270.72(a) pertain to the Part A permit application. Section 270.73 contains references to the Part B permit application. All these references, however, relate to obtaining, maintaining, and the termination of interim status; none relate directly to application for a RCRA permit. When USEPA adopted the original reference at section 122.4(a) to “this section” and section 122.23, no facilities had permits, and most existing facilities operated under interim status. The references to sections 122.4 (entitled “Application for Permit”) and 122.23 (“Interim Status”) were the only requirements for a permit application, and they were more significant for that reason. When USEPA adopted section 122.4, a citation to the permit application requirements required citation to both sections 122.4 and 122.23.

When the Board adopted 35 Ill. Adm. Code 702.120, to correspond with 40 C.F.R. 122.4, that provision cited “this Section and Sec. 703. (RCRA) and Sec. 704.161(UIC)” (Underground Injection Control (UIC), R81-32 (May 13, 1982)) for the permit application requirements. The Board added a note to the provision explaining that the Part 703 rules would later be added. *See* Underground Injection Control (UIC), R81-32 (May 13, 1982). The Board later added those rules and changed “Sec. 703.” to “35 Ill. Adm. Code 703.180”. *See* Phase II RCRA Rules, R82-19 (July 26, 1983). Section 703.180, however, did not derive from any particular federal provision. Phase II RCRA Rules, R82-19 (July 26, 1983) at 31; *see* 35 Ill. Adm. Code 703.180 (1984) (lacking a Board note); *see also* 35 Ill. Adm. Code 703.153 through 703.157 (1984) (with Board notes collectively ascribing the provisions to 40 C.F.R. 122.23).

Section 702.120 retained this reference to Section 703.180 until the present amendments. By changing the citation in the present amendments, the Board essentially proposed reverting the

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<sup>18</sup> There was another provision relating to permit application by existing facilities. USEPA stated that it later codified this section 122.22 as 40 C.F.R. 270.10(a) through (h). *See* 48 Fed. Reg. at 14152.



citation to that contained in the corresponding federal rule, 40 C.F.R. 270.10(a). USEPA cited “this section” and 40 C.F.R. 270.70 through 270.73. Section 270.10 in its various segments corresponds with Sections 702.120 through 702.124, 703.125, 703.126, 703.150 through 703.152, 703.157, 703.186, and 703.188. Sections 270.70 through 270.73 correspond with Sections 703.153 through 703.157. Thus, if the Board is to follow the literal text of the federal cross-reference the reference to “this section” and 40 C.F.R. 270.70 through 270.73, in the aggregate, would require citation to Sections 702.120 through 702.124, 703.125, 703.126, 703.150 through 703.157, 703.186 and 703.188 in the Illinois regulations. While extreme in length when rendered in corresponding Illinois provisions, and despite the fact that the RCRA Standardized Permit Rule does not generally apply to interim status facilities, as noted by the Agency (PC 1 at 7; *see* 35 Ill. Adm. Code 727.100(b)), USEPA referred to 40 C.F.R. 270.70 through 270.73, and the Board cannot determine a different meaning.

The Agency asserted in PC 1 that this reference requires compliance with the interim facility provisions of 35 Ill. Adm. Code 703.153 through 703.157 (corresponding with 40 C.F.R. 270.70 through 270.73) and the requirements of Sections 702.120 through 702.124, 703.125, 703.126, 703.150 through 703.152, 703.186, and 703.188. The Agency claims that this is not consistent with corresponding 40 C.F.R. 270.10(a)(3). PC 1 at 8, ¶ 3.b. The Board believes that the Agency misreads Section 702.120(b)(3). Subsection (b)(3) states in pertinent part as follows:

- 3) If the facility owner or operator is required to have a permit . . . , it must complete, sign, and submit an application to the Agency, as described in this Section; in Sections 702.120 through 702.124; and in 35 Ill. Adm. Code 703.125, 703.126, 703.150 through 703.157, 703.186, and 703.188.

Thus, it is only the requirements for completing, signing, and submitting a permit application that are referenced in this provision. This is reinforced by examination of the cited provisions. The Agency does not cite any particular requirement beyond completing, signing, and submitting a permit application that is included in these citations, and the Board has found none.

Finally, the Agency commented that Section 702.120(b)(3) “leaves out a significant amount of critical information that needs to be provided in an application for a new or expiring permit.” PC 1 at 8. The Agency suggested that the Board revise the citation to refer to Subpart B of 35 Ill. Adm. Code 702 and Subpart D of 35 Ill. Adm. Code 703, which both relate to permit applications. PC 1 at 8, ¶ 3.c. These Subparts embrace Sections 702.120 through 702.126 and 703.180 through 703.214 (which correspond with 40 C.F.R. 270.10, 270.11, 270.13, 270.15 through 270.28, and 270.51). While this is possibly superior to the citations set forth by USEPA in 40 C.F.R. 270.10(a)(3), the suggestion goes beyond the text of 40 C.F.R. 270.10(a)(3). The Board cannot see that this deviation from the federal text is clearly within the manifest intent of USEPA. The Board will not follow this Agency suggestion.

One alternative is for the Board to retain the existing citation in Section 207.120 to “this Section and 35 Ill. Adm. Code 703.180,” as the Board ultimately rendered the federal “this section and § 122.23” in R82-19, in 1983. This alternative has the dual advantages of being simple and avoiding citation to interim status facility provisions. Further, USEPA has reviewed and approved this segment of rules. *See* 51 Fed. Reg. 3778 (January 30, 1986). The Board

chooses not to use this alternative, however, because the citation to Section 703.180 is not equivalent to 40 C.F.R. 270.70 through 270.73. Further, Section 703.180(a) and (b) are essentially an outline of the regulations, and Section 703.180(c) is an outline of the contents of a permit application. Section 703.180 does not impose requirements. For these reasons, the Board will retain without change the language in Section 702.120(b)(3) that was included in the proposal for public comment.

**Reissuance of a RCRA Permit as a RCRA Standardized Permit.** The Agency submitted comments on three separate aspects of reissuance of an existing permit as a RCRA standardized permit. These comments related to (1) the need for a reference to clarify that a request for a RCRA standardized permit is a basis for Agency modification or reissuance of an existing permit; (2) the need to refer to the revocation of an existing RCRA permit upon issuance of a RCRA standardized permit; and (3) the need to clarify the procedures for partial reissuance of an existing RCRA permit to sever units and covered them under a separate RCRA standardized permit. The following opinion segments discuss each set of comments separately in turn.

**The Suggested Need for a Reference to a Request for a RCRA Standardized Permit as the Basis for Permit Modification or Reissuance.** The Agency requested revision of the rules pertaining to permit modification or reissuance.<sup>19</sup> The Agency asserts that the general provision relating to permit reissuance sets forth grounds for permit modification or reissuance that do not include exchanging a RCRA permit for a RCRA standardized permit as a permissible reason for permit modification or reissuance. The Agency offered two alternative suggestions for correcting this. The first suggestion is that the Board add to the general provision a cross-reference to the provision for exchanging a RCRA permit for a RCRA standardized permit. Alternatively, the Agency requested that the Board move a provision relating to the availability of a RCRA standardized permit to a permitted facility from new Subpart G of Part 705 (relating to the procedure for RCRA standardized permits) to the provision that sets forth the causes for modification or reissuance of a RCRA permit. PC 1 at p. 12, ¶ 27.

After examination of the text of the amendments, the Board finds that directly following either Agency suggestion would add amendments not included in the federal amendments. The text cited by the Agency refers to a segment of text that USEPA did amend to include a request for a RCRA standardized permit as a basis for permit modification or reissuance. The corresponding segment of the Illinois rules includes a parallel amendment. No amendments corresponding with either Agency suggestion was included in the amendments made by USEPA. Thus, the Board did not include such an amendment in the proposal for public comment. D

USEPA amended 40 C.F.R. 124.5(c)(1) to accommodate modification or reissuance of a RCRA permit as a RCRA standardized permit. Section 124.5(c)(1) pertains to application for modification or reissuance. USEPA further amended the preamble to 40 C.F.R. 270.41 and

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<sup>19</sup> The federal rules refer to revocation and reissuance of the permit. The Board has always referred to this as reissuance of the permit. The end of this opinion segment considers another Agency comment relating to the issue of permit revocation.

subsection (b)(3) to accommodate modification or reissuance of a RCRA permit as a RCRA standardized permit. The amendment to the preamble to 40 C.F.R. 270.41 expands the procedures to be used for permit modification to include the procedures pertaining to RCRA standardized permits. The amendments to 40 C.F.R. 270.41(b)(3) make a permittee's request for a RCRA standardized permit a cause of permit modification or reissuance. The Board included equivalent amendments to 35 Ill. Adm. Code 703.270, 703.272(c), and 705.128(c)(1), which correspond with 40 C.F.R. 270.41 preamble, 270.41(b)(3), and 124.5(c)(1), respectively.

The Board disagrees with the Agency suggestions that the USEPA amendments do not reference the procedures for issuance and limit the availability of a RCRA standardized permit. While 40 C.F.R. 124.5(a) does not expressly refer to the procedures of Subpart G of part 124, that subsection does refer to 40 C.F.R. 270.41. The preamble to 40 C.F.R. 270.41 refers to the RCRA standardized permit procedure of subpart G of part 124, and section 270.41(b)(3) states that a request for a standardized permit is a basis for permit modification or reissuance.

Thus, the Board does not believe that the reference in 35 Ill. Adm. Code 705.128(a) to Sections 703.270 through 703.273 for the reasons for permit modification or reissuance limits the availability of permit modification or reissuance for a RCRA standardized permit. It is not necessary to include a reference to Section 705.301(b) at Section 705.128(a), as requested by the Agency. It is further not necessary to follow the Agency's alternative and move the Section 705.301(b) statement of availability of a RCRA standardized permit to a permitted facility to Subpart G of Part 703. The federally derived amendments to Sections 703.270, 703.272(c), and 705.128(c)(1) clearly refer to the availability of a RCRA standardized permit to a permitted facility and the procedures for obtaining one. Section 705.128(a) very clearly directs attention to Sections 703.270 through 703.273, which includes these references.

The Board has not revised the language of Section 705.128(a) in response to the Agency suggestions in PC 1 to include a reference to Subpart G of Part 703. The Board has also not followed the Agency alternative suggestion and moved the text of Section 705.301(b) into Section 702.272(c).

***The Suggested Need to Refer to the Revocation of an Existing Permit Upon Issuance of a RCRA Standardized Permit.*** A second Agency comment relates to reissuance of a permit as a RCRA standardized permit. This second comment concerns the Board's omission of federal language relative to revocation of the existing permit. The Illinois rule references reissuance of the permit, not revocation and reissuance like the corresponding federal rule. The Agency asserts that this makes the Illinois regulations inconsistent with the federal rules. The Agency suggested that the Board should add a reference to permit revocation. Alternatively, the Agency suggests that the rule should cite the provision relative to revocation, termination, or ending of a permit, Section 702.186. PC 1 at p. 12, ¶ 28. As explained below, the Board will not add a reference because permit revocation is limited to the context of an enforcement action under the Act.

The Board adopted the initial segments of the RCRA Subtitle C and UIC permit rules in 1982. See Underground Injection Control, R81-32 (May 13, 1982). The Board removed references to permit revocation from those original rules based on an Agency proposal. The

Board agreed with the Agency that revocation is possible in Illinois only as a result of a Board order finding of violation pursuant to Section 33(b) of the Act. 415 ILCS 5/33(b) (2004); *see* 35 Ill. Adm. Code 702.186 (2004). The Board’s opinion accompanying the adoption of those rules stated as follows:

The Board intends to reserve to itself authority to revoke or terminate permits pursuant to Section 33(b) of the Environmental Protection Act [See also Sections 702.161(b) and 705.128(d)].

Underground Injection Control, R81-32 at p. 5 (discussing the Section 702.110 definition of “draft permit”).

[S]ection 33(b) of the Illinois Act . . . gives the Board exclusive authority to revoke permits. \* \* \* If the Agency finds a need for modification or revocation, it may require a new application. This is intended to accomplish the same result as the federal rule, without conferring revocation authority on the Agency.

Underground Injection Control, R81-32 at p. 7 (discussing the revisions that dropped “revocation” from Section 702.161).

40 CFR 122.15, 122.16 and 122.17 provide procedures for revocation and reissuance of permits by USEPA. The Agency proposal modified the federal language on revocation to provide for revocation only pursuant to a Board action. This is necessary because the Board has exclusive authority to revoke permits [Section 33(b) of the Illinois Act]. \* \* \* The Board will adopt the language as proposed by the Agency.

Underground Injection Control, R81-32 at p. 8 (discussing Section 702.183, which was later moved to Section 703.270).

Thus, the Agency cannot revoke a permit. For this reason, the Board has generally avoided using the word “revoke” in the context of an Agency action on a permit.<sup>20</sup> The Board believes that the federal references to permit revocation and reissuance are equivalent to Illinois references to permit reissuance and that the use of the word “revoke” is unnecessary. The references to reissuance of the permit that do not include reference to permit revocation are wholly consistent with the corresponding federal rules without adding reference to permit revocation. No reference to revocation is necessary.

The Agency comments focus on a situation where a permittee has voluntarily replaced its existing RCRA permit with a RCRA standardized permit. When the permittee obtains a reissued permit, that reissued permit supersedes its original permit. The Board believes that the original RCRA permit has no continued vitality when the permittee accepts the permit reissued as a

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<sup>20</sup> There are a handful of instances where the Board inadvertently added references to permit revocation when adding federal amendments over the years. The Board has reviewed the text of the rules and today removed those references, as discussed in the concluding paragraphs of this segment of the discussion.

RCRA standardized permit. Thus, the permittee cannot later claim a right to operate under its original RCRA permit.

The Agency further suggested that the Board add to Section 705.301(b) a reference to the provisions applicable to revocation or termination of a permit. The Board disagrees that this is desirable. As stated above, permit revocation is restricted to the context of an enforcement action. Section 702.186 is the provision relating to permit revocation, and none of its bases for revocation would apply to a situation where the permittee requests reissuance of its permit as a RCRA standardized permit. The Board has added no reference to permit revocation in Section 705.301(b).

The Board has chosen not to directly follow the Agency suggestions relating to references to permit revocation or termination in text of the rules. Instead, the Board has added language to the Board note appended to Section 703.270, the key provision relating to reissuance of a permit, to explain this departure from the federal text and the Board's intent as to the effect of reissuance on the prior permit. The Board added the following language to the note:

The Board has chosen to use "reissue" where the corresponding federal provisions use "revoke and reissue." This was because permit revocation is a remedy in the context of an enforcement action that is reserved to the Board. See 415 ILCS 5/33(b) (2004); 35 Ill. Adm. Code 702.186 (2004). The Board intends that a reissued permit completely supercede the earlier version of that permit.

Prompted by the Agency comments, the Board has further reviewed the text of the existing rules to determine if any appearances of permit revocation had crept into the rules over the years. The Board did find a handful of appearances and made appropriate corrections to remove inappropriate references to permit revocation where permit reissuance is intended. The following tabulated listing summarizes these amendments:

Section	Amendment
702.146	Changed "revocation" to "reissuance"
702.148	Changed "modifying, revoking and reissuing, or terminating this permit" to "modifying or reissuing this permit"
702.161(a)(2)	Changed "modified, revoked, or a minor modification" to "modified, reissued, or a minor modification"
702.181(a)	Changed "modified, reissued, or revoked" to "modified or reissued"
703.304(b)(3)	Changed "modified, revoked and reissued, or terminated" to "modified or reissued, or terminated; changed "revoked and reissued" to "reissued"
703.303(b)(2)(C)	Changed "revoking and reissuing" to "reissuing"
703.304 heading	Changed "Modified, Revoked and Reissued, or Terminated" to "Modified, Reissued, or Terminated"
703.304(a)	Changed "modified, revoked and reissued, or terminated" to "modified, reissued, or terminated" (twice); changed "modification, revocation and reissuance, or termination" to "modification, reissuance, or termination" (twice)

703.304(c)	Changed “revoke and reissue” to “reissue”
703.304(c)(1)	Changed “revoke and reissue” to “reissue”; changed “revocation and reissuance” to “reissuance” (twice); changed “modify or revoke and reissue” to “modify or reissue”; changed “modification or revocation and reissuance” to “modification or reissuance”
703.304(c)(2)	Changed “revocation and reissuance” to “reissuance”

This search of the text prompted one additional revision to the text. In this revision, the Board added “reissuance” to complete a reference that legitimately included the word “revocation.” That revision is as follows:

Section	Amendment
702.186(d)	Changed “modification or revocation” to “modification, reissuance, or revocation”

***The Suggested Need to Clarify the Procedures for Partial Reissuance Of an Existing Permit to Sever Units to Cover Them Under a Separate RCRA Standardized Permit.*** A third Agency comment relates to reissuance of a permit as a RCRA standardized permit. This third comment concerns modification of an existing permit to sever units that will be covered by a RCRA standardized permit. The rules provide that the Agency may modify the RCRA permit to sever units eligible for a RCRA standardized permit and issue a RCRA standardized permit as to the eligible units. The Agency asks what procedures apply to modification of the RCRA permit. The Agency asks whether Section 705.128 would apply. PC 1 at p. 12-13, ¶ 29.a.

The Agency further questions the correctness of the reference to the Section 705.302(a) procedure for permit issuance in the provision relating to modification of a RCRA permit to sever ineligible units and issuance of a RCRA standardized permit as to eligible units. The Agency concedes the fact that this cross-reference corresponds precisely with one in the federal regulation from which it was drawn. The Agency believes that the appropriate reference would cite the Section 705.301(a) provision for permit application, which corresponds with 40 C.F.R. 124.202. In support of this second suggestion, the Agency asks, “[C]ould the Agency simply issue a draft standardized permit upon a request from an owner/operator without first receiving a permit application that is accompanied by all the required information?” PC 1 at p. 1213, ¶ 29.b.

The Board agrees that the language of the federal rule is a bit confusing in its references to the procedures for permit issuance or modification or reissuance. The Board has revised the language in the adopted version of the rule to overcome the lack of clarity. Further, the Board agrees that the Agency must issue a RCRA standardized permit based on a permit application that includes all required information. The Board disagrees, however, as to the Agency’s suggestion that the reference to Section 705.302(a) should refer to Section 705.301(a). The existing rule, as directly derived from the federal text, would impose the application requirements of Section 705.301(a). The Board finds no need to change the cross-reference.

Based on the addition of 40 C.F.R. 124.203, 35 Ill. Adm. Code 705.301(b) provides for the reissuance of an existing RCRA permit as a RCRA standardized permit. It includes two substantive sentences.<sup>21</sup>

The first substantive sentence of Section 705.301(b) provides for the situation where all units at the facility are eligible for a RCRA standardized permit. As drafted by USEPA, this sentence requires issuance of the RCRA standardized permit “in accordance with 35 Ill. Adm. Code 705.128,” which corresponds with 40 C.F.R. 124.5. Section 705.128, as amended, generally applies to all instances of permit modification or reissuance. It directs attention to one set of procedures where the permit action does not relate to a RCRA standardized permit, and it directs attention to the RCRA standardized permits procedures where that type of permit is involved. Thus, in the sentence pertaining exclusively to RCRA standardized permits, the federally derived language of the first substantive sentence of Section 705.301(b) refers to the procedures for reissuance of a RCRA permit in addition to those for reissuance as a RCRA standardized permit.

The second substantive sentence provides for the situation where fewer than all units at the facility are eligible for a RCRA standardized permit. This second sentence allows modification of the RCRA permit to remove the units eligible for a RCRA standardized permit and issuance of a RCRA standardized permit for the eligible units “in accordance with Section 705.302(a),” which corresponds with 40 C.F.R. 124.204.

The structure of the two substantive sentences of Section 705.128 appears inconsistent, as pointed out by the Agency. The federally derived rule refers to Section 705.128 only in the context of a RCRA standardized permit. The rule further refers to Section 705.302(a) in the context of modification of a RCRA permit and issuance of a RCRA standardized permit. The Board can see no reason why USEPA would want to limit that applicability of either provision in the way implied by association in Section 705.301(b).

It would seem that the provisions of Section 705.128 should apply to all instances of permit modification or reissuance, whether that results in a regular RCRA permit or a RCRA standardized permit. Similarly, it would seem that the provisions of Section 705.302(a) relating to the preparation of a draft RCRA standardized permit should not be limited to where there is severance of an existing RCRA permit. Further, if a RCRA permit is to be modified to sever some units and a RCRA standardized permit is to be issued as to the severed units, there is no reason each reissued permit should not be considered separately under separate procedural pathways. Separate procedural pathways would appear the only way to manage each permit under the differing rules applicable to a regular RCRA permit and a RCRA standardized permit. The Agency can manage the each permits in such a way that their collective management is not completely separate. Such would facilitate public participation in the process and ease the administrative burden on the Agency.

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<sup>21</sup> The Illinois provision includes three sentences. The first sentence, which is introductory, is derived from the heading to 40 C.F.R. 124.203.

The Board has altered the language of Section 705.301(b) in response to the Agency comments. The Board removed “in accordance with Section 705.128” from the first sentence pertaining to reissuance of a RCRA permit as a RCRA standardized permit applicable to all units at a facility. The Board removed “in accordance with Section 705.302(a)” from the second sentence pertaining to modifying a RCRA permit to sever ineligible units and issuing a RCRA standardized permit applicable to the eligible units at a facility. The Board added two sentences to the end of Section 705.301(b) that state as follows:

The Agency must modify or reissue any permit in accordance with 35 Ill. Adm. Code 705.128. The Agency must issue any RCRA standardized permit (or reissue a RCRA permit as a RCRA standardized permit) in accordance with Section 705.302(a).

The Board believes that this overcomes the lack of clarity in the text of this provision.

Finally, the Board does not believe it necessary or appropriate to change the cross-reference from Section 705.302(a) to Section 705.301(a). Section 705.302(a) sets forth the procedure for issuance of a draft RCRA standardized permit by the Agency. Section 705.301(a) sets forth the procedure for application by the regulated entity for a RCRA standardized permit. Section 705.301(b) relates to the issuance of a RCRA standardized permit, not the application for one. Thus, it would appear that USEPA intended a reference to the procedure for issuance of the draft permit in the subsection, rather than to the provision pertaining to application for one.

In response to the Agency query whether the Agency could issue a RCRA standardized permit on request without first receiving an application with all required information, the Board responds that the Agency cannot, for two fundamental reasons. The first is that the RCRA standardized permit rule mandates the submission of adequate information. The second is that the Act indirectly requires the submission of an application containing adequate information to the Agency.

As to the first fundamental reason that the Agency cannot issue a RCRA standardized permit without receipt of adequate supporting information from the applicant, the RCRA standardized permit rule includes information requirements. Section 705.302(a)(2)(B)(i) prohibits the Agency from issuing a draft RCRA standardized permit unless the applicant has submitted information sufficient to support the application. The required information is fairly detailed. (*See* 35 Ill. Adm. Code 703.351(b) and 705.302(a)(2)(B)(i) (2004).) The facility owner or operator must further maintain more detailed information at the facility. (*See* 35 Ill. Adm. Code 703.352 (2004).) That information is also available to the Agency.

The second fundamental reason the Agency cannot issue a RCRA standardized permit without receipt of an application containing adequate supporting information is that such is prohibited by the Act and Board rules. The Act requires the Agency to find that no violation of the Act or Board regulations would occur as a result of permit issuance before it can issue a permit. *See* 415 ILCS 5/ 39(a) and (d) (2004). The Agency cannot reasonably make such a finding without adequate information at its disposal. Moreover, the rules specify those instances in which the Agency can reopen an already issued permit. The regulations adopted today require



submission of that information to the Agency with any application for a RCRA standardized permit.

**Relationship to Applicability of the Cleanup Standards of Subpart S of Part 724 to an Interim Status Facility.** The Agency observed in PC 1 that Section 727.100(b) states in pertinent part as follows:

Relationship to interim status standards. A facility owner or operator that has fully complied with the requirements for interim status . . . must comply with the regulations specified in 35 Ill. Adm. Code 725 instead of the regulations in this Part, until final administrative disposition of the RCRA standardized permit application is made, except as provided in Subpart S of 35 Ill. Adm. Code 724.

The Agency states that this provision agrees with 40 C.F.R. 727.2, from which it is derived. The Agency then comments as follows:

[I]t is unclear why a regulation directed at a facility with interim status (Section 727.100(b)) would refer to the Special Provisions for Cleanup (the regulations for CAMUs, temporary units, etc.) in Subpart S of Part 724 (or 40 CFR 264). Neither Subpart S of Part 724 nor Section 725.101 (Purpose, Scope, and Applicability) make any reference to an exception to the interim status standards in Subpart S of Part 724. (PC 1 at p. 14, ¶ 41.)

The Agency does not request modification of the rule. PC 1 at p. 14, ¶ 41. The Board will, therefore, not modify the rule text. Rather, the Board hopes to clarify the rule by brief discussion in this segment of the discussion.

The language of Section 727.100(b), which the Agency questions, is echoed elsewhere in the hazardous waste regulations. Section 724.103 states as follows:

A facility owner or operator that has fully complied with the requirements for interim status--as defined in Section 3005(e) of RCRA and regulations under 35 Ill. Adm. Code 703, Subpart C--must comply with the regulations specified in 35 Ill. Adm. Code 725 in lieu of the regulations in this Part, until final administrative disposition of his permit application is made, except as provided under Subpart S of this Part.

The purpose of this language in Section 724.103 is to allow application of the standards of Subpart S of Part 264 to corrective action management units (CAMUs) or temporary units (TUs). Subpart S is called the CAMU rule. The CAMU rule applies to corrective actions under the permitted facility standards of Part 724, and to interim status facilities pursuant to a USEPA cleanup order.<sup>22</sup> Thus, under Section 724.103, the permitted facility standards of Part 724 do not

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<sup>22</sup> See 35 Ill. Adm. Code 724.651(a) (2004) (available to “implement remedies under Section

apply to an interim status facility, except as such a facility is regulated as a CAMU or TU under the CAMU rule. The purpose of the CAMU rule is to facilitate site remediation at permitted and interim status facilities.<sup>23</sup>

USEPA only briefly discussed the addition of language parallel to 40 C.F.R. 264.3 (corresponding with 35 Ill. Adm. Code 724.103) at 40 C.F.R. 267.2 (corresponding with Section 727.100(b)). The entire USEPA discussion stated as follows:

The final § 267.2 provisions are similar to the § 264.3 provisions. If you are currently complying with the requirements for interim status, you will need to continue to comply with the interim status standards specified in part 265 until final disposition of your standardized permit application. We received no significant comments on this section. Thus, the § 267.2 requirements are finalized, as proposed.

70 Fed. Reg. at 53431 (Sept. 8, 2005).

This discussion indicates no more than USEPA's contemplation that some interim status facilities would become subject to the RCRA standardized permit rule pending application for a RCRA permit. By the reference to the CAMU rule, however, the Board believes that USEPA intended some application of the RCRA standardized permit rule at interim status facilities regulated under the CAMU rule.

Thus, the Board believes that the language of Section 724.103 at new Section 727.100(b), USEPA appears to condone the use of a RCRA standardized permit to achieve site remediation at interim status facilities. The statement is essentially that the RCRA standardized permit rule does not apply to any interim status facility, except to the extent that facility is regulated as a CAMU or TU under the CAMU rule. Under the federal scheme, therefore, it would appear that that the Agency could apply the RCRA standardized permit rule to an interim status facility that is regulated under the CAMU rule. USEPA has not yet prescribed standardized provisions for corrective action in the RCRA standardized permit rule, however, so any corrective action conditions are to be derived in the non-standardized supplemental portion of the permit. 35 Ill. Adm. Code 727.300(a)(2)(A); *see* 70 Fed. Reg. 53420, 53433-34 (Sept. 8, 2005) (discussing the current lack of standardized remedial action provisions in the rule).

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724.201 or RCRA section 3008(h)"); *see also* 42 U.S.C. 6928(h) (2002) (authorizing USEPA to order remedial action at an interim status facility from which there has been a release of hazardous waste into the environment).

<sup>23</sup> USEPA stated the purpose of the CAMU rule in the preamble discussion of its adoption: "In creating the CAMU as a remediation waste management unit, [US]EPA is providing remedial decisionmakers with an added measure of flexibility in order to expedite and improve remedial decisions." 58 Fed. Reg. 8658, 8659 (Feb. 16, 1983). USEPA stated, "The [CAMU rule] defines the process for establishing cleanup goals, defines the process for and principles of remedy selection, and, requires that remedies meet the statutory standard of 'protective of human health and the environment.'" *Id.*

**Suggested Change from Biennial Reporting to Annual Reporting.** The Agency highlighted a discrepancy in Section 727.170(f)(1) (derived from 40 C.F.R. 267.75(a)). This provision requires preparation and submission of biennial reports on facility operations. The discrepancy is that the reports are required every other year to contain information on the “previous calendar year.” The Agency pointed out that this requires submission of information on only every other calendar year. The Agency suggested that the Board should alter the federal language to require annual reporting, rather than biennial reporting. The Agency points out that this would make the reporting consistent with all other reporting under the permitted facility standards of Part 724. The Agency cites Sections 703.246(c) and 724.175 as examples of provisions where the Board has required annual reporting. PC 1 at p. 15, ¶ 46.

The Board has corrected the discrepancy in the federally derived language, but not in the way suggested by the Agency. The federal language at 40 C.F.R. 267.75(a) requires biennial reporting. Were the Board to require annual reporting, the Illinois regulations could arguably become more stringent than the corresponding federal rule. The goal of an identical-in-substance proceeding is for the Board to implement the federal requirements in the Illinois regulations. For this reason, the Board will not change the biennial reporting requirement to a requirement for annual reporting. Rather, the Board will correct the recordkeeping requirement of Section 727.170(f)(1) to change “previous calendar year” to “previous two calendar years” and so cure the discrepancy in the rule.

The Board believes that the use of annual reporting for submission of facility activities reports is an error in Sections 703.246(c) and 724.175.<sup>24</sup> USEPA originally adopted 40 C.F.R. 264.75 to require annual reporting in the adoption at 45 Fed. Reg. 33154, 33227 (May 19, 1980).<sup>25</sup> The Board adopted annual reporting in Phase II RCRA Rules, R82-19 (July 26, 1983). USEPA amended section 264.75 to require biennial reporting at 48 Fed. Reg. 3977, 3982 (Jan. 28, 1983). At the request of the Agency, however, the Board did not make a corresponding change to biennial reporting in RCRA and UIC Update, R84-9 (June 13, 1985) at 4-5. The Board now believes that this was an error in the context of an identical-in-substance proceeding. Nevertheless, the Board does not believe that this proceeding is the appropriate context for effecting a correction.

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<sup>24</sup> Section 703.146(c) corresponds with 40 C.F.R. 270.30(l)(9), and Section 724.175 corresponds with 40 C.F.R. 264.75. The actual reporting requirement is set forth in Section 724.175. Section 703.246(c) requires that submission of the reports must appear as a condition of a RCRA permit.

<sup>25</sup> USEPA originally adopted 40 C.F.R. 270.30(l)(9) as 40 C.F.R. 122.28(e)(3), as a segment of the consolidated permit rules. The original provision reflected the annual reporting requirement of 40 C.F.R. 264.75. *See* 45 Fed. Reg. 33290, 33436 (May 19, 1980). USEPA deconsolidated the permit rules, and this became 40 C.F.R. 270.30(l)(9), which reflected the earlier shift in section 264.75 to biennial reporting. *See* 48 Fed. Reg. 14146, 14242 (Apr. 1, 1983) (deconsolidating the permit rules); *see also* 48 Fed. Reg. 3977, 3982 (Jan. 28, 1983) (shifting from annual to biennial reporting).

The Board must reopen Part 724 in the upcoming update docket, R07-5. Certain aspects of the federal rule on which Part 724 is based did not become effective until September 5, 2006, and the Board could not complete the amendments until after that date. *See* UIC Update, USEPA Regulations (January 1, 2005 through June 30, 2005), R06-5, RCRA Subtitle D Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-6, and RCRA Subtitle C Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-7 (Jan. 5, 2006) at pp. 10-12. The Board will include a proposal to amend 35 Ill. Adm. Code 724.175 to provide for biennial reporting in the R07-5 proposal. That will allow public comment on any such amendment before the Board would adopt it.

In the present docket, however, the Board amends Section 703.246(c) to remove the references to the frequency of reporting. The Board changes “annual report” to “facility activities report,” which is what the report is called in Section 724.175. The Board will also remove the prepositional phrase “during the previous calendar year.” These amendments will accommodate any future amendment of Section 724.175 to biennial reporting, or to continued annual reporting if no such amendment is completed. The amendment to Section 703.246(c) in this present docket will appear as follows:

- c) ~~Annual Facility activities report: an annual a facility activities report must be submitted covering facility activities during the previous calendar year (see as described in 35 Ill. Adm. Code 724.175).~~

**Suggested Simplification of the References to Federally “Reserved” Provisions.**

USEPA has marked a number of provisions in the RCRA standardized permit rule as “reserved.” This presents the Board with a structural challenge. The Board strives to maintain structural consistency between the Illinois regulations and the federal rules on which they are based. As discussed on page 15 of this opinion, the Board found it necessary to restructure the RCRA standardized permit rule by combining several federal sections into single Sections in the Illinois rules. USEPA had marked many of the federal sections “reserved.” The Board maintained a linear correlation with the federal rules by inserting an explanatory subsection to maintain the numbering scheme. The Agency commented, “It is recommended that the State equivalent be simplified to read similar to the federal equivalent.” PC 1 at p. 15, ¶ 47.

As discussed above, and as explained in the April 6, 2006 proposal for public comment in this matter, under Illinois administrative law the Board must number subsections sequentially and cannot mark any as “reserved.” Some means is required to number subsections so that they directly correlate with their federal counterparts. The means chosen by the Board to do this is the only one that has presented itself to date. Using it has not only helped to maintain the structural consistency of the two sets of rules, it has also offered a brief explanation of the absence of a provision. This is especially important when there is a corresponding federal provision that the Board could not incorporate into the Illinois rules.<sup>26</sup>

<sup>26</sup> *See, e.g.*, 35 Ill. Adm. Code 722.189(e) (a federal incorporation by reference); 724.101(f) (a federal statement that the federal standards do not apply in authorized states); 724.414(a) (a statement of applicability of the federal requirement to activities that occurred prior to adoption of the Illinois regulations); 724.950(g) (a provision that applies exclusively to a facility outside

The Agency has presented no alternative that the Board can use. If the Agency presents a viable alternative, the Board would consider it. Without such an alternative, the Board will not alter the text of the rule to remove the explanatory statements.

**Suggested Alteration of the Certification of Closure Provision.** Section 727.210(h) provides for certification of facility closure. It requires the owner or operator to submit documentation to the Agency on request that supports the professional engineer's certification of closure. Section 727.210(h) states in pertinent part as follows:

Certification of closure. Within 60 days after the completion of final closure of each unit under a RCRA standardized permit . . . , the facility owner or operator must submit to the Agency . . . a certification that each hazardous waste management unit or facility . . . The owner or operator must furnish documentation supporting the independent registered professional engineer's certification to the Agency upon request until the Agency releases the owner or operator from the financial assurance requirements for closure pursuant to Section 727.240(d)(9).

The Agency concedes that this proposed language is consistent with corresponding 40 C.F.R. 267.117, from which it is derived. The Agency states that the final sentence of that provision is confusing, however, and it requests that the Board alter the language of that sentence. The Agency asks the Board to alter the language to appear as follows:

The owner or operator must furnish documentation in support of the independent registered professional engineer's certification to the Agency upon request when the certification of closure is submitted. If the certification of closure is acceptable, the Agency will release the facility from the financial assurance requirements under Section 727.240(d)(9).  
PC 1 at p. 16, ¶ 50.

The Board does not believe that this alteration is necessary or desirable. While the federally derived language is a bit lengthy, it is clear in its intent. The revision requested by the Agency would subtly shift the original meaning of the provision. The Board will not make the requested change.

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Illinois); 725.101(c)(4) (a federal statement that the federal standards do not apply in authorized states); 725.243(e)(4) (a provision relating to federally granted extensions of time to provide proof of financial responsibility); 725.414(a) (a statement of applicability of the federal requirement to activities that occurred prior to adoption of the Illinois regulations); 725.950(f) (a provision that applies exclusively to a facility outside Illinois), and 728.130(c), 728.131(c), 728.134(d), 728.138(c), 728.139(e), and 728.140(g) (expired provisions still in the federal regulations) (another expired provision) and note 6 to Table U to 35 Ill. Adm. Code 728 (another expired provision).

The last sentence of Section 727.210(h) contains a single idea: that the owner or operator must submit supporting documentation to the Agency upon request, until the Agency has accepted the certification of closure. The language put forward by the Agency contains two ideas: (1) the owner or operator must submit supporting documentation together with the certification; and (2) the Agency will release the owner or operator<sup>27</sup> if the certification is acceptable. Thus, the Agency-suggested change would shift the requirements of Section 727.210(h) to require the submission of the supporting documentation in all instances, without the need for an Agency request for the information. It would further provide for a release from liability, which is already the subject of Section 727.240(d)(10). This is a shift away from the federal intent of allowing the Agency to request supporting documentation up until when the Agency accepts the certification.

**Suggested Citation to Requirements for Ignitable and Reactive Wastes.** Proposed as directly derived from 40 C.F.R. 267.174, Section 727.270(e) includes a citation to the requirements applicable to ignitable and reactive waste in Section 727.110(h)(1) (which corresponds with 40 C.F.R. 267.17(a)). The Agency observed that all of subsections (h)(1) through (h)(3), i.e., all of subsection (h), set forth requirements for ignitable and reactive waste. The Agency suggested that the Board should change the citation to read “Section 727.110(h).” PC 1 at p. 16, ¶ 52.

The Board disagrees, and the reference is unchanged in the adopted rule. Section 727.110(h)(1) sets forth required general precautions to prevent accidental ignition or reaction of the waste. Subsection (h)(2) sets forth further precautions based on certain waste-related activities, including waste treatment or mixing. Subsection (h)(3) requires documentation of compliance with the requirements of subsections (h)(1) and (h)(3). Section 727.270 sets forth the requirements applicable to the use of containers. The cross-reference in Section 727.270(e) is to “the *general* requirements for ignitable or reactive wastes in Section 727.110(h)(1),” with emphasis added. Contrast this with the cross-reference to Section 727.110(h)(2) in the requirements applicable to management of waste in tanks in Section 727.290(m)(1)(A)(i) (which is derived from 40 C.F.R. 267.202(a)(1)(i)).

The Board could agree that the general RCRA standardized permit rule provisions require compliance with the entirety of Section 727.110(h) for any facility that manages ignitable or reactive waste in a way that is subject to its provisions. It is further possible the USEPA may have intended citation to subsection (h) generally. The Board cannot agree, however, to change the cross-reference included by USEPA. USEPA cited the general requirements for ignitable or reactive waste, and those are set forth in Section 727.110(h)(1). The citation is not inconsistent with its context in the rules, and there is no clear indication that USEPA erred in setting forth this specific cross-reference.

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<sup>27</sup> There are two additional problems with this Agency-suggested language. First, the word “will” suggests present intent. The Board never uses the word to impose a requirement on the Agency or any regulated entity. See the discussion of usage on page 9 of this opinion. Second, the language would release the facility, when it is actually the owner or operator that is liable for the facility closure. Such changes in language would present problems.

**Suggested Change in Agency Waiver of Secondary Containment Requirements.**

Section 727.900(e) provides for Agency waiver of secondary containment requirements for a containment building. As drafted by the Board, Section 727.900(e) provides that the Agency must waive the requirements if it determines that the owner or operator has made certain demonstrations:

[T]he Agency must, in writing, allow the use of alternatives to the requirements for secondary containment for a permitted containment building where the Agency has determined that the facility owner or operator has adequately demonstrated both of the following:

- 1) The only free liquids in the unit are limited amounts of dust suppression liquids required to meet occupational health and safety requirements, and
- 2) The containment of managed wastes and dust suppression liquids can be assured without a secondary containment system.

This was based on 40 C.F.R. 267.1104, which provides as follows:

[T]he Regional Administrator may waive requirements for secondary containment for a permitted containment building where:

- (a) You demonstrate that the only free liquids in the unit are limited amounts of dust suppression liquids required to meet occupational health and safety requirements, and
- (b) Containment of managed wastes and dust suppression liquids can be assured without a secondary containment system.

The Agency asserted that Section 727.900(e) is equivalent to 40 C.F.R. 267.1104. The Agency suggested that the Board use the federal permissive “may waive . . . where” instead of “must waive . . . if it determines.” PC 1 at p. 17, ¶ 56.

Provisions where the federal rule allows some deviation from the generally applicable standard are potentially problematic in Illinois. These provisions present problems based on differences between the State and federal regulatory structures and administrative law and on the degree of discretion allowed under the rule. The Board has confronted these provisions a number of times, and each time the Board has discussed a consistent approach.

The administrative functions are divided between the Board and the Agency in Illinois. Among other things, the Board establishes the environmental standards and hears petitions for relief from those standards. *See* Sections 5(b) through (d) of the Act (415 ILCS 5/5(b) through (d) (2004)). The Agency implements the standards and grants permits. *See* Sections 4(b) through (e), (g), and (h) of the Act (415 ILCS 5/5(b) through (e), (g), and (h) (2004)). The Board stated as follows in an earlier identical-in-substance update in which these issues arose:

Under the federal scheme there is a single regulatory agency that establishes the regulations, implements them, grants necessary permits, and grants relief from the regulations. That is USEPA. These functions are divided in Illinois. Under the Illinois regulatory scheme, the Board establishes the environmental standards for the State by regulation, and the Agency implements them by, *inter alia*, granting permits. If relief from the general regulations is warranted, it is the Board that makes that determination and allows deviation from the generally applicable statewide standards.<sup>3</sup> Where flexibility is needed in implementing regulations, the Board establishes standards for Agency decision-making within the rules, so that the Agency can make any requisite determinations and itself establish the criteria needed to implement the federal rule within the Illinois regulatory framework. (See Granite City Division of National Steel Co. v. PCB, 155 Ill. 2d 149, 613 N.E.2d 719 (1993) (considering whether Board regulations were an unlawful delegation of rulemaking authority).) This vests the discretion in the Agency to make the requisite preliminary determinations, it does not allow the Agency the further discretion whether or not to implement the standard embodied in the rule. The Board must make decisions of the types delegated to it by the Act.

RCRA Subtitle C Update, USEPA Regulations (January 1, 2001 through June 30, 2001), R02-1, RCRA Subtitle C Update, USEPA Regulations (July 1, 2001 through December 31, 2001, January 22, 2002, March 13, 2002, and April 9, 2002), R02-12, and UIC Update, USEPA Regulations (July 1, 2001 through December 31, 2001), R02-17 (Apr. 18, 2002) at p. 16 (termination of certain exemptions under Subpart N of 35 Ill. Adm. Code 726, as derived from subpart N of 40 C.F.R. 266).<sup>28</sup>

Thus, it is necessary that the Agency determination be in the nature of a permit determination. To this end, the regulation must provide necessary standards for an Agency determination. If the ultimate decision is to grant relief from a generally applicable rule, the Board must reserve the determination to itself; if the ultimate determination is in the nature of a determination to employ an alternative provision of the rules (i.e., that the requisite situation exists where the provision applies), the Agency may make the threshold determination to apply the alternative rule.

On another occasion, the Board discussed USEPA comments on the change in language from “may” to “must” in allowing the extension of a deadline for compliance. The Board observed that “must” limited the Agency discretion once the Agency has made the threshold

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<sup>28</sup> Footnote 3 in that April 18, 2002 opinion and order stated as follows:

The Board may grant a variance, under Sections 35 through 38 of the Act (415 ILCS 5/35-38 (2000)); establish an adjusted standard, under Section 28.2 of the Act (415 ILCS 5/28.1 (2000)); or adopt a site-specific regulation, under Sections 22.4, 27, and 28 of the Act (415 ILCS 5/22.4, 27, and 28 (2000)).

*Id.*



determinations necessary to apply an exception, but did not limit Agency discretion in making its determination:

In response to the USEPA expression of concern, we note that the Board is limited in its ability to delegate decisionmaking authority to the Agency. Under the Act, the Board establishes the State environmental standards, and the Agency implements them. See 415 ILCS 5/4, 5 (2000).<sup>3</sup>

Thus, the Board must establish criteria for Agency determinations made in the course of establishing the standards. As stated by the Board in adopting the one-year deadline extension provision on which USEPA commented:

While the Agency is given discretion to determine whether or not the most efficient compliance option is indeed connection to a sanitary sewer or the installation of new technology, the Board cannot vest in the Agency the additional discretion to determine whether or not to extend the deadline for compliance. UIC Update, USEPA Amendments (July 1, 1999, through December 31, 1999) and In re UIC Update, USEPA Amendments (January 1, 2000, through June 30, 2000) (December 7, 2000), R00-11/R01-1 (consolidated), slip op. at page 10.

A federal provision that allows a discretionary determination by the State usually allows a permissible relaxation of the generally-applicable standard in the federal rule. To incorporate the federally-allowable flexibility into the Illinois regulations, the Board generally examines the federal rule to find the circumstances under which USEPA allows the relaxation of the generally-applicable rule. The Board then makes the determination that the Illinois regulations will allow flexibility from the general rule, and it establishes the federally-permissible circumstances as the preconditions to an Agency determination to allow the flexibility. The Board drafts the Illinois rule to allow the permissible relaxation of the generally-applicable standard upon a certain Agency determination. Consequently, the resulting Agency determination to allow the flexibility is in the nature of a permit determination or establishing criteria by fixed procedures, rather than in the nature of Agency rule adoption prohibited by the Act. The Board then further adds a note explaining that an Agency determination is subject to review under Section 40 of the Act as an Agency permit determination.

In translating the federal rules into the Illinois system, the Board properly changed “UIC Program Director may extend” to “the Agency must extend.” USEPA allows the State to grant the extension if the most efficient compliance alternative is connection to a sanitary sewer or the installation of a new treatment technology. The Board has made the decision whether the State of Illinois will allow the extension, leaving the Agency the discretion to determine whether or not the most efficient compliance alternative is connection to a sanitary sewer or

the installation of a new treatment technology. The Board has further implicitly vested the Agency the discretion to determine the term of the extension of “up to one year.”

Thus, where USEPA has provided that this State “may extend” the deadline for compliance, the Board has determined that the State will extend the deadline once the Agency has made the necessary preliminary findings. The Agency may further determine the term of the extension based on the need for the extension. This is consistent with and no less stringent than the federal requirements. UIC Corrections, USEPA Amendments (July 1, 1999, through June 30, 2000), R01-30 (Aug. 9, 2001) at pp. 6-7.<sup>29</sup>

The Board routinely replaces “may” with “must” in identical-in-substance rules. (See the discussion at page 9 of this opinion.) USEPA uses “may” when it intends a discretionary act. The present provision is an example of the usual context for such an act, where the government agency may allow some prescribed alternative to the general requirements after the regulated entity has made some demonstration. Any permissible Agency action that allows some activity is necessarily in the nature of a permit determination. Once the Agency has exercised its discretion and determined that the prerequisite conditions exist, the Agency must allow the prescribed alternative. Once the determination has been made that the required facts exist, the Agency cannot arbitrarily disallow the desired activity.<sup>30</sup>

Contrary to the Agency assertion, the State and federal versions of this provision are equivalent. The grant of a “waiver” is not mandatory in Illinois until the Agency has made the determination that the owner or operator has made the requisite demonstration. The Board does not believe that USEPA would require that the Agency have the ability to deny a waiver once

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<sup>29</sup> Footnote 3 in that August 9, 2001 opinion and order stated as follows:

The Board has previously stated when adopting rules by the identical-in-substance procedure as follows:

Under Illinois law, as held by the Illinois Supreme Court in Granite City Division of National Steel Co. v. PCB (April 15, 1993), 155 Ill. 2d 149, 172-74, 613 N.E.2d 719, 729-30, although the Agency may establish criteria by fixed procedures that apply to particular facilities based on site-specific factors, the authority to adopt regulatory standards of general applicability is reserved to the Board. Safe Drinking Water Act Update, USEPA Amendments (January 1 through June, 30, 1995) (October 17, 1996), R95-17, at page 4.

*Id.*

<sup>30</sup> The Board also requires that the Agency make its determination in writing. This allows Board review pursuant to Section 40 of the Act (415 ILCS 5/40 (2004)).

that determination has been made. The Board will not make the revisions to Section 727.900(e) requested by the Agency.

The Agency observed that the same issue exists in Section 724.1101(e) with regard to the use of “may” or “must.” Section 264.1101(e) is an existing provision derived from 40 C.F.R. 264.1101(e). Section 264.1101(e) is not involved in the present rulemaking. The Agency requested that the Board “also investigate the equivalency of the wording at Section 724.1101(e).” (PC 1 at p. 17, ¶ 56.)

The text of 40 C.F.R. 264.1101(e) is very similar to new 40 C.F.R. 267.900(e). Both provisions allow a waiver of secondary containment requirements for dust suppression liquids upon a finding that limited circumstances exist at the facility. Federal 40 C.F.R. 264.1101(e) reads as follows:

Notwithstanding any other provision of this subpart the Regional Administrator may waive requirements for secondary containment for a permitted containment building where the owner operator demonstrates that the only free liquids in the unit are limited amounts of dust suppression liquids required to meet occupational health and safety requirements, and where containment of managed wastes and liquids can be assured without a secondary containment system.  
40 C.F.R. 264.1101(e), as adopted by USEPA at 57 FR 37194, 37267 (Aug. 18, 1992).

The Board adopted corresponding 35 Ill. Adm. Code 724.1101(e) in RCRA Update, USEPA Regulations (July 1, 1992 through December 31, 2002), R93-4 (Sept. 23, 1993). The Board avoided using “the Agency may” by using even stronger language than that used by the Board in new Section 727.900(e). Section 724.1101(e) reads as follows:

Notwithstanding any other provision of this Subpart DD the Agency must not require secondary containment for a permitted containment building where the owner operator demonstrates that the only free liquids in the unit are limited amounts of dust suppression liquids required to meet occupational health and safety requirements, and where containment of managed wastes and liquids can be assured without a secondary containment system.

When adopting Section 724.1101(e), the Board responded to a comment from USEPA on the shift from “the Agency may” to “the Agency must.” USEPA believed that this shift to mandatory language made the Illinois rule less stringent than its federal counterpart. USEPA commented in significant part as follows:

The Board should recognize that the Federal regulation does not require the Regional Administrator to waive the requirement for secondary requirement, but leaves it to his discretion in case other factors weigh against such a waiver. The proposed Illinois equivalent leaves the State agency with no similar discretion, and may cause the Agency to be less stringent.

RCRA Update, USEPA Regulations (July 1, 1992 through December 31, 2002), R93-4 (Sept. 23, 1993) a p. 32, quoting PC 8 from USEPA Region 5 (emphasis in original).

The Board was not persuaded by USEPA's argument. The Board responded as follows:

USEPA's approach would allow the Agency unfettered discretion to waive or not waive the requirement based on "other factors." The Board believes that "other factors" is so vague as to not provide any standards under which the Agency may base a waiver. Moreover, it does not provide a standard under which a petitioner may appeal an Agency decision to the Board.

*Id.*

The Board did not alter the suggested federal language that relied on the use of "may" and substituted mandatory language using "must" in its place.

In the present instance of Section 727.900(e) (and in the Agency-cited instance of Section 724.1101(e)), the Agency is charged with making the determination whether the facility owner or operator has demonstrated that (1) "the only free liquids in the unit are limited amounts of dust suppression liquids required to meet occupational health and safety requirements," and (2) "the containment of managed wastes and liquids can be assured without a secondary containment system." As the Board observed in the preceding discussion on page 33 of this opinion, the Agency is responsible for making another, underlying determination: will waiving the requirement for secondary containment result in a violation of the Act or Board regulations? The Agency cannot determine that the owner or operator has made the requisite demonstration unless it is satisfied that no such violation would occur. The only thing that the shift from "may" to "must" essentially changes is that it assures that the Agency will not be arbitrary or capricious in its determination.

The Board will not now alter the language of Section 724.1101(e). That provision was not part of the proposal for public comment in this matter. The Board will not shift from the mandatory language "the Agency shall," as suggested by the Agency.

The Board will, however, include an amendment to Section 724.1101(e) in the upcoming RCRA update docket R07-5 to make the substitution's language more consistent with its counterpart provision, Section 727.900(e), in the RCRA standardized permit rule. (See the discussion of the possible future revision of Section 724.175 at page 36 of this opinion.) Such a conforming amendment to Section 724.1101(e) could take the following form:

Notwithstanding any other provision of this Subpart DD the Agency must, in writing, not require allow the use of alternatives to the requirements for secondary containment for a permitted containment building where the Agency has determined that the facility owner operator demonstrates has adequately demonstrated that the only free liquids in the unit are limited amounts of dust suppression liquids required to meet occupational health and safety requirements,

and where containment of managed wastes and liquids can be assured without a secondary containment system.

**Suggested Change to Requirements for a Containment Building Acting As Secondary Containment for a Tank in the Building.** The Agency has requested that the Board correct another of the federal rules. At issue is an error or ambiguity in the provisions that set forth the requirements for a containment building that acts as secondary containment for a tank within the building. The error or ambiguity is exactly what secondary containment requirements USEPA intended to apply to the building.

The federal rule at 40 C.F.R. 267.1107 (corresponding with 35 Ill. Adm. Code 727.900(h)) provides that a containment building can serve as secondary containment for a tank in the building if it meets certain requirements. First, the building must meet the requirements for an external liner system as set forth in 40 C.F.R. 267.196(b) (corresponding with 35 Ill. Adm. Code 727.290(g)(2)).<sup>31</sup> These external liner system requirements include provisions for containment capacity, prevention of run-on and infiltration of rainfall, freedom from cracks or gaps, and design and installation to completely surround the tank and cover all surrounding earth likely to be contacted by waste in the event of a release. Second, the building must meet certain specified requirements for secondary containment in 40 C.F.R. 267.195(a), (b)(1), and (b)(2) (corresponding with 35 Ill. Adm. Code 727.290(f)(1), (f)(2)(A), and (f)(2)(B)). These specified segments of the secondary containment requirements include requirements that the building be designed, installed, and operated to prevent migration of wastes or accumulated liquid to soil or water; that it be capable of detecting and collecting releases and liquids until they are removed; that it must be constructed of or lined with materials that are compatible with the waste and which will not fail to contain the waste during operations; and that it must be placed on a foundation or base that will support the system and resist failure.

The Agency asserted in PC 1 that USEPA erred in its citation to 40 C.F.R. 267.195(a), (b)(1), and (b)(2) for applicable requirements. The Agency points out that 40 C.F.R. 267.195(b) states that compliance with section 267.195(a) would require compliance with all of section 267.195(b), including sections (b)(1) through (b)(4) (corresponding with 35 Ill. Adm. Code 727.290(f)(2)(A) through (f)(2)(D)). The Agency suggests that the Board should correct the supposed federal error and revise 35 Ill. Adm. Code 727.900(h)(2) (corresponding with 40 C.F.R. 267.1107(b)) to cite required compliance with 35 Ill. Adm. Code 727.290(f)(1) and (f)(2) (corresponding with 40 C.F.R. 267.195(a) and (b)). PC 1 at p. 18, ¶ 59. In essence, the Agency requests that the Board revise the federally derived language to include an express requirement to comply with 35 Ill. Adm. Code 727.290(f)(2)(C) and (f)(2)(D) (corresponding with 40 C.F.R. 267.195(b)(3) and (b)(4)). Those two subsections require that secondary containment include a

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<sup>31</sup> At the Request of the Agency (PC 1 at p. 17, ¶ 58), the Board corrected the citation to the external liner requirements from the State counterpart to 40 C.F.R. 267.196(a) to refer to the counterpart to subsection (b) of that section. No further discussion of that correction is necessary other than its listing in the table of corrections to and deviations from the federal rules that begins on page ### of this opinion.

leak-detection system that will detect a leak within 24 hours and that is be designed or operated to drain and remove accumulated liquids within 24 hours.

There are two equally reasonable interpretations of this provision. The first possibility, the one to which the Agency ascribes, is that USEPA intended compliance with all of 40 C.F.R. 267.195 (corresponding with 35 Ill. Adm. Code 727.290(f)), including the design, installation, and operation requirements relating to leak detection, collection, and removal and facility foundation requirements of paragraphs (b)(3) and (b)(4) (corresponding with 35 Ill. Adm. Code 727.290(f)(2)(C) and (f)(2)(D)). Supporting this interpretation is the fact that 40 C.F.R. 267.195(b) (corresponding with 35 Ill. Adm. Code 727.290(f)(2)) expressly states that compliance with subsection (a) requires compliance with all of paragraphs (b)(1) through (b)(4) (corresponding with 35 Ill. Adm. Code 727.290(f)(2)(C) and (D)).

The second possibility is that USEPA did not intend the design, installation, and operation requirements relating to leak detection, collection, and removal and facility foundation requirements of paragraphs (b)(3) and (b)(4) to apply to a containment building acting as secondary containment for a tank. USEPA expressly required compliance only with paragraphs (b)(1) and (b)(2). The requirement in 40 C.F.R. 267.195(b) (corresponding with 35 Ill. Adm. Code 727.290(f)(2)) that compliance with subsection (a) requires compliance with all of paragraphs (b)(1) through (b)(4) is a general requirement. The requirement in 40 C.F.R. 267.1107(b) (corresponding with 35 Ill. Adm. Code 727.290(h)(2)) that requires compliance with 40 C.F.R. 267.195(a), (b)(1), and (b)(2) is a specific requirement. It is possible that USEPA intended to exclude the general when it cited the specific. One maxim of statutory interpretation that might apply here is that the inclusion of a specific provision excludes a more general one. See Browning-Ferris Industries, Inc. of Iowa v. PCB, 127 Ill. App. 3d 509, 468 N.E. 2d 1016 (3d Dist. 1984).

It is unclear exactly what USEPA intended in this provision. While it would seem reasonable that USEPA did not intend compliance with the leak detection, collection, and removal and facility foundation requirements of 40 C.F.R. 267.195(b)(3) and (b)(4), the plain words of subsection (b) state that compliance with subsection (a) would require compliance with those two paragraphs. The preamble discussion in the *Federal Register* does not fully clarify USEPA's intent. The discussion in that notice of secondary containment specifically stated that all units subject to the RCRA standardized permit rule should have leak detection, collection, and removal systems:

The standardized permit rule is intended for units (tanks, containers, containment buildings) that are easily designed and operated, and with minimal contingencies. More complex situations involving tank systems where leaks are difficult to detect, are better served under an individual permit. Furthermore, such demonstrations only serve to lengthen the overall permitting process, detracting from the intent of the rule to streamline the process as much as possible. Therefore, in the final rule, the provisions of § 267.195 will require that a facility's secondary containment system be able to detect and/or remove a leak or spill within 24 hours. The rule will not provide a self-certification provision for

systems that cannot detect and/or remove leaks or spills within 24 hours. These tank systems will need an individual permit.  
70 Fed. Reg. 53420, 53442 (Sept. 8, 2005).

This preamble discussion would tend to support the Agency contention that USEPA intended the leak detection, collection, and removal and facility foundation requirements to apply to all units, including a containment building used as secondary containment for a tank. However, nowhere does the *Federal Register* notice address why USEPA required compliance only with 40 C.F.R. 267.195(a), (b)(1), and (b)(2), seeming to exclude those requirements. The discussion of the containment building requirements stated only that USEPA had received no comments on that aspect of the rule, so the rule was adopted without change from the proposed rule. 70 Fed. Reg. at 53442.

The rule as proposed by USEPA in 2001 included same specific citation to the requirements of 40 C.F.R. 267.195(a), (b)(1), and (b)(2) that USEPA adopted in 2005. *See* 66 Fed. Reg. 52192, 52264 (Oct. 12, 2001) (the proposed text of 40 C.F.R. 267.1107(b)). The notice of proposed rule discussion of secondary containment for a containment building did not disclose the source of the citation, but it did disclose that 40 C.F.R. 264.1101 is the origin of subpart DD of 40 C.F.R. 267. The 2001 discussion was as follows:

If you plan to use your containment building to treat or store hazardous wastes that contain free liquids, then the primary barrier would be required to be able to prevent the migration of hazardous constituents into the barrier. You could accomplish this, for example, by putting a geomembrane on top of a concrete surface. You would also be required to install a secondary containment system. The function of the secondary containment would be to allow the use of a leak detection system capable of detecting leaks in the primary barrier, and to collect the liquids that could penetrate the primary barrier. Proposed § 267.1102 stipulates the same design requirements for the secondary containment system as does existing § 264.1101. This proposed section would also require a certification by a qualified registered professional engineer that the unit meets all design and operating requirements.  
66 Fed. Reg. 52192, 52226 (Oct. 12, 2001).

The text of 40 C.F.R. 264.1101 includes parenthetical language that is very close to that of section 267.1107:

A containment building can serve as an external liner system for a tank, provided it meets the requirements of § 264.193(d)(1). In addition, the containment building must meet the requirements of § 264.193(b) and §§ 264.193(c)(1) and (2) to be considered an acceptable secondary containment system for a tank.  
40 C.F.R. 264.1101(b)(3)(iii) (2005) (corresponding with 40 C.F.R. 724.1101(b)(3)(C)).

The text of cited 40 C.F.R. 264.193(b) and (c) is nearly identical to that of 40 C.F.R. 267.195(a) and (b):

(b) Secondary containment systems must be:

(1) Designed, installed, and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, ground water, or surface water at any time during the use of the tank system; and

(2) Capable of detecting and collecting releases and accumulated liquids until the collected material is removed.

(c) To meet the requirements of paragraph (b) of this section, secondary containment systems must be at a minimum:

(1) Constructed of or lined with materials that are compatible with the wastes(s) to be placed in the tank system and must have sufficient strength and thickness to prevent failure owing to pressure gradients (including static head and external hydrological forces), physical contact with the waste to which it is exposed, climatic conditions, and the stress of daily operation (including stresses from nearby vehicular traffic).

(2) Placed on a foundation or base capable of providing support to the secondary containment system, resistance to pressure gradients above and below the system, and capable of preventing failure due to settlement, compression, or uplift;

(3) Provided with a leak-detection system that is designed and operated so that it will detect the failure of either the primary or secondary containment structure or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within 24 hours, or at the earliest practicable time if the owner or operator can demonstrate to the Regional Administrator that existing detection technologies or site conditions will not allow detection of a release within 24 hours; and

(4) Sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment, if the owner or operator can demonstrate to the Regional Administrator that removal of the released waste or accumulated precipitation cannot be accomplished within 24 hours.

40 C.F.R. 264.193(b) and (c) (2005) (corresponding with 40 C.F.R. 724.293(b) and (c)).

Thus, it is safe to assume that USEPA intended the same thing in its citation to 40 C.F.R. 267.195(a), (b)(1), and (b)(2) as it did in its citation to 40 C.F.R. 264.193(b), (c)(1), and (c)(2).

The preamble discussion accompanying USEPA adoption of 40 C.F.R. 264.1101(b)(3)(iii) specifically discussed the requirements that should apply to a containment building acting as secondary containment for a tank within the building. That discussion mentions the specific requirements with which such a containment building must comply, but it does not announce the rationale for those requirements that would either expressly include or exclude compliance with the leak detection, collection, and removal and facility foundation requirements of 40 C.F.R. 264.193(b)(3) and (b)(4). USEPA stated as follows:



EPA believes containment buildings can serve as secondary containment systems for tanks placed within the building under certain conditions; A containment building can serve as an external liner system for a tank, provided it meets the requirements of § 264.193(d)(1), i.e. that it is designed and operated to contain 100 percent of the capacity of the largest tank within its boundary, designed and operated to prevent run-on or infiltration of precipitation into the secondary containment system, free of cracks or gaps, and designed and installed to surround the tank completely and to cover all surrounding areas likely to come into contact with the waste. In addition, the containment building must meet the requirements of § 264.193(b) and § 264.193(c)(1) and (2) to be considered an acceptable secondary containment system for a tank.

57 Fed. Reg. 37194, 37215 (Aug. 18, 1992).

USEPA very clearly and deliberately cited only 40 C.F.R. 264.193(b), (c)(1), and (c)(2) when adopting 40 C.F.R. 264.1101(b)(3)(iii). From this, it follows that USEPA very clearly and deliberately cited only 40 C.F.R. 267.195(a), (b)(1), and (b)(2) when adopting 40 C.F.R. 267.1107. As with the adoption of section 267.1107, however, USEPA also discussed the need for a containment building to comply with secondary containment leak detection, collection, and removal requirements when USEPA adopted section 264.1101:

Portions of containment buildings used to manage hazardous wastes containing free liquids must, in addition, be provided with secondary containment systems including (1) a secondary barrier and (2) a leak detection system. The secondary barrier must be designed and constructed of materials to prevent the migration or hazardous constituents into this barrier. The leak detection system, which lies below the primary barrier and above the secondary barrier, must be capable of detecting, collecting, and removing leaks of hazardous constituents through the primary barrier at the earliest practicable time.

57 Fed. Reg. 37194, 37214 (Aug. 18, 1992).

Thus, tracing the specific citation to secondary containment requirements in section 267.1107 to its ultimate source in the adoption of section 264.1101 does not remove the ambiguity or completely clarify USEPA's intent.

The Board cannot correct 35 Ill. Adm. Code 727.900(h)(2) as requested by the Agency to correct possible USEPA error in 40 C.F.R. 267.1107. Exactly why USEPA cited two specific requirements and ignored two others that are cited in a general way in the same rule is unclear. On the one hand, it is possible that USEPA intended the leak detection, collection, and removal and facility foundation requirements of 40 C.F.R. 267.195(b)(3) and (b)(4) to apply to all secondary containment systems, as 40 C.F.R. 267.195(b) would imply and as put forward by the Agency in PC 1. On the other hand, 40 C.F.R. 267.1107(b) specifically requires compliance only with 40 C.F.R. 267.195(a), (b)(1), and (b)(2).<sup>32</sup> Since the federal intent is not manifest

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<sup>32</sup> It is worthy of note that USEPA did not cite 40 C.F.R. 267.195(b), which is the provision that the Agency cites as requiring compliance with subsections (b)(3) and (b)(4) to achieve

anywhere in the text or history of section 267.1107, the Board cannot revise this provision to enhance its clarity. The rule will have to be interpreted by the terms chosen by USEPA to draft it.

**Tabulation of the Correlation of State and Federal Regulations.** The Agency requested an action in PC 1 that the Board agrees is desirable, but that the Board cannot complete in this proceeding. The Agency commented as follows:

[T]racking down the regulations in 35 Ill. Adm. Code that correspond to the various sections of 40 CFR Parts 124, 144, and 270 can be very confusing and time consuming. Therefore, it is recommended that the Board develop and maintain a table that relates the federal requirements to the equivalent state requirements - section by section - so that a direct comparison of the requirements can be made quickly and easily. A table such as this should also be helpful in reviewing future adoptions of USEPA regulations.  
PC 1 at p. 18, ¶ 60.

The Board agrees. Traditionally, where there is not a linear correlation between the two systems of rules,<sup>33</sup> the Board has added Board notes that correlate the State rules with their federal counterparts. The Board note indicates the federal source of the particular State provision. Confronted with the potential for confusion in the present rule, since there was a revision to the structure, the Board included tables that correlate the respective RCRA standardized permit provisions in the federal and State regulations in Appendix B to Part 727. The Board believes that similar tables added to the permit rules of 40 C.F.R. 702 through 705 would enhance the clarity of the rules.

The Board has not included correlation tables in the adopted rule, since adding them at this point would delay adoption of the rule text. Consistent with resource constraints and priorities, the Board will devise tables that set forth the correlation between the federal and State RCRA and UIC permit rules and include them in a proposal for public comment in an appropriate future identical-in-substance update docket.

### **Amendments to the Headworks Exemption from the Definition of Hazardous Waste-- Section 721.103**

The USEPA action of October 4, 2005 (70 Fed. Reg. 59402) expanded an existing exemption from the definition of hazardous waste. The exemption is called the “headworks exemption,” and it relates to mixtures of listed hazardous waste (from subpart D of 40 C.F.R. 261, which corresponds with Subpart D of 35 Ill. Adm. Code 721) and wastewater that go to a regulated wastewater treatment system. Certain concentration and other limits apply to the mixtures of waste in the wastewater. USEPA changed a few aspects of the headworks

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compliance with subsection (a).

<sup>33</sup> See footnote 5 on page 15 of this opinion.

exemption rule, including the mixtures that are subject to the rule, the locations acceptable for sampling and measurement, and the scope of the *de minimis* exemption.

USEPA added benzene and 2-ethoxyethanol to the list of solvents whose mixtures with wastewater are exempted from the definition of hazardous waste. Certain limitations apply to the exemption of benzene-containing wastewater.<sup>34</sup> Also exempted are scrubber waters from the combustion of any of the exempted solvents (including combustion of the solvents previously exempted).<sup>35</sup> USEPA further amended the headworks exemption to allow measurement of solvent levels at the headworks of the wastewater treatment plant to determine the applicability of the exemption, provided that the wastewater treatment is subject to federal Clean Air Act standards and the generator submits an analysis plan for approval. Finally, USEPA broadened the applicability of the *de minimis* exemption to listed wastes beyond discarded commercial products and to non-manufacturing facilities.

The Board incorporated the October 4, 2005 federal amendments without substantive deviation from the corresponding federal text. The deviations from the text of the federal amendments are restricted to those structural and stylistic changes needed to make the text comport with the *Illinois Register* format and the Board's preferred style. Table A, which begins on page 75 of this opinion, itemizes the various revisions made in the federal text in adapting it into the State regulations.

The Board does not review the substance and merits of the underlying federal action in an identical-in-substance proceeding, except to the extent that it may be necessary to do so in order to incorporate the federal provisions into the Illinois regulations. Persons interested in the details of the federal amendments should consult the October 4, 2005 *Federal Register* notice. No aspects of the present amendments warrant particular consideration here, since the Board has not departed in any significant way from the style and structure of the federal regulations.

The Board requested public comment on the incorporation of the October 4, 2005 federal amendments to the headworks exemptions. The Board received no comments on this aspect of the proposal.

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<sup>34</sup> The wastewater treatment system must be an aerated biological wastewater treatment system, and it must use only lined surface impoundments or tanks prior to secondary clarification.

<sup>35</sup> The exemption now includes wastewater mixtures of the solvents benzene, carbon disulfide, carbon tetrachloride, chlorobenzene, cresols, cresylic acid, o-dichlorobenzene, 2-ethoxyethanol, isobutanol, methyl ethyl ketone, methylene chloride, nitrobenzene, pyridine, tetrachloroethylene, 1,1,1-toluene, trichloroethane, trichloroethylene, and spent chlorofluorocarbon solvents and scrubber waters derived from their combustion.

### **Finalized Hazardous Waste Combustor Rule--Parts 703, 720, 724, 725, and 726<sup>36</sup>**

The USEPA action of October 12, 2005 (70 Fed. Reg. 59402), amended the Hazardous Waste Combustor Rule. The Hazardous Waste Combustor (HWC) Rule applies to various entities that burn hazardous waste as a fuel: incinerators; cement kilns; lightweight aggregate kilns; industrial, commercial, and institutional boilers and process heaters; and hydrochloric acid production furnaces. USEPA has identified these entities as major sources of hazardous air pollutants (HAPs),<sup>37</sup> which makes them subject to the maximum achievable control technology (MACT) under national emission standards for hazardous air pollutants (NESHAPs) pursuant to section 112(d) of the federal Clean Air Act (42 U.S.C. 7412(d) (2003)). The amendments included Phase I replacement standards and Phase II standards. The substantive HWC Rule is a NESHAP codified by USEPA as subpart EEE of 40 C.F.R. 63. The hazardous waste regulations bridge to that NESHAP.

USEPA originally designated HWCs as major sources of HAP on July 16, 1992 (at 57 Fed. Reg. 31576). USEPA designates incinerators, cement kilns, and lightweight aggregate kilns as “Phase I” sources. “Phase II” sources are boilers and hydrochloric acid production furnaces. USEPA adopted the Phase I HWC Rule to control emissions from Phase I sources on September 30, 1999 (at 64 Fed. Reg. 52828).<sup>38</sup> USEPA subsequently stayed segments of the HWC Rule and adopted interim standards on February 13, 2002 (at 67 Fed. Reg. 6792), as a result of litigation in Cement Kiln Recycling Coalition v. EPA, 255 F.3d 855 (D.C. Cir. 2001).<sup>39</sup> The USEPA amendments address the Cement Kiln Recycling Coalition decision as to the Phase I sources to which it applied and establish standards for Phase II sources.

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<sup>36</sup> The specific Sections involved are 703.110, 703.189, 703.205, 703.208, 703.210, 703.211, 703.221, 703.232, 703.241, 703.280, 703.320, 720.111, 724.440, 725.440, and 726.200.

<sup>37</sup> USEPA stated that HAPs emitted by HWCs include arsenic, beryllium, cadmium, chromium, dioxins and furans, hydrogen chloride and chlorine gas, lead, manganese, and mercury.

<sup>38</sup> The Board incorporated the HWC Rule and subsequent federal amendments into the Illinois hazardous waste regulations in a series of dockets: RCRA Subtitle C Update, USEPA Amendments (July 1, 1999 through December 31, 1999), R00-13 (May 18, 2000); UIC Update, USEPA Amendments (July 1, 2000 through December 31, 2000), R01-21 and RCRA Subtitle C Update, USEPA Amendments (July 1, 2000 through December 31, 2000), R01-23 (May 17, 2001) (consolidated); RCRA Subtitle C Update, USEPA Amendments (January 1, 2001 through June 30, 2001), R02-1 and RCRA Subtitle C UPDATE, USEPA Amendments (July 1, 2001 through December 31, 2001, January 22, 2002, March 13, 2002, and April 9, 2002), R02-12 (Apr. 18, 2002) (consolidated); and RCRA Subtitle C Update, USEPA Amendments (July 1, 2002 through December 31, 2002), R03-18 (June 5, 2003).

<sup>39</sup> To which the Board responded with corresponding amendments in RCRA Subtitle C Update, USEPA Amendments (January 1, 2002 through June 30, 2002), R03-7 (Jan. 9, 2003).

The Board incorporated the October 12, 2005 federal HWC Rule amendments without substantive deviation from the corresponding federal text. The deviations from the text of the federal amendments are restricted to those structural and stylistic changes needed to make the text comport with the *Illinois Register* format and the Board's preferred style. Table A, which begins on page 75 of this opinion, itemizes the various revisions made in the federal text in adapting it into the State regulations.

The Board does not review the substance and merits of the underlying federal action in an identical-in-substance proceeding, except to the extent that it may be necessary to do so in order to incorporate the federal provisions into the Illinois regulations. Persons interested in the details of the federal amendments should consult the October 12, 2005 *Federal Register* notice. No aspects of the present amendments warrant particular consideration here, since the Board has not departed in any significant way from the style and structure of the federal regulations. The only aspects of the present amendments that warrant such consideration here relate to incorporations by reference. First, USEPA changed its incorporations-by-reference provision at 40 C.F.R. 270.6 in a way that the Board will not follow. Second, the versions of subpart EEE of 40 C.F.R. 63 that the federal amendments will require the Board to incorporate by reference in 35 Ill. Adm. Code 720.111.

Section 702.104 corresponds with 40 C.F.R. 270.6, which is the centralized location of incorporations by reference for the purposes of the RCRA permit rules of federal part 270. In the past, 40 C.F.R. 270.6 cross-referenced 40 C.F.R. 260.11 for the incorporations. In the federal amendments of October 12, 2005, USEPA amended section 270.6 to add replace the cross-reference with an incorporation of "*APTI Course 415: Control of Gaseous Emissions.*" The version of this document incorporated is identical to that listed in 40 C.F.R. 260.11. The Board has opted to retain at Section 702.104 the existing cross-reference to 35 Ill. Adm. Code 720.111 for incorporations. Thus, 35 Ill. Adm. Code 720.111 will remain the centralized incorporations provision for all of the hazardous waste rule, including the permitting provisions of 35 Ill. Adm. Code 702 through 705.

As to the version of subpart EEE of 40 C.F.R. 60 incorporated by reference, the Board does not generally insert the version date in citations to the *Code of Federal Regulations* in the substantive segments of the regulations. Rather, the Board inserts the version information in the centralized citation for incorporation by reference in 35 Ill. Adm. Code 720.111(b). This practice allows the Board to update the incorporation by reference to a later version or to include later amendments published in the *Federal Register* without amending the substantive rule for which the document is incorporated. The October 12, 2006 federal amendments refer in 40 C.F.R. 270.42(j)(1) to the version of 40 C.F.R. 63.1210 that was in effect on October 12, 2000, which was the July 1, 2000 edition of that provision. This has required the Board to include the version date "(2000)" in the citation to 40 C.F.R. 63.1210 in corresponding 35 Ill. Adm. Code 703.280(j)(1) and add an incorporation of the 2000 version of 40 C.F.R. 63.1210 to 35 Ill. Adm. Code 720.111(b).

The Board requested public comment on the incorporation of the October 12, 2005 federal amendments to the Hazardous Waste Combustor Rule. The Board received no comments on this aspect of the proposal.

**Cross-Media Electronic Reporting Rule--Parts 702 through 705, 720 through 728, 730, 733, and 739<sup>40</sup>**

The USEPA action of October 13, 2005 (70 Fed. Reg. 59848) established the Cross-Media Electronic Reporting Rule (CROMERR).<sup>41</sup> CROMERR sets standards for the submission of electronic documents in lieu of paper documents in various federal program areas.<sup>42</sup> CROMERR does not require the submission of documents in an electronic format. CROMERR does, however, impose requirements on documents that are submitted electronically and on the electronic document receiving systems used to receive them.

Generally, CROMERR requires that an electronic document bear a valid electronic signature that has “the same meaning and intention as would a handwritten signature” on a paper document for which the electronic document substitutes. Quoting 40 C.F.R. 3.3 (definition of “electronic signature”). CROMERR requires this for electronic submittals made directly to USEPA (*i.e.*, to USEPA’s Central Data Exchange (CDX) or other USEPA-designated system). CROMERR also requires this of electronic documents submitted to the states under authorized programs. *See* 40 C.F.R. 3.10, 3.2000(a)(2). CROMERR sets forth performance standards for electronic document receiving systems used by states under authorized programs. *See* 40 C.F.R. 3.2000(b). With CROMERR, USEPA chose to impose performance standards rather than require specific technologies, formats, or detailed procedural submission steps. *See* 70 Fed. Reg. 59852-53 (Oct. 13, 2005).

USEPA stated as follows in its introductory discussion of CROMERR:

[US]EPA is establishing the framework by which it will accept electronic reports from regulated entities in satisfaction of certain document submission requirements in [US]EPA’s regulations. [US]EPA will provide public notice when [it] is ready to receive direct submissions of certain documents from

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<sup>40</sup> The specific Sections involved are 703.110, 703.189, 703.205, 703.208, 703.210, 703.211, 703.221, 703.232, 703.241, 703.280, 703.320, 720.111, 724.440, 725.440, and 726.200.

<sup>41</sup> These federal amendments are also the subject of rules in two other dockets in which the Board adopted very similar amendments relating to electronic reporting in identical-in-substance amendments: Wastewater Pretreatment Update, USEPA Regulations (July 1, 2005 through December 31, 2005), R06-13 (Oct. 19, 2006), and SDWA Update, USEPA Regulations (July 1, 2005 through December 31, 2005), R06-15 (Oct. 5, 2006).

<sup>42</sup> The federally-authorized programs to which CROMERR applies are all state-implemented aspects of the Clean Air Act (all conventional and hazardous air pollutant aspects), Clean Water Act (National Pollutant Discharge Elimination System, wastewater pretreatment, and sludge management aspects), Safe Drinking Water Act (national primary drinking water standards and underground injection control aspects), Resource Conservation and Recovery Act (hazardous waste, municipal solid waste landfill, and underground storage tank aspects), and the Lead-Based Paint Exposure Abatement Act programs.

regulated entities in electronic form consistent with this rulemaking via an [US]EPA electronic document receiving system. This rule does not mandate that regulated entities utilize electronic methods to submit documents in lieu of paper-based submissions. \* \* \*

States . . . will be able to seek [US]EPA approval to accept electronic documents to satisfy reporting requirements under environmental programs that [US]EPA has delegated, authorized, or approved them to administer. This rule includes performance standards against which a state's . . . electronic document receiving system will be evaluated before [US]EPA will approve changes to the delegated, authorized, or approved program to provide electronic reporting, and establishes a streamlined process that states, tribes, and local governments can use to seek and obtain such approvals. 70 Fed. Reg. 59848 (Oct. 13, 2005) (summary).

Any state that receives or plans to receive electronic documents in lieu of paper documents to satisfy requirements under an authorized program must apply with USEPA to revise or modify the authorized program to allow for electronic reporting. The application must demonstrate compliance with CROMERR. *See* 40 C.F.R. 3.1000. Generally, a state's electronic document receiving system must be approved by USEPA before the state may use it. However, a state may continue to use an "existing" electronic receiving system, pending USEPA review and approval, as long as the state submits the application to USEPA by October 13, 2007, or such later date approved by USEPA in writing.

USEPA explained its approach to "existing" electronic document receiving systems:

For authorized programs that have "existing" electronic document receiving systems as of the date this final rule is published [October 13, 2005], [US]EPA is deferring the deadline for these programs to submit their applications for program revisions or modifications with respect to such systems. \*\*\* [USEPA] believe[s] that this two-year period [until October 13, 2007] is generally sufficient to allow these programs to make the transition to CROMERR-compliant systems without having to discontinue their electronic reporting operations.

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[US]EPA's purpose in deferring the application deadline for program revisions or modifications with respect to existing electronic reporting is to avoid disrupting authorized programs' electronic reporting initiatives that are already underway. With this goal in mind, [US]EPA has defined "existing electronic document system" broadly, to include not only those that are actually operational at the time the final rule is published, but also those that are substantially developed. 70 Fed. Reg. at 59864-65.

USEPA accordingly defines "existing electronic document receiving system" as:

an electronic document receiving system that is being used to receive electronic documents in lieu of paper to satisfy requirements under an authorized program on October 13, 2005 or the system, if not in use, has been substantially developed

on or before that date as evidenced by the establishment of system services or specifications by contract or other binding agreement. 40 C.F.R. 3.3.<sup>43</sup>

At final adoption, the Board amends its April 6, 2006 proposal for public comment, adding language to accommodate any electronic document receiving system of the Illinois Environmental Protection Agency (Agency) or the Board that may qualify as an “existing” system under CROMERR.

USEPA is clear that the submission of documents in an electronic format is voluntary, and not compulsory, and that CROMERR creates no right or privilege to submit any document in an electronic format. *See* 59 Fed. Reg. at 59853.

The Board does not review the substance and merits of the underlying federal action in an identical-in-substance proceeding, except to the extent that it may be necessary to do so in order to incorporate the federal provisions into the Illinois regulations. Persons interested in the details of the federal amendments should consult the October 13, 2005 *Federal Register* notice. The only aspects of the present amendments that warrant further discussion here relate to the general considerations of the Board in assembling a rule to insert into the Illinois hazardous waste/underground injection control and municipal solid waste landfill regulations.

CROMERR appears in a new part of the USEPA regulations, 40 C.F.R. 3. The structure of new 40 C.F.R. 3 includes three subparts:<sup>44</sup>

- Subpart A: General provisions (statements of scope and applicability, definitions of terms, and statements of the legal effect of submitting a document in an electronic format),
- Subpart B: Provisions relative to submitting a document to a USEPA electronic document receiving system, and
- Subpart D: Provisions relative to submitting a document to a state electronic document receiving system and for USEPA authorization of a state system.

CROMERR is drafted in the “user-friendly” question-and-answer format recently favored by USEPA.

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<sup>43</sup> “Electronic document receiving system” means “any set of apparatus, procedures, software, records, or documentation used to receive electronic documents.” 40 C.F.R. 3.3.

<sup>44</sup> Subpart C is marked “reserved.” It is apparent that at some future time, USEPA may amend 40 C.F.R. 3 to include provisions relating to electronic recordkeeping. *See* 59 Fed. Reg. at 59848, 59854 (summary).



The object of CROMERR is to provide for the submission of documents in an electronic format and to assure that documents submitted in such a format have the same probative effect as a signed paper document. USEPA stated, “[I]t is essential to ensure that electronic reports can play the same role as their paper counterparts in providing evidence of what was reported and to what identified individuals certified with respect to the report.” 59 Fed. Reg. at 59850. Thus, USEPA’s emphasis is on assuring the authenticity, dependability, and integrity of documents submitted in an electronic format. To this end, CROMERR imposes requirements on six aspects of any electronic document receiving system used by a state: (1) system security; (2) the electronic signature method; (3) registration of persons submitting electronic documents; (4) the signature and certification scenario; (5) the generation of a transaction record; and (6) system archives. *See* 59 Fed. Reg. at 59855. USEPA listed its bases for evaluation of a state electronic document receiving system as follows (*see* 59 Fed. Reg. at 59867-73):

1. The timeliness of data generation by the system;
2. The ability of the system to retain and generate a copy of the record on demand that fulfills all of the following requirements:
  - a. The copy must be true and accurate;
  - b. It must include all electronic signatures;
  - c. It must include the date and time of receipt; and
  - d. It must be viewable in a human-readable format that indicates the meaning of each information item or data element;
3. The ability to establish that the electronic document was not altered in transmission or at any time after receipt without detection;
4. The provision of evidence that the person who submitted the document did so with a way of knowing or confirming that the submission occurred;
5. The availability of the copy of record for timely review and repudiation by the person or entity that submitted it;
6. The ability to verify the validity of each electronic signature at the time of signing, which requires the following:
  - a. That the signature is created using a device “owned” by the person using it;
  - b. That the device has not been compromised, or that any compromise will be detected and the submission rejected in the event of a compromise; and
  - c. That the person affixing the signature to the document is one who is authorized to do so;
7. The ability to bind the signature to the electronic document so that the document cannot be altered without detection once signed;

8. Where the person signing the document must certify the truth or accuracy of the document, the ability of the system to provide evidence the following:
  - a. That the signatory had the opportunity to review the document before signing and submitting it;
  - b. That the signatory fully understood the significance of his or her signing and the criminal penalties for a false certification before signing and submitting it; and
  - c. That the signatory had the opportunity to detect and repudiate any spurious submissions made in his or her name through unauthorized access to the signature device or to the electronic document receiving system; and
  
9. The ability of the system to provide the following evidence with regard to the person signing and submitting an electronic document:
  - a. That the person signing and submitting an electronic document has executed an electronic signature agreement or subscriber agreement for the device used to sign the document; and
  - b. That the person signing and submitting an electronic document is in fact that person who has authority to use the device used to sign the document, as follows:
    - i. The identity of the signature device owner must be verified before the system receives any signature created by the device;
    - ii. The verification must be made “by the attestation of disinterested individuals”; and
    - iii. The verification must be “based on information or objects of independent origin, at least one item of which is not subject to change without government action or authorization.”

The Board has incorporated the new federal CROMERR into two nearly identical provisions at 35 Ill. Adm. Code 720.104, of the hazardous waste and underground injection control regulations, and 35 Ill. Adm. Code 810.105, of the municipal solid waste landfill rules. In drafting the identical-in-substance rules, the Board has taken a minimalist approach. Sections 720.104(a) and 810.105(a) make clear that submitting electronic documents in lieu of paper documents under the authorized program is an option, and not a requirement.

The rules state that any “existing” electronic document receiving system of the Board or Agency may be used to receive electronic submittals under these rules as long as the application to USEPA, seeking to amend the authorized program to allow for electronic reporting, either (1) is not yet due; or (2) was timely filed and USEPA has not disapproved the system’s use. In addition, any electronic document receiving system, whether or not considered an “existing” system, may be used to receive electronic submittals under these rules if USEPA has granted written approval for use of the system pursuant to 40 C.F.R. 3.1000 and the system meets 40 C.F.R. 3.2000.

The rules repeat the federal applicability language, making clear that the only submittals covered by the rules are electronic submissions, and not documents submitted by facsimile or magnetic or optical media, such as diskette, compact disc, digital videodisc, or tape. Document transfers between USEPA and the states under administrative arrangements are also excluded.

The Board has incorporated by reference other provisions, including the definitions of 40 C.F.R. 3.3 and the 40 C.F.R. 3.10 procedures for electronic submissions made directly to USEPA into its CDX or other designated system. *See* Section 720.104(b) and (c) and 810.105(b) and (c) (incorporating 40 C.F.R. 3.3 and 3.10 by reference). The Board is unsure whether there are any Illinois entities currently submitting documents directly to USEPA, but has included those provisions to avoid any confusion.

The rules provide at Section 720.104(d)(1) that the Board or the Agency may accept electronic documents under these provisions only as provided in Section 720.104(a)(2)(B) (*i.e.*, generally, either through an “existing” system pending USEPA approval, or any USEPA-approved system compliant with 40 C.F.R. 3.2000). As to procedural rules for submitting electronic documents in lieu of paper documents to the Board or the Agency, the rules provide at Sections 720.104(d)(1) and 810.105(d)(1) that it is entirely up to the Board or the Agency whether to adopt procedural rules for electronic submissions under the Sections. For some time, the Board has been receiving electronic documents in all program areas to develop sufficient information and experience to propose workable procedural rules on electronic filing. To that end, the Board has reserved a procedural rule docket. Amendments to the Board’s Procedural Rules to Accommodate Electronic Filing: 35 Ill. Adm. Code 101-130, R04-8 (Aug. 21, 2003).<sup>45</sup> Presently, however, the Board has no projected date for issuance of a procedural rulemaking proposal on electronic filing, given the Board’s heavy rulemaking docket for calendar year 2006.

The Board has included a provision at Sections 720.104(a)(4) and 810.105(a)(4) that requires the Board or Agency to publish notice of USEPA approval of any electronic document receiving system in the *Illinois Register*. The Board has also included in the rule language identical in substance to federal provisions in Sections 720.104(e) and 810.105(e) that makes it clear that electronic submittals will be treated in the same way as are properly signed paper submittals.

To direct attention to the federally-derived electronic document submission requirements and further assure their applicability under all of the federally-derived segments of the rules for which the State must submit to USEPA for program authorization, the Board has added a brief requirement in each of Parts 702 through 705, 721 through 728, 730, 733, 738, and 739, in the hazardous waste rules, and in each of Parts 811 through 814, in the municipal solid waste landfill

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<sup>45</sup> In the meantime, the Board currently accepts electronic document submissions into the Clerk’s Office On-Line (COOL) system. The Board requires the use of the State of Illinois Digital Signature Project, administered by the Office of the Secretary of State, for submitting electronic documents pursuant to the Electronic Commerce Security Act [5 ILCS 175]. The user must obtain a free subscription to that system from the State Registration Authority (at <https://autora01.cmcf.state.il.us/> or [www.illinois.gov/pki/pki\\_subscriber.cfm](http://www.illinois.gov/pki/pki_subscriber.cfm)).

rules. The brief requirement states that the submission of any document pursuant to any provision of the Part as an electronic document in lieu of a paper document is subject to 35 Ill. Adm. Code 720.104 or 810.105, as appropriate. The Board inserted these brief requirements as a separate Section in the general provisions of each Part, where possible. Alternatively, the Board inserted the brief requirement as a subsection of a statement of scope, purpose, and applicability of the Part. The only exception as to placement of this brief requirement is in Section 811.112(h). 35 Ill. Adm. Code 811.112 is derived from 40 C.F.R. 258.29. USEPA incorporated CROMERR into the municipal solid waste landfill regulations by the addition of a new subsection (d) to 40 C.F.R. 258.29. The Board added subsection (h) to Section 811.112 to more closely follow the federal structure.<sup>46</sup> Table 5, which appears on page 74 of this opinion, lists the locations of the inserted brief requirements in the rules.

The Board requested public comment on the incorporation of the October 13, 2005 CROMERR in the April 6, 2006 proposal for public comment. The Board received no comments on this aspect of the proposal.<sup>47</sup> Nevertheless, the Board did find it desirable to make a number of revisions to the text of the amendments upon final adoption. Those revisions are itemized in the table that begins on page 54 of this opinion. Some are considered in the foregoing discussion of the rules.

### **Clarification of Section 725.153**

In PC 2, the Agency requested correction of a segment of Section 725.153. The Agency stated that the preamble of this provision reads as follows: “A copy of the contingency plan and all revisions to the plan must be disposed as follows.” The Agency points out that the corresponding text of 40 C.F.R. 265.53 states as follows: “A copy of the contingency plan and all revisions to the plan must be.” The Agency asserted that the use of the word “disposed” in the Illinois provision makes no sense in the context. The Agency stated that this provision has become an issue in a prospective enforcement action. PC 2.

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<sup>46</sup> USEPA chose to incorporate the CROMERR requirements into the UIC and RCRA hazardous waste regulations by amendment of 40 C.F.R. 145.11 and 271.10 through 271.12, respectively, which are provisions relating to state program authorizations for which there is no direct counterpart in the Illinois rules.

<sup>47</sup> However, in another recently completed identical-in-substance rulemaking addressing CROMERR, the Agency, in its September 28, 2006 public comment (PC 1), “requests that the Board clarify in its Final Opinion in this matter that it does not intend to preclude the use of any available grace periods under the CROMERR for existing electronic document receiving systems for any federally authorized programs.” PC 1 at 4 in Wastewater Pretreatment Update, USEPA Amendments (July 1, 2005 through December 31, 2005), R06-13 (Oct. 19, 2006). The action taken by the Board today in this consolidated docket R06-16/R06-17/R06-18 is consistent with the Agency request in docket R06-13 and with the action similarly taken in that docket and in SDWA Update, USEPA Amendments (July 1, 2005 through December 31, 2005), R06-15 (Oct. 5, 2006).

As pointed out by the Agency, the Board added the words “disposed as follows” as a clarifying amendment in RCRA Subtitle C Update, USEPA Amendments (January 1, 2004 through June 30, 2004 and October 25, 2004), R05-2 (Mar. 3, 2005). Adding “disposed as follows” to the preamble and preceding each of subsections (a) and (b) with “they must be” was intended to avoid ending the preamble with the verb “must be” followed by subsections (a) and (b) as fragments, as drafted in the corresponding federal rule. As amended, the addition of “dispose” should have acquired the common meaning, “to place or set in particular order.” *See* American Heritage Dictionary, Second College Edition.

Since the meaning of the preamble appears to have become the subject of a dispute, the Board has decided to amend Section 725.153 to clarify the intended meaning. The Board has elected to make the changes without waiting for the next docket to add them to a new proposal for public comment because the changes are minor, and they do not change the intended meaning of the rule. The Board has amended the preamble to Section 725.125 to read, “The facility owner or operator must undertake each of the following actions with regard to copies of the contingency plan and all revisions to the plan.” In subsections (a) and (b), the Board has changed the passive-voice “they must be maintained” and “they must be submitted” to active-voice “it must maintain” and “it must submit.”

If any person is dissatisfied with these amendments to Section 725.153, the 30-day hold before the Board files these amendments with the Office of the Secretary of State will allow an opportunity to submit comments to that effect. Any such comments, however, must be submitted to the Board within 14 days after the date of this opinion, before November 30, 2006, if the Board is to consider them before expiration of the 30-day hold and the filing of these amendments.

### **Agency or Board Action**

Section 7.2(a)(5) of the Act requires the Board to specify those portions of the program over which USEPA will retain decision making authority. Based on the general division of functions within the Act and other Illinois statutes, the Board is also to specify which State agency is to make decisions.

In situations in which the Board has determined that USEPA will retain decision-making authority, the Board has replaced “Regional Administrator” with USEPA, so as to avoid specifying which office within USEPA is to make a decision.

In some identical-in-substance rules, certain decisions pertaining to a permit application are not appropriate for the Agency to consider. In determining the general division of authority between the Agency and the Board, the following factors should be considered:

1. Whether the entity making the decision is applying a Board regulation, or taking action contrary to, *i.e.*, “waiving,” a Board regulation. It generally takes some form of Board action to “waive” a Board regulation.

2. Whether there is a clear standard for action such that the Board can give meaningful review to an Agency decision.
3. Whether the action would result in exemption from the permit requirement itself. If so, Board action is generally required.
4. Whether the decision amounts to “determining, defining or implementing environmental control standards” within the meaning of Section 5(b) of the Act. If so, it must be made by the Board.

There are four common classes of Board decisions: variance, adjusted standard, site-specific rulemaking, and enforcement. The first three are methods by which a regulation can be temporarily postponed (variance) or adjusted to meet specific situations (adjusted standard or site-specific rulemaking). There often are differences in the nomenclature for these decisions between the USEPA and Board regulations.

**Table 1:**  
**Listing of Updated Code of Federal Regulations Provisions**

As discussed above on page 6 of this opinion, various provisions of the *Code of Federal Regulations* are incorporated by reference in 35 Ill. Adm. Code 720.111(b). The Board has updated the edition of each title incorporated to the latest version available. The following table indicates the latest edition available and lists the *Federal Register* citations to subsequent updates to that latest edition.<sup>48</sup>

<i>Code of Federal Regulations</i> Provisions Incorporated by Reference (Edition Year)	<i>Federal Register</i> Citation to Later-Included Amendments
33 C.F.R. 153.203 (2005)	70 Fed. Reg. 74669 (December 16, 2005)
40 C.F.R. 3.3	70 Fed. Reg. 59849 (Oct. 13, 2006)
40 C.F.R. 3.2000	70 Fed. Reg. 59849 (Oct. 13, 2006)
Appendix W to 40 C.F.R. 51 (2005)	70 Fed. Reg. 68218 (November 9, 2005)
40 C.F.R. 60 (2005)	70 Fed. Reg. 51266 (Aug. 30, 2005), 70 Fed. Reg. 55568 (Sept. 22, 2005), 70 Fed. Reg. 59848 (Oct. 13, 2005), 70 Fed. Reg. 73138 (Dec. 9, 2005), 70 Fed. Reg. 74870 (Dec. 16, 2005)
40 C.F.R. 61 (2005)	70 Fed. Reg. 73138 (Dec. 9, 2005), 70 Fed. Reg. 73595 (Dec. 13, 2005)
40 C.F.R. 63 (2005)	70 Fed. Reg. 38554 (July 1, 2005), 70 Fed. Reg. 38780 (July 6, 2005), 70 Fed. Reg. 39426 (July 8, 2005), 70 Fed. Reg. 39662 (July 11, 2005),

<sup>48</sup> Segments of the *Code of Federal Regulations* that are not listed were not amended since the latest edition of the *Code*, even if incorporated by reference.

	70 Fed. Reg. 40672 (July 14, 2005), 70 Fed. Reg. 44285 (Aug. 2, 2005), 70 Fed. Reg. 46684 (Aug. 10, 2005), 70 Fed. Reg. 50118 (Aug. 25, 2005), 70 Fed. Reg. 51269 (Aug. 30, 2005), 70 Fed. Reg. 57513 (Oct. 3, 2005), 70 Fed. Reg. 59402 (Oct. 12, 2005), 70 Fed. Reg. 59848 (Oct. 13, 2005), 70 Fed. Reg. 66280 (Nov. 2, 2005), 70 Fed. Reg. 73138 (Dec. 9, 2005), 70 Fed. Reg. 73595 (Dec. 13, 2005), 70 Fed. Reg. 75042 (Dec. 19, 2005), 70 Fed. Reg. 75047 (Dec. 19, 2005), 70 Fed. Reg. 75320 (Dec. 19, 2005), 70 Fed. Reg. 75924 (Dec. 21, 2005), 70 Fed. Reg. 76918 (Dec. 28, 2005)
Subpart EEE of 40 C.F.R. 63 (2005)	70 Fed. Reg. 59402 (Oct. 12, 2005), 70 Fed. Reg. 75042 (Dec. 19, 2005)
40 C.F.R. 257 (2005)	70 Fed. Reg. 59848 (Oct. 13, 2005)
40 C.F.R. 258 (2005)	70 Fed. Reg. 44150 (Aug. 1, 2005), 70 Fed. Reg. 59848 (Oct. 13, 2005)
Subpart B of 49 C.F.R. 107 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 171 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 171.8 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 172 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 173 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 174 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 175 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 176 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 177 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 178 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 179 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)
49 C.F.R. 180 (2005)	70 Fed. Reg. 73156 (Dec. 9, 2005)

**Tables 2-A and 2-B:**  
**Existing and Prospective Future Organization of 700-Series Rules**

As discussed above on page 11 of this opinion, it may be desirable to reorganize the material in the 700-series of rules in Subtitle G so that the part numbers appear sequentially under the subchapter designations. This would allow a more logical ordering of the material. Table 2-A below indicates the current organization of these rules. Table 2-B indicates one reorganization that would be possible through renumbering and reorganization of identical-in-substance rules alone. The statutory authorities used to establish each part is indicated in column four of Table 2-B.

**Table 2-A: Existing Organization of 700-Series Rules**

Part	Part Title	Subchapter
702	RCRA and UIC Permit Programs	b: Permits
703	RCRA Permit Program	b: Permits
704	UIC Permit Program	b: Permits
705	Procedures For Permit Issuance	b: Permits
709	Wastestream Authorizations	b: Permits
718	Fees (Emergency Expired)	b: Permits
720	Hazardous Waste Management System: General	c: Hazardous Waste Operating Requirements
721	Identification and Listing of Hazardous Waste	c: Hazardous Waste Operating Requirements
722	Standards Applicable to Generators of Hazardous Waste	c: Hazardous Waste Operating Requirements
723	Standards Applicable to Transporters of Hazardous Waste	c: Hazardous Waste Operating Requirements
724	Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	c: Hazardous Waste Operating Requirements
725	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	c: Hazardous Waste Operating Requirements
726	Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities	c: Hazardous Waste Operating Requirements
727	Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a Standardized Permit	c: Hazardous Waste Operating Requirements
728	Land Disposal Restrictions	c: Hazardous Waste Operating Requirements
729	Landfills: Prohibited Hazardous Wastes	c: Hazardous Waste Operating Requirements
730	Underground Injection Control Operating Requirements	d: Underground Injection Control and Underground Storage Tank Programs
731	Underground Storage Tanks	d: Underground Injection Control and Underground Storage Tank Programs
732	Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002)	d: Underground Injection Control and Underground Storage Tank Programs
733	Standards For Universal Waste Management	c: Hazardous Waste Operating Requirements



734	Petroleum Underground Storage Tanks (Releases Reported on or After June 24, 2002)	d: Underground Injection Control and Underground Storage Tank Programs
738	Hazardous Waste Injection Restrictions	d: Underground Injection Control and Underground Storage Tank Programs
739	Standards for the Management of Used Oil	c: Hazardous Waste Operating Requirements

**Table 2-B: Prospective Future Organization of 700-Series Rules**

Part	Part Title	Subchapter	Rulemaking Authorities
702	RCRA and UIC Permit Programs	b: Permits	7.2, 13, 22.4 & 27
703	RCRA Permit Program	b: Permits	7.2, 22.4 & 27
704	UIC Permit Program	b: Permits	7.2, 13, 22.4 & 27
705	Procedures For Permit Issuance	b: Permits	7.2, 13, 22.4 & 27
709	Wastestream Authorizations	b: Permits	22.6 & 27
710	Hazardous Waste Management System: General	b: Hazardous Waste Operating Requirements	7.2, 13, 22.4 & 27
711	Identification and Listing of Hazardous Waste	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
712	Standards Applicable to Generators of Hazardous Waste	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
713	Standards Applicable to Transporters of Hazardous Waste	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
714	Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
715	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
716	Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
717	Standards for Owners and Operators of Hazardous Waste Facilities Operating Under a Standardized Permit	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
718	Land Disposal Restrictions	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
720	Hazardous Waste Injection Restrictions	c: Hazardous Waste Operating Requirements	7.2, 13, 22.4 & 27

721	Standards For Universal Waste Management	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
722	Standards for the Management of Used Oil	c: Hazardous Waste Operating Requirements	7.2, 22.4 & 27
729	Landfills: Prohibited Hazardous Wastes	c: Hazardous Waste Operating Requirements	22, 22.4, 22.6 & 27
730	Underground Injection Control Operating Requirements	d: Underground Injection Control and Underground Storage Tank Programs	7.2, 13, 22.4 & 27
731	Underground Storage Tanks	d: Underground Injection Control and Underground Storage Tank Programs	7.2, 22.4 & 27
732	Petroleum Underground Storage Tanks (Releases Reported September 23, 1994, Through June 23, 2002)	d: Underground Injection Control and Underground Storage Tank Programs	22.12, 57.14 & 27
734	Petroleum Underground Storage Tanks (Releases Reported on or After June 24, 2002)	d: Underground Injection Control and Underground Storage Tank Programs	22.12, 57.14A & 27

**Table 3:**  
**Listing of General Cross-References That USEPA Has Not Yet Amended to Include Citation to the Standardized Permit Rule**

As discussed above on pages 16 and 17 of this opinion, the USEPA did not amend all general citations to the hazardous waste regulations to include citation to the Standardized Permit Rule. Table 3 lists the general cross-references that USEPA did not update to accommodate new part 267 of the Standardized Permit Rule. The left column indicates the locations in the federal regulations where such citations occur. The second column indicates the federal provisions cross-referenced at that location. The third column indicates the corresponding provision in the Illinois regulations. The fourth column indicates the provisions cross-referenced at that location in the Illinois regulations subsequent to completion of the present rulemaking.

40 C.F.R. Provision	Cross-Referencing 40 C.F.R. Parts	Corresponding 35 Ill. Adm. Code Provision	Cross-Referencing 35 Ill. Adm. Code Parts (as Updated)
260.1(a)	260-265 & 268	720.101(a)	720-728, 733, 738, and 739
260.1(b)(1)	260-265 & 268	720.101(b)	720-728, 733, 738, and 739
260.1(b)(2)	260-265 & 268	720.101(b)(2)	720-728, 733, 738, and 739
260.1(b)(3)	260-265 & 268	720.101(b)(3)	720-728, 733, 738, and 739

260.1(b)(4)	260-265 & 268	720.101(b)(4)	720-728, 733, 738, and 739
260.2(a)	260-265 & 268	720.102(a)	No cross-reference
260.2(b)	260-265 & 268	720.102(b)	No cross-reference
260.3 preamble	260-265 & 268	720.103 preamble	720-728, 733, 738, and 739
260.10 preamble	262-273	720.110 preamble	720-728, 733, 738, and 739
260.10 “manifest”	262-265	720.110 “manifest”	722-727
260.11(a)	260-270	720.120(a)	702-705, 720-728, 730, 733, 738, and 739
260.20(a)	260-266, 268 & 273	720.120(a)	260-268, 273, or 279
261.1(a)	124, 262-265, 268 & 270	720.101(a)	702, 703, and 724-728
261.1(a)(1)	264-266 & 270	720.101(b)	702, 703, and 724-727
261.4(c)	124, 262-265, 268 & 270	721.104(c)	702, 703, and 722-728
261.4(d)(1)	124, 262-268 & 270	721.104(d)(1)	702, 703, and 722-728
261.5(b)	124, 262-266, 268 & 270	721.105(b)	702, 703, and 722-728
261.5(e)	124, 262-266, 268 & 270	721.105(e)	702, 703, and 722-728
261.5(f)(2)	124, 262-266, 268 & 270	721.105(f)(2)	702, 703, and 722-728
261.5(g)(2)	124, 263-266, 268 & 270	721.105(g)(2)	702, 703, and 723-728
261.7(a)(2)	124, 261-265, 268 & 270	721.107(a)(2)	702, 703, and 721-728
261.8 preamble	124, 261-265, 268 & 270	721.108	702, 703, and 721-728
261.20(b)	262-265, 268 & 270	721.120(b)	702, 703, and 722-728
261.30(c)	262-265, 268 & 270	721.130(c)	702, 703, and 722-728
264.175(b)(5) comment	262-266	724.275(b)(5) Board note	722-728
264.193(c)(4) note	262-265	724.293(c)(4) Board note	722-728
264.351 comment	262-266	724.451 Board note	722-728
264.1081 preamble	260-266	724.981 preamble	720-728
265.193(c)(4) note	262-265	725.293(c)(4) Board note	722-728
265.351 comment	262-266	725.451 Board note	722-728
265.1081 preamble	260-266	725.981 preamble	720-728
266.70(d)	124, 262-265 & 270	726.170(d)	702, 703, and 722-728

270.14(b)(11)(iv)(C)(2)	124, 264-266 & 270	703.184(d)(3)(B)	702, 703, and 724-727
270.41(a)(5)	124, 260-266 & 270	703.271(f)	702, 703, and 720-727
270.175(b)	124, 260-266 & 270	703.304(b)(2)	702, 703, and 720-727
279.10 preamble	124, 260-266, 268 & 270	739.110 preamble	702, 703, and 722-728
279.10(b)(1)(i)	124, 260-266, 268 & 270	739.110(b)(1)(A)	702, 703, and 722-728
279.10(b)(2)(i)	124, 260-266, 268 & 270	739.110(b)(2)(A)	702, 703, and 722-728
279.10(c)(1)(ii)	124, 260-266, 268 & 270	739.110(c)(1)(B)	702, 703, and 722-728
279.10(e)(1)(ii)	124, 260-266, 268 & 270	739.110(e)(1)(B)	702, 703, and 722-728
279.10(e)(3)(ii)	124, 260-266, 268 & 270	739.110(e)(3)(B)	702, 703, and 722-728
279.81(a)	124, 260-266, 268 & 270	739.181(a)	702, 703, and 722-728

**Table 4:**  
**Listing of Standardized Permit Rule Provisions to Show the Structural Correlation Between the State and Federal Rules**

As discussed above on pages 14 and 15 of this opinion, the Board did not maintain a direct linear correlation between the federal and State versions of the Standardized Permit Rule. The Board found it desirable to combine federal sections into single sections in the Illinois regulations and necessary to move certain federal provisions to a different location in the rules. The following table indicates the correlation between the federal and State provisions of the Standardized Permit Rule. Where the structure of a State provision exactly parallels the corresponding federal provision from which it was derived, no expanded listing of the subsections appears. Where it was necessary to move or restructure the material from the federal regulations, a detailed listing of the location of each subsection appears.

40 C.F.R. Provision	35 Ill. Adm. Code Provision
Subpart G of Part 124	Subpart G of Part 705
124.200	705.300(a)
124.201	705.300(b)
124.202	705.301(a)
124.203	705.301(b)
124.204	705.302(a)
124.205	705.302(b)
124.206	705.302(c)
124.207	705.303(a)
124.208	705.303(b)
124.209	705.303(c)

124.210	705.303(d)
124.211	705.304(a)
124.212	705.304(b)
124.213	705.304(c)
124.214	705.304(d)

40 C.F.R. Provision	35 Ill. Adm. Code Provision
Subpart A of Part 267	727.100
267.1	727.100(a)
267.2	727.100(b)
267.3	727.100(c)
Subpart B of Part 267	727.110
267.10	727.110(a)
267.11	727.110(b)
267.12	727.110(c)
267.13	727.110(d)
267.14	727.110(e)
267.15	727.110(f)
267.16	727.110(g)
267.17	727.110(h)
267.18	727.110(i)
Subpart C of Part 267	727.130
267.30	727.130(a)
267.31	727.130(b)
267.32	727.130(c)
267.33	727.130(d)
267.34	727.130(e)
267.35	727.130(f)
Subpart D of Part 267	727.150
267.50	727.150(a)
267.51	727.150(b)
267.52	727.150(c)
267.53	727.150(d)
267.54	727.150(e)
267.55	727.150(f)
267.56	727.150(g)
267.57	727.150(h)
267.58	727.150(i)
Subpart E of Part 267	727.170
267.70	727.170(a)
267.71	727.170(b)
267.72	727.170(c)
267.73	727.170(d)
267.74	727.170(e)

267.75	727.170(f)
267.76	727.170(g)
Subpart F of Part 267	727.190
267.90	727.190(a)
267.91 (Reserved)	727.190(b)
267.92 (Reserved)	727.190(c)
267.93 (Reserved)	727.190(d)
267.94 (Reserved)	727.190(e)
267.95 (Reserved)	727.190(f)
267.96 (Reserved)	727.190(g)
267.97 (Reserved)	727.190(h)
267.98 (Reserved)	727.190(i)
267.99 (Reserved)	727.190(j)
267.100 (Reserved)	727.190(k)
267.101	727.190(l)
Subpart G of Part 267	727.210
267.110	727.210(a)
267.111	727.210(b)
267.112	727.210(c)
267.113	727.210(d)
267.114 (Reserved)	727.210(e)
267.115	727.210(f)
267.116	727.210(g)
267.117	727.210(h)
Subpart H of Part 267	727.240
267.140	727.240(a)
267.141	727.240(b)
267.142	727.240(c)
267.143	727.240(d)
267.143(f)(1)	727.240(d)(6)(A)
267.143(f)(1)	727.240(m)
267.143(f)(1)(i)	727.240(m)(1)
267.143(f)(1)(i)(A)	727.240(m)(1)(A)
267.143(f)(1)(i)(B)	727.240(m)(1)(B)
267.143(f)(1)(i)(C)	727.240(m)(1)(C)
267.143(f)(1)(ii)	727.240(m)(2)
267.143(f)(1)(ii)(A)	727.240(m)(2)(A)
267.143(f)(1)(ii)(B)	727.240(m)(2)(B)
267.143(f)(1)(iii)	727.240(m)(3)
267.143(f)(2)	727.240(d)(6)(B)
267.143(f)(2)	727.240(n)
267.143(f)(2)(i)	727.240(n)(1)
267.143(f)(2)(i)(A)	727.240(n)(1)(A)
267.143(f)(2)(i)(A)(I)	727.240(n)(1)(A)(i)

267.143(f)(2)(i)(A)(I)	727.240(n)(1)(E)
267.143(f)(2)(i)(A)(I)(i)	727.240(n)(1)(E)(i)
267.143(f)(2)(i)(A)(I)(ii)	727.240(n)(1)(E)(ii)
267.143(f)(2)(i)(A)(I)(iii)	727.240(n)(1)(E)(iii)
267.143(f)(2)(i)(A)(I)(iv)	727.240(n)(1)(E)(iv)
267.143(f)(2)(i)(A)(I)(v)	727.240(n)(1)(E)(v)
267.143(f)(2)(i)(A)(I)(vi)	727.240(n)(1)(E)(vi)
267.143(f)(2)(i)(A)(2)	727.240(n)(1)(A)(ii)
267.143(f)(2)(i)(B)	727.240(n)(1)(B)
267.143(f)(2)(i)(C)	727.240(n)(1)(C)
267.143(f)(2)(i)(D)	727.240(n)(1)(D)
267.143(f)(2)(ii)	727.240(n)(2)
267.143(f)(2)(iii)	727.240(n)(3)
267.143(f)(2)(iv)	727.240(n)(4)
267.143(f)(2)(iv)(A)	727.240(n)(4)(A)
267.143(f)(2)(iv)(B)	727.240(n)(4)(B)
267.143(f)(2)(v)	727.240(n)(5)
267.143(f)(2)(v)(A)	727.240(n)(5)(A)
267.143(f)(2)(v)(B)	727.240(n)(5)(B)
267.143(f)(2)(vi)	727.240(n)(6)
267.143(f)(3)	727.240(d)(6)(C)
267.143(f)(3)	727.240(o)
267.143(f)(3)(i)	727.240(o)(1)
267.143(f)(3)(i)(A)	727.240(o)(1)(A)
267.143(f)(3)(i)(B)	727.240(o)(1)(B)
267.143(f)(3)(ii)	727.240(o)(2)
267.143(f)(3)(iii)	727.240(o)(3)
267.144 (Reserved)	727.240(e)
267.145 (Reserved)	727.240(f)
267.146 (Reserved)	727.240(g)
267.147	727.240(h)
267.147(f)(2)	727.240(h)(6)(B)
267.147(f)(2)	727.240(p)
267.147(f)(2)(i)	727.240(p)(1)
267.147(f)(2)(i)(A)	727.240(p)(1)(A)
267.147(f)(2)(i)(B)	727.240(p)(1)(B)
267.147(f)(2)(i)(C)	727.240(p)(1)(C)
267.147(f)(2)(ii)	727.240(p)(2)
267.147(f)(2)(iii)	727.240(p)(3)
267.147(f)(2)(iv)	727.240(p)(4)
267.147(f)(2)(iv)(A)	727.240(p)(4)(A)
267.147(f)(2)(iv)(B)	727.240(p)(4)(B)
267.147(f)(2)(v)	727.240(p)(5)
267.147(f)(2)(v)(A)	727.240(p)(5)(A)

267.147(f)(2)(v)(B)	727.240(p)(5)(B)
267.147(f)(2)(vi)	727.240(p)(6)
267.147(g)(2)	727.240(h)(7)(B)
267.147(g)(2)	727.240(q)
267.147(g)(2)(i)	727.240(q)(1)
267.147(g)(2)(ii)	727.240(q)(2)
267.147(g)(2)(ii)(A)	727.240(q)(2)(A)
267.147(g)(2)(ii)(B)	727.240(q)(2)(B)
267.148	727.240(i)
267.149 (Reserved)	727.240(j)
267.150	727.240(k)
267.151	727.240(l)
267.151(a)	727.240(l)(1)
267.151(a)	Appendix A, Illustration A
267.151(b)	727.240(l)(2)
267.151(b)	Appendix A, Illustration B
Subpart I of Part 267	727.270
267.170	727.270(a)
267.171	727.270(b)
267.172	727.270(c)
267.173	727.270(d)
267.174	727.270(e)
267.175	727.270(f)
267.176	727.270(g)
267.177	727.270(h)
Subpart J of Part 267	727.290
267.190	727.290(a)
267.191	727.290(b)
267.192	727.290(c)
267.193	727.290(d)
267.194	727.290(e)
267.195	727.290(f)
267.196	727.290(g)
267.197	727.290(h)
267.198	727.290(i)
267.199	727.290(j)
267.200	727.290(k)
267.201	727.290(l)
267.202	727.290(m)
267.203	727.290(n)
267.204	727.290(o)
Subpart K of Part 267 (Reserved)	None
Subpart L of Part 267 (Reserved)	None
Subpart M of Part 267 (Reserved)	None



Subpart N of Part 267 (Reserved)	None
Subpart O of Part 267 (Reserved)	None
Subpart P of Part 267 (Reserved)	None
Subpart Q of Part 267 (Reserved)	None
Subpart R of Part 267 (Reserved)	None
Subpart S of Part 267 (Reserved)	None
Subpart T of Part 267 (Reserved)	None
Subpart U of Part 267 (Reserved)	None
Subpart V of Part 267 (Reserved)	None
Subpart W of Part 267 (Reserved)	None
Subpart X of Part 267 (Reserved)	None
Subpart Y of Part 267 (Reserved)	None
Subpart Z of Part 267 (Reserved)	None
Subpart AA of Part 267 (Reserved)	None
Subpart BB of Part 267 (Reserved)	None
Subpart CC of Part 267 (Reserved)	None
Subpart DD of Part 267	727.900
267.1100	727.900(a)
267.1101	727.900(b)
267.1102	727.900(c)
267.1103	727.900(d)
267.1104	727.900(e)
267.1105	727.900(f)
267.1106	727.900(g)
267.1107	727.900(h)
267.1108	727.900(i)

40 C.F.R. Provision	35 Ill. Adm. Code Provision
Subpart J of Part 270	Subpart J of Part 703
270.250	703.350(a)
270.255	703.350(b)
270.260	703.350(c)
270.270	703.351(a)
270.275	703.351(b)
270.280	703.351(c)
270.290	703.352(a)
270.300	703.352(b)
270.305	703.352(c)
270.310	703.352(d)
270.315	703.352(e)
270.320	703.353

**Table 5:**  
**Listing of Locations in the Hazardous Waste and Municipal Solid Waste Landfill Regulations Where the Board Has Inserted a Brief Requirement for the Purposes of the Federal CROMERR**

As discussed above on page 60 of this opinion, the Board inserted a brief requirement in each Part of the federally derived hazardous waste and municipal solid waste landfill rules. That brief requirement subjects the filing of any electronic documents to the requirements of 35 Ill. Adm. Code 720.104 or 810.105, as appropriate. The following table indicates the location of each such added provision.

Location Added	Section Title	Cross-Reference to
702.102	Electronic Document Filing	720.111(b)
703.103	Electronic Document Filing	720.111(b)
704.108	Electronic Document Filing	720.111(b)
705.104	Electronic Document Filing	720.111(b)
721.101(e)	Purpose and Scope	720.111(b)
722.113	Electronic Document Filing	720.111(b)
723.113	Electronic Document Filing	720.111(b)
724.104	Electronic Document Filing	720.111(b)
725.102	Electronic Document Filing	720.111(b)
726.102	Electronic Document Filing	720.111(b)
727.100(e)	General	720.111(b)
728.101(h)	Purpose, Scope, and Applicability	720.111(b)
730.101(c)	Applicability, Scope, and Effective Date	720.111(b)
733.101(c)	Scope	720.111(b)
738.106	Electronic Document Filing	720.111(b)
739.113	Electronic Document Filing	720.111(b)
811.112(h)	Recordkeeping Requirements for MSWLF Units	810.104
812.117	Electronic Document Filing	810.104
813.113	Electronic Document Filing	810.104
814.110	Electronic Document Filing	810.104

**Tables of Deviations from the Federal text and Corrections to and Clarifications of the Base Text**

The tables below list numerous corrections and amendments that are not based on current federal amendments. Table A (beginning immediately below) includes deviations made in this proposal for public comment from the verbatim text of the federal amendments. Table B (beginning immediately after Table A on page 163) contains corrections and clarifications that the Board made in the base text involved in this proposal. The amendments listed in Table B are not directly derived from the current federal amendments. Some of the entries in these tables are discussed further in appropriate segments of the general discussion beginning at page 7 of this opinion. Table C (beginning on page 284 below) is a listing of revisions made to the text of the amendments from that proposed and set forth in the Board's opinion and order of April 6, 2006.

Table C indicates the changes made, as well as the source that suggested each of the changes. Table D (on page 318 below) indicates suggested revisions that the Board has not made in adopting these amendments. Each entry gives a brief explanation why the Board did not incorporate the suggested change.

**Table A**  
**Deviations from the Text of the Federal Amendments**

Illinois Section	40 C.F.R. Section	Revision(s)
702.102	271.12(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 702
702.102 Board note		Added a reference to the federal source of the material
702.110 “permit”	270.2 “permit”	Changed “subpart J of this part” to “35 Ill. Adm. Code 703.144” (which corresponds with 40 CFR 270.67)
702.110 “RCRA standardized permit”	270.2 “standardized permit”	Added “RCRA” to the defined term; added “RCRA” in parentheses; placed the defined term in quotation marks and standard typeface; changed “under” to “pursuant to”; changed “authorizing” to “that authorizes”; changed “standardized permit” to “RCRA standardized permit”; changed “in all cases” to “for all RCRA standardized permits”; changed to lower-case indefinite article “a” after the colon; changed “Director’s discretion” to “discretion of the Agency”
702.120(b)	270.10(a)	Added “RCRA” before “permit”; changed “below is information on how” to “the following information outlines”
702.120(b)(1)	270.10(a)(1)	Changed “you are” to “the facility is”; changed “you need” to “the owner or operator needs”; added “for a permit” after “apply”
702.120(b)(2)	270.10(a)(2)	Changed “you . . . have” to “the facility owner or operator . . . has”; added “pursuant to RCRA . . . 704.Subpart C”; changed “you” to “it”; changed “Director” to “Agency”
702.120(b)(3)	270.10(a)(3)	Changed “you are” to “the facility owner or operator is”; changed “you” to “it”; changed “Director” to “Agency”

Illinois Section	40 C.F.R. Section	Revision(s)
702.120(b)(4)	270.10(a)(4)	Changed “you are” to “the facility owner or operator is”
702.120(b)(5)	270.10(a)(5)	Changed “you are” to “the facility owner or operator is”
702.120(b)(6)	270.10(a)(6)	Changed “you are” to “the facility owner or operator is”; added “RCRA” before “standardized permit”
702.125(e)	270.51(e)	Added “RCRA” before “standardized permits”
702.125(e)(1)	270.51(e)(1)	Changed “your” to “an owner’s or operator’s”; added “RCRA” before “standardized permit”; changed “your” to “its”; changed “are true” to “conditions are fulfilled”
702.125(e)(1)(A)	270.51(e)(1)(i)	Changed “EPA” to “the Agency”
702.125(e)(1)(B)	270.51(e)(1)(ii)	Changed “you submit” to “the facility owner or operator has submitted”; changed “under” to “pursuant to”
702.125(e)(1)(C)	270.51(e)(1)(iii)	Changed “Director” to “the Agency”; changed “your part” to “of the owner or operator”; changed “your permit before your” to “the permit before the”
702.125(e)(2)	270.51(e)(2)	Changed “cases” to “instances”; changed “Director” to “the Agency”; changed “you that you are” to “the owner or operator that it is”; added “RCRA” before “standardized permit” (twice); changed “those cases” to “such an instance”; changed “your” to “the owner’s or operator’s”; changed “you submit” to “the owner or operator submits”; changed “you receive” to “it receives”; changed “our” to “an Agency”; changed “you are” to “the owner or operator is”
703.100(e)	124.1(b) and 270.1(b)	Added the opening sentence “The standards of . . . the affected provision.”; changed “treatment, storage, and disposal facilities that are . . . meet” to singular and the defined abbreviation “a TSD that is . . . meets”; changed “that” to “which” for a subsequent restrictive relative clause; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”

Illinois Section	40 C.F.R. Section	Revision(s)
703.100(e)(2)	270.1(b)(2)	Changed “and then stores” to “and the facility stores”
703.100(e) Board note		Added reference to federal source of the material
703.102	271.12(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 702
703.102 Board note		Added a reference to the federal source of the material
703.125 heading	270.10(h) topical statement	Capitalized “Permit” in the subsection topical statement used as a Section heading
703.125 preamble	270.10(h)	Changed “you have . . . you want . . . you have” to “a facility owner or operator has . . . it wants . . . it has”; added “the following” before “two options”
703.125(a)	270.10(h)(1)	Changed “you” to “the owner or operator”; changed “Director” to “Agency”
703.125(b)	270.10(h)(2)	Changed “you intend . . . you” to “the owner or operator intends . . . it”; added a comma before “as described” to offset the parenthetical; changed “Director” to “Agency” (twice); changed “you” to “the owner or operator”; changed “applications or Notices” to singular “an application of Notice”
703.189 heading	270.10(l)	Added a Section heading to render the federal subsection as a separate Section
703.189 preamble	270.10(l)	Changed “Director concludes” to “Agency determines”; changed “be protective” to “adequately protect”; changed “Director shall” to “Agency must”; changed “assessment(s)” to “assessments”; added “adequate” before “protection”; changed “potential risk to human health and the environment” to “potential risk to human health or the environment”; changed “Director” to “Agency”; changed “an assessment(s)” to singular “an assessment”

Illinois Section	40 C.F.R. Section	Revision(s)
703.189(a)	270.10(l)(1)	Changed “Director concludes” to “Agency determines”; changed “is protective” to “adequately protects”
703.189(a)(2)	270.10(l)(1)(ii)	Added “the”
703.189(a)(3)	270.10(l)(1)(iii)	Added “the”; changed “nondioxin” to hyphenated “non-dioxin”
703.189(a)(4)	270.10(l)(1)(iv)	Added “the”
703.189(a)(5)	270.10(l)(1)(v)	Added “the”
703.189(a)(6)	270.10(l)(1)(vi)	Added “the”
703.189(b)	270.10(l)(2)	Added the explanatory material to maintain structural consistency
703.189 Board note		Added reference to federal source of the material
703.191(a)	124.31(a)	Deleted the unnecessary “shall” from before “also apply”; changed “hazardous waste management facilities” to singular “a hazardous waste management facility”; changed “owners or operators are” to “the owner or operator is”; added “RCRA” before “standardized permit”
703.191(b)	124.31(b)	Omitted the unnecessary comma from before “or to the submission”
703.191(c)	124.31(c)	Omitted the unnecessary comma from before “or to the submission”; changed “under” to “pursuant to”
703.205(e)	270.19(e)	Changed “an owner or operator” to “the owner or operator”
703.208 preamble	270.22 preamble	Changed “an owner or operator” to “the owner or operator”; changed “you are . . . and elect” to “the facility is . . . and the owner or operator elects”; changed “or the Director” to “or if the Agency”
703.232 preamble	270.66 preamble	Changed “you are . . . and elect” to “the facility is . . . and the owner or operator elects”; changed “or the Director” to “or if the Agency”
703.238 preamble	270.67 preamble	Changed “RCRA standardized permits are special forms of permits” to singular “a RCRA standardized permit is a special form of permit”; changed “TSD owners or operators” to “the owner or operator of a TSD”; added “that engages in either of the following activities”

Illinois Section	40 C.F.R. Section	Revision(s)
703.238(a)	270.67(a)	Added "it"; changed "generate . . . treat or store" to singular "generates . . . treats or stores"
703.238(b)	270.67(b)	Added "it" (twice); changed "receive . . . store or treat" to singular "receives . . . stores or treats"; changed "standardized permit facility owners or operators are" to singular "the owner or operator of a facility operating under a RCRA standardized permit is"; changed "under" to "pursuant to"
703.238 Board note		Added reference to federal source of the material
703.241(a)(3)	270.32(b)(3)	Changed "assessment(s)" to "assessments"; changed "Administrator or Director" to "Agency"; moved "in addition . . ." to immediately follow "conditions" offset as a parenthetical by commas; added "or 35 Ill. Adm. Code 724 or 725"; added "adequate" before "protection"; changed "he shall" to "the Agency must"
703.260(b)	270.40(b)	Added "Agency" before "approval"; changed "under" to "pursuant to"
703.272(c)	270.41(b)(3)	Changed "Director" to "Agency"; changed "owner or operator's" to "owner's or operator's"; added "RCRA" before "standardized permit"
703.280(j)(1)	270.42(j)(1)	Changed "40 CFR §§ 63.1200-63.1499" to Subpart EEE of 40 CFR 63"; changed "standards under" to "standards of"
703.280(j)(2)	270.42(j)(2)	Changed "facility owners or operators" to singular "a facility owner or operator"; changed "Notice of Intent to Comply (NIC)" to the previously defined abbreviation "NIC"; changed "promulgated" to "as added"
703.280(k)	270.42(k)	Changed "part 63" to "federal 40 CFR 63"
703.280(k)(1)	270.42(k)(1)	Changed "you" to "the facility owner or operator"; changed "section L(10)" to "paragraph L.10."; changed "you" to "the owner or operator"; added "provide the information . . . of this Section"

Illinois Section	40 C.F.R. Section	Revision(s)
703.280(k)(1)(A)	270.42(k)(1)(i)	Added “it must”; changed “which” to “that” for a restrictive relative clause; changed “you are” to “the owner or operator is”
703.280(k)(1)(B)	270.42(k)(1)(ii)	Added “it must”
703.280(k)(1)(C)	270.42(k)(1)(iii)	Added “it must”
703.280(k)(1)(D)	270.42(k)(1)(iv)	Added “it must”; changed “Director” to “Agency” (twice); changed “within 30 days of” to “within 30 days after”; changed “as his or her” to “at its”; added “in writing”
703.280(k)(2)	270.42(k)(2)	Added a comma after “to request . . . performance testing” to offset it as a parenthetical”; changed “Director” to “Agency”; changed “you” to “the owner or operator”; added “fulfill the conditions . . . of this Section”
703.280(k)(2)(A)	270.42(k)(2)(i)	Added “it must”; changed “your” to “its”; changed “Director” to “Agency”; changed “you submit your” to “it submits its”; changed “Administrator” to “Agency”
703.280(k)(2)(B)	270.42(k)(2)(ii)	Changed “Director” to “Agency”; corrected the spelling of “continent” to “contingent”
703.320(c)	270.235(c)	Changed “hazardous waste . . . units that become” to singular “a hazardous waste . . . unit that becomes”
703.320(c)(1)	270.235(c)(1)	Added “it may”
703.320(c)(2)	270.235(c)(2)	Added “it may”; added a comma before “including” to offset a parenthetical; changed “director will” to “Agency must”
703.Subpart J heading	JCAR	Changed the em-dash after “Subpart J” to a colon
703.350 heading	270, subpart J topical heading	Added “RCRA” before “standardized permit”; rendered the material under the topical heading as a single Section



Illinois Section	40 C.F.R. Section	Revision(s)
703.350(a)	270.250	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “RCRA standardized permit”; changed “you” to “the owner or operator of a facility”; changed “it” to “a RCRA standardized permit”; changed “under” to “pursuant to”
703.350(a) Board note		Added reference to federal source of the material
703.350(b)	270.255 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “eligibility for a RCRA standardized permit”; added “RCRA” before “standardized permit”
703.350(b)(1)	270.255(a)	Changed “you” to “the facility owner or operator”; added “RCRA” before “standardized permit”; added “the following conditions are fulfilled
703.350(b)(1)(A)	270.255(a)(1)	Changed “you generate . . . store . . . treat” to “the facility generates . . . stores . . . treats”
703.350(b)(1)(B)	270.255(a)(2)	Changed “you receive” to “the facility receives”; changed “you store . . . treat” to “the facility stores . . . treats”
703.350(b)(1)(C)	270.255(a)(3)	Changed “we will” to “the Agency must”; changed “you of your . . . your” to “the facility owner or operator of its . . . its”; added “for a . . . permit” after “eligibility”; changed “we make” to “the Agency makes”
703.350(b)(2)	270.255(b)	Added the explanatory material to maintain structural consistency
703.350(b)(6)	270.255(f)	Added a comma before “as required” to offset a parenthetical
703.350(b) Board note		Added reference to federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
703.350(c)	270.260 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “permit requirements applicable to a RCRA standardized permit”; added “RCRA” before “standardized permit” (twice); added “the following conditions are fulfilled; changed “subparts and sections” to “provisions”
703.350(c)(1)	270.260(a)	Placed the topical information “general information” before the provision information “all provisions derived from subpart A for 40 CFR 270 apply”; added a colon followed by a listing of the derived provisions
703.350(c)(2)	270.260(b)	Placed the topical information “permit application” before the provision information “all provisions derived from 40 CFR 270.10, . . . (in subpart B of 40 CFR 270) apply”; added a colon followed by a listing of the derived provisions
703.350(c)(3)	270.260(c)	Placed the topical information “permit conditions” before the provision information “all provisions derived from subpart C of 40 CFR 270; added a colon followed by a listing of the derived provisions
703.350(c)(4)	270.260(d)	Placed the topical information “changed to permit” before the provision information “all provisions derived from 40 CFR 270.40, . . . (in subpart D or 40 CFR 270) apply; added a colon followed by a listing of the derived provisions
703.350(c)(5)	270.260(e)	Placed the topical information “expiration . . . of permits” before the provision information “all provisions derived from subpart E of 40 CFR 270 apply; added a colon followed by a listing of the derived provisions

Illinois Section	40 C.F.R. Section	Revision(s)
703.350(c)(6)	270.260(f)	Placed the topical information “special forms of permits” before the provision information “the provision derived from 40 CFR 270.67 (in subpart F of 40 CFR 270) apply; added a colon followed by the derived provision
703.350(c)(7)	270.260(g)	Placed the topical information “interim status” before the provision information “all provisions derived from subpart G of 40 CFR 270 apply; added a colon followed by a listing of the derived provisions
703.350(c)(8)	270.260(h)	Placed the topical information “remedial action plans” before the provision information “no provisions derived from subpart H of 40 CFR 270 apply; added a colon followed by a citation to the derived Subpart
703.350(c)(9)	270.260(i)	Added “RCRA” before “standardized permits”; placed the topical information “RCRA standardized permits” before the provision information “all provisions derived from subpart J of 40 CFR 270 apply; added a colon followed by a citation to the derived Subpart
703.350(c) Board note		Added reference to federal source of the material
703.351 heading	270, subpart J topical heading	Added “RCRA” before “standardized permit”; rendered the material under the topical heading as a single Section
703.351(a)	270.270	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “application procedure”; changed “you” to “the owner or operator of a facility may”; added “RCRA” before “standardized permit”
703.351(a) Board note		Added reference to federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
703.351(b)	270.275 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “information submitted to the Agency to support an application for a RCRA standardized permit”; changed “my standardized permit application” to “an application for a RCRA standardized permit”; changed “your standardized permit application” to “an application for a RCRA standardized permit”; changed “you” to “the facility owner or operator”; changed “it” to “the following information”; changed “Director” to “Agency”; changed “you submit your” to “it submits its”; changed “under” to “pursuant to”
703.351(b)(1)	270.275(a)	Changed the ending period to a semicolon
703.351(b)(2)	270.275(b)	Changed the ending period to a semicolon
703.351(b)(3)	270.275(c)	Changed the ending period to a semicolon
703.351(b)(4)	270.275(d)	Replaced the federal provision with explanatory material to maintain structural consistency
703.351(b)(5)	270.275(e)	Changed the ending period to a semicolon
703.351(b)(6)	270.275(f)	Changed the ending period to a semicolon
703.351(b)(7)	270.275(g)	Changed the ending period to a semicolon
703.351(b)(8)	270.275(h)	Changed “your facility” to “the facility”; changed “under” to “pursuant to” (twice); changed “you” to “the owner or operator”; changed the ending period to a semicolon
703.351(b)(9)	270.275(i)	Changed “you manage” to “the owner or operator manages”; changed the ending period to a semicolon
703.351(b)(10)	270.275(j)	Changed “you manage” to “the owner or operator manages”; changed the ending period to a semicolon
703.351(b) Board note		Added reference to federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
703.351(c)	270.280 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “certification requirements”; changed “you . . . your audit of your” to “the facility owner or operator . . . an audit of its”
703.351(c)(1)	270.280(a)	Changed “your” to “the owner’s or operator’s”; changed the numbering on the paragraphs to numbers that are distinct from normal subsection numbering; changed the parentheses on the instructional language to brackets; changed “include paragraph (a)(1)(i) and (ii) this section, whichever applies” to “include here the language of the applicable of the following two paragraphs”; changed the ending period to a semicolon (twice); removed the unnecessary comma from after the ending conjunction “and”
703.351(c)(2)	270.280(b)	Changed “you” to “the owner or operator”; changed “this certification” to “the certification”
703.351(c)(3)	270.280(c)	Changed “this certification” to “the certification”; changed “you conduct of your” to “the owner or operator conducted of its”; changed “Director” to “Agency”; placed “Notice of Intent” in parentheses
703.351(c) Board note		Added reference to federal source of the material
703.352 heading	270, subpart J topical heading	Changed “your facility” to “the facility”; rendered the material under the topical heading as a single Section
703.352(a)	270.290 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “general types of information to be maintained at the facility”; changed “you . . . your” to “the facility owner or operator . . . its”; added “RCRA” before “standardized permit”
703.352(a)(1)	270.290(a)	Changed the ending period to a semicolon

Illinois Section	40 C.F.R. Section	Revision(s)
703.352(a)(2)	270.290(b)	Added “results of” before “chemical and physical analyses”; added “results of” before “analyses”; added “that” before “the owner or operator” for a restrictive relative clause; changed “you” to “the owner or operator”; changed “under” to “pursuant to”; changed the ending period to a semicolon; removed “the requirements of” from before “35 Ill. Adm. Code 727”
703.352(a)(3)	270.290(c)	Changed the ending period to a semicolon
703.352(a)(4)	270.290(d)	Changed the ending period to a semicolon
703.352(a)(5)	270.290(e)	Changed “you” to “the owner or operator”; changed the ending period to a semicolon
703.352(a)(6)	270.290(f)	Changed the ending period to a semicolon
703.352(a)(7)	270.290(g)	Changed the ending period to a semicolon
703.352(a)(8)	270.290(h)	Added “accomplish each of the following”
703.352(a)(8)(A)	270.290(h)(1)	Changed the ending comma to a semicolon
703.352(a)(8)(B)	270.290(h)(2)	Added “etc.” offset by a comma; changed the ending comma to a semicolon
703.352(a)(8)(C)	270.290(h)(3)	Changed the ending comma to a semicolon
703.352(a)(8)(D)	270.290(h)(4)	Changed the ending comma to a semicolon
703.352(a)(8)(E)	270.290(h)(5)	Changed the ending comma to a semicolon
703.352(a)(8)(F)	270.290(h)(6)	Changed the ending comma to a semicolon
703.352(a)(9)	270.290(i)	Changed the ending period to a semicolon
703.352(a)(10)	270.290(j)	Added “the”; changed the ending period to a semicolon; added “etc.” offset by a comma
703.352(a)(11)	270.290(k)	Added the explanatory material to maintain structural consistency
703.352(a)(12)	270.290(l)	Changed “under” to “pursuant to”; changed the ending period to a semicolon; changed “727.110(g)(1)(C)” to “727.110(g)(1)(B)” (corresponding with 40 CFR 267.16(a)(12))
703.352(a)(13)	270.290(m)	Changed the ending period to a semicolon

Illinois Section	40 C.F.R. Section	Revision(s)
703.352(a)(14)	270.290(n)	Added the explanatory material to maintain structural consistency
703.352(a)(15)	270.290(o)	Changed “your facility” to “the facility”; changed “under” to “pursuant to” (twice); changed “you” to “the owner or operator”; changed the ending period to a semicolon
703.352(a)(16)	270.290(p)	Added the explanatory material to maintain structural consistency
703.352(a)(17)	270.290(q)	Changed “you plan” to “the owner or operator plans”; changed the ending period to a semicolon
703.352(a)(18)	270.290(r)	Changed the ending period to a semicolon
703.352(a)(19)	270.290(s)	Changed “your facility” to “the facility” (three times); changed “you” to “the owner or operator”; added “each of” before “the following”
703.352(a)(19)(A)	270.290(s)(1)	Added “the”; changed the ending period to a semicolon
703.352(a)(19)(B)	270.290(s)(2)	Added “any”; changed the ending period to a semicolon
703.352(a)(19)(C)	270.290(s)(3)	Added “all”; changed the ending period to a semicolon
703.352(a)(19)(D)	270.290(s)(4)	Added “the”; added “etc.” offset by a comma; changed the ending period to a semicolon
703.352(a)(19)(E)	270.290(s)(5)	Changed the ending period to a semicolon
703.352(a)(19)(F)	270.290(s)(6)	Added “the”; changed the ending period to a semicolon
703.352(a)(19)(G)	270.290(s)(7)	Changed “your facility” to “the facility”; changed the ending period to a semicolon
703.352(a)(19)(H)	270.290(s)(8)	Added “facility”; changed the ending period to a semicolon
703.352(a)(19)(I)	270.290(s)(9)	Added “all”; changed the ending period to a semicolon
703.352(a)(19)(J)	270.290(s)(10)	Added “all”; changed “or other structure” to “and other structures”; changed the ending period to a semicolon
703.352(a)(19)(K)	270.290(s)(11)	Changed the ending period to a semicolon; added the ending conjunction “and”

Illinois Section	40 C.F.R. Section	Revision(s)
703.352(a)(19)(L)	270.290(s)(12)	Added “the”; changed “your facility” to “the facility”; removed the unnecessary comma from before “where”; moved the ending period to follow the parenthetical; changed “Include” to lower-case “including” and removed the ending period inside the parenthetical
703.352(a) Board note		Added reference to federal source of the material
703.352(b)	270.300 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “container information to be maintained at the facility”; changed “you store or treat . . . you . . . your” to “the facility owner or operator stores or treats . . . it . . . its”
703.352(b)(1)(A)	270.300(a)(1)	Added “the”; changed the ending period to a semicolon
703.352(b)(1)(B)	270.300(a)(2)	Changed the ending period to a semicolon
703.352(b)(1)(C)	270.300(a)(3)	Added “the”; changed the ending period to a semicolon
703.352(b)(1)(D)	270.300(a)(4)	Added “the”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(b)(1)(E)	270.300(a)(5)	Changed the ending period to a semicolon
703.352(b)(2)	270.290(b)	Added “the following”
703.352(b)(2)(A)	270.300(b)(1)	Added “the”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(b)(2)(B)	270.300(b)(2)	Changed the ending period to a semicolon
703.352(b)(1)(D)	270.300(b)(4)	Added “the”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(b)(3)	270.300(c)	Changed the ending period to a semicolon
703.352(b)(4)	270.300(d)	Changed the ending period to a semicolon; added the ending conjunction “and”
703.352(b) Board note		Added reference to federal source of the material



Illinois Section	40 C.F.R. Section	Revision(s)
703.352(c)	270.305 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “tank information to be maintained at the facility”; changed “you use . . . you . . . your” to “the facility owner or operator uses . . . it . . . its”
703.352(c)(1)	270.305(a)	Changed “under” to “pursuant to”; changed the ending period to a semicolon
703.352(c)(2)	270.305(b)	Added “the”; changed the ending period to a semicolon
703.352(c)(3)	270.305(c)	Added “a”; changed the ending period to a semicolon
703.352(c)(4)	270.305(d)	Changed the ending period to a semicolon
703.352(c)(5)	270.305(e)	Changed “under” to “pursuant to”; changed the ending period to a semicolon
703.352(c)(6)	270.305(f)	Changed “system(s)” to “systems”; changed the ending period to a semicolon
703.352(c)(7)	270.305(g)	Changed the ending period to a semicolon
703.352(c)(8)	270.305(h)	Added the explanatory material to maintain structural consistency
703.352(c)(9)	270.305(i)	Added “a”; changed the ending period to a semicolon
703.352(c)(10)	270.305(j)	Changed the ending period to a semicolon; removed “the requirements of” from before “35 Ill. Adm. Code 727.290(m) and (n)”; added the ending conjunction “and”
703.352(c)(11)	270.305(k)	Added a comma before “as required” to offset the parenthetical; changed the ending period to a semicolon
703.352(c) Board note		Added reference to federal source of the material
703.352(d)	270.310 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “equipment information to be maintained at the facility”; changed “your facility . . . you . . . your” to “the facility . . . the facility owner or operator . . . its”
703.352(d)(1)	270.310(a)	Added “the following” offset by a comma
703.352(d)(1)(A)	270.310(a)(1)	Added “the”; changed the ending period to a semicolon

Illinois Section	40 C.F.R. Section	Revision(s)
703.352(d)(1)(B)	270.310(a)(2)	Added “the”; changed the ending period to a semicolon
703.352(d)(1)(C)	270.310(a)(3)	Added “the”; changed the ending period to a semicolon
703.352(d)(1)(D)	270.310(a)(4)	Added “the”; changed the ending period to a semicolon
703.352(d)(1)(E)	270.310(a)(5)	Changed “hazardous waste state” to “the phase of the hazardous waste”; changed “gas/vapor” to “gas or vapor”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(d)(1)(F)	270.310(a)(6)	Added “the”; changed the ending period to a semicolon
703.352(d)(2)	270.310(b)	Changed “facilities” to singular “a facility”; changed the ending period to a semicolon
703.352(d)(3)	270.310(c)	Changed “under” to “pursuant to”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(d)(4)	270.310(d)	Added “which” and offsetting comma for a non-restrictive relative clause
703.352(d)(4)(A)	270.310(d)(1)	Changed the ending period to a semicolon
703.352(d)(4)(B)	270.310(d)(2)	Changed the ending period to a semicolon
703.352(d)(4)(C)	270.310(d)(3)	Added “APTI” before “Course 415”; added “USEPA publication number EPA 450/2-81-005”; changed “Director” to “Agency”; added a comma before “as specified” to offset the parenthetical; changed the ending period to a semicolon
703.352(d)(4)(D)	270.310(d)(4)	Changed “you signed and dated certifying” to “signed and dated by the facility owner or operator that certifies”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(d)(4)(E)	270.310(d)(5)	Changed “you signed and dated certifying” to “signed and dated by the facility owner or operator that certifies”
703.352(d) Board note		Added reference to federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
703.352(e)	270.315 preamble	Rendered the federal section as a subsection; changed the question in the section heading as an affirmative topical subsection statement “air emissions control information to be maintained at the facility”; changed “you have . . . you . . . your” to “the facility owner or operator has. . . it . . . its”
703.352(e)(1)	270.315(a)	Changed “you” to “that the owner or operator”; changed “manufacturer/vendor” to “manufacturer or vendor”; changed “your” to “the owner’s or operator’s”; changed the ending period to a semicolon
703.352(e)(2)	270.315(b)	Removed “the requirements of” from before “Subpart CC or 35 Ill. Adm. Code 724”; changed “your” to “the owner’s or operator’s”; changed the ending period to a semicolon
703.352(e)(3)	270.315(c)	Changed “under” to “pursuant to”; changed “you . . . you” to “the owner or operator . . . that you”; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(e)(4)	270.315(d)	Added the explanatory material to maintain structural consistency
703.352(e)(5)	270.315(e)	Changed “under” to “pursuant to”; removed “the requirements of” from before “35 Ill. Adm. Code 724.987”; added a comma before “as specified” to offset the parenthetical; changed the ending period to a semicolon; added the ending conjunction “and”
703.352(e)(6)	270.315(f)	Changed “40 CFR part 60, appendix A” to “appendix A to 40 CFR 60” added the method title “Determination of . . . Leaks” in parentheses; added “incorporated . . . 720.111(b)” offset by commas; changed “point(s)” to “points”; corrected “Monitoring” to lower-case “monitoring”
703.352(e) Board note		Added reference to federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
703.353 heading	270, subpart J topical heading	Added "RCRA" before "standardized permit"; rendered the material under the topical heading as a single Section
703.353	270.320	Changed "you . . . your" to "the facility owner or operator . . . its"; added "RCRA" before "standardized permit"
703.353 Board note		Added reference to federal source of the material
704.108	271.12(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 704
704.108 Board note		Added a reference to the federal source of the material
705.104	271.12(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 704
705.104 Board note		Added a reference to the federal source of the material
705.128(c)(1)	124.5(c)(1)	Changed "shall" to "must" (twice); added "those reissued" after "other than"; changed "Director" to "Agency"; changed "in the case of" to "for"; changed "revoked or reissued permits" to "permits reissued"; removed the unnecessary redundant "for RCRA standardized permits"
705.Subpart G heading	124, subpart G heading	Changed "procedures" to singular "procedure"
705.300 heading	124, subpart G topical heading	Added "RCRA" before "standardized permit"

Illinois Section	40 C.F.R. Section	Revision(s)
705.300(a)	124.200 heading and preamble	Changed the question section heading into a topical introductory statement “RCRA standardized permit”; added “RCRA” before “standardized permit” (three times); changed “a” to “the” before “RCRA standardized permit”; removed the unnecessary comma from before “that may”; changed to lower-case “a” before “uniform portion”; changed “Director” to “Agency” (twice); added “on a case-by-case basis” after “issues”; changed “his or her” to “its”; changed “we formally define the term . . .” to “the term . . . is defined”
705.300(a)(1)	124.200(a)	Changed the introductory question to a topical statement “the uniform portion”; added “RCRA” before “standardized permit” (three times); changed “unit(s)” to “units”; changed “your are operating at your” to “operated at a”; changed “that EPA has promulgated” to “appear in”; changed “you intend . . . you” to “an owner or operator intends . . . it”; changed “these” to “the”; added “of 35 Ill. Adm. Code 727
705.300(a)(2)	124.200(b)	Changed the introductory question to a topical statement “the supplemental portion”; added “RCRA” before “standardized permit”; changed “Director” to “Agency” (twice); changed “your particular” to “a particular”; added “adequately” before “protect”; removed “you” from after “issues”; changed “you” to “the owner or operator”; changed “site-specific terms and conditions it imposes” to “Agency-imposed site-specific terms and conditions”
705.300(a)(2)(A)	124.200(b)(1)	Changed “under” to “pursuant to”; changed “will be included” to “must be included”
705.300(a)(2)(B)	124.200(b)(2)	Changed “these” to “the”; changed “your facility” to “a facility”; added “RCRA” before “standardized permit”

Illinois Section	40 C.F.R. Section	Revision(s)
705.300(a) Board note		Added a reference to the federal source of the material
705.300(b)	124.201 heading	Added “RCRA” before “standardized permit”; changed the introductory question to a topical statement “eligibility for a RCRA standardized permit”
705.300(b)(1)	124.201(a)	Changed “you” to “a facility owner or operator”; added “RCRA” before “standardized permit”; added “it engages in either of the following”
705.300(b)(1)(A)	124.201(a)(1)	Changed “you generate . . . and then store or . . . treats” to “it generates . . . and then stores or . . . treat”
705.300(b)(1)(B)	124.201(a)(2)	Changed “you generate . . . and then store or . . . treats” to “it generates . . . and then stores or . . . treat”
705.300(b)(1)(C)	124.201(a)(3)	Changed “Director will” to “Agency must”; changed “you of your . . . your permit” to “the owner or operator of its . . . its permit”
705.300(b)(2)	124.201(b)	Added the explanatory material to maintain structural consistency
705.300(b) Board note		Added a reference to the federal source of the material
705.301 heading	124, subpart G topical heading	Added “RCRA” before “standardized permit”
705.301(a)	124.202 heading	Added “RCRA” before “standardized permit”; changed the introductory question to a topical statement “applying for a RCRA standardized permit”
705.301(a)(1)	124.202(a)	Changed “you” to “a facility owner or operator”; added a comma before “as well as” to offset a parenthetical
705.301(a)(2)	124.202(b)	Changed “you” to “the facility owner or operator” (twice); changed “Director” to “Agency”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”
705.301(a) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
705.301(b)	124.203	Changed “my individual RCRA permit” to “an individual RCRA permit”; added “RCRA” before “standardized permit” (four times); changed the question section heading into a topical introductory statement “switching from an individual permit to a RCRA standardized permit”; changed “you” to “the owner or operator”; “your individual permit be revoked and reissued” to “the Agency reissue its individual permit”; moved “in accordance with 35 Ill. Adm. Code 705.128” and “in accordance with Section 705.302(a)”; changed “your individual permit be modified” to “the Agency modify its individual permit”; added “The Agency must modify or reissue any permit” and “The Agency must issue any RCRA standardized permit (or reissue a RCRA permit as a RCRA standardized permit)”
705.301(b) Board note		Added a reference to the federal source of the material
705.302 heading	124, subpart G topical heading	Added “RCRA” before “standardized permit”
705.302(a)	124.204 heading	Added “RCRA” before “standardized permit”; changed the introductory question to a topical statement “Agency preparation of a draft RCRA standardized permit”
705.302(a)(1)	124.204(a)	Changed “you” to “the Agency”
705.302(a)(2)	124.204(b)	Changed “you” to “the Agency”; added “RCRA” before “standardized permit”
705.302(a)(2)(A)	124.204(b)(1)	Added “RCRA” before “standardized permit”; changed “you” to “the Agency” (three times); changed “determine” to third-person “determines”; added “adequately” before “protects”; added a comma after “environment” to offset an independent clause; added “the terms and conditions” before “cannot be imposed”
705.302(a)(2)(B)	124.204(b)(2)	Added “RCRA” before “standardized permit” (twice); changed “you” to “the Agency”

Illinois Section	40 C.F.R. Section	Revision(s)
705.302(a)(2)(B)(i)	124.204(b)(2)(i)	Added “a”; changed “under” to “pursuant to”
705.302(a)(2)(B)(ii)	124.204(b)(2)(ii)	Changed “under” to “pursuant to”; added “that” before “is determined” for a restrictive relative clause
705.302(a)(2)(B)(iii)	124.204(b)(2)(iii)	Added “the”; added “its” for an independent clause; added “RCRA” before “standardized permit”
705.302(a)(2)(B)(iv)	124.204(b)(2)(iv)	Added “a”
705.302(a)(2)(B)(v)	124.204(b)(2)(v)	Added “adequate” before “protection”
705.302(a)(3)	124.204(c)	Changed “you . . . your” to “the Agency . . . its”; changed “your” to “the Agency’s”; changed “under” to “pursuant to”; added “RCRA” before “standardized permit” (twice); changed “you are” to “the Agency is”; changed “you should” to “the Agency must”; corrected “reasons . . . is” to “reasons . . . are”; added “etc.” after “waste analysis plans”
705.302(a)(4)	124.204(d)	Added “RCRA” before “standardized permit”; changed “your” to “the Agency’s” (three times)
705.302(a)(4)(A)	124.204(d)(1)	Added the Section heading “Scope and Applicability” in parentheses; changed “all paragraphs” to “all subsections”
705.302(a)(4)(B)	124.204(d)(2)	Placed the Section heading “Definitions” in parentheses; changed “all subsections” to “all definitions”
705.302(a)(4)(C)	124.204(d)(3)	Added the Section heading “Permit Application” in parentheses; added the Section heading “Site Visit” in parentheses; changed “all paragraphs” to “all subsections”
705.302(a)(4)(D)	124.204(d)(4)	Changed “all paragraphs” to “all subsections apply”; omitted language redirecting attention for public comment requirements
705.302(a)(4)(E)	124.204(d)(5)	Added the Section heading “Modification or Reissuance of Permits” in parentheses; changed “not applicable” to “does not apply”
705.302(a)(4)(F)	124.204(d)(6)	Omitted “this section”; added “RCRA” before “standardized permit”
705.302(a)(4)(G)	124.204(d)(7)	Omitted “the entire section”



Illinois Section	40 C.F.R. Section	Revision(s)
705.302(a)(4)(H)	124.204(d)(8)	Changed “all paragraphs” to “all subsections”; omitted language redirecting attention for public comment requirements
705.302(a)(4)(I)	124.204(d)(9)	Added “or Notices of Intent to Deny” to the Section heading; changed “all paragraphs” to “all subsections”; omitted language redirecting attention for draft permit requirements
705.302(a)(4)(J)	124.204(d)(10)	Changed “Only” to lower-case “only”; changed “apply” to “applies”
705.302(a) Board note		Added a reference to the federal source of the material
705.302(b)	124.205 heading and preamble	Added “RCRA” before “standardized permit”; changed the question section heading into a topical introductory statement “preparation of a RCRA standardized permit”; changed “as Director of the regulatory Agency, you . . . your” to “the Agency . . . its”; changed “your” to “the Agency’s”
705.302(b)(1)	124.205(a)	Added the Section heading “Scope and Applicability” in parentheses; changed “all paragraphs” to “all subsections”
705.302(b)(2)	124.205(b)	Placed the Section heading “Definitions” in parentheses; changed “all subsections” to “all definitions”
705.302(b)(3)	124.205(c)	Added the Section heading “Public Comments and Requests for Public Hearings” in parentheses
705.302(b)(4)	124.205(d)	Placed the Section heading “Public Hearings” in parentheses; changed “apply” to singular “applies”
705.302(b)(5)	124.205(e)	Placed the Section heading “Obligation to Raise Issues and Provide Information” in parentheses; changed “the entire section applies” to “all subsections apply”

Illinois Section	40 C.F.R. Section	Revision(s)
705.302(b)(6)	124.205(f)	Added the Section heading “Reopening of the Public Comment Period” in parentheses; changed “all paragraphs” to “all subsections”; changed “use reference to . . . instead of” to “the reference . . . is . . . instead of” (twice); added “preparation of a draft permit”; changed “use reference to . . . instead of” to “the reference . . . relates to”; added “reopening or extending the comment period”; added “the public notice”
705.302(b)(7)	124.205(g)	Added the Section heading “final permit decision” in parentheses; changed “all paragraphs” to “all subsections”
705.302(b)(8)	124.205(h)	Placed the Section heading in parentheses, changed “Stays” to singular “Stays,” and added “upon Appeal”
705.302(b)(9)	124.205(i)	Placed the Section heading in parentheses and added “Agency”
705.302(b)(10)	124.204(j)	Placed the Section heading in parentheses and added “or Letters of Denial”; changed “all paragraphs” to “all subsections”; changed “use reference to . . . instead of” to “the reference . . . is . . . instead of”; added “response to comments”
705.302(b)(11)	124.204(k)	Placed the Section heading in parentheses and added “Appeal of Agency Permit Determinations”; changed “all paragraphs” to “all subsections”
705.302(b)(12)	124.204(l)	Placed the Section heading in parentheses; changed “all paragraphs” to “all subsections”
705.302(b) Board note		Added a reference to the federal source of the material
705.302(c)	124.206 heading	Changed the introductory question to a topical statement “when a facility owner or operator must apply for an individual permit”
705.302(c)(1)	124.206(a)	Changed “cases where you” to “instances in which the Agency”; added “RCRA” before “standardized permit”

Illinois Section	40 C.F.R. Section	Revision(s)
705.302(c)(1)(D)	124.206(a)(4)	Added “submitted pursuant to Section 705.301(a)(2)” in parentheses; removed the indefinite article “an” from before “incomplete or inadequate materials”
705.302(c)(2)	124.206(b)	Changed “you determine” to “the Agency determines”; changed “you” to “the Agency”; changed “you” to “it”
705.302(c)(3)	124.206(c)	Changed “you” to “the Agency” (three times); added “RCRA” before “standardized permit”; changed “under” to “pursuant to”; changed “cases where” to “instances in which”
705.302(c)(3)(B)	124.206(c)(2)	Added “RCRA” before “standardized permit” (twice)
705.302(c)(4)	124.206(d)	Changed “you” to “the Agency” (three times); added “RCRA” before “standardized permit” (twice); changed “have” to third-person “has”; changed “your decision” to “its decision”
705.302(c)(5)	124.206(e)	Changed “you issue” to “the Agency issues”; added “RCRA” before “standardized permit”; changed “their facility” to “that facility”
705.302(c) Board note		Added a reference to the federal source of the material; added explanation of right to appeal
705.303 heading	124, subpart G topical heading	Changed “involvement” to “participation”; added “RCRA” before “standardized permit”
705.303(a)	124.207 heading	Changed the introductory question to a topical statement “requirements for public notices”
705.303(a)(1)	124.207(a)	Changed “you” to “the Agency” (twice); changed “your” to “its”; added “the following persons”
705.303(a)(1)(B)	124.207(a)(2)	Changed “which” to “that” for a restrictive relative clause; changed “you know” to “the Agency knows”; changed “EPA” to “USEPA”
705.303(a)(1)(C)	124.207(a)(3)	Changed “State Historic Preservation Officers” to “Illinois Historic Preservation Agency”; changed “States” to lower-case “states”
705.303(a)(1)(D)	124.207(a)(4)	Removed “to” from before “everyone”

Illinois Section	40 C.F.R. Section	Revision(s)
705.303(a)(1)(E)	124.207(a)(5)	Removed “to” from before “any”
705.303(a)(2)	124.207(b)	Changed “you” to “the Agency”
705.303(a)(2)(B)	124.207(b)(2)	Omitted “when the program is being administered by an approved State”
705.303(a)(3)	124.207(c)	Changed “you” to “the Agency”
705.303(a)(2)(D)	124.207(b)(4)	Added “RCRA” before “standardized permit”
705.303(a)(3)(B)	124.207(c)(2)	Changed “your” to “the Agency’s”
705.303(a)(4)	124.207(d)	Changed “you issue . . . you” to “the Agency issues . . . it”; changed “under” to “pursuant to”; added “RCRA” before “standardized permit”; changed “your office” to “the local Agency office”
705.303(a) Board note		Added a reference to the federal source of the material
705.303(b)	124.208 heading	Changed the introductory question to a topical statement “opportunities for public comment and hearing on a draft permit decision”
705.303(b)(1)	124.208(a)	Changed “you issue” to “the Agency issues”; changed “under” to “pursuant to” (twice); changed “people” to “interested persons”; changed “your” to “its”; changed “you” to “the Agency”
705.303(b)(2)	124.208(b)	Changed “if any person wants to request a public hearing, they” to “any request for a public hearing”; changed “in writing to you” to “to the Agency in writing”; changed “their request” to “the request for a public hearing”; changed “they propose” to “that the requestor proposes”
705.303(b)(3)	124.208(c)	Changed “you” to “the Agency” (twice); changed “you receive” to “it receives”; added “RCRA” before “standardized permit”; added “public” before “hearing”; changed “under” to “pursuant to”; changed “your” to “its”
705.303(b)(4)	124.208(d)	Changed “you” to “the Agency” (four times); changed “under” to “pursuant to”; changed “you receive” to “it receives”
705.303(b)(5)	124.208(e)	Changed “you” to “the Agency”
705.303(b)(6)	124.208(f)	Changed “parties” to “persons”; added “RCRA” before “standardized permit”; added “by the Agency” after “proposed”

Illinois Section	40 C.F.R. Section	Revision(s)
705.303(b) Board note		Added a reference to the federal source of the material
705.303(c)	124.209 heading	Changed the introductory question to a topical statement “requirements for responding to comments”
705.303(c)(1)	124.209(a)	Changed “you issue” to “the Agency issues”; added “RCRA” before “standardized permit”; changed “you” to “it”; changed “your” to “the Agency’s”; added “do each of the following”
705.303(c)(1)(A)	124.209(a)(1)	Added “it must”; changed “you” to “the Agency”; changed “the change” to “each change”
705.303(c)(1)(B)	124.209(a)(2)	Added “it must”; added “all significant comments” before “on any additional conditions”; added “that are” before “raised”
705.303(c)(1)(C)	124.209(a)(3)	Added “it must”
705.303(c)(2)	124.209(b)	Changed “you” to “the Agency”; changed “you need” to “it needs”; changed “you” to “it”; added “that” before “it may” for a restrictive relative clause; added “RCRA” before “standardized permit”
705.303(c)(3)	124.209(c)	Changed “you” to “the Agency” (twice); changed “your” to “its” (twice)
705.303(c) Board note		Added a reference to the federal source of the material
705.303(d)	124.209 heading and text	Changed the introductory question to a topical statement “appeal of a final RCRA standardized permit by an interested party in the permit process”; changed “you” to “any interested party”; added “the Board” after “petition”; changed “Director’s” to “Agency’s”; changed “his or her” to “the Agency’s”; added “RCRA” before “standardized permit” (twice); changed “under” to “pursuant to”
705.303(d) Board note		Added a reference to the federal source of the material
705.304 heading	124, subpart G topical heading	Changed “Maintaining” to “Modifying”; added “RCRA” before “standardized permit”

Illinois Section	40 C.F.R. Section	Revision(s)
705.304(a)	124.211 heading and preamble	Changed the introductory question to a topical statement “permissible types of changes an owner or operator may make to its RCRA standardized permit”; changed “you” to “a facility owner or operator”; changed “both routine changes, routine changes with prior Agency approval, and significant changes” to “a routine change, a routine change with prior Agency approval, or a significant change”; added “the following definitions apply”
705.304(a) “routine change”	124.211(a)	Changed “changes are any changes . . . that qualify” to singular “change is any change . . . that qualifies”; added “RCRA” before “standardized permit”; changed “class 1” to capitalized “Class 1”; changed “under” to “pursuant to”; changed the ending comma to a period; removed the ending conjunction “and”
705.304(a) “routine change with prior Agency approval”	124.211(a)	Changed “changes . . . are for those changes” to singular “change . . . is a change”; added “RCRA” before “standardized permit”; changed “class 2” to capitalized “Class 2”; changed “under” to “pursuant to”; removed the ending conjunction “and”
705.304(a) “significant change”	124.211(a)	Changed “changes are any changes . . . that fall” to singular “change is any change . . . that falls”; added “RCRA” before “standardized permit” (twice); added “into one of the following categories”; changed “qualify” to “it qualifies”; changed “class 3” to capitalized “Class 3”; changed “under” to “pursuant to”; changed “amend” to “it amends”; changed “your” to “the”
705.304(a) Board note		Added a reference to the federal source of the material
705.304(b)	124.212 heading	Changed the introductory question to a topical statement “procedures to make routine changes”

Illinois Section	40 C.F.R. Section	Revision(s)
705.304(b)(1)	124.212(a)	Changed “you” to “an owner or operator”; added “RCRA” before “standardized permit” (twice); changed “Director” to “Agency”; changed “you” to “the owner or operator”; changed “you” to “it”; added “to the Agency” after “submitted”; changed “under” to “pursuant to”; changed “your” to “its”
705.304(b)(2)	124.212(b)	Changed “you make” to “that the owner or operator makes” (twice); changed “you” to “it” (twice); changed “your” to “its”; changed “under” to “pursuant to”; added “RCRA” before “standardized permit”; added “do both of the following”
705.304(b)(2)(A)	124.212(b)(1)	Added “it must”; changed “Director” to “Agency”
705.304(b)(2)(B)	124.212(b)(2)	Added “it must”; changed “state” to capitalized “State”
705.304(b) Board note		Added a reference to the federal source of the material
705.304(c)	124.213 heading	Changed the introductory question to a topical statement “procedures for routine changes with prior Agency approval”
705.304(c)(1)	124.213(a)	Added “RCRA” before “standardized permit”; removed the unnecessary “with prior Agency approval” from before “may”; changed “Director” to “Agency”
705.304(c)(2)	124.213(b)	Changed “you” to “the owner or operator”
705.304(c) Board note		Added a reference to the federal source of the material
705.304(d)	124.214 heading	Changed the introductory question to a topical statement “procedures the owner or operator must follow to make significant changes”
705.304(d)(1)	124.214(a)	Changed “you” to “the owner or operator”
705.304(d)(1)(A)	124.214(a)(1)	Changed “Meeting” to lower-case “meeting”; changed “you” to “the owner or operator” (twice); changed “your” to “its” (twice)

Illinois Section	40 C.F.R. Section	Revision(s)
705.304(d)(1)(B)	124.214(a)(2)	Changed “Notice” to lower-case “notice”; changed “you plan” to “the owner or operator plans”; changed “you” to “it”; removed “the requirements of” from before “35 Ill. Adm. Code 703.191(d)”
705.304(d)(2)	124.214(b)	Changed “you” to “the owner or operator”; changed “Director” to “Agency”; added “provides the following information”
705.304(d)(2)(A)	124.214(b)(1)	Changed “describes” to “it must describe”; changed “change(s)” to “changes”; changed “you want” to “the owner or operator wants”; changed “they are changes” to “the changes are”; changed “you provided” to “that the owner or operator provided”; changed “under” to “pursuant to”; changed “your” to “its”; added “RCRA” before “standardized permit”
705.304(d)(2)(B)	124.214(b)(2)	Added “it must”
705.304(d)(2)(C)	124.214(b)(3)	Changed “includes” to “it must include”; changed “under” to “held pursuant to”
705.304(d)(3)	124.214(c)	Changed “Director” to “Agency”; changed “your” to “and owner’s or operator’s”; changed “you” to “it”; changed “your request” to “the request”; changed “you are allowed” to “the Agency is allowed”; changed “you” to “the Agency”
705.304(d)(4)	124.214(d)	Changed “Director” to “Agency”; changed “your” to “its”; added “RCRA” before “standardized permit”
705.304(d) Board note		Added a reference to the federal source of the material
720.104	3, 145.11(a)(33), 271.10(b), 271.11(b), and 271.12(h)	Incorporated the federal requirements generally for the purposes of the UIC and RCRA Subtitle C programs
720.104(a)	3.1(a)	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(a)(1)	3.2 and 3.1000(a)	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs



Illinois Section	40 C.F.R. Section	Revision(s)
720.104(a)(2)(A)	3.2(a) and 3.10	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(a)(2)(B)	3.2(b) and 3.1000	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(a)(3)	3.1(b)	Added “any of the following documents . . . in subsection (a)(1) of this Section”
720.104(a)(3)(A)	3.1(b)(1)	Changed “documents” to singular “any document”; omitted the ending conjunction “or”
720.104(a)(3)(B)	3.1(b)(2)	Changed “documents” to singular “any document”; changed the ending period to a semicolon and added the ending conjunction “or”
720.104(a)(3)(C)	3.1(c)	Changed “transfers” to singular “transfer”; changed “EPA” to “USEPA”; changed the conjunction “and” to a comma after “USEPA”; changed “states, tribes, or local governments” to singular “any state, or any local government”; changed “states, tribes, or local governments” to “the parties to the transfer”
720.104(a)(4)	3.20	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(a) Board note		Added a reference to the federal source of the material
720.104(b)	3.3	Incorporated the federal definitions by reference
720.104(c)	3.10	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(d)	3.2(b) and (c) and 3.1000(a)	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(d)(1)	3.2(b) and (c) and 3.1000(a)	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs

Illinois Section	40 C.F.R. Section	Revision(s)
720.104(d)(2)	3.2(b)	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
720.104(e)		Added the topical subsection statement “effects of submission of an electronic document”
720.104(e)(2)	3.4(b) and 3.2000(c)(1)	Changed “a person is subject to . . . if the person fails to comply with the applicable provisions for electronic reporting” to “if a person who submits . . . fails to comply with the requirements of this Section, that person is subject to . . .”; changed “any appropriate civil, criminal penalties or other remedies under state, tribe, or local law” to “the penalties prescribed”; changed “a requirement” to “the requirement that the electronic document was intended to satisfy”
720.104(e)(3)	3.4(c) and 3.2000(c)(2)	Changed “an electronic document submitted to satisfy a . . . requirement” to “a document submitted as an electronic document to satisfy a reporting requirement”; changed “signatory” to “signer” (twice); omitted the unnecessary comma from before “to the same extent”
720.104(e)(4)	3.1(c) second sentence	Changed “this part creates no” to “nothing in this Section or in any provisions adopted . . . will create any”; changed “data electronically and does not obligate . . . accept electronic documents” to “any document as an electronic document”
720.104(e) Board note		Added a reference to the federal source of the material
720.104(f)	3.1(c) second sentence	Changed “this part creates no” to “nothing in this Section or in any provisions adopted . . . will create any”; changed “data electronically and does not obligate . . . accept electronic documents” to “any document as an electronic document”
720.104(f) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
720.104 Board note		Added a reference to the federal source of the material
720.110 “RCRA standardized permit”	270.2 “standardized permit”	Added the definition, which also appears in 35 Ill. Adm. Code 702.110
720.111 preamble	260.11 preamble	Retained references to “35 Ill. Adm. Code 702 through 705” of the permit rules
720.111(a) “NFPA”	260.11(a)(10)	Added a reference to “727.290” (as it corresponds with the citation in 40 C.F.R. 267.203(b))
721.101(e)	271.10(b), 271.11(b), and 271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 721
721.101(e) Board note		Added a reference to the federal source of the material
721.103(a)(2)(D)(i)	261.3(a)(2)(iv)(A)	Changed “OR” to lower-case “or”; changed “facilities subject to” to singular “a facility that is” (twice); added “federal” before “Clean Air Act”; omitted “as amended” and its offsetting commas; added “new source review or national emission standards for hazardous air pollutants” before “40 CFR 60, 61, or 63”; changed “facilities that choose . . . their” to “a facility that chooses . . . its”; changed “Regional Administrator, . . . as defined in 40 CFR 270.2)” to “Agency”; changed “they receive” to singular “it receives”; changed “Director” to “Agency” (five times); changed “may” to “must” (twice); changed “he/she” to “it”; changed “finds” to “determines” (twice); changed “the above information” to “the information required by this subsection (a)(2)(D)(i)”; omitted the unnecessary comma before and semicolon after “the sampling . . . required by this subsection (a)(2)(D)(i)”; added “that” before “the plan” for a restrictive relative clause; added a comma before “or if the Agency” for an independent clause; changed “finds” to “determines”; changed “shall” to “must”
721.103(a)(2)(D)(ii)	261.3(a)(2)(iv)(B)	Changed “OR” to lower-case “or”;

Illinois Section	40 C.F.R. Section	Revision(s)
		<p>changed “facilities subject to” to singular “a facility that is” (twice); added “federal” before “Clean Air Act”; omitted “as amended” and its offsetting commas; added “new source review or national emission standards for hazardous air pollutants” before “40 CFR 60, 61, or 63”; changed “facilities that choose . . . their” to “a facility that chooses . . . its”; changed “they receive” to singular “it receives”; changed “Regional Administrator, . . . as defined in 40 CFR 270.2)” to “Agency”; changed “Director” to “Agency” (five times); changed “may” to “must”; changed “he/she” to “it”; changed “finds” to “determines” (three times); changed “the above information” to “the information required by this subsection (a)(2)(D)(ii)”; omitted the unnecessary comma before and semicolon after “the sampling . . . required by this subsection (a)(2)(D)(ii)”; added “that” before “the plan” for a restrictive relative clause; added a comma before “or if the Agency determines” for an independent clause; changed “shall” to “must”</p>
721.103(a)(2)(D)(iv)	261.3(a)(2)(iv)(D)	<p>Rendered “40 CFR 261.31 through 261.33” as “35 Ill. Adm. Code 721.131, 721.132, or 721.133”; refrained from changing “de minimis” to italics (four times); changed “wastes” to singular “a waste”; rendered “40 CFR 261.31 through 261.32” as “35 Ill. Adm. Code 721.131 and 721.132”; added “federal” before “Clean Water Act”; added the statutory citation “33 USC 1251 et seq.” in parentheses; changed “permit application or submission to the pretreatment control authority” to “permit application or wastewater pretreatment submission to the Agency or the wastewater pretreatment Control Authority”; added “pursuant to 35 Ill. Adm. Code 307”; added “of” before “the constituents”; moved the closing</p>

Illinois Section	40 C.F.R. Section	Revision(s)
		parenthesis mark to follow “of this Part”; changed to lower-case “land disposal restriction”; changed “permit writer” to “Agency”; changed to capitalized “Control Authority”; changed “pretreatment control authority submission” to “wastewater pretreatment submission”; changed “Clean Water” to “Clean Water Act”; changed “submission to the control authority” to “wastewater pretreatment submission”
721.103(a)(2)(D)(vi)	261.3(a)(2)(iv)(F)	Changed “OR” to lower-case “or”; changed “facilities subject to” to singular “a facility that is” (twice); added “federal” before “Clean Air Act”; omitted “as amended” and its offsetting commas; added “new source review or national emission standards for hazardous air pollutants” before “40 CFR 60, 61, or 63”; changed “facilities that choose . . . their” to “a facility that chooses . . . its”; changed “Regional Administrator, . . . as defined in 40 CFR 270.2)” to “Agency”; changed “Director” to “Agency” (five times); changed “may” to “must”; changed “he/she” to “it”; changed “they receive” to singular “it receives”; changed “finds” to “determines” (three times); changed “the above information” to “the information required by this subsection (a)(2)(D)(Vi)”; omitted the unnecessary comma before and semicolon after “the sampling . . . required by this subsection (a)(2)(D)(vi)”; added “that” before “the plan” for a restrictive relative clause; added a comma before “or if the Agency determines” for an independent clause; changed “shall” to “must”

Illinois Section	40 C.F.R. Section	Revision(s)
721.103(a)(2)(D)(vii)	261.3(a)(2)(iv)(G)	Retained singular “it is wastewater derived from” in place of “wastewaters derived-from”; changed “OR” to lower-case “or”; changed “facilities subject to” to singular “a facility that is” (twice); added “federal” before “Clean Air Act”; omitted “as amended” and its offsetting commas; added “new source review or national emission standards for hazardous air pollutants” before “40 CFR 60, 61, or 63”; omitted the unnecessary comma from after “emissions);” changed “facilities that choose . . . their” to “a facility that chooses . . . its”; changed “Regional Administrator, . . . as defined in 40 CFR 270.2)” to “Agency”; changed “Director” to “Agency” (five times); changed “may” to “must”; changed “he/she” to “it”; changed “they receive” to singular “it receives”; changed “finds” to “determines” (three times); changed “the above information” to “the information required by this subsection (a)(2)(D)(vii)”; omitted the unnecessary comma before and semicolon after “the sampling . . . required by this subsection (a)(2)(D)(vii)”; added “that” before “the plan” for a restrictive relative clause; added a comma before “or if the Agency determines” for an independent clause; changed “shall” to “must”
722.113	271.10(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 722
722.113 Board note		Added a reference to the federal source of the material
723.113	271.11(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 723
723.113 Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
724.104	271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 724
724.104 Board note		Added a reference to the federal source of the material
724.440(b)(1)	264.340(b)(1)	Changed “becomes” to past-tense “became”
725.102	271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 725
725.102 Board note		Added a reference to the federal source of the material
726.102	270.10(b), 270.11(b), and 271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 725
726.102 Board note		Added a reference to the federal source of the material
726.200(b)(3)	266.100(b)(3)	Changed “if you own . . . and you elect not” to “the owner or operator of . . . that has not elected”; changed “standards under” to “standards of”; changed “you also remain”; to “also remains”; added “the following requirements of this Part”
726.200(b)(3)(A)	266.100(b)(3)(i)	Changed “particulate matter” to the abbreviation “PM”; capitalized the Section title “Standards to Control PM” and placed it in parentheses
726.200(b)(3)(B)	266.100(b)(3)(ii)	Capitalized the Section title “Standards to Control Metals Emissions” and placed it in parentheses
726.200(b)(3)(C)	266.100(b)(3)(iii)	Changed “hydrogen chloride” to the abbreviation “HCl”; capitalized the Section title “Standards to Control HCl and Chlorine Gas” and placed it in parentheses
726.200(b)(4)	266.100(b)(3)(iv)	Changed “boilers that elect” to singular “a boiler that elects”
727 table of contents, Part heading	267 part heading	Added “RCRA” before “standardized permit”
727.100 heading	267, subpart A heading	Used the federal subpart heading as a Section heading

Illinois Section	40 C.F.R. Section	Revision(s)
727.100(a)	267.1 heading	Changed the question section heading into a topical introductory statement “purpose, scope, and applicability”
727.100(a)(1)	267.1(a)	Changed “which” to “that” for a restrictive relative clause; added “RCRA” before “standardized permit”; added “as such is defined in 35 Ill. Adm. Code 702.110 and 720.110” offset by commas; changed “under” to “issued pursuant to”
727.100(a)(2)	267.1(b)	Changed “which” to “that” for a restrictive relative clause; added “RCRA” before “standardized permit”; changed “under” to “issued pursuant to”
727.100(a) Board note		Added a reference to the federal source of the material
727.100(b)	267.2 heading and text	Changed the question section heading into a topical introductory statement “relationship to interim status standards”; changed “if you are a facility owner or operator who . . ., you must” to “a facility owner or operator that . . . must”; added “federal” before “RCRA”; changed “under” to “pursuant to”; added “RCRA” before “standardized permit”; changed “under” to “in”
727.100(b) Board note		Added a reference to the federal source of the material
727.100(c)	267.3 heading and text	Changed the question section heading into a topical introductory statement “effect on a federal imminent hazard action”; changed “if you are a facility owner or operator who” to “a facility owner or operator that”; added “federal” before “RCRA”; changed “under” to “pursuant to”; added “RCRA” before “standardized permit”; changed “under” to “in”
727.100(c) Board note		Added a reference to the federal source of the material
727.100(d)	271.12(b)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 704



Illinois Section	40 C.F.R. Section	Revision(s)
727.100(d) Board note		Added a reference to the federal source of the material
727.110 heading	267, subpart B heading	Used the federal subpart heading as a Section heading
727.110(a)	267.10 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”
727.110(a) Board note		Added a reference to the federal source of the material
727.110(b)	267.11 heading and text	Changed the question section heading into a topical introductory statement “compliance with this Section”; changed “you” to “the facility owner or operator”; changed “an identification number” to “a USEPA identification number”; changed “below” to “of this Part”
727.110(b) Board note		Added a reference to the federal source of the material
727.110(c)	267.12 heading and text	Changed the question section heading into a topical introductory statement “obtaining a USEPA identification number”; changed “you” to “the facility owner or operator”; changed “EPA” to “USEPA” (three times); changed “your state hazardous waste regulatory agency” to “the Agency”; changed “your EPA regional office” to “USEPA Regions 5”
727.110(c) Board note		Added a reference to the federal source of the material
727.110(d)	267.13 heading	Changed the question section heading into a topical introductory statement “waste analysis requirements”
727.110(d)(1)	267.13(a)	Changed “you treat or store” to “it treats or stores”; changed “you” to “the facility owner or operator”
727.110(d)(1)(A)	267.13(a)(1)	Changed “you” to “the facility owner or operator”; changed “under” to “pursuant to”; changed “and published or documented data on the hazardous waste” to “or data published or documented on the hazardous waste”

Illinois Section	40 C.F.R. Section	Revision(s)
727.110(d)(1)(B)	267.13(a)(2)	Changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator”
727.110(d)(2)	267.13(b)	Changed “you” to “the facility owner or operator”; changed “you” to “it”; changed “you” to “the owner or operator” (twice); changed “you receive . . . and are” to “the owner or operator receives . . . and is”; removed the unnecessary comma from before “and is eligible”; added “RCRA” before “standardized permit”
727.110(d)(2)(A)	267.13(b)(1)	Changed “you” to “the owner or operator”
727.110(d)(2)(B)	267.13(b)(2)	Changed “you” to “the owner or operator”
727.110(d)(2)(C)	267.13(b)(3)	Changed “you” to “the owner or operator” (twice); added “of the following methods”
727.110(d)(2)(D)	267.13(b)(4)	Changed “you” to “the owner or operator”
727.110(d)(2)(E)	267.13(b)(5)	Changed “you” to “the owner or operator”; added a comma before “as specified” to offset the parenthetical
727.110(d) Board note		Added a reference to the federal source of the material
727.110(e)	267.14 heading	Changed the question section heading into a topical introductory statement “security requirements”
727.110(e)(1)	267.14(a)	Changed “you . . . your” to “the facility owner or operator . . . its”
727.110(e)(2)	267.14(b)	Changed “your facility” to “the facility”; added “either of the features listed in subsection (e)(2)(A) of this Section or those listed in subsections (e)(2)(B) and (e)(2)(C) of this Section”
727.110(e)(3)	267.14(c)	Changed “you” to “the facility owner or operator”; omitted “in counties bordering the Canadian province of Quebec must post signs in”; changed “and” to “or”; omitted “in counties bordering Mexico must post signs in”; omitted the unnecessary comma before “and entry”; omitted “that” from before “entry”

Illinois Section	40 C.F.R. Section	Revision(s)
727.110(e) Board note		Added a reference to the federal source of the material
727.110(f)	267.15 heading	Changed the question section heading into a topical introductory statement “general inspection requirements”
727.110(f)(1)	267.15(a)	Changed “you . . . your” to “the owner or operator . . . its”; added “either of the conditions . . . of this Section”; moved the sentence “The owner or operator . . . human health and the environment.” from subsection (f)(1)(B)
727.110(f)(1)(A)	267.15(a)(1)	Added “a”
727.110(f)(1)(B)	267.15(a)(2)	Changed “you” to “the owner or operator”; moved the sentence “The owner or operator . . . human health and the environment.” to subsection (f)(1)
727.110(f)(2)	267.15(b)	Changed “you” to “the facility owner or operator”; removed the unnecessary comma from between “inspecting” and “monitoring”
727.110(f)(2)(A)	267.15(b)(1)	Changed “you” to “the owner or operator”
727.110(f)(2)(B)	267.15(b)(2)	Added “that” before “the owner or operator” for a restrictive relative clause; changed “you . . . you look” to “the owner or operator . . . you will look”
727.110(f)(2)(C)	267.15(b)(3)	Changed “your” to “the owner’s or operator’s”
727.110(f)(3)	267.15(c)	Changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator”; changed “take remedial action immediately” to “take immediate remedial action”
727.110(f)(4)	267.15(d)	Changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator” (twice)
727.110(f) Board note		Added a reference to the federal source of the material
727.110(g)	267.16 heading	Changed the question section heading into a topical introductory statement “employee training”
727.110(g)(1)	267.16(a)	Changed “your facility personnel” to “facility personnel”; changed “under” to “pursuant to”

Illinois Section	40 C.F.R. Section	Revision(s)
727.110(g)(1)(B)(i)	267.16(a)(2)(i)	Added the missing ending period
727.110(g)(1)(B)(v)	267.16(a)(2)(v)	Changed “ground water” to “groundwater”
727.110(g)(2)	267.16(b)	Removed the unnecessary comma from before “or to a new position”; changed “your” to “the owner’s or operator’s”; added “RCRA” before “standardized permit”
727.110(g)(4)	267.16(d)	Changed “you . . . your” to “the facility owner or operator . . . its”
727.110(g)(4)(B)	267.16(d)(2)	Changed “under” to “pursuant to”
727.110(g)(4)(C)	267.16(d)(3)	Changed “under” to “pursuant to”
727.110(g)(4)(D)	267.16(d)(4)	Changed “under” to “pursuant to”
727.110(g)(5)	267.16(d)	Changed “you . . . your” to “the facility owner or operator . . . its”; changed “you . . . your” to “the owner or operator . . . its”
727.110(g) Board note		Added a reference to the federal source of the material
727.110(h)	267.17 heading	Changed the question section heading into a topical introductory statement “requirements for managing ignitable, reactive, or incompatible wastes”
727.110(h)(1)	267.17(a)	Changed “you” to “the facility owner or operator”
727.110(h)(1)(A)	267.17(a)(1)	Changed “you” to “the owner or operator”; removed the unnecessary colon after “such as”
727.110(h)(1)(B)	267.17(a)(2)	Changed “you” to “the owner or operator”; removed the unnecessary colon after “such as”
727.110(h)(2)	267.17(b)	Changed “you treat or store . . . or mix” to “it treats or stores . . . or mixes”; changed “you” to “the owner or operator”; added “do the following”
727.110(h)(3)	267.17(c)	Changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator”
727.110(h) Board note		Added a reference to the federal source of the material
727.110(i)	267.18 heading	Changed the question section heading into a topical introductory statement “facility location standards”

Illinois Section	40 C.F.R. Section	Revision(s)
727.110(i)(1)	267.18(a)	Changed “you” to “the facility owner or operator”; changed “portions of new facilities” to “any portion for a new facility”
727.110(i)(1)(C) Board note	267.18 note to paragraph (a)(3)	Changed “procedures for demonstrating compliance with this standard are specified in” to “under the note to corresponding 40 CFR 267.18(a)(3) and”; changed the period after “40 CFR 270.14(b)(11)” to a comma; changed “facilities which are . . . are” to “a facility that is . . . is”; removed the unnecessary comma after “40 CFR 264”; added the statement “No are of Illinois . . . 40 CFR 264.”
727.110(i)(2)	267.18(b)	Changed “your” to “an owner’s or operator’s”; changed “in” to “within”
727.110(i) Board note		Added a reference to the federal source of the material
727.130 heading	267, subpart C heading	Used the federal subpart heading as a Section heading
727.130(a)	267.30 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”
727.130(a) Board note		Added a reference to the federal source of the material
727.130(b)	267.31 heading and text	Changed the question section heading into a topical introductory statement “general facility design and operation standards”; changed “you . . . your” to “the facility owner or operator . . . its”
727.130(b) Board note		Added a reference to the federal source of the material
727.130(c)	267.32 heading and preamble	Changed the question section heading into a topical introductory statement “required facility equipment”; changed “your facility” to “a facility”
727.130(c)(1)	267.32(a)	Changed the ending period to a semicolon
727.130(c)(2)	267.32(b)	Changed the ending period to a semicolon

Illinois Section	40 C.F.R. Section	Revision(s)
727.130(c)(3)	267.32(c)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.130(c) Board note		Added a reference to the federal source of the material
727.130(d)	267.33 heading and text	Changed the question section heading into a topical introductory statement “equipment testing and maintenance requirements”; changed “you” to “the facility owner or operator”
727.130(d) Board note		Added a reference to the federal source of the material
727.130(e)	267.34 heading	Changed the question section heading into a topical introductory statement “Facility personnel access to communication equipment or an alarm system”
727.130(e)(1)	267.34(a)	Changed “under” to “pursuant to”
727.130(e)(2)	267.34(b)	Added “communication” before “device”; changed “unless not” to “unless the device is not”; changed “under” to “pursuant to”
727.130(e) Board note		Added a reference to the federal source of the material
727.130(f)	267.35 heading and text	Changed the question section heading into a topical introductory statement “ensuring access for personnel and equipment during emergencies”; changed “you” to “the facility owner or operator”
727.130(f) Board note		Added a reference to the federal source of the material
727.130(g)	267.36 heading	Changed the question section heading into a topical introductory statement required emergency arrangements with local authorities”
727.130(g)(1)	267.36(a)	Changed “you . . . your” to “the facility owner or operator . . . its”
727.130(g)(1)(A)	267.36(a)(1)	Changed the ending period to a semicolon
727.130(g)(1)(B)	267.36(a)(1)	Changed the ending period to a semicolon
727.130(g)(1)(C)	267.36(a)(1)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.130(g)(2)	267.36(b)	Changed “you” to “the facility owner or operator”

Illinois Section	40 C.F.R. Section	Revision(s)
727.130(g) Board note		Added a reference to the federal source of the material
727.150 heading	267, subpart D heading	Used the federal subpart heading as a Section heading
727.150(a)	267.50 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”
727.150(a) Board note		Added a reference to the federal source of the material
727.150(b)	267.51 heading	Changed the question section heading into a topical introductory statement “the purpose and use of the contingency plan”
727.150(b)(1)	267.51(a)	Changed “you . . . your” to “the facility owner or operator . . . its”; changed “you” to “the facility owner or operator”
727.150(b)(2)	267.51(b)	Changed “you” to “the facility owner or operator”; changed “which” to “that” for a restrictive relative clause; corrected “human health and the environment” to “human health or the environment”
727.150(b) Board note		Added a reference to the federal source of the material
727.150(c)	267.52 heading	Changed the question section heading into a topical introductory statement “contents of the contingency plan”
727.150(c)(1)	267.52(a)	Changed “your” to “the facility”; added “include the following information”
727.150(c)(1)(A)	267.52(a)(1)	Added “it must”; changed the ending period to a semicolon
727.150(c)(1)(B)	267.52(a)(2)	Added “it must”; changed “under” to “pursuant to”; changed “state” to capitalized “State”; changed the ending period to a semicolon
727.150(c)(1)(C)	267.52(a)(3)	Added “it must”; changed “you” to “the owner or operator”; changed the ending period to a semicolon
727.150(c)(1)(D)	267.52(a)(4)	Added “it must”; changed “you” to “the facility owner or operator”; changed the ending period to a semicolon; added the ending conjunction “and”

Illinois Section	40 C.F.R. Section	Revision(s)
727.150(c)(1)(E)	267.52(a)(5)	Added “it must”; changed “you” to “the plan”; changed “signal(s)” to “signals”
727.150(c)(2)	267.52(b)	Changed “you have” to “the facility owner or operator has”; changed “under” to “pursuant to”; changed “you need only amend” to “the facility owner or operator needs only to amend”
727.150(c) Board note		Added a reference to the federal source of the material
727.150(d)	267.53 heading	Changed the question section heading into a topical introductory statement “Who must have copies of the contingency plan”
727.150(d)(1)	267.53(a)	Changed “you” to “the facility owner or operator”
727.150(d)(2)	267.53(b)	Changed “you” to “the owner or operator”; changed “state” to capitalized “State”
727.150(d) Board note		Added a reference to the federal source of the material
727.150(e)	267.54 heading and preamble	Changed the question section heading into a topical introductory statement “when the facility owner or operator must amend the contingency plan”; changed “you” to “the facility owner or operator”; added “any of the following occurs”
727.150(e)(1)	267.54(a)	Changed the ending period to a semicolon
727.150(e)(2)	267.54(b)	Changed the ending period to a semicolon
727.150(e)(3)	267.54(c)	Changed “you change” to “the facility owner or operator changes”; changed the ending period to a semicolon
727.150(e)(4)	267.54(d)	Changed “you change” to “the facility owner or operator changes”; changed the ending period to a semicolon; added the ending conjunction “or”
727.150(e)(5)	267.54(c)	Changed “you change” to “the facility owner or operator changes”
727.150(e)(1)	267.54(a)	Changed the ending period to a semicolon
727.150(e) Board note		Added a reference to the federal source of the material
727.150(f)	267.55 heading and text	Changed the question section heading into a topical introductory statement “the role of the emergency coordinator”



Illinois Section	40 C.F.R. Section	Revision(s)
727.150(f) Board note		Added a reference to the federal source of the material
727.150(g)	267.56 heading	Changed the question section heading into a topical introductory statement “required emergency procedures for the emergency coordinator”
727.150(g)(1)	267.56(a)	Added “undertake the following actions”
727.150(g)(1)(A)	267.56(a)(1)	Added “he or she must”; changed the ending comma to a semicolon
727.150(g)(1)(B)	267.56(a)(2)	Added “he or she must”; changed the ending period to a semicolon
727.150(g)(2)	267.56(b)	Changed “you” to “the owner or operator”
727.150(g)(2)(A)	267.56(b)(1)	Added “he or she must”; changed “he” to “he or she”; changed the ending period to a semicolon; added the ending conjunction “and”
727.150(g)(2)(B)	267.56(b)(2)	Added “he or she must”
727.150(g)(3)	267.56(c)	Changed “which” to “that” for a restrictive relative clause; removed the unnecessary commas before and after “or the environment”; changed “he” to “he or she”
727.150(g)(3)(A)	267.56(c)(1)	Changed “his” to “his or her”; changed “he” to “he or she” (twice)
727.150(g)(3)(B)	267.56(c)(2)	Changed “he” to “he or she”; changed “800/ 424-8802” to “800-424-8802”; added “the following information”
727.150(g)(3)(B)(i)	267.56(c)(2)(i)	Added “the”; changed the ending period to a semicolon
727.150(g)(3)(B)(ii)	267.56(c)(2)(ii)	Added “the”; changed the ending period to a semicolon
727.150(g)(3)(B)(iii)	267.56(c)(2)(iii)	Added “the”; changed the ending period to a semicolon
727.150(g)(3)(B)(iv)	267.56(c)(2)(iv)	Added “the”; changed “material(s)” to “materials”; changed the ending period to a semicolon
727.150(g)(3)(B)(v)	267.56(c)(2)(v)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.150(g) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.150(h)	267.57 heading	Changed the question section heading into a topical introductory statement “the emergency coordinator’s responsibilities in an emergency”
727.150(h)(2)	267.57(b)	Removed the unnecessary comma after “that”; added “the following occur”; changed “area(s)” to “areas”
727.150(h)(2)(A)	267.57(b)(1)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.150(h) Board note		Added a reference to the federal source of the material
727.150(i)	267.58 heading	Changed the question section heading into a topical introductory statement “emergency notification and recordkeeping requirements”
727.150(i)(1)	267.58(a)	Changed “you” to “the facility owner or operator”; changed “Regional Administrator” to “Agency”; added “other” before “local authorities”; removed the unnecessary comma from before “that the facility”; changed “area(s)” to “areas”
727.150(i)(2)	267.58(b)	Changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator” (twice); changed “Regional Administrator” to “Agency”; added “information” before “in the report”
727.150(i)(2)(A)	267.58(b)(1)	Changed the ending period to a semicolon
727.150(i)(2)(B)	267.58(b)(2)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.150(i)(2)(C)	267.58(b)(3)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.150(i)(2)(D)	267.58(b)(4)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.150(i)(2)(E)	267.58(b)(5)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.150(i)(2)(F)	267.58(b)(6)	Changed the ending period to a semicolon; added the ending conjunction “and”

Illinois Section	40 C.F.R. Section	Revision(s)
727.150(i) Board note		Added a reference to the federal source of the material
727.170 heading	267, subpart E heading	Used the federal subpart heading as a Section heading
727.170(a)	267.70 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”; changed “you” to “the facility owner or operator”; changed “your facility” to “the facility”
727.170(a) Board note		Added a reference to the federal source of the material
727.170(b)	267.71 heading	Used the section heading as a topical introductory statement “use of the manifest system”
727.170(b)(1)	267.71(a)	Changed “your” to “its”; added “do each of the following
727.170(b)(1)(A)	267.71(a)(1)	Added “it must”
727.170(b)(1)(B)	267.71(a)(2)	Added “it must”
727.170(b)(1)(C)	267.71(a)(3)	Added “it must”
727.170(b)(1)(D)	267.71(a)(4)	Added “it must”
727.170(b)(1)(E)	267.71(a)(5)	Added “it must”
727.170(b)(2)	267.71(b)	Changed “which” to “that” for a restrictive relative clause; changed “EPA” to “USEPA”; changed “your” to “its”; added “do each of the following”
727.170(b)(2)(A)	267.71(b)(1)	Added “it must”
727.170(b)(2)(B)	267.71(b)(2)	Added “it must”; changed the ending period to a semicolon
727.170(b)(2)(B) Board note	267.71(b)(2)	Moved the note text to a Board note; changed “note that the Agency does not intend” to “USEPA does not intend”; changed “under” to “pursuant to”
727.170(b)(2)(C)	267.71(b)(3)	Added “it must”
727.170(b)(2)(D)	267.71(b)(4)	Added “it must”; changed “your” to “its”
727.170(b)(2)(D) Board note	267.71(b)(4)	Moved the note text to a Board note; Removed “note that”
727.170(b)(2)(E)	267.71(b)(5)	Added “it must”
727.170(b)(3)	267.71(c)	Changed “owner or operator of that facility” to “facility owner or operator”

Illinois Section	40 C.F.R. Section	Revision(s)
727.170(b)(3) Board note	267.71(c)	Moved the note text to a Board note; Removed “The Agency notes that”; changed “only apply to” to “apply only to”; changed “owners or operators who are . . . which they” to singular “an owner or operator that is . . . that it”
727.170(b)(4)	267.71(d)	Changed “within three working days of” to “within three working days after”; changed “subpart H” to capitalized “Subpart H”; added “to the Agency”
727.170(b) Board note		Added a reference to the federal source of the material
727.170(c)	267.72 heading	Used the section heading as a topical introductory statement “manifest discrepancies”
727.170(c)(1)	267.72(a)	Added “either of the following”
727.170(c)(1)(A)	267.72(a)(1)	Changed the ending conjunction from “and” to “or”
727.170(c)(1)(B)	267.72(a)(2)	Changed “which” to “that” for a restrictive relative clause
727.170(c)(2)	267.72(b)	Added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency”
727.170(c) Board note		Added a reference to the federal source of the material
727.170(d)	267.73 heading	Changed the question section heading into a topical introductory statement “retention of information”
727.170(d)(1)	267.73(a)	Changed “you . . . your” to “the facility owner or operator . . . its”
727.170(d)(2)	267.73(b)	Changed “you . . . you close” to “the facility owner or operator . . . it closes”
727.170(d)(2)(A)	267.73(b)(1)	Changed “method(s)” to “methods”; changed “date(s)” to “dates”; changed “and/or” to “or”
727.170(d)(2)(C)	267.73(b)(3)	Removed “you” from before “performed”; changed “perform” to past-tense “performed”
727.170(d)(2)(D)	267.73(b)(4)	Removed “you” from before “performed”; changed “perform” to past-tense “performed”

Illinois Section	40 C.F.R. Section	Revision(s)
727.170(d)(2)(E)	267.73(b)(5)	Added “that” before “the facility owner or operator” for a restrictive relative clause; changed “you need” to “the facility owner or operator needs”
727.170(d)(2)(G)	267.73(b)(7)	Changed “under” to “pursuant to”
727.170(d)(2)(H)	267.73(b)(8)	Changed “your certification” to “the facility owner or operator certification”; added “executed” before “at least”; changed “you have . . . you generate” to “the owner or operator has . . . it generates”; changed “you determine” to “the owner or operator determines”; changed “you” to “the facility owner or operator”
727.170(d)(2)(I)	267.73(b)(9)	Changed “you” to “the facility owner or operator”; changed “under” to “pursuant to”; removed the unnecessary ending conjunction “and”
727.170(d)(2)(J)	267.73(b)(10)	Changed “you” to “the facility owner or operator”; changed “under” to “pursuant to”; changed the ending period to a semicolon
727.170(d)(2)(K)	267.73(b)(11)	Added “facility” before “owner or operator”; changed “under” to “pursuant to”; added the ending conjunction “and”
727.170(d)(2)(L)	267.73(b)(12)	Changed “under” to “pursuant to”
727.170(d) Board note		Added a reference to the federal source of the material
727.170(e)	267.74 heading	Changed the question section heading into a topical introductory statement “retention of information”
727.170(e)(1)	267.74(a)	Changed “you” to “the facility owner or operator”; changed “under” to “pursuant to”; changed “any officer, employee, or representative of EPA who is duly designated by the Administrator” to “representative of the Agency or USEPA”
727.170(e)(2)	267.74(b)	Changed “under” to “pursuant to”; changed “Administrator” to “Agency”
727.170(e) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.170(f)	267.75 heading and preamble	Changed the question section heading into a topical introductory statement “submission of reports”; changed “you” to “the facility owner or operator”
727.170(f)(1)	267.75(a)	Changed “you” to “the facility owner or operator”; changed “Regional Administrator” to “Agency”; changed “EPA form 8700-13B” to capitalized “USEPA Form 8700-13B”; added “the following information”; changed “previous calendar year” to “previous two calendar years”
727.170(f)(1)(A)	267.75(a)(1)	Changed “EPA” to “USEPA”
727.170(f)(1)(D)	267.75(a)(4)	Changed “under” to “pursuant to”
727.170(f)(1)(E)	267.75(a)(5)	Changed the ending period to a semicolon
727.170(f)(1)(F)	267.75(a)(6)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.170(f)(1)(G)	267.75(a)(7)	Changed “you” to “the owner or operator”
727.170(f)(2)	267.75(b)	Changed “you” to “the owner or operator”; added “the following information” before “to the Agency”; changed “Regional Administrator” to “Agency”
727.170(f)(2)(C)	267.75(b)(3)	Added “other information”
727.170(f)(3)	267.75(c)	Changed “EPA” to “USEPA”; changed the ending semicolon to a period
727.170(f)(4)	267.75(d)	Changed “EPA” to “USEPA”; changed the ending semicolon to a period
727.170(f) Board note		Added a reference to the federal source of the material
727.170(g)	267.76 heading and text	Changed the question section heading into a topical introductory statement “required notifications”; changed “you” to “the facility owner or operator”
727.170(g) Board note		Added a reference to the federal source of the material
727.190 heading	267, subpart F heading	Used the federal subpart heading as a Section heading

Illinois Section	40 C.F.R. Section	Revision(s)
727.190(a)	267.90 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to” (twice); changed “your” to “its”
727.190(a) Board note		Added a reference to the federal source of the material
727.190(b)	267.91	Added the explanatory material to maintain structural consistency
727.190(c)	267.92	Added the explanatory material to maintain structural consistency
727.190(d)	267.93	Added the explanatory material to maintain structural consistency
727.190(e)	267.94	Added the explanatory material to maintain structural consistency
727.190(f)	267.95	Added the explanatory material to maintain structural consistency
727.190(g)	267.96	Added the explanatory material to maintain structural consistency
727.190(h)	267.97	Added the explanatory material to maintain structural consistency
727.190(i)	267.98	Added the explanatory material to maintain structural consistency
727.190(j)	267.99	Added the explanatory material to maintain structural consistency
727.190(k)	267.100	Added the explanatory material to maintain structural consistency
727.190(l)	267.90 heading	Changed the question section heading into a topical introductory statement “requirements for addressing corrective action for solid waste management units”
727.190(l)(1)	267.90(a)	Changed “you” to “the facility owner or operator”
727.190(l)(2)	267.90(b)	Changed “Regional Administrator will” to “Agency must” (twice); changed “your” to “the facility owner’s or operator’s”; added “RCRA” before “standardized permit” (twice); changed “your” to “the”

Illinois Section	40 C.F.R. Section	Revision(s)
727.190(1)(3)	267.90(c)	Changed “you” to “the facility owner or operator”; changed “you demonstrate” to “the owner or operator demonstrates”; changed “Regional Administrator” to “Agency”; changed “your” to “its”; changed “you were” to “the owner or operator was”; changed “you are” to “the owner or operator is”; changed “you” to “the owner or operator”
727.190(1)(4)	267.90(d)	Changed “you do . . . your” to “the facility owner or operator does . . . the”
727.190(1) Board note		Added a reference to the federal source of the material
727.210 heading	267, subpart G heading	Used the federal subpart heading as a Section heading
727.210(a)	267.110 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”
727.210(a) Board note		Added a reference to the federal source of the material
727.210(b)	267.111 heading and preamble	Changed the question section heading into a topical introductory statement “required general standards when operations cease”; changed “you” to “the facility owner or operator”; added “fulfills the following conditions”
727.210(b)(1)	267.111(a)	Added “it”; removed the unnecessary ending conjunction “and”
727.210(b)(2)	267.111(b)	Added “it”; added “the” before “post-closure”; added “to” before “surface waters”; added the ending conjunction “and”
727.210(b)(3)	267.111(c)	Added “it”; changed “you determine” to “the facility owner or operator determines”; changed “you” to “the owner or operator” (twice)
727.210(b) Board note		Added a reference to the federal source of the material



Illinois Section	40 C.F.R. Section	Revision(s)
727.210(c)	267.112 heading	Changed the question section heading into a topical introductory statement “closure procedures”
727.210(c)(1)	267.112(a)	changed “you . . . your” to “the facility owner or operator . . . its”
727.210(c)(1)(A)	267.112(a)(1)	Changed “your closure plan must be submitted . . . you submit your” to “the facility owner or operator must submit its closure plan . . . it submits its”; added “RCRA” before “standardized permit” (twice)
727.210(c)(1)(B)	267.112(a)(2)	Changed “Director’s” to “Agency’s”
727.210(c)(2)	267.112(b)	Removed “satisfy the requirements for”; changed “and/or” to “or”; removed the unnecessary comma before “at least”; added “the following minimum information”
727.210(c)(2)(A)	267.112(b)(1)	Added “the requirements of” after “following”; changed the ending period to a semicolon
727.210(c)(2)(B)	267.112(b)(2)	Changed “which” to “that” for a restrictive relative clause; changed the ending period to a semicolon
727.210(c)(2)(C)	267.112(b)(3)	Added “that” for a restrictive relative clause; changed “you” to “the facility owner or operator”; changed “and/or” to “or”; changed “type(s) to “types”; changed the ending period to a semicolon
727.210(c)(2)(E)	267.112(b)(5)	Changed the ending period to a semicolon
727.210(c)(2)(F)	267.112(b)(6)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.210(c)(2)(G)	267.112(b)(7)	Changed “under” to “pursuant to”
727.210(c)(3)	267.112(c)	Changed “you” to “the facility owner or operator”; changed “Director” to “Agency”; corrected “705.304(a)” to “705.304” (to correct the corresponding citation to 40 C.F.R. 267.211 to 40 C.F.R. 267.212 through 267.214)
727.210(c)(3)(A)	267.112(c)(1)	Added “the following”

Illinois Section	40 C.F.R. Section	Revision(s)
727.210(c)(3)(B)	267.112(c)(2)	Changed “Director” to “Agency”; changed “Director will” to “Agency must”; corrected “705.304(a)” to ”705.304” (to correct the corresponding citation to 40 C.F.R. 267.211 to 40 C.F.R. 267.212 through 267.214)
727.210(c)(4)(A)	267.112(d)(1)	Changed “you . . . you expect” to “the facility owner or operator . . . it expects”; changed “Director” to “Agency”
727.210(c)(4)(B)	267.112(d)(2)	Changed “you . . . expect” to “the owner or operator . . . expects”
727.210(c)(4)(C)	267.112(d)(3)	Changed “your permit . . . you are” to “the permit . . . the facility owner or operator is”; added “a federal” before “judicial decree”; changed “under” to “pursuant to”; added the statutory citation “42 USC 6928” in parentheses; changed “you” to “the owner or operator”; changed “Director” to “Agency”
727.210(c) Board note		Added a reference to the federal source of the material
727.210(d)	267.113 heading	Changed the question section heading into a topical introductory statement “opportunity for public comment on the plan”
727.210(d)(1)	267.113(a)	Changed “Director will” to “Agency must”; changed “you” to “the facility owner or operator”; added “RCRA” before “standardized permit”; changed “Director will . . . his/her” to “agency must . . . its”; added “it determines that” before “such a hearing”
727.210(d)(2)	267.113(b)	Changed “Director will” to “Agency must”
727.210(d) Board note		Added a reference to the federal source of the material
727.210(e)	267.114	Added the explanatory material to maintain structural consistency
727.210(f)	267.115 heading	Replaced the question section heading with a topical introductory statement “time allowed for closure”

Illinois Section	40 C.F.R. Section	Revision(s)
727.210(f)(1)	267.115(a)	Changed “you” to “the facility owner or operator”; changed “from the unit all hazardous wastes” to “all hazardous wastes from the unit”
727.210(f)(2)	267.115(b)	Changed “you” to “the facility owner or operator”; changed “Director” to “Agency”; changed “you comply” to “the owner or operator complies”; added “the conditions of subsections (f)(2)(A) and (f)(2)(B) of this Section are fulfilled subject to the limitation of subsection (f)(2)(C) of this Section
727.210(f)(2)(A)	267.115(b)(1)	Changed “beyond your control” to “beyond the control of the owner or operator”; changed “ground water” to “groundwater”
727.210(f)(2)(B)	267.115(b)(2)	Changed “you have” to “the facility owner or operator has”
727.210(f)(3)	267.115(c)	Changed “you” to “the facility owner or operator”
727.210(f) Board note		Added a reference to the federal source of the material
727.210(g)	267.116 heading and text	Changed the question section heading into a topical introductory statement “disposition of contaminated equipment, structure, and soils”; changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator”
727.210(g) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.210(h)	267.117 heading and text	Changed the question section heading into a topical introductory statement “certification of closure”; changed “within 60 days of” to “within 60 days after”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to” (twice); changed “you” to “the facility owner or operator”; changed “Director” to “Agency” (twice); changed “you” to “the owner or operator”; changed “he” to “the Agency”; corrected “727.240(d)(9)” to “727.240(d)(10)” (to correct the corresponding citation to 40 C.F.R. 267.143(i) to 40 C.F.R. 267.143(j))
727.210(h) Board note		Added a reference to the federal source of the material
727.240 heading	267, subpart H heading	Used the federal subpart heading as a Section heading
727.240(a)	267.140 heading	Replaced the question section heading with a topical introductory statement “applicability and substance of the financial requirements”
727.240(a)(1)	267.140(a)	Added “RCRA” before “standardized permit”
727.240(a)(2)	267.140(b)	Added “facility” before “owner or operator”
727.240(a)(2)(A)	267.140(b)(1)	Added “it must”
727.240(a)(2)(B)	267.140(b)(2)	Added “it must”
727.240(a)(2)(C)	267.140(b)(3)	Added “it must”
727.240(a)(3)	267.140(c)	Changed “Regional Administrator” to “Agency”; changed “Title 11 (Bankruptcy) U.S. Code” to Title 11 (Bankruptcy) of the United States Code”
727.240(a)(4)	267.140(d)	Changed “Federal” to lower-case “federal”
727.240(a) Board note		Added a reference to the federal source of the material
727.240(b)	267.141 heading	Used the section heading as a topical introductory statement “definitions of terms as used in this Section”
727.240(b)(1)	267.141(a)	Placed the defined term “closure plan” in quotation marks

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(b)(2)	267.141(b)	Placed the defined term “current closure cost estimate” in quotation marks
727.240(b)(3)	267.141(c)	Added the explanatory material to maintain structural consistency
727.240(b)(4)	267.141(d)	Placed the defined term “parent corporation” in quotation marks; changed “which” to “that” for a restrictive relative clause; changed the semicolon to a period to break the sentence; changed “the latter corporation” to “in this instance, the owned corporation that is the facility owner or operator”
727.240(b)(5)	267.141(e)	Added the explanatory material to maintain structural consistency
727.240(b)(6) “assets”	267.141(f)	Placed the defined term “assets” in quotation marks
727.240(b)(6) “current plugging and abandonment cost estimate”	267.141(f)	Placed the defined term “current plugging and abandonment cost estimate” in quotation marks
727.240(b)(6) “independently audited”	267.141(f)	Placed the defined term “independently audited” in quotation marks
727.240(b)(6) “liabilities”	267.141(f)	Placed the defined term “liabilities” in quotation marks
727.240(b)(6) “tangible net worth”	267.141(f)	Placed the defined term “tangible net worth” in quotation marks
727.240(b)(7)	267.141(g)	Placed the defined terms “bodily injury” and “property damage” in quotation marks; changed “shall have” to “have”; changed “given these terms” to “given them”; changed “which” to “that” for a restrictive relative clause; changed “liability policies” to liability insurance policies”
727.240(b)(7) “accidental occurrence”	267.141(g)	Placed the defined term “accidental occurrence” in quotation marks; changed “which” to “that” for a restrictive relative clause
727.240(b)(7) “legal defense costs”	267.141(g)	Placed the defined term “legal defense costs” in quotation marks

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(b)(7) “sudden accidental occurrence”	267.141(g)	Placed the defined term “sudden accidental occurrence” in quotation marks; changed “which” to “that” for a restrictive relative clause
727.240(b)(8)	267.141(h)	Placed the defined term “substantial business relationship” in quotation marks; added “facility” before “owner or operator”
727.240(b) Board note		Added a reference to the federal source of the material
727.240(c)	267.142 heading	Used the section heading as a topical introductory statement “cost estimate for closure”
727.240(c)(1)	267.142(a)	Added “facility” before “owner or operator”
727.240(c)(1)(A)	267.142(a)(1)	Changed the ending semicolon to a period; removed the ending conjunction “and”
727.240(c)(1)(B)	267.142(a)(2)	Added “the” before “definition”; changed “he” to “it”; changed “onsite” to “on-site”
727.240(c)(1)(D)	267.142(a)(4)	Added “facility” before “owner or operator”
727.240(c)(2)	267.142(b)	Added “facility” before “owner or operator”; changed “instrument(s)” to “instruments”; changed “owners and operators” to singular “an owner or operator”; changed “firm’s” to “guarantor’s”; changed “Regional Administrator” to “Agency”; added a short-form for the title “Deflator” in parentheses
727.240(c)(3)	267.142(c)	Added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency”
727.240(c)(4)	267.142(d)	Added “facility” before “owner or operator”; changed “The” to lower-case “the” after the colon
727.240(c) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(d)	267.143 heading and preamble	Added “facility” before “owner or operator”; changed “he” to “it”; added “among” before “the financial assurance mechanisms”; changed “they meet” to “the combination meets”; added “it” before “may”; changed “Regional Administrator will” to “Agency must”; changed “under” to “pursuant to”
727.240(d)(1)	267.143(a)	Changed “Trust Fund” to lower-case “trust fund”; changed “owners and operators can” to “and owner or operator may”; placed “closure trust fund” in quotation marks
727.240(d)(1)(A)	267.143(a)(1)	Changed numeric “3” to written “three”
727.240(d)(1)(B)	267.143(a)(2)	Changed “the first payment . . . must be made” to active-voice “the facility owner or operator must make the first payment . . .”; changed “Regional Administrator” to “Agency”; added “as follows”; entered formula in a formula format using variables and added variable definitions
727.240(d)(1)(C)	267.143(a)(3)	Changed “this paragraph’s financial assurance requirements” to “the financial assurance requirements of this subsection (d)(1)”
727.240(d)(1)(D)	267.143(a)(4)	Added “facility” before “owner or operator”; changed “he” to “the owner or operator”
727.240(d)(1)(E)	267.143(a)(5)	Added “facility” before “owner or operator”; added “incorporated . . . 720.111(b)” offset by commas
727.240(d)(2)	267.143(b)	Changed “Bond Guaranteeing Payment into a Closure Trust Fund” to lower-case “bond guaranteeing payment into a closure trust fund”; changed “owners and operators can” to “and owner or operator may”; added “incorporated . . . 720.111(b)” offset by commas
727.240(d)(3)	267.143(c)	Changed “Bond Guaranteeing performance of Closure” to lower-case “bond guaranteeing performance of closure”; changed “owners and operators can” to “and owner or operator may”

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(d)(4)	267.143(d)	Changed “Letter of Credit” to lower-case “letter of credit”; changed “owners and operators can” to “and owner or operator may”
727.240(d)(5)	267.143(e)	Changed “Insurance” to lower-case “insurance”; changed “owners and operators can” to “and owner or operator may”; added “incorporated . . . 720.111(b)” offset by commas
727.240(d)(6)(A)	267.143(f)(1)	Retained the topical heading but moved the entire text to subsection (m) to comport with permissible subsection level requirements
727.240(d)(6)(A) Board note		Added explanation of the movement of the text to subsection (m); added “the Board intends that any citation . . . also include added subsection (m) of this Section, as applicable”
727.240(d)(6)(B)	267.143(f)(2)	Retained the topical heading but moved the entire text to subsection (n) to comport with permissible subsection level requirements
727.240(d)(6)(B) Board note		Added explanation of the movement of the text to subsection (n); added “the Board intends that any citation . . . also include added subsection (n) of this Section, as applicable”
727.240(d)(7)	267.143(g)	Changed “Guarantee” to lower-case “guarantee”
727.240(d)(7)(A)	267.143(g)(1)	Added “facility” before “owner or operator”; added “incorporated . . . 720.111(b)” offset by commas
727.240(d)(7)(B)	267.143(g)(2)	Changed “Regional Administrator” to “Agency”
727.240(d)(7)(C)	267.143(f)(3)	Retained the opening word “the terms of the guarantee must provide” but moved the entire text to subsection (o) to comport with permissible subsection level requirements
727.240(d)(7)(C) Board note		Added explanation of the movement of the text to subsection (o); added “the Board intends that any citation . . . also include added subsection (o) of this Section, as applicable”



Illinois Section	40 C.F.R. Section	Revision(s)
727.240(d)(7)(D)	267.143(g)(4)	Changed “Regional Administrator” to “Agency” (twice)
727.240(d)(7)(E)	267.143(g)(5)	Added “either of the following occurs”
727.240(d)(7)(E)(i)	267.143(g)(5)(i)	Added “facility” before “owner or operator”
727.240(d)(7)(E)(ii)	267.143(g)(5)(ii)	Added “facility” before “owner or operator”
727.240(d)(8)	267.143(h)	Changed “Multiple Financial Instruments” to lower-case “multiple financial instruments”; moved “respectively” to follow “Section” offset as a parenthetical by commas; changed “he” to “it”; changed “Regional Administrator” to “Agency”
727.240(d)(10)	267.143(j)	Changed “Regional Administrator” to “Agency” (three times); changed “this subsection” to “this subsection (d)”; changed “shall” to “must”
727.240(d) Board note		Added a reference to the federal source of the material
727.240(e)	267.144	Added the explanatory material to maintain structural consistency
727.240(f)	267.145	Added the explanatory material to maintain structural consistency
727.240(g)	267.146	Added the explanatory material to maintain structural consistency
727.240(h)	267.147 heading	Used the section heading as a topical introductory statement “liability requirements”
727.240(h)(1)	267.147(a)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(A)	267.147(a)(1)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(B)	267.147(a)(2)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(C)	267.147(a)(3)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(D)	267.147(a)(4)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(E)	267.147(a)(5)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(F)	267.147(a)(6)	Changed “an” to “the” before “owner or operator”

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(h)(1)(G)	267.147(a)(7)	Changed “an” to “the” before “owner or operator”
727.240(h)(1)(H)	267.147(a)(8)	Changed “Regional Administrator”; added “either of the following occurs”
727.240(h)(1)(H)(ii)	267.147(a)(8)(ii)	Changed “under” to “pursuant to”
727.240(h)(1)(H)(iii)	267.147(a)(8)(iii)	Changed “under” to “pursuant to”
727.240(h)(2)	267.147(b)	Added the explanatory material to maintain structural consistency
727.240(h)(3)	267.147(c)	Added the explanatory material to maintain structural consistency
727.240(h)(4)	267.147(d)	Added the explanatory material to maintain structural consistency
727.240(h)(5)	267.147(e)	Added “facility” before “owner or operator”; changed “Regional Administrator” (twice); changed “shall” to “must”
727.240(h)(6)	267.147(f)	Changed “Liability Coverage” to lower-case “liability coverage”; added “facility” before “owner or operator”
727.240(h)(6)(A)(iii)	267.147(f)(1)(iii)	Changed “under” to “pursuant to”
727.240(h)(6)(B)	267.147(f)(2)	Retained the subsection as a topical heading but moved the text and subsections to subsection (p) to comport with permissible subsection level requirements
727.240(h)(6)(B) Board note		Added explanation of the movement of the text to subsection (p); added “the Board intends that any citation . . . also include added subsection (p) of this Section, as applicable”
727.240(h)(7)(A)	267.147(g)(1)	Corrected what would have appeared as “subsections (h)(6)(A) through (h)(6)(C) of this Section” to “subsections (h)(6)(A) and (h)(6)(B) of this Section”; added “incorporated . . . 720.111(b)” offset by commas; changed “Regional Administrator” to “Agency”; added a comma before “as specified” to offset the parenthetical
727.240(h)(7)(A)(i)	267.147(g)(1)(i)	Added “facility” before “owner or operator”
727.240(h)(7)(A)(ii)	267.147(g)(1)(ii)	Added the explanatory material to maintain structural consistency

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(h)(7)(B)	267.147(g)(2)	Added “foreign corporations” as a topical subsection and moved the text and subsections to subsection (q) to comport with permissible subsection level requirements
727.240(h)(7)(B) Board note		Added explanation of the movement of the text to subsection (q); added “the Board intends that any citation . . . also include added subsection (q) of this Section, as applicable”; added the explanatory sentence “See the further explanation . . . appended to subsection (q)”
727.240(h) Board note		Added a reference to the federal source of the material
727.240(i)	267.148 heading	Used the section heading as a topical introductory statement “incapacity of owners, operators, guarantors, or financial institutions”
727.240(i)(1)	267.148(a)	Changed “an” to “the” and added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency”; changed “Title 11 (Bankruptcy) U.S. Code” to Title 11 (Bankruptcy) of the United States Code”; changed “he” to “it”; added “incorporated . . . 720.111(b)”
727.240(i) Board note		Added a reference to the federal source of the material
727.240(j)	267.149	Added the explanatory material to maintain structural consistency
727.240(k)	267.150 heading	Used the section heading as a topical introductory statement “State assumption of responsibility”

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(k)(1)	267.150(a)	Changed “a State” to “the State”; changed “Regional Administrator” to “Agency” (six times); added “the following”; changed “Certainty” to lower-case “the certainty”; changed “the Agency will” to “the Agency must”; changed “he” to “it”; added “facility” before “owner or operator”; changed “EPA Identification Number” to lower-case “USEPA identification number”; added “the facility” before “name and address”
727.240(k)(2)	267.150(b)	Changed “Federal” to lower-case “federal”
727.240(k) Board note		Added a reference to the federal source of the material
727.240(l)	267.151 heading	Used the section heading as a topical introductory statement “wording of the instruments”
727.240(l)(1)	267.151(a)	Added “RCRA” before “standardized permit”; changed “as specified in” to “as set forth in”; moved the form to Appendix A, Illustration A
727.240(l)(1) Board note	267.151(a) form	Added explanation of the movement of the form to Appendix A, Illustration A; added “the Board intends that any citation . . . also include added appendix A, Illustration A of this Part, as applicable”
727.240(l)(2)	267.151(a)	Added “RCRA” before “standardized permit”; changed “that . . . facility(ies)” to “facility . . . (or those facilities)”; changed “as specified in” to “as set forth in”; moved the form to Appendix A, Illustration B
727.240(l)(2) Board note	267.151(a) form	Added explanation of the movement of the form to Appendix A, Illustration B; added “the Board intends that any citation . . . also include added Appendix A, Illustration B of this Part, as applicable”
727.240(l) Board note		Added a reference to the federal source of the material
727.240(m)	267.143(f)(1)	Moved the entire text from subsection (f)(1) to comport with permissible subsection level requirements

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(m)(1)	267.143(f)(1)(i)	Added “facility” before “owner or operator”
727.240(m)(1)(A)	267.143(f)(1)(i)(A)	Added commas before and after “as issued by Standard and Poor’s” to offset it as a parenthetical; added commas before and after “as issued by Standard and Poor’s” to offset it as a parenthetical
727.240(m)(2)	267.143(f)(1)(ii)	Added “both of the following”
727.240(m)(2)(A)	267.143(f)(1)(ii)(A)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.240(m)(2)(B)	267.143(f)(1)(ii)(B)	Changed “Regional Administrator” to “Agency”
727.240(m)(3)	267.143(f)(1)(iii)	Added “facility” before “owner or operator”
727.240(m) Board note		Added explanation of the movement of the text from subsection (f)(1); added “the Board intends that any citation . . . also include this added subsection (m), as applicable”
727.240(n)	267.143(f)(2)	Moved the entire text from subsection (f)(2) to comport with permissible subsection level requirements
727.240(n)(1)	267.143(f)(2)(i)	Added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency”
727.240(n)(1)(A)	267.143(f)(2)(i)(A)	Added “provides the following information”
727.240(n)(1)(A)(i)	267.143(f)(2)(i)(A)(1)	Added “it”; changed “EPA” to “USEPA” (twice); changed “which” to “that” for a restrictive relative clause; added “the information described in subsection (n)(1)(E) of this Section”; moved the subsections to subsection (n)(1)(E) to comport with permissible subsection level requirements
727.240(n)(1)(A)(i) Board note		Added explanation of the movement of the text to subsection (n)(1)(E); added “the Board intends that any citation . . . also include added subsections (n)(1)(E) through (n)(1)(E)(vi) of this Section, as applicable”
727.240(n)(1)(A)(ii)	267.143(f)(2)(i)(A)(2)	Added “it”; changed “EPA” to “USEPA” (twice)

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(n)(1)(B)	267.143(f)(2)(i)(B)	Changed “Regional Administrator” to “Agency” (three times); changed “which” to “that” for a restrictive relative clause; changed “EPA” to “USEPA” (twice)
727.240(n)(1)(C)	267.143(f)(2)(i)(C)	Changed “shall” to “must”
727.240(n)(1)(E)	267.143(f)(2)(i)(A)(I)	Moved the subsection from subsection (n)(1)(A)(i) to comport with permissible subsection level requirements; added “contents of the letter . . . (for the purposes of subsection (n)(1)(A)(i) of this Section)” as a topical heading
727.240(n)(1)(E)(i)	267.143(f)(2)(i)(A)(I)(i)	Added “the” before “liability”; changed “under” to “pursuant to the applicable provisions of”
727.240(n)(1)(E)(ii)	267.143(f)(2)(i)(A)(I)(ii)	Added “the” before “cost estimates”; changed “under” to “pursuant to the applicable provisions of”
727.240(n)(1)(E)(iii)	267.143(f)(2)(i)(A)(I)(iii)	Added “the” before “current”; changed “under” to “pursuant to”
727.240(n)(1)(E)(iv)	267.143(f)(2)(i)(A)(I)(iv)	Added “the federally required” before “cost estimates”; changed “under” to “pursuant to”
727.240(n)(1)(E)(v)	267.143(f)(2)(i)(A)(I)(v)	Added “the federally required” before “cost estimates”; changed “under” to “pursuant to”
727.240(n)(1)(E)(vi)	267.143(f)(2)(i)(A)(I)(vi)	Added “federally required” before “financial assurance”; changed “required under, or as part of an action undertaken under,” to “required by or as part of an action undertaken pursuant to”; added the statutory citation “42 USC 9601 et seq.” in parentheses
727.240(n)(1)(E) Board note		Added explanation of the movement of the text from subsection (n)(1)(A)(i); added “the Board intends that any citation . . . also include added subsections (n)(1)(E) through (n)(1)(E)(vi) of this Section, as applicable”
727.240(n)(2)	267.143(f)(2)(ii)	Changed “Regional Administrator” to “Agency”
727.240(n)(3)	267.143(f)(2)(iii)	Changed “Regional Administrator” to “Agency” (twice)
727.240(n)(4)	267.143(f)(2)(iv)	Added “either of the following occurs”

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(n)(4)(B)	267.143(f)(2)(iv)(B)	Changed “Regional Administrator” to “Agency”
727.240(n)(5)	267.143(f)(2)(v)	Added “must do the following”
727.240(n)(5)(A)	267.143(f)(2)(v)(A)	Added “it must”; changed “Regional Administrator” to “Agency”
727.240(n)(5)(B)	267.143(f)(2)(v)(B)	Added “it must”
727.240(n)(6)	267.143(f)(2)(vi)	Changed “Regional Administrator” to “Agency” (twice)
727.240(n) Board note		Added explanation of the movement of the text from subsection (f)(2); added “the Board intends that any citation . . . also include this added subsection (n), as applicable”
727.240(o)	267.143(g)(3)	Moved the entire text from subsection (d)(7)(C) to comport with permissible subsection level requirements; added “as follows”
727.240(o)(1)	267.143(g)(3)(i)	Added “facility” before “owner or operator”; added “accomplish the following”
727.240(o)(1)(A)	267.143(g)(3)(i)(A)	Added “it will”
727.240(o)(1)(B)	267.143(g)(3)(i)(B)	Added “it will”
727.240(o)(2)	267.143(g)(3)(ii)	Added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency” (twice)
727.240(o)(3)	267.143(g)(3)(iii)	Added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency” (four times); changed “within 120 days of” to “within 120 days after”
727.240(o) Board note		Added explanation of the movement of the text from subsection (d)(7)(C); added “the Board intends that any citation . . . also include this added subsection (o), as applicable”
727.240(p)	267.147(f)(2)	Moved the text and subsections from subsection (h)(6)(B) to comport with permissible subsection level requirements
727.240(p)(1)	267.147(f)(2)(i)	Changed “Regional Administrator” to “Agency”
727.240(p)(1)(A)	267.147(f)(2)(i)(A)	Changed “under” to “pursuant to” (three times); removed “also” from before “35 Ill. Adm. Code 724 or 725”; added “incorporated . . . 720.111(b)”

Illinois Section	40 C.F.R. Section	Revision(s)
727.240(p)(1)(B)	267.147(f)(2)(i)(B)	Changed “Regional Administrator” to “Agency” (three times); changed “which” to “that” for a restrictive relative clause
727.240(p)(2)	267.147(f)(2)(ii)	Changed “Regional Administrator” to “Agency” (three times)
727.240(p)(3)	267.147(f)(2)(iii)	Added “facility” before “owner or operator”; changed “Regional Administrator” to “Agency” (twice)
727.240(p)(4)	267.147(f)(2)(iv)	Added “either or the following occurs”
727.240(p)(4)(A)	267.147(f)(2)(iv)(A)	Added “facility” before “owner or operator”
727.240(p)(4)(B)	267.147(f)(2)(iv)(B)	Changed “Regional Administrator” to “Agency”; added “facility” before “owner or operator”; corrected “subsection (j) of this section” to “subsection (d)(10) of this Section” (corresponding with 40 CFR 267.143(j))”
727.240(p)(5)	267.147(f)(2)(v)	Changed “which” to “that” for a restrictive relative clause; added “do the following”
727.240(p)(5)(A)	267.147(f)(2)(v)(A)	Changed “Regional Administrator” to “Agency”; added “facility” before “owner or operator”
727.240(p)(6)	267.147(f)(2)(vi)	Changed “Regional Administrator” to “Agency” (twice)
727.240(p) Board note		Added explanation of the movement of the text from subsection (h)(6)(B); added “the Board intends that any citation . . . also include this added subsection (p), as applicable”
727.240(q)	267.147(g)(2)	Changed “Corporations” to lower-case “corporations”; moved the text and subsections from subsection (h)(7)(B) to comport with permissible subsection level requirements; added “foreign corporations” as a topical heading
727.240(q)(1)	267.147(g)(2)(i)	Substituted the language of 35 Ill. Adm. Code 724.147(g)(2) (See the discussion on pages 20-23 of this opinion.)
727.240(q)(2)	267.147(g)(2)(ii)	Substituted the language of 35 Ill. Adm. Code 724.147(g)(3) (See the discussion on pages 20-23 of this opinion.)



Illinois Section	40 C.F.R. Section	Revision(s)
727.240(q) Board note		Added explanation of the movement of the text from subsection (h)(7)(B); added “the Board intends that any citation . . . also include this added subsection (q), as applicable”; added explanation of the substitution of language.
727.270 heading	267, subpart I heading	Used the federal subpart heading as a Section heading
727.270(a)	267.170 heading and text	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”
727.270(a) Board note		Added a reference to the federal source of the material
727.270(b)	267.171 heading and preamble	Changed the question section heading into a topical introductory statement “standards applicable to containers”; removed the unnecessary definite article “the” from before “containers” (twice); added “holding hazardous waste”
727.270(b)(1)	267.171(a)	Changed “you” to “the facility owner or operator”; changed “either” to “undertake either of the following actions”
727.270(b)(1)(A)	267.171(a)(1)	Added “it must”; changed “this container” to “the defective container”
727.270(b)(1)(B)	267.171(a)(2)	Added “it must”; changed “this container” to “the defective container”
727.270(b)(2)	267.171(b)	Changed “you” to “the facility owner or operator”
727.270(b)(2)(A)	267.171(a)(1)	Changed “you . . . you add or remove” to “the facility owner or operator . . . it adds or removes”
727.270(b)(2)(B)	267.171(a)(2)	Changed “you” to “the facility owner or operator”
727.270(b) Board note		Added a reference to the federal source of the material
727.270(c)	267.172 heading and preamble	Changed the question section heading into a topical introductory statement “inspection requirements”; changed “you . . . you store” to “the facility owner or operator . . . it stores”

Illinois Section	40 C.F.R. Section	Revision(s)
727.270(c) Board note		Added a reference to the federal source of the material
727.270(d)	267.173 heading and preamble	Changed the question section heading into a topical introductory statement “standards applicable to container storage areas”
727.270(d)(1)	267.173(a)	Changed “you . . . your” to “the facility owner or operator . . . its”
727.270(d)(2)	267.173(b)	Added “the following”
727.270(d)(2)(A)	267.173(b)(1)	Changed the ending period to a semicolon
727.270(d)(2)(B)	267.173(b)(2)	Moved the comma from after “containment system” to follow “sloped” for an independent clause”; changed the ending period to a semicolon
727.270(d)(2)(C)	267.173(b)(3)	Changed “10%” to “10 percent”; changed “containers” to “all containers placed in it”; changed the ending period to a semicolon
727.270(d)(2)(D)	267.173(b)(4)	Changed “you” to “the owner or operator”; added a comma before “unless” to offset a parenthetical; added “to contain the liquid” after “capacity”; changed the ending period to a semicolon; added the ending conjunction “and”
727.270(d)(2)(E)	267.173(b)(5)	Changed “you” to “the owner or operator”
727.270(d)(3)	267.173(c)	Changed “you do” to “the owner or operator does”; added commas before and after “as defined . . . this Section” to offset it as a parenthetical; removed the unnecessary comma from after “free liquids”; changed “the” to “either of the following conditions are fulfilled”
727.270(d)(4)	267.173(d)	Changed “you” to “the owner or operator”; corrected “FO20” to “F020”; corrected “FO21” to “F021”; corrected “FO22” to “F022”; corrected “FO23” to “F023”; corrected “FO26” to “F026”; corrected “FO27” to “F027”
727.270(d) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.270(e)	267.174 heading and preamble	Changed the question section heading into a topical introductory statement “special requirements for ignitable or reactive waste”; changed “you . . . your” to “the facility owner or operator . . . its”; changed “you” to “the owner or operator”
727.270(e) Board note		Added a reference to the federal source of the material
727.270(f)	267.175 heading	Changed the question section heading into a topical introductory statement “special requirements for incompatible wastes”
727.270(f)(1)	267.175(a)	Changed “you . . . you comply” to “the facility owner or operator . . . it complies”; removed the unnecessary comma from before “or incompatible wastes”; added “incorporated . . . 720.111(b)
727.270(f)(2)	267.175(b)	Changed “you” to “the facility owner or operator”
727.270(f)(3)	267.175(c)	Changed “you” to “the facility owner or operator”
727.270(f) Board note		Added a reference to the federal source of the material
727.270(g)	267.176 heading and preamble	Changed the question section heading into a topical introductory statement “requirements for stopping the use of containers”; changed “you” to “the facility owner or operator”; changed “you” to “the owner or operator”
727.270(g) Board note		Added a reference to the federal source of the material
727.270(h)	267.177 heading and preamble	Changed the question section heading into a topical introductory statement “air emission standards”; added “RCRA” before “standardized permit”; changed “Thermal” to lower-case “a thermal”; added “a” before “flame”; added “a” before “boiler”; added “a” before “process heater”; added “a” before “condenser”; changed the conjunction “and” to “or”; added “a” before “carbon absorption”

Illinois Section	40 C.F.R. Section	Revision(s)
727.270(h) Board note		Added a reference to the federal source of the material
727.290 heading	267, subpart J heading	Used the federal subpart heading as a Section heading
727.290(a)	267.190 heading and preamble	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”
727.290(a)(1)	267.190(a)	Changed “you do . . . your” to “the facility owner or operator does . . . its”; changed “you” to “the owner or operator”; changed “stored/treated” to “stored or treated”; changed “EPA” to “USEPA”
727.290(a)(2)	267.190(b)	Changed “you do . . . your” to “the facility owner or operator does . . . its”
727.290(a) Board note		Added a reference to the federal source of the material
727.290(b)	267.191 heading and preamble	Changed the question section heading into a topical introductory statement “required design and construction standards for new tank systems”; changed “you” to “the facility owner or operator”; changed “waste(s)” to “wastes”; changed “you” to “the owner or operator”
727.290(b)(1)	267.191(a)	Changed “standard(s)” to “standards”; changed “tank(s)” to “tanks”; changed “and/or” to “or”
727.290(b)(2)	267.191(b)	Changed “waste(s)” to “wastes”
727.290(b)(3)	267.191(c)	Added “the following”
727.290(b)(3)(A)	267.191(c)(1)	Added “the following”
727.290(b)(3)(A)(i)	267.191(c)(1)(i)	Changed the ending period to a semicolon
727.290(b)(3)(A)(ii)	267.191(c)(1)(ii)	Changed the ending period to a semicolon
727.290(b)(3)(A)(iii)	267.191(c)(1)(iii)	Changed the ending period to a semicolon
727.290(b)(3)(A)(iv)	267.191(c)(1)(iv)	Changed the ending period to a semicolon
727.290(b)(3)(A)(v)	267.191(c)(1)(v)	Changed the ending period to a semicolon
727.290(b)(3)(A)(vi)	267.191(c)(1)(vi)	Changed the ending period to a semicolon; added the ending conjunction “and”

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(b)(3)(A)(vii)	267.191(c)(1)(viii)	Changed the ending period to a semicolon; added “etc.” offset by a comma after “cathodic protection”
727.290(b)(3)(B)(i)	267.191(c)(2)(i)	Added parentheses on “such as . . . reinforced plastics, etc.”; changed the ending period to a semicolon
727.290(b)(3)(B)(ii)	267.191(c)(2)(ii)	Added the ending semicolon
727.290(b)(3)(B)(iii)	267.191(c)(2)(iii)	Added parentheses on “such as . . . flanges, etc.”; added the ending period
727.290(b)(4)	267.191(d)	Added “the following will occur”
727.290(b)(4)(A)	267.191(d)(1)	Changed the ending period to a semicolon
727.290(b)(4)(B)	267.191(d)(2)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.290(b) Board note		Added a reference to the federal source of the material
727.290(c)	267.192 heading	Changed the question section heading into a topical introductory statement “handling and inspection procedures during installation of new tank systems”
727.290(c)(1)	267.192(a)	Changed “you . . . you follow” to “the facility owner or operator . . . it follows”
727.290(c)(1)(A)	267.192(a)(1)	Changed the ending period to a semicolon
727.290(c)(1)(B)	267.192(a)(2)	Changed the ending period to a semicolon
727.290(c)(1)(C)	267.192(a)(3)	Changed the ending period to a semicolon
727.290(c)(1)(D)	267.192(a)(4)	Changed the ending period to a semicolon
727.290(c)(1)(E)	267.192(a)(5)	Changed the ending period to a semicolon; added the ending conjunction “or”
727.290(c)(1)(F)	267.192(a)(1)	Changed the ending period to a semicolon; changed “construction/installation” to “construction or installation”
727.290(c) Board note		Added a reference to the federal source of the material
727.290(d)	267.193 heading and text	Changed the question section heading into a topical introductory statement “testing requirements”; changed “you” to “the facility owner or operator”; changed “you find . . . you must” to “the owner or operator finds . . . it must”; changed “leak(s)” to “leaks”; changed “you cover, enclose, or place” to “it covers, encloses, or places”

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(d) Board note		Added a reference to the federal source of the material
727.290(e)	267.194 heading	Changed the question section heading into a topical introductory statement "installation requirements"
727.290(e)(1)	267.194(a)	Changed "you" to "the facility owner or operator"
727.290(e)(2)	267.194(b)	Changed "you" to "the facility owner or operator"; changed "under" to "pursuant to"
727.290(e)(3)	267.194(c)	Changed "you" to "the facility owner or operator"; changed "you" to "the owner or operator"; changed "under" to "pursuant to"
727.290(e) Board note		Added a reference to the federal source of the material
727.290(f)	267.195 heading and preamble	Changed the question section heading into a topical introductory statement "secondary containment requirements"; changed "you" to "the owner or operator"
727.290(f)(1)	267.195(a)	Changed "must be" to "must meet both of the following requirements"
727.290(f)(1)(A)	267.195(a)(1)	Added "it must be"
727.290(f)(1)(B)	267.195(a)(2)	Added "it must be"
727.290(f)(2)	267.195(b)	Changed "must be, at a minimum" to "must meet all of the following minimum requirements"
727.290(f)(2)(A)	267.195(b)(1)	Added "it must be"; changed "waste(s)" to "wastes"; changed the ending period to a semicolon
727.290(f)(2)(B)	267.195(b)(2)	Added "it must be"; changed the ending period to a semicolon; removed the ending conjunction "and"
727.290(f)(2)(C)	267.195(b)(3)	Added "it must be"; changed the ending period to a semicolon; added the ending conjunction "and"; changed the ending period to a semicolon; added the ending conjunction "and"
727.290(f)(2)(D)	267.195(b)(4)	Added "it must be"; changed "you" to "the facility owner or operator"
727.290(f) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(g)	267.196 heading and preamble	Changed the question section heading into a topical introductory statement “required devices for secondary containment and their design, operating, and installation requirements”
727.290(g)(1)	267.196(a)	Added “features”
727.290(g)(1)(A)	267.196(a)(1)	Changed the ending period to a semicolon
727.290(g)(1)(B)	267.196(a)(1)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.290(g)(1)(A)	267.196(a)(1)	Changed “you” to “the owner or operator”
727.290(g)(2)	267.196(b)	Changed “external liner systems must be” to singular “an external liner system must fulfill the following requirements”
727.290(g)(2)(A)	267.196(b)(1)	Added “it must be”; changed the ending period to a semicolon
727.290(g)(2)(B)	267.196(b)(2)	Added “it must be”; changed the ending period to a semicolon
727.290(g)(2)(C)	267.196(b)(3)	Added “it must be”; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(g)(2)(D)	267.196(b)(4)	Added “it must be” (twice); changed “tank(s)” to “tanks”; changed the ending period to a semicolon
727.290(g)(3)	267.196(c)	Changed “double-walled tanks must be” to singular “a double-walled tank must fulfill the following requirements”
727.290(g)(3)(A)	267.196(c)(1)	Added “it must be” (twice); changed the ending period to a semicolon
727.290(g)(3)(B)	267.196(c)(2)	Added “it must be”; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(g)(3)(C)	267.196(c)(3)	Added “it must be”
727.290(g) Board note		Added a reference to the federal source of the material
727.290(h)	267.197 heading and preamble	Changed the question section heading into a topical introductory statement “requirements for ancillary equipment”; changed “you” to “the facility owner or operator”; added “etc.” offset by a comma; added “the following”
727.290(h)(4)	267.197(d)	Added “etc.” offset by a comma

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(h) Board note		Added a reference to the federal source of the material
727.290(i)	267.198 heading	Changed the question section heading into a topical introductory statement “general operating requirements for tank systems”
727.290(i)(1)	267.198(a)	Changed “you” to “the facility owner or operator”; changed “they” to “the substances”
727.290(i)(2)	267.198(b)	Changed “you” to “the facility owner or operator”; changed “include, at a minimum” to “include the following minimum requirements”
727.290(i)(2)(A)	267.198(b)(1)	Added “etc.” offset by a comma; changed the ending period to a semicolon
727.290(i)(2)(B)	267.198(b)(2)	Added “etc.” offset by a comma; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(i)(3)	267.198(c)	Changed “you” to “the facility owner or operator”
727.290(i) Board note		Added a reference to the federal source of the material
727.290(j)	267.199 heading and preamble	Changed the question section heading into a topical introductory statement inspection “requirements”; changed “you” to “the facility owner or operator”; changed the ending period to a colon
727.290(j)(1)	267.199(a)	Added “it must”; changed the ending period to a semicolon
727.290(j)(2)	267.199(b)	Added “it must”; added “the following”
727.290(j)(2)(A)	267.199(b)(1)	Changed the ending period to a semicolon
727.290(j)(2)(B)	267.199(b)(2)	Added “etc.” offset by a comma; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(j)(2)(C)	267.199(b)(3)	Added “etc.” offset by a comma; changed the ending period to a semicolon
727.290(j)(3)	267.199(c)	Added “it must”
727.290(j)(3)(A)	267.199(c)(1)	Added “it must”; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(j)(3)(B)	267.199(c)(2)	Added “it must”; changed “and/or” to “or”; changed the ending period to a semicolon; added the ending conjunction “and”



Illinois Section	40 C.F.R. Section	Revision(s)
727.290(j)(4)	267.199(d)	Added “it must”
727.290(j) Board note		Added a reference to the federal source of the material
727.290(k)	267.200 heading and preamble	Changed the question section heading into a topical introductory statement “required actions in case of a spill”; changed “you . . . you” to “the facility owner or operator . . . it”
727.290(k)(1)	267.200(a)	Added “it must”; changed the ending period to a semicolon
727.290(k)(2)	267.200(b)	Added “it must”; changed the ending period to a colon; added “as follows” offset by a comma
727.290(k)(2)(A)	267.200(b)(1)	Changed “you” to “the owner or operator”; changed the ending period to a semicolon; added the ending conjunction “or”
727.290(k)(2)(B)	267.200(b)(2)	Changed “you” to “the owner or operator”; changed the ending period to a semicolon
727.290(k)(3)	267.200(c)	Added “it must”; changed “based upon” to “based on”; added “undertake the following actions” offset by a comma
727.290(k)(3)(A)	267.200(c)(1)	Added “it must”; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(k)(3)(B)	267.200(c)(2)	Added “it must”; changed the ending period to a semicolon
727.290(k)(4)	267.200(d)	Added “it must”; changed “Regional Administrator” to “Agency”; changed “you have” to “the owner or operator has”; added “to USEPA” after “reported the release”; added “federal” before “40 CFR 302”; added “subject to the following exceptions” offset by a comma
727.290(k)(4)(A)	267.200(d)(1)	Changed “you need not” to “the facility owner or operator does not need to”; changed “it is” to “it fulfills the following conditions”
727.290(k)(4)(A)(i)	267.200(d)(1)(i)	Added “the spill was”; removed the unnecessary numeric expression “(1)” after “one”

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(k)(4)(A)(ii)	267.200(d)(1)(ii)	Changed “immediately contained and cleaned up” to active-voice “the facility owner or operator immediately contained and cleaned up the spill”; changed the ending period to a semicolon; added “the spill” after “cleaned up”; added the ending conjunction “and”
727.290(k)(4)(B)	267.200(d)(2)	Changed “you” to “the owner or operator”; changed “Regional Administrator” to “Agency”; changed “containing” to “that contains”
727.290(k)(4)(B)(i)	267.200(d)(2)(i)	Changed the ending period to a semicolon
727.290(k)(4)(B)(ii)	267.200(d)(2)(ii)	Added “etc.” offset by a comma; changed the ending period to a semicolon
727.290(k)(4)(B)(iii)	267.200(d)(2)(iii)	Changed “you” to “the owner or operator”; changed “Regional Administrator” to “Agency”; changed the ending period to a semicolon
727.290(k)(4)(B)(iv)	267.200(d)(2)(iv)	Changed the ending period to a semicolon; added the ending conjunction “and”
727.290(k)(4)(B)(v)	267.200(d)(2)(v)	Changed the ending period to a semicolon
727.290(k)(5)	267.200(e)	Added “it must”; added “as follows” offset by a comma; changed the ending period to a colon
727.290(k)(5)(A)	267.200(e)(1)	Changed “you satisfy . . . you” to “the owner or operator satisfies . . . it”
727.290(k)(5)(B)	267.200(e)(2)	Changed “you . . . you remove . . . and make” to “the owner or operator . . . it removes . . . and makes”; changed the ending period to a semicolon; added the ending conjunction “or”
727.290(k)(5)(C)	267.200(e)(3)	Changed “you” to “the owner or operator”; changed the ending period to a semicolon; added the ending conjunction “and”
727.290(k)(6)	267.200(f)	Changed “you have . . . you” to “the owner or operator has . . . it”; added “etc.” offset by a comma; added “as follows” offset by a comma; changed the ending period to a colon
727.290(k)(6)(A)	267.200(f)(1)	Changed the ending period to a semicolon; added the ending conjunction “and”

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(k)(6)(B)	267.200(f)(2)	Changed “you” to “the owner or operator”; changed “Regional Administrator” to “Agency”
727.290(k) Board note		Added a reference to the federal source of the material
727.290(l)	267.201 heading and text	Changed the question section heading into a topical introductory statement “requirements when the owner or operator stops operating the tank system”; changed “you . . . you” to “the facility owner or operator . . . it”; added “etc.” offset by a comma; added “the following”
727.290(l) Board note		Added a reference to the federal source of the material
727.290(m)	267.202 heading	Changed the question section heading into a topical introductory statement “special requirements for ignitable or reactive wastes”
727.290(m)(1)	267.202(a)	Changed “you” to “the facility owner or operator”; added “any of the following three conditions are fulfilled”
727.290(m)(1)(A)	267.202(a)(1)	Changed “you treat, render, or mix” to “the owner or operator treats, renders, or mixes”; added “the following is true”
727.290(m)(1)(A)(i)	267.202(a)(1)(i)	Changed “you comply” to “the owner or operator complies”
727.290(m)(1)(A)(ii)	267.202(a)(1)(ii)	Changed “under” to “pursuant to”
727.290(m)(2)	267.202(b)	Changed “you treat or store . . . you” to “the facility owner or operator treats or stores . . . it”; changed “built upon” to “built on”; replaced “the National Fire Protection Association’s” before the document title with “NFPA 30” after the title
727.290(m) Board note		Added a reference to the federal source of the material
727.290(n)	267.203 heading	Changed the question section heading into a topical introductory statement “special requirements for incompatible wastes”

Illinois Section	40 C.F.R. Section	Revision(s)
727.290(n)(1)	267.203(a)	Changed “you . . . you comply” to “the facility owner or operator . . . it complies”; removed the unnecessary comma from before and after “or incompatible wastes and materials”
727.290(n)(2)	267.203(b)	Changed “you . . . you comply” to “the facility owner or operator . . . it complies”
727.290(n) Board note		Added a reference to the federal source of the material
727.290(o)	267.204 heading and text	Changed the question section heading into a topical introductory statement “air emission standards”; changed “you” to “the facility owner or operator”; added “RCRA” before “standardized permit”; changed “Thermal” to lower-case “a thermal”; added “a” before “flame”; added “a” before “boiler”; added “a” before “process heater”; added “a” before “condenser”; changed the conjunction “and” to “or”; added “a” before “carbon absorption”
727.290(o) Board note		Added a reference to the federal source of the material
727.900 heading	267, subpart DD heading	Used the federal subpart heading as a Section heading
727.900(a)	267.1100 heading and preamble	Changed the question section heading into a topical introductory statement “applicability of this Section”; changed “you if you own or operate” to “the owner or operator of”; added “RCRA” before “standardized permit”; changed “under” to “pursuant to”; changed “and/or” to “or”; changed “your containment building . . . your unit” to “a containment building . . . the unit”
727.900(a) Board note		Added a reference to the federal source of the material

Illinois Section	40 C.F.R. Section	Revision(s)
727.900(b)	267.1101 heading and preamble	Changed the question section heading into a topical introductory statement “design standards for containment buildings”; changed “your containment building” to “a containment building”; changed “EPA will” to “the Agency may”; added a comma before and after “such as the . . . (ASTM)” to offset it as a parenthetical; changed “and” to “or”
727.900(b)(1)	267.1101(a)	Removed the unnecessary comma before the parenthetical “e.g., precipitation, wind, runoff, etc.”; added “etc.” offset by a comma
727.900(b)(2)	267.1101(b)	Changed “under” to “pursuant to”; added “accomplish the following”
727.900(b)(2)(A)	267.1101(b)(1)	Added “they must”; changed the ending period to a semicolon
727.900(b)(2)(B)	267.1101(b)(2)	Added “they must”; added “any of the following causes”
727.900(b)(2)(B)(i)	267.1101(b)(2)(i)	Changed the ending period to a semicolon
727.900(b)(2)(B)(ii)	267.1101(b)(2)(ii)	Changed the ending period to a semicolon
727.900(b)(2)(B)(iii)	267.1101(b)(2)(iii)	Changed the ending period to a semicolon
727.900(b)(2)(B)(iv)	267.1101(b)(2)(iv)	Changed the ending period to a semicolon; added the ending conjunction “or”
727.900(b)(4)	267.1101(d)	Changed “you” to “the facility owner or operator”
727.900(b)(6)(A)	267.1101(f)(1)	Changed “they” to “the doors and windows”; changed “under” to “pursuant to”; the ending period to a semicolon; added the ending conjunction “and”
727.900(b)(7)	267.1101(g)	Changed “you” to “the facility owner or operator”
727.900(b)(8)	267.1101(h)	Changed “you” to “the facility owner or operator”
727.900(b) Board note		Added a reference to the federal source of the material
727.900(c)	267.1102 heading and preamble	Changed the question section heading into a topical introductory statement “other requirements for preventing releases”; changed “you” to “the facility owner or operator”; changed “and must, at a minimum” to “and must meet the following minimum requirements”

Illinois Section	40 C.F.R. Section	Revision(s)
727.900(c)(1)	267.1102(a)	Added “it must”; changed the ending period to a semicolon
727.900(c)(2)	267.1102(b)	Added “it must”; changed “stored/treated” to “stored or treated”; changed the ending period to a semicolon
727.900(c)(3)	267.1102(c)	Added “it must”; changed “you . . . you” to “the owner or operator . . . it”; changed the ending period to a semicolon; added the ending conjunction “and”
727.900(c)(4)	267.1102(d)	Added “it must”; changed “40 CFR 60, appendix A, Method 22” to “Method 22 of appendix A to 40 CFR 60”; changed the em-dash to an opening parenthesis mark on the method title; added “incorporated . . . 720.111(b)”; changed “you” to “the owner or operator” (twice); added “etc.” offset by a comma
727.900(c) Board note		Added a reference to the federal source of the material
727.900(d)	267.1103 heading and preamble	Changed the question section heading into a topical introductory statement “additional design and operating standards when liquids are in the containment building”; changed “your containment building” to “a containment building”; changed “you” to “the facility owner or operator”; added “the following”
727.900(d)(1)	267.1103(a)	Changed the ending period to a semicolon
727.900(d)(2)	267.1103(b)	Added “as follows” offset by a comma; changed the ending period to a colon
727.900(d)(2)(B)	267.1103(b)(2)	Changed “you” to “the facility owner or operator”; changed the ending period to a colon
727.900(d)(3)	267.1103(c)	Added “as follows” offset by a comma; changed the ending period to a colon
727.900(d)(3)(A)	267.1103(c)(1)	Changed “you” to “the facility owner or operator”; changed “that is, at a minimum” to “that meets the following minimum construction requirements”
727.900(d)(3)(A)(i)	267.1103(c)(1)(i)	Added “it is”; changed numeric “1” to written “one”

Illinois Section	40 C.F.R. Section	Revision(s)
727.900(d)(3)(A)(ii)	267.1103(c)(1)(ii)	Added “it is”; corrected “10-5” to superscripted “10 <sup>-5</sup> ”; changed the ending period to a semicolon
727.900(d)(3)(B)	267.1103(c)(2)	Changed “you . . . you” to “the facility owner or operator . . . it”; changed the ending period to a semicolon; added the ending conjunction “and”
727.900(d)(3)(C)	267.1103(c)(3)	Changed “you” to “the facility owner or operator”
727.900(d) Board note		Added a reference to the federal source of the material
727.900(e)	267.1104 heading and preamble	Changed the question section heading into a topical introductory statement “alternatives to secondary containment requirements”; changed “the Regional Administrator may waive” to “the Agency must, in writing, allow the use of alternatives to the”; added “the Agency has determined that the facility owner or operator has adequately demonstrated both of the following”
727.900(e)(2)	267.1104(b)	Added “the”
727.900(e)(1)	267.1104(a)	Changed the ending period to a semicolon
727.900(e) Board note		Added a reference to the federal source of the material
727.900(f)	267.1105 heading and preamble	Changed the question section heading into a topical introductory statement “requirements where the containment building contains areas both with and without secondary containment”; changed “these containment buildings” to singular “a containment building that contains both areas that have secondary containment and areas that do not have secondary containment”; changed “you” to “the facility owner or operator”; added “fulfill the following requirements”
727.900(f)(1)	267.1105(a)	Added “it must”; changed the ending period to a semicolon
727.900(f)(2)	267.1105(b)	Added “it must”; changed the ending period to a semicolon; added the ending conjunction “and”
727.900(f)(3)	267.1105(c)	Added “it must”

Illinois Section	40 C.F.R. Section	Revision(s)
727.900(f) Board note		Added a reference to the federal source of the material
727.900(g)	267.1106 heading and preamble	Changed the question section heading into a topical introductory statement “requirements in the event of a release”; changed “you detect . . . you” to “the facility owner or operator detects . . . it”; added “the following”
727.900(g)(1)	267.1106(a)	Changed “you” to “the facility owner or operator”; added “undertake each of the following actions”
727.900(g)(1)(A)	267.1106(a)(1)	Added “it must”
727.900(g)(1)(B)	267.1106(a)(2)	Added “it must”
727.900(g)(1)(C)	267.1106(a)(3)	Added “it must”; changed “you must” to “it will need to”
727.900(g)(1)(D)	267.1106(a)(4)	Changed numeric “7” to written “seven”; added “it must”; changed “Regional Administrator” to “Agency” (twice)
727.900(g)(2)	267.1106(b)	Changed “Regional Administrator will” to “Agency must”; changed “you” to “the facility owner or operator”
727.900(g)(3)	267.1106(c)	Changed “you” to “the facility owner or operator”; changed “Regional Administrator” to “Agency”
727.900(g) Board note		Added a reference to the federal source of the material
727.900(h)	267.1107 heading and preamble	Changed the question section heading into a topical introductory statement “a containment building that can be considered secondary containment”; changed “containment buildings . . . secondary containment systems” to singular “a containment building . . . an acceptable secondary containment system”; changed “under certain conditions” to “if both of the following conditions are fulfilled”; changed the ending period to a colon



Illinois Section	40 C.F.R. Section	Revision(s)
727.900(h)(1)	267.1107(a)	Changed “a” to “the”; changed “provided” to “if”; changed the ending period to a semicolon; added the ending conjunction “and”; corrected “Section 727.290(g)(1)” to “Section 727.290(g)(2)” (corresponding with 40 CFR 267.196(b))”
727.900(h)(2)	267.1107(b)	Changed “containment building must also meet” to “containment building also meets”; removed the unnecessary words “to be considered an acceptable secondary containment system for a tank,” which essentially already appear in subsection (h)
727.900(h) Board note		Added a reference to the federal source of the material
727.900(i)	267.1108 heading and preamble	Changed the question section heading into a topical introductory statement “requirements when the owner or operator stops operating the containment building”; changed “you . . . you” to “the facility owner or operator . . . it”; removed the unnecessary comma from before “and manage”
727.900(i) Board note		Added a reference to the federal source of the material
727.Appendix A, Illustration A	267.151(a)	Moved the form from Section 727.240(l)(1); added the appendix and illustration titles
727.Appendix A, Illustration A, introductory ¶	267.151(a)	Added brackets for the explanatory material; added “RCRA” before “standardized permit”; changed “replaced” to “deleted or replaced”; added “including this introductory paragraph, as appropriate” offset by commas as a parenthetical
727.Appendix A, Illustration A, ¶ 1	267.151(a)	Added “insert the” before “name and address”; added “the appropriate of the following statements:” after “insert”; added a semicolon after the material in quotation marks to separate elements of a series (twice)
727.Appendix A, Illustration A, ¶ 2	267.151(a)	Added “the appropriate of the following statements:”

Illinois Section	40 C.F.R. Section	Revision(s)
727.Appendix A, Illustration A, ¶ 3	267.151(a)	Added “insert the” before “month, day”; added “insert the” before “date”
727.Appendix A, Illustration A, ¶ 4	267.151(a)	Added the closing bracket after “information:” to enclose the instructional material; added “the appropriate of the following entities:”
727.Appendix A, Illustration A, ¶ 5	267.151(a)	Added the opening bracket before “Complete Line 1” to enclose the instructional material; placed quotation marks on “Obligations Covered by a Financial Test or Corporate Guarantee”
727.Appendix A, Illustration A, ¶ 7	267.151(a)	Added “the following statement:” after “insert” (twice)
727.Appendix A, Illustration A, ¶ 8	267.151(a)	Added the ending colon after “calculations”; changed “Sum of Lines 3., 4., 5. & 6” to “Sum of Lines 3, 4, 5 & 6”; changed “Line 1. ÷ Line 2. =” to “Line 1 ÷ Line 2 =”; changed “Line 7. ÷ Line 1. =” to “Line 7 ÷ Line 1 =”; changed “Is Line 8. less than 1.5?” to “Is Line 8 less than 1.5?”
727.Appendix A, Illustration A, ¶ 9	267.151(a)	Corrected “owner or operator’s” to “owner’s or operator’s”; changed “this section” to “Section 727.240(d)” (which corresponds with 40 C.F.R. 267.143)
727.Appendix A, Illustration A, table segment, line 4	267.151(a)	Added “total” before “hazardous waste third-party liability”; changed “third party” to hyphenated “third-party”; added the colon before the dollar amount
727.Appendix A, Illustration A, table segment, line 5	267.151(a)	Changed “municipal waste facilities” to “municipal solid waste facilities”
727.Appendix A, Illustration A, table segment, line 8	267.151(a)	Added the entire line for “total municipal solid waste landfill facility liability”
727.Appendix A, Illustration A, table segment, line 9	267.151(a)	Added “facilities” after “underground injection control”; added multiple lines following the preceding format, together with a line labeled “Total Underground Injection Control Facility Liability”
727.Appendix A, Illustration A, table segment, line 9-11	267.151(a)	Added “facilities” after “underground injection control”; added lines to follow the format of the prior table entries

Illinois Section	40 C.F.R. Section	Revision(s)
727.Appendix A, Illustration A, table segment, line 12	267.151(a)	Added the entire line for “total underground injection control facility liability”
727.Appendix A, Illustration A, table segment, lines 13-15	267.151(a)	Added the titles “State” and “closure”; added lines to follow the format of the prior table entries
727.Appendix A, Illustration A, table segment, line 16	267.151(a)	Added the entire line for “total petroleum underground storage tank liability”
727.Appendix A, Illustration A, table segment, lines 17-19	267.151(a)	Added the titles “State” and “closure”; added lines to follow the format of the prior table entries
727.Appendix A, Illustration A, table segment, line 20	267.151(a)	Added the entire line for “total PCB storage facility liability”
727.Appendix A, Illustration A, table segment, line 21	267.151(a)	Added “federally” before “required”; changed “undertaken under” to “taken under”
727.Appendix A, Illustration A, table segment, line 25	267.151(a)	Added the entire line for “total financial assurance under the Comprehensive Environmental Response, Compensation, and Liability Act”
727.Appendix A, Illustration A, table segment, line 26	267.151(a)	Added “site” before “name”
727.Appendix A, Illustration A, table segment, line 29	267.151(a)	Added the entire line for “total other environmental obligations assured”
727.Appendix A, Illustration A, concluding instructions	267.151(a)	Changed “permitting authority of the state or territory where the facility is located” to “Agency”
727.Appendix A, Illustration A Board note	267.151(a) form	Added explanation of the source of the material and its movement from 727.240(1)(1)
727.Appendix A, Illustration B	267.151(b)	Moved the form from Section 727.240(1)(2); added the appendix and illustration titles

Illinois Section	40 C.F.R. Section	Revision(s)
727.Appendix A, Illustration B, introductory ¶	267.151(b)	Added brackets for the explanatory material; added “RCRA” before “standardized permit” (twice); changed “facility(ies)” to “facility (or facilities)”;
727.Appendix A, Illustration B, ¶ 1	267.151(b)	changed “replaced” to “deleted or replaced”; added “including this introductory paragraph, as appropriate” offset by commas as a parenthetical
727.Appendix A, Illustration B, ¶ 1	267.151(b)	Added “insert the” before “name and address”; added “the appropriate of the following statements:” after “insert”
727.Appendix A, Illustration B, ¶ 2	267.151(b)	Added “insert the” before “month, day”; added “insert the” before “date”
727.Appendix A, Illustration B, ¶ 3	267.151(b)	Removed “please” from before “complete”
727.Appendix A, Illustration B, ¶ 6	267.151(b)	Changed “facility(ies) is(are)” to “facility is (or facilities are)”
727.Appendix A, Illustration B, certification statement	267.151(b)	Changed “permitting authority of the state or territory where the facility is located” to “Agency”
727.Appendix A, Illustration B, concluding instructions	267.151(b)	Changed “permitting authority of the state or territory where the facility is located” to “Agency”
727.Appendix A, Illustration B Board note	267.151(b) form	Added explanation of the source of the material and its movement from 727.240(1)(2)
727.Appendix B, Table A		Added the table to correlate the federal RCRA standardized permit rule provisions of 40 CFR 124, 267, and 270 with their Illinois counterparts in 35 Ill. Adm. Code 703, 705, and 727
727.Appendix B, Table A Board note		Added explanation of the table and the Board’s intent that the table have no substantive effect on the rules
727.Appendix B, Table B		Added the table to correlate the Illinois RCRA standardized permit rule provisions of 35 Ill. Adm. Code 703, 705, and 727 with their federal counterparts in 40 CFR 124, 267, and 270
727.Appendix B, Table B Board note		Added explanation of the table and the Board’s intent that the table have no substantive effect on the rules

Illinois Section	40 C.F.R. Section	Revision(s)
728.101(h)	271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 728
728.101(h) Board note		Added a reference to the federal source of the material
730.101(c)	145.11(a)(33)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 730
730.101(c) Board note		Added a reference to the federal source of the material
733.101(c)	271.10(b), 271.11(b), and 271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 733
733.101(c) Board note		Added a reference to the federal source of the material
733.104(b)(2)	273.4(b)(2)	Retained the words “it is a waste . . . and it exhibits” in place of “it exhibits”
733.109 “ampule”	273.9 “ampule”	Changed the defined term from italics to normal typeface and placed it in quotation marks
733.109 “large quantity handler of universal waste”	273.9 “large quantity handler of universal waste”	Changed “5,000 kilogram” to hyphenated “5,000-kilogram”
733.113(c)	273.13(c)	Retained “universal waste” before “mercury-containing equipment”
733.113(c)(3)	273.13(c)(3)	Added “does as follows”
733.113(c)(3)(A)	273.13(c)(3)(i)	Added “it”
733.113(c)(3)(B)	273.13(c)(3)(ii)	Added “it”
733.113(c)(4)	273.13(c)(4)	Retained the topical statement “required hazardous waste . . . management”
733.113(c)(4)(A)	273.13(c)(4)(i)	Changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.113(c)(4)(A)(ii)	273.13(c)(4)(i)(B)	Retained the defined term “mercury-containing equipment” in place of “mercury-containing device”
733.114(d)	273.14(d)	Added the topical statement “universal waste . . . labeling:”
733.114(d)(1)	273.14(d)(1)	Removed the unnecessary commas before and after “or a container . . . is contained”
733.133(c)(3)	273.33(c)(3)	Added “does as follows”

Illinois Section	40 C.F.R. Section	Revision(s)
733.133(c)(3)(A)	273.33(c)(3)(i)	Added “it”
733.133(c)(3)(B)	273.33(c)(3)(ii)	Added “it”; changed “under” to “pursuant to”
733.133(c)(4)	273.14(c)(4)	Added the topical statement “required . . . management.”
733.133(c)(4)(A)(ii)	273.13(c)(4)(i)(B)	Retained the defined term “mercury-containing equipment” in place of “mercury-containing device”
733.134(d)	273.14(d)	Added the topical statement “universal waste . . . labeling:”
733.134(d)(1)	273.14(d)(1)	Removed the unnecessary commas before and after “or a container . . . is contained”
738.106	271.10(b), 271.11(b), and 271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 738
738.106 Board note		Added a reference to the federal source of the material
739.113	271.10(b), 271.11(b), and 271.12(h)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 739
739.113 Board note		Added a reference to the federal source of the material
810.105	3 and 258.29(d)	Incorporated the federal requirements generally for the purposes of the UIC and RCRA Subtitle C programs
810.105	3 and 258.29(d)	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(a)	3.1(a)	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(a)(1)	3.2 and 3.1000(a)	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(a)(2)(A)	3.2(a) and 3.10	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(a)(2)(B)	3.2(b) and 3.1000	Loosely and generally incorporated the federal requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(a)(3)	3.1(b)	Added “any of the following documents . . . in subsection (a)(1) of this Section”

Illinois Section	40 C.F.R. Section	Revision(s)
810.105(a)(3)(A)	3.1(b)(1)	Changed “documents” to singular “any document”; omitted the ending conjunction “or”
810.105(a)(3)(B)	3.1(b)(2)	Changed “documents” to singular “any document”; changed the ending period to a semicolon and added the ending conjunction “or”
810.105(a)(3)(C)	3.1(c)	Changed “EPA” to “USEPA”; changed the conjunction “and” to a comma after “USEPA”; changed “states, tribes, or local governments” to singular “any state, or any local government”; changed “states, tribes, or local governments” to “the parties to the transfer”
810.105(a)(4)	3.20	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(a) Board note		Added a reference to the federal source of the material
810.105(b)	3.3	Incorporated the federal definitions by reference
810.105(c)	3.10	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(d)	3.2(b) and (c) and 3.1000(a)	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(d)(1)	3.2(b) and (c) and 3.1000(a)	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(d)(2)	3.2(b)	Loosely and generally incorporated the federal notice requirements for the purposes of the UIC and RCRA Subtitle C programs
810.105(e)		Added the topical subsection statement “effects of submission of an electronic document”

Illinois Section	40 C.F.R. Section	Revision(s)
810.105(e)(2)	3.4(b) and 3.2000(c)(1)	Changed “a person is subject to . . . if the person fails to comply with the applicable provisions for electronic reporting” to “if a person who submits . . . fails to comply with the requirements of this Section, that person is subject to . . .”; changed “any appropriate civil, criminal penalties or other remedies under state, tribe, or local law” to “the penalties prescribed”; changed “a requirement” to “the requirement that the electronic document was intended to satisfy”
810.105(e)(3)	3.4(c) and 3.2000(c)(2)	Changed “an electronic document submitted to satisfy a . . . requirement” to “a document submitted as an electronic document to satisfy a reporting requirement”; changed “signatory” to “signer” (twice); omitted the unnecessary comma from before “to the same extent”
810.105(e) Board note		Added a reference to the federal source of the material
810.105(f)	3.1(c) second sentence	Changed “this part creates no” to “nothing in this Section or in any provisions adopted . . . will create any”; changed “data electronically and does not obligate . . . accept electronic documents” to “any document as an electronic document”
810.105 Board note		Added a reference to the federal source of the material
811.113	258.29(d)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 811
811.113 Board note		Added a reference to the federal source of the material
812.117	258.29(d)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 812
812.117 Board note		Added a reference to the federal source of the material



Illinois Section	40 C.F.R. Section	Revision(s)
813.113	258.29(d)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 812
813.113 Board note		Added a reference to the federal source of the material
814.110	258.29(d)	Added a cross-reference to the provision incorporating federal electronic document filing requirements of 40 C.F.R. 3 into Part 812
814.110 Board note		Added a reference to the federal source of the material

**Table B**  
**Board Housekeeping Amendments**

Section	Source	Revision(s)
702 table of contents, 702.102 heading	Board	Changed “Purpose and Scope (Repealed)” to “Electronic Reporting”
702 table of contents, 702.103 heading	Board	Changed “Confidentiality of” to “Trade Secret or Non-Disclosable”
702 source note	Board	Removed the reference to “47 PCB 93” and the offsetting commas; removed the reference to “at 53 PCB 131” and the offsetting commas
702.101(a)	Board	Added the ending period
702.101(a)(1)	Board	Changed “these” to “the”; added “of 35 Ill. Adm. Code 702 through 705” after “permit regulations”; added “the following” before “two permit programs”
702.101(a)(1)(A)	Board	Changed “under” to “pursuant to”; added the statutory citation “415 ILCS 5/Title V and Title X” in brackets
702.101(a)(1)(B)	Board	Changed “under” to “pursuant to”; added the statutory citation “415 ILCS 5/Title III and Title X” in brackets
702.101(a)(2)	Board	Changed “these regulations” to “the regulations of 35 Ill. Adm. Code 702 through 705”; corrected “40 CFR 144 and 270” to “40 CFR 124, 144, and 270”
702.101(b)	Board	Added the ending period
702.101(b)(1)	Board	Changed “these regulations” to “the regulations of 35 Ill. Adm. Code 702 through 705”; added “the following” before “four Parts”
702.101(b)(1)(A)	Board	Corrected “35 Ill. Adm. Code 702” to “this Part”; changed “35 Ill. Adm. Code 702, 703, 704, and 705” to “35 Ill. Adm. Code 702 through 705”
702.101(b)(1)(B)	Board	Added “the regulations of” before “35 Ill. Adm. Code 703”; changed “contains” to plural “contain”

Section	Source	Revision(s)
702.101(b)(1)(C)	Board	Added “the regulations of” before “35 Ill. Adm. Code 704”; changed “contains” to plural “contain”
702.101(b)(1)(D)	Board	Added “the regulations of” before “35 Ill. Adm. Code 703”; changed “establishes” to plural “establish”; moved “of RCRA and UIC permits” from the end to follow “issuance”
702.101(b)(2)	Board	Removed the introductory sentence “35 Ill. Adm. Code . . . organized into subparts”; changed “these Parts” to “35 Ill. Adm. Code 702 through 704”; corrected “structure and coverage . . . is” to plural “structure and coverage are”
702.101(b)(2) table	Board	Corrected all-caps “CODE” to capitalized “Code” (three times); removed the comma and corrected all-caps “SUBPART” to capitalized “Subpart” (three times); added “permit” before “application”; changed “D and E” to “D”; added the entry “special forms of permits”; added “permit” before “conditions”; added the entry “permit modification”; added the entry “remedial action plans”; added the entry “integration with MACT standards”; added the entry “RCRA standardized permits”; added the entry “integration with MACT standards”; changed “hazardous waste wells” to “requirements applicable to hazardous waste injection wells”; added the entry “financial responsibility for Class I hazardous waste injection wells”; added the entry “requirements applicable to Class V injection wells”
702.101(c)	JCAR, Board	Changed “Other Requirements” to lower-case “other requirements”; added the ending period
702.101(c)(1)	JCAR, Board	Changed “Other Requirements” to lower-case “other requirements”; changed “applicants for RCRA . . . permits and persons . . . their applications on Agency permit . . . forms” to singular “an applicant for a RCRA . . . permit, or a person . . . its application on an Agency permit . . . form”; added commas to offset “or a person . . . under RCRA” to offset it as an independent clause; added “such is” before “available”

Section	Source	Revision(s)
702.101(c)(2)	JCAR, Board	Changed “Application Forms” to lower-case “application forms”; changed “the . . . programs . . . each have” to “each of the . . . programs . . . has”; changed “those programs” to singular “that program”; changed “what requirements must” to “the requirements that must”; changed “in permits if they are issued” to singular “in any permit that it issues”; changed “720 through 726, 728, and 739” to “720 through 728, 733, and 739”
702.101 Board note	Board	Removed the separate date from the citation to “40 CFR 144.1”; updated the <i>Code of Federal Regulations</i> citation to the latest edition available
702.103 heading	Board	Changed “confidentiality of information” to “trade secret or non-disclosable information”
702.103(a)	Board, JCAR	Added the bracketed statutory citation “[415 ILCS 5/7]”; added “federally” before “required”; changed “certain information submitted . . . may be claimed as confidential by the submitter” to active-voice “a person submitting certain information . . . may claim that information as trade secret or non-disclosable information”; changed “these regulations and 35 Ill. Adm. Code 703 through 705”; changed “35 Ill. Adm. Code 101.Subpart D and 120” to “35 Ill. Adm. Code 130”; changed “35 Ill. Adm. Code 120” to “35 Ill. Adm. Code 130”
702.103(b)	Board	Changed “confidentiality” to “trade secret or non-disclosable information”
702.103(b)(2)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
702.103 Board note	Board	Removed the separate date from the citation to “40 CFR 144.5”; updated the <i>Code of Federal Regulations</i> citation to the latest edition available
702.104	Board	Changed “35 Ill. Adm. Code 720.111 includes all sources incorporated” to “the centralized . . . provisions of 35 Ill. Adm. Code 720.111 include the incorporation of all documents”; changed “for” to “that are used . . . requirements of”
702.104 Board note	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available

Section	Source	Revision(s)
702.105(a)(1)	Board	Added the opening sentence “Generally applicable federal rules.”; added “7.2” offset in the series offset by a comma; added a comma after “13(c)” to offset the final element of the series; added the bracketed statutory citation “[415 ILCS 5/7.2, 13(c), and 22.4]”; changed the comma after the statutory citation to a period to break the sentence into two; added “the Board’s intent is” to complete sentence; changed “either of” to “the appropriate of”; added “update” before “periods”; deleted “of each calendar year” after the cited date spans; added “itself” after “the Board”; changed “initiates proposed amendments . . . if any are necessary” to “initiates any necessary amendments . . .”; changed “no rulemaking proposal is necessary” to “no person needs to file a rulemaking proposal”; added the statement about exclusion of rules pertaining to facilities outside Illinois
702.105(a)(2)	Board	Added the sentence “The Board does not . . . regulated community”; added the sentence “The owner or operator . . . rulemaking proposal”; deleted “for any other identical-in-substance rulemaking actions”; added “wishing such inclusion” after “any person”; added “appropriate amendments . . . program” after “adopt”; added “7.2” offset in the series offset by a comma; added a comma after “13(c)” to offset the final element of the series; added the bracketed statutory citation “[415 ILCS 5/7.2, 13(c), and 22.4]”; changed “shall” to “must”; added “together with copies . . . to be based”
702.105(b)	Board	Changed “shall” to “must”; changed “35 Ill. Adm. Code 101” to “35 Ill. Adm. Code 101 and 102”; removed the unnecessary comma from before “and Sections . . .”; changed “Title VII and Sections 13(d), 22.4(b) and 22.4(c)” to “Sections 13(d), 22.4(b) and (c), and Title VII”; added the bracketed statutory citation “[415 ILCS 5/13(d), 22.4(b) and (c), and Title VII]”
702.106(a)	Board	Changed “the purpose of this section is to authorize the Agency to publish” to “the Agency may, in its sole discretion, adopt”; added the bracketed statutory citation “[415 ILCS 5/4 and 39]”; moved “as rules” from the end to follow “codify”; added “those” before “policies”; changed “agency” to capitalized “Agency”
702.106(b)	Board	Changed “shall” to “must”; changed “affecting” to “that affect”

Section	Source	Revision(s)
702.106(c)	Board	Changed “are adopted” to active-voice “the Agency adopts”; changed “shall” to “must”; added “each of the following”
702.106(d)	Board	Added “Agency-adopted” before “criteria” (twice)
702.107 preamble	Board	Changed “under” to “pursuant to”; changed “35 Ill. Adm. Code 702 through 704, 721 through 726, 728, 730, or 738” to “35 Ill. Adm. Code 702 through 704, 721 through 728, 730, 733, 738, or 739”
702.107(a)	Board	Replaced the conjunction “or” with a comma after “application” to separate the first and second elements of a series; removed the unnecessary comma from after “regulations”; added the bracketed statutory citation “[415 ILCS 5/Title X]”
702.107(b)	Board	Corrected the subsection number to lower-case “b”; changed “are not necessary” to “may not be”; changed “those determinations” to “an Agency determination that is not a permit determination”
702.108(a)	Board	Changed “which” to “that” for a restrictive relative clause”; added “the following” before “two forms”
702.108(a)(1)	Board	Corrected the statutory citation to “415 ILCS 5/Title IX”; corrected “35 Ill. Adm. Code 104” to “Subtitle B of 35 Ill. Adm. Code 104”
702.108(a)(2)	Board	Added the bracketed statutory citation to “415 ILCS 5/28.2”; corrected “35 Ill. Adm. Code 106” to “Subtitle D of 35 Ill. Adm. Code 104”
702.109 preamble	Board	Changed “Environmental Protection Act” to the defined short-form “Act”; added the bracketed statutory citation to “415 ILCS 5/Title VIII”
702.109(b)	Board	Changed “shall” to “must”
702.110 preamble	Board	Corrected “appropriate Act” to lower-case “appropriate act”; added “and regulations, as such are defined in this Section”; removed the sentence “When a defined term . . . as an aid to readers.”
702.110 “application”	Board	Changed “under” to “pursuant to”
702.110 “appropriate act and regulations”	Board	Added “federal” before “Resource Conservation and Recovery Act”; added “42 USC 6901 et seq.” in parentheses; added “federal” before “Safe Drinking Water Act”; added “42 USC 300f et seq.” in parentheses; removed the unnecessary quotation marks from “Environmental Protection Act”; added the definite article “the” before “applicable”

Section	Source	Revision(s)
702.110 “approved program or approved state”	Board	Changed “under” to “pursuant to”; removed the unnecessary date from the citation “40 CFR 271”; added the federal statutory citation “42 U.S.C. 300h-1” in parentheses before “UIC”
702.110 “Board”	Board	Added “RCRA and UIC” in parentheses
702.110 “cesspool”	Board	Added “UIC” in parentheses
702.110 “closure”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724”
702.110 “corrective action management unit”	Board	Added “RCRA” in parentheses; changed “under” to “pursuant to” (twice); added a space to correct “724for” to “724 for”; added the statutory citation “42 USC 6928(h)” in parentheses
702.110 “CWA”	Board	Added “RCRA and UIC” in parentheses; deleted “formerly referred to . . . Amendments of 1972” in parentheses; deleted “P.L. 92-500” and the offsetting comma; moved the statutory citation “33 USC 1251 et seq.” to immediately follow “Clean Water Act,” removing the semicolon that offset it; changed “as amended by P.L. 95-217 and P.L. 95-576” to “as amended”
702.110 “date of approval by USEPA of the Illinois UIC program”	Board	Added “UIC” in parentheses
702.110 “Director”	Board	Added “RCRA and UIC” in parentheses
702.110 “disposal”	Board	Removed the unnecessary quotation marks from “hazardous waste”
702.110 “disposal facility”	Board	Removed the unnecessary quotation marks from “hazardous waste”; removed the unnecessary quotation marks from “disposal facility” in the body of the definition
702.110 “draft permit”	Board	Added “RCRA and UIC” in parentheses; changed “under” to “pursuant to”; removed the unnecessary quotation marks from “permit”; removed the unnecessary quotation marks from “draft permit” in the body of the definition (twice); moved the ending period inside the closing quotation mark
702.110 “drywell”	Board	Added “UIC” in parentheses
702.110 “elementary neutralization unit”	Board	Added “RCRA” in parentheses; changed “device which” to “device of which the following is true”; added “it” (twice)
702.110 “emergency permit”	Board	Added “RCRA and UIC” in parentheses

Section	Source	Revision(s)
702.110 “Environmental Protection Agency”	Board	Added “RCRA and UIC” in parentheses
702.110 “existing hazardous waste management (HWM) facility”	Board	Added “RCRA” in parentheses; added “the following occurs”; added “RCRA” in parentheses; added “of the following has transpired”
702.110 “existing injection well”	Board	Changed “other than” to “that is not”
702.110 “facility mailing list”	Board	Added “RCRA” in parentheses
702.110 “facility or activity”	Board	Added “RCRA and UIC” in parentheses
702.110 “facility mailing list”	Board	Removed the duplicate definition
702.110 “federal, state, and local approvals necessary to begin physical construction”	Board	Added “RCRA” in parentheses; removed the obsolete cross-reference “see 35 Ill. Adm. Code 700.102” in parentheses
702.110 “final authorization”	Board	Added “January 31, 1986, the date of” in parentheses; added the statutory citation “42 USC 6926(b)” in parentheses; changed “40 CFR 271, Subpart A” to “subpart A of 40 CFR 271”; removed the date in “1996” parentheses from the citation; removed the sentence “USEPA . . . January 31, 1986.”
702.110 “formation fluid”	Board	Removed the unnecessary quotation marks from “drilling mud”
702.110 “generator”	Board	Removed the unnecessary quotation marks from “hazardous waste”; removed the unnecessary words “identified or listed in 35 Ill. Adm. Code 721”
702.110 “hazardous waste management facility”	Board	Added “RCRA” in parentheses; removed the unnecessary quotation marks from “hazardous waste”
702.110 “improved sinkhole”	Board	Added “UIC” in parentheses
702.110 “in operation”	Board	Removed the closing quotation mark from “hazardous waste”
702.110 “interim authorization”	Board	Added “May 2, 1982, the date of” in parentheses; changed “Section 3006(g)(2)” to lower-case “section 3006(g)(2)”; added the statutory citation “42 USC 6926(g)(2)” in parentheses; removed the date in “1996” parentheses from the citation; removed the sentence “This happened on January 31, 1986.”

Section	Source	Revision(s)
702.110 “interstate agency”	Board	Removed the unnecessary quotation marks from “appropriate act”; corrected “appropriate Act” to lower-case “appropriate act”
702.110 “manifest”	Board	Removed the unnecessary quotation marks from “generator”
702.110 “National Pollutant Discharge Elimination System”	Board	Changed “under” to “pursuant to”; removed the unnecessary quotation marks from “approved program”
702.110 “permit”	Board	Removed “the requirements of” from before “this Part”; changed “703.144” to “703.238”; added the material from the second paragraph of the definition (defining what a permit does not include) to the end of the first paragraph (defining what a permit includes)
702.110 “physical construction”	Board	Removed the closing quotation mark from “hazardous waste”
702.110 “radioactive waste”	Board	Changed “10 CFR 20, Appendix B, Table II, Column 2” to “table II, column 2 in appendix B to 10 CFR 20”
702.110 “RCRA”	Board	Added “RCRA” in parentheses; removed “Solid Waste Disposal Act as amended by the”; removed “P.L. 94-580, as amended by P.L. 95-609, P.L. 96-510”; removed the unnecessary date “1996” in parentheses; changed “under” to “pursuant to”; added “738” and an offsetting comma before “and 739”
702.110 “RCRA permit”	Board	Added “RCRA” in parentheses; changed “under” to “pursuant to”; changed “Environmental Protection Act” to the defined short-form “Act”; added the bracketed statutory citation to “415 ILCS 5/21(f)”
702.110 “Regional Administrator”	Board	Added “RCRA and UIC” in parentheses; changed “for the USEPA” to “of the USEPA”
702.110 “Regional Administrator” Board note	Board	Added the note explaining “Illinois is in USEPA Region 5”
702.110 “remedial action plan”	Board	Added “RCRA” in parentheses; changed “Action Plan” to lower-case “action plan”; changed “under” to “pursuant to”
702.110 “sanitary waste”	Board	Added “UIC” in parentheses
702.110 “schedule of compliance”	Board	Added “RCRA and UIC” in parentheses; changed “for the USEPA” to “of the USEPA”
702.110 “SDWA”	Board	Added “UIC” in parentheses; removed “P.L. 93-523, as amended”; removed the date “1996” in parentheses
702.110 “septic system”	Board	Added “UIC” in parentheses
702.110 “site”	Board	Added “RCRA and UIC” in parentheses



Section	Source	Revision(s)
702.110 “SIC code”	Board	Added “RCRA and UIC” in parentheses; removed “codes pursuant to” placed the full-name alternative for the defined term in quotation marks, changing “Code” to lower-case “code”; removed “as”; added a period after the full-name alternative for the defined term to break the sentence; added “this is the code . . . in its publication”; added quotation marks and commas before and after the document title “Standard Industrial Classification Manual”
702.110 “State”	Board	Added “RCRA and UIC” in parentheses
702.110 “State Director”	Board	Added “RCRA and UIC” in parentheses
702.110 “State/USEPA agreement”	Board	Added “RCRA and UIC” in parentheses
702.110 “stratum”	Board	Changed the quotation marks to include only “stratum” and “strata,” not the full parenthetical
702.110 “subsurface fluid distribution system”	Board	Added “UIC” in parentheses
702.110 “total dissolved solids”	Board	Changed “40 CFR 136” to more specific “40 CFR 136.3”; added the section title “Identification of Test Procedures” in parentheses; added “the method for filterable residues” to the parenthetical offset by a semicolon
702.110 “transfer facility”	Board	Added “RCRA” in parentheses
702.110 “UIC”	Board	Added “UIC” in parentheses
702.110 “underground source of drinking water”	Board	Removed the parentheses from the alternative defined phrase (abbreviation); added “or” before the alternative defined phrase; changed “mg/l” to “mg/ℓ”
702.110 “wastewater treatment unit”	Board	Added “RCRA” in parentheses; changed “that” to “of which the following is true”; added “it” (three times)); changed “under” to “pursuant to”
702.110 “well injection”	Board	Removed the duplicate definition
702.110 Board note	Board	Added the citation to “124.2” offset by a comma in the series; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation and adding a <i>Federal Register</i> citation for later amendments

Section	Source	Revision(s)
702.120(a)	Board	Removed all references to RCRA to a new subsection and designated remaining existing text as subsection (a); added the introductory statement “Applying for a UIC Permit.”; removed “35 Ill. Adm. Code 703.180 (RCRA) and”; changed “persons” to singular “any person who is”; removed “interim status under RCRA (35 Ill. Adm. Code 703.Subpart C or”; changed “35 Ill. Adm. Code 704.Subpart C” to “Subpart C of 35 Ill. Adm. Code 704”; changed “shall” to “must”; changed “permits” to singular “a permit”; added “to do so” after “required”; removed the sentence “Persons covered by RCRA . . . need not apply.”; changed “procedures for applications . . . emergency permits are” to singular “the procedure for application . . . an emergency permit is”; added a comma after “issuance” to offset the final element of a series; removed “35 Ill. Adm. Code 703.221 (RCRA) and”; removed the sentence “Procedures for application . . . 703.231 (RCRA).”
702.120(b)	Board	Moved all references to RCRA to a new subsection and designated it as subsection (b), reorganizing it according to the September 8, 2005 federal amendments
702.120 Board note	Board	Added “subsection (a) of this Section is” before “derived”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
702.122	Board	Changed “shall” to “must”; added a comma before “except for” to offset the parenthetical
702.120 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.123 preamble	Board	Changed “all applicants” to singular “an applicant”; changed “RCRA or UIC permits” to singular “RCRA or UIC permit”; added the indefinite article “a” before “RCRA”; changed “shall” to “must”; changed “35 Ill. Adm. Code 703.Subpart D” to “Subpart D of 35 Ill. Adm. Code 703”
702.123(b)	Board	Added the definite article “the”
702.123(f)(1)	Board	Added the definite article “the”; changed “Hazardous Waste Management” to lower-case “hazardous waste management”; changed the ending period to a semicolon
702.123(f)(2)	Board	Added the definite article “the”; changed the ending period to a semicolon

Section	Source	Revision(s)
702.123(f)(3)	Board	Added the definite article “the”; added “National Pollutant Discharge Elimination System”; added parentheses to “NPDES”; added the statutory citation “33 USC 1251 et seq.” in parentheses; changed the ending period to a semicolon
702.123(f)(4)	Board	Added the definite article “the”; added “federal” before “Clean Air Act”; added the statutory citation “42 USC 7401 et seq.” in parentheses; changed the ending period to a semicolon
702.123(f)(5)	Board	Added the definite article “the”; added “federal” before “Clean Air Act”; changed the ending period to a semicolon
702.123(f)(6)	Board	Added the definite article “the”; corrected “NESHAPS” to “NESHAPs”; added “federal” before “Clean Air Act”; changed the ending period to a semicolon
702.123(f)(7)	Board	Added “any”; added “federal” before “Marine Protection Research and Sanctuaries Act”; added the statutory citation “33 USC 1401 et seq.” in parentheses; changed the ending period to a semicolon
702.123(f)(7)	Board	Added “any”; added the statutory citation “33 USC 1344” in parentheses; changed the ending period to a semicolon; added the ending conjunction “and”
702.123(f)(9)	Board	Added “any”; changed “Illinois permits” to “State-issued permits”
702.123(g)	Board	Added “which are” before “otherwise known”; changed “one fourth mile” to “one-quarter mile”
702.123 Board note	Board	Updated the citations to the <i>Code of Federal Regulations</i> to the most recent edition; removed the conjunction “and” from between the first and second elements and added commas between all elements of the series
702.124	Board	Changed “applicants” to singular “an applicant”; changed “shall” to “must”; changed “under” to “pursuant to”; changed “703.Subpart D” to “Subpart D of 35 Ill. Adm. Code 703”; changed numeric “3” to written “three”
702.124 Board note	Board	Updated the citations to the <i>Code of Federal Regulations</i> to the most recent edition
702.125(a)	Board	Added “both of the following conditions are fulfilled”
702.125(a)(1)	Board	Changed “under” to “pursuant to” (twice)
702.125(a)(2)	Board	Changed “under” to “pursuant to”
702.125(b)	Board	Added a comma after “expired permit” to offset the introductory phrase
702.125(c)	Board	Changed “under” to “pursuant to”
702.125(c)(2)	Board	Changed “under” to “pursuant to” (twice)

Section	Source	Revision(s)
702.125(c)(3)	Board	Changed “under” to “pursuant to”
702.125(c)(4)	Board	Added the bracketed statutory citation “415 ILCS 5”
702.125(d)	Board	Added the explanatory material to maintain structural consistency
702.125 Board note	Board	Updated the citations to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
702.126(a)	Board	Changed “all applications” to singular “a permit application”; changed “shall” to “must”
702.126(a)(1)	Board	Added “a permit application must be signed”; changed “this section” to capitalized “this Section”
702.126(a)(1)(A)	Board, JCAR	Changed “decision making” to “decision-making”; changed the ending comma to a semicolon
702.126(a)(1) Board note	Board	Added a comma before “unless” to offset the parenthetical; changed “under” to “pursuant to”; added a comma before “rather than” to offset the parenthetical
702.126(a)(2)	Board	Added “a permit application must be signed”
702.126(a)(3)	Board	Added “a permit application must be signed”; added “either of the following persons”
702.126(b)	Board	Changed “shall” to “must”; added “each of the following conditions must be fulfilled”
702.126(c)	Board	Changed “under” to “pursuant to”
702.126(c)(1)	Board	Changed “under” to “pursuant to”; changed “shall” to “must”
702.126(c)(2)	Board	Changed “under” to “pursuant to”
702.126 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
702.140	Board	Changed “this Subpart” to “this Subpart C”; changed “35 Ill. Adm. Code 703.Subpart F” to “Subpart F of 35 Ill. Adm. Code 703”; changed “35 Ill. Adm. Code 704.Subpart E” to “Subpart E of 35 Ill. Adm. Code 704”; changed “shall” to “must”
702.140 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.141	Board	Changed “this” to “its”; added “for one or more or the following actions”; changed the semicolon to a comma to separate elements of a series (twice)
702.141 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition; removed the unnecessary closing parenthesis mark
702.142	Board	Changed “the” to “a”; changed “this” to “its”; changed “this” to “the”

Section	Source	Revision(s)
702.142 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.143	Board	Changed “shall” to “will”; changed “this” to “its”
702.143 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.144(a)	Board	Added a comma after “permits” to offset the introductory paragraph; changed “the” to “its”; changed “shall” to “must” (twice)
702.144(b)	Board	Changed “shall” to “must”; changed “the” to “its”
702.144 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.145	Board	Changed “shall” to “must”; changed “this” to “its”; changed “this provision” to “proper operation and maintenance”
702.145 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.146	Board	Changed “this” to “a”; changed “revocation” to “reissuance”
702.146 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.147	Board	Changed “this” to “a”; changed “does not convey any” to “conveys no”; changed “or” to “nor”; added “does a permit convey”
702.147 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.148	Board	Changed “the” to “a”; changed “shall” to “must” (twice); changed “modifying, revoking and reissuing, or terminating this permit” to “modifying or reissuing this permit”
702.148 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.148 preamble	Board	Changed “the” to “a”; changed “shall” to “must”; added “do any of the following”
702.148 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.150(a)	Board	Changed “shall” to “must”
702.150(b)	Board	Changed “shall” to “must”; changed a comma to a semicolon to separate elements of a series that contains a sub-series; changed “this” to “its” (twice); changed numeric “3” to written “three”
702.150(c)	Board	Changed “shall” to “must”; added “all of the following information”
702.150(c)(2)	Board	Changed “individual(s)” to “individuals”
702.150(c)(3)	Board	Changed “date(s)” to “dates”

Section	Source	Revision(s)
702.150(c)(4)	Board	Changed “individual(s)” to “individuals”
702.150 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.151	Board	Corrected “all application” to plural “all applications”; changed “shall” to “must”; removed “the requirements of” from before “Section 702.126”
702.151 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.152(a)	Board	Changed “shall” to “must”
702.152(b)	Board	Changed “shall” to “must”; changed “which” to “that” for a restrictive relative clause
702.152(c)	Board	Added a comma before “except after” to offset a parenthetical
702.152(d)	Board	Changed “shall” to “must”
702.152(e)	Board	Changed “shall” to “must”
702.152(g)	Board	Changed “shall” to “must” (twice); changed “under” to “pursuant to”; changed “subsections (d), (e), and (f)” to “subsection (d), (e), and (f) of this Section”; changed “subsection (f)” to “subsection (f) of this Section”
702.152(h)	Board	Changed “shall” to “must”
702.151 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.160(a)	Board	Changed “shall” to “must”; moved “in RCRA and UIC permits” to follow “conditions”; changed “under” to “pursuant to”; added the Section topic “financial responsibility” in parentheses after “704.189”; added the Section topic “additional conditions” in parentheses after “704.191”; changed “35 Ill. Adm. Code 730.Subpart G” to “Subpart G of 35 Ill. Adm. Code 730”; added the Subpart topic “criteria and standards . . . injection wells” in parentheses after “730”; changed “35 Ill. Adm. Code 704.Subpart E” to “Subpart E of 35 Ill. Adm. Code 704”
702.160(b)(1)	Board	Changed “35 Ill. Adm. Code 730.Subpart F” to “Subpart F of 35 Ill. Adm. Code 703”; changed “35 Ill. Adm. Code 704.Subpart C” to “Subpart C of 35 Ill. Adm. Code 704”; corrected “provides” to singular “provide”; corrected “appropriate Act” to lower-case “appropriate act”
702.160(b)(2)	Board	Changed “35 Ill. Adm. Code . . . provides” to “the provisions of 35 Ill. Adm. Code . . .”

Section	Source	Revision(s)
702.160(b)(3)	Board	Changed “new or reissued permits” to singular “a new or reissued permit”; changed “modified permits” to singular “a modified permit” and moved it before “to the extent allowed”; changed “under” to “pursuant to”; changed “shall” to “must”; changed “35 Ill. Adm. Code 703.241 et seq.” to “Subpart F of 35 Ill. Adm. Code 703”; changed “35 Ill. Adm. Code 704.182 through 704.191” to “Subpart E of 35 Ill. Adm. Code 704”
702.160(c)	Board	Changed “shall” to “must”
702.160 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.161(a)	Board	Added the statement “Permit duration.”
702.161(a)(1)	Board	Changed “RCRA permits” to singular “a RCRA permit”; changed “shall” to “must”; removed the unnecessary comma after “fixed term”; added “but” before “not to exceed”
702.161(a)(2)	Board	Changed “UIC permits ” to singular “a UIC permit” (twice); changed “Class I and Class V wells” to singular “a Class I or Class V injection well”; removed the unnecessary comma after “fixed term”; added “but” before “not to exceed”; changed “Class III wells” to singular “a Class III injection well”; changed “shall” to “must” (three times); added a comma before “unless” to offset a parenthetical; added a comma before “as provided in” to offset a parenthetical; changed “modified, revoked, or a minor modification” to “modified, reissued, or a minor modification”; changed “shall be required” to “must”
702.161(b)	Board	Changed “shall” to “must”
702.161(c)	Board	Changed “under” to “pursuant to”
702.161(d)	Board	Changed “shall” to “must” (twice); added “no later than” before “five years”; added “the Agency” before “must” to complete an independent clause
702.160 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.162 preamble	Board	Changed “appropriate Act” to lower-case “appropriate act”
702.162(a)	Board	Changed “under” to “pursuant to”; changed “this section” to “this Section”; changed “shall” to “must” (twice); changed numeric “3” to written “three”
702.162(b)	Board	Changed numeric “1” to written “one”; changed “shall” to “must”
702.162(b)(1)	Board	Changed “shall” to “must”; changed numeric “1” to written “one”

Section	Source	Revision(s)
702.162(b)(2)	Board	Changed numeric “1” to written “one”; changed “shall” to “must”
702.162(c)	Board	Changed “shall” to “must” (three times); changed “subsection (a) above” to “subsection (a) of this Section”
702.162(d)	Board, JCAR	Added a comma after “to avoid delay” to offset it as an introductory phrase; changed “35 Ill. Adm. Code 104” to “Subpart B of 35 Ill. Adm. Code 104”
702.162 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.163 preamble	Board	Added “by” before “closing” (twice); removed the unnecessary conjunction “or” and the offsetting comma after “applicable requirements”; added a comma before “rather than” to offset the parenthetical; changed “continue” to “continuing”
702.163(a)	Board	Added “either of the following must occur” offset by a comma
702.163(a)(2)	Board	Changed “shall” to “must”
702.163(b)	Board	Changed “shall” to “must”
702.163(c)	Board	Changed “two schedules” to “two alternative schedules”; added a comma before “as follows” to offset a parenthetical
702.163(c)(1)	Board	Changed “shall” to “must”
702.163(c)(2)	Board	Changed “shall” to “must”
702.163(c)(3)	Board	Changed “shall” to “must”
702.163(c)(4)	Board, JCAR	Changed “two schedules” to “two alternative schedules”; changed “shall” to “must” (twice); added a comma before “after the permittee” to offset the parenthetical; changed “under” to “pursuant to”; added a comma before “if the decision” to offset a parenthetical (twice); changed “and” to “or” for mutually exclusive alternatives
702.163(d)	Board	Changed “shall” to “must”; added “written” before “resolution”
702.163 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
702.164 preamble	Board	Changed “all permits” to singular “a permit”; changed “shall” to “must”; added “the following”
702.164(a)	Board	Changed “concerning” to “as to”; added a comma before “when appropriate” to offset it as a parenthetical
702.164(b)	Board	Added a comma before “including” to offset a parenthetical; added the ending conjunction “and”
702.164(c)	Board	Changed “upon” to “on”; changed “shall” to “must”
702.164 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition



Section	Source	Revision(s)
702.181(a)	Board	Changed “this Subtitle” to “this Subtitle G”; added “prohibitions against” before “development”; changed “modified, reissued, or revoked ” to “modified or reissued”; added a comma before “as set forth in” to offset the parenthetical; changed “35 Ill. Adm. Code 703.270 through 703.273” to “Subpart G of 35 Ill. Adm. Code 703”; changed “35 Ill. Adm. Code 704.261 through 704.263” to “Subpart H of 35 Ill. Adm. Code 704”
702.181(a) Board note	Board	Changed “40 CFR 266, subparts AA, BB, and CC” to “subparts AA, BB, and CC of 40 CFR 266”
702.181(b)	Board	Removed “any” from before “property rights”; changed “or” to “nor”; added “does issuance convey” to complete an independent clause
702.181(c)	Board	Removed “any” from before “injury”; changed “or” to “nor”; added “does issuance authorize” to complete an independent clause; changed “subsection (a) above” to “subsection (a) of this Section”
702.181 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
702.186 preamble	Board	Added the bracketed statutory citation “415 ILCS 5/Title VIII”
702.186(a)	Board	Added the bracketed statutory citation “415 ILCS 5”
702.186(d)	Board	Changed “modification or revocation” to “modification, reissuance, or revocation”
702.186 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
703 table of contents, Subpart E heading	Board	Changed “Short-Term and Phased Permits” to “Special Forms of Permits”
703 table of contents, Section 703.270	Board	Changed “Modification” to “Modification or Reissuance”
703 table of contents, Section 703.304	Board	Changed “Modified, Revoked and Reissued, or Terminated” to “Modified, Reissued, or Terminated”
703.100(b)	Board	Added “the provisions of” before “35 Ill. Adm. Code 702” (twice); changed “contains” to plural “contain” (twice)
703.100(c)	Board	Added “of 35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
703.100(d)	Board	Added “the provisions of” before “35 Ill. Adm. Code 722 and 723”
703.123(a)	Board	Changed “generators that accumulate” to singular “a generator that accumulates”

Section	Source	Revision(s)
703.123(b)	Board	Changed “farmers that dispose . . . their” to singular “a farmer that disposes . . . its”; changed “its” to “the farmer’s”; added a comma before “as provided” to offset the parenthetical
703.123(c)	Board	Changed “persons that own or operate facilities” to singular “a person that owns or operates a facility”; changed “under” to “pursuant to”
703.123(g)	Board	Changed “who” to “that” (twice)
703.123(h)	Board	Changed “under” to “pursuant to”
703.123(h)(5)	Board	Removed the now obsolete State provision
703.123(h)(5) Board note	Board	Removed the explanation of the source of the now obsolete State provision
703.123 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
703.125 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
703.184(a)	JCAR, Board	Changed numeric “21(1)” to alphabetic “21(l)” (three times)
703.184(a)(1)	Board	Added “the”
703.184(a)(2)	Board	Added “the”
703.184(a)(3)	Board	Added “the”
703.184(a)(4)	Board	Added “the”
703.184(b)	Board	Added the explanatory material to maintain structural consistency
703.184(c)	Board	Changed “an owner or operator of all facilities” to singular “a facility owner or operator”
703.184(d)	Board	Changed “an owner or operator of facilities” to singular “an owner or operator of a facility”
703.184(d)(3)(B)	Board	Changed “35 Ill. Adm. Code 702, 703, 724, and 725” to “35 Ill. Adm. Code 702, 703, and 724 through 727”
703.184(e)	Board	Changed “existing facilities” to singular “as existing facility”
703.184 Board note	Board	Changed “subsections (b) through (e)” to singular “subsections (c) through (e)”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.188	Board	Changed “under” to “pursuant to”; added “adequately” before “protect”
703.188 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition

Section	Source	Revision(s)
703.191(a)	Board, Agency	Removed “the requirements of” from before “this Section” (five times); changed “must apply” to “applies” (twice times); changed “do” to singular “does”; changed “under” to “pursuant to” (twice); changed “permit modifications . . . applications that are” to “any permit modification . . . any application that is”
703.191(b)	Board	Removed “for a facility” from after “permit application”; removed “to” from before “the submission”
703.191(c)	Board	Removed “to” from before “the submission”
703.191(d)(2)	Board	Changed “under” to “pursuant to”
703.191 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
703.192(a)	Board	Removed “the requirements of” from before “this Section” (four times); changed “must apply” to singular “applies” (twice); changed “under” to “pursuant to” (twice); changed “do” to singular “does” (twice)
703.192(b)(1)	Board	Added a comma before “as set forth in” to offset the parenthetical (twice)
703.192(c)	Board	Changed “under” to “pursuant to” (twice)
703.192 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
703.205(a)	Board	Changed “under” to “pursuant to”
703.205(a)(3)	Board	Changed “under” to “pursuant to”
703.205(d)(2)	Board	Changed “under” to “pursuant to”
703.205(e)	Board	Changed “an owner or operator” to “the owner or operator”; changed “under” to “pursuant to”; removed “the requirements of” from before “this Section”; changed “do” to singular “does”
703.205 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
703.208 preamble	Board, JCAR, Agency	Changed “under” to “pursuant to”; removed “the requirements of” from before “this Section” (twice); changed “do” to singular “does”; changed “section” to capitalized “Section”; changed “apply” to singular “applies”; corrected “Section 703.310(a)(1)(A)” to “Section 703.320(a)(1)(A)”
703.208(a)(1)(A)	Board	Changed “under” to “pursuant to”
703.208(a)(2)(A)	Board	Changed “under” to “pursuant to”
703.208(a)(2)(B)(i)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 726.209(a)(1)”
703.208(a)(6)	Board	Changed “under” to “pursuant to”

Section	Source	Revision(s)
703.208(b)	Board	Changed “under” to “pursuant to”
703.208(c)	Board	Changed “under” to “pursuant to”
703.208(f)	Board	Changed “under the provisions of” to “pursuant to”
703.208 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
703.210(d)(3)	Board, JCAR	Changed “EPA 450/2-81-005” to hyphenated “EPA-450/2-81-005”
703.210 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
703.211(d)	Board	Changed “under” to “pursuant to”
703.211(d)(3)	JCAR	Changed “EPA 450/2-81-005” to hyphenated “EPA-450/2-81-005”
703.211 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
703.Subpart E heading	Board	Changed “Short-Term and Phased Permits” to “Special Forms of Permits”
703.220(b)(4)	Board	Added “adequately” before “protect”
703.220(b)(5)	Board	Changed “under” to “pursuant to”
703.220(b)(7)	Board	Removed the reference to “35 Ill. Adm. Code 104”; added the bracketed statutory citation “415 ILCS 5?Title IX”
703.220 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.221	Board, Agency	Changed “under” to “pursuant to”; changed “to 40 CFR 63” to “subpart EEE of 40 CFR 63”; removed “the requirements of” from before “Sections 703.221 through 703.225”; corrected “Section 703.310(a)(1)(A)” to “Section 703.320(a)(1)(A)”
703.221 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
703.231(a)	Board	Changed “under” to “pursuant to”; changed “assure protection of” to “adequately protect”
703.231(a)(3)	Board	Added “adequately” before “protect”
703.231(b)	Board	Changed “under” to “pursuant to”; changed “the protection of” to “adequate protection of”
703.231(c)	Board	Added “adequately” before “protect”
703.231(d)	Board	Changed “under” to “pursuant to”
703.231 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition

Section	Source	Revision(s)
703.232 preamble	Board, JCAR, Agency	Changed “under” to “pursuant to”; removed “the requirements of” from before “this Section” (twice); changed “do” to singular “does” (twice); corrected “Section 703.310(a)(1)(A)” to “Section 703.320(a)(1)(A)”; changed “section” to capitalized “Section”; corrected “270.10(l)” to “703.189”
703.232(b)(2)	Board	Changed “under” to “pursuant to” (twice)
703.232(c)(5)	Board	Changed “under” to “pursuant to”
703.232(d)(2)(C)	Board	Changed “under” to “pursuant to”
703.232(d)(6)	Board	Changed “under” to “pursuant to”
703.232(e)	Board	Changed “under” to “pursuant to”
703.232(f)(2)	Board	Changed “under” to “pursuant to”
703.232(f)(3)	Board	Changed “under” to “pursuant to”
703.232(f)(4)	Board	Changed “under” to “pursuant to”
703.232(f)(5)	Board	Changed “under” to “pursuant to”
703.232(f)(8)	Board	Changed “under” to “pursuant to”
703.232(g)	Board	Changed “under” to “pursuant to”; changed “which” to “that” for a restrictive relative clause; removed “the requirements of” from before “this Section”
703.232 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
703.241(a)(1)	Board	Changed “under” to “pursuant to”
703.241(a)(2)	Board, JCAR	Changed “under” to “pursuant to”; added “adequately” before “protect”; changed the ending period to a semicolon; added the ending conjunction “and”
703.241(a) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
703.241(b)	Board	Changed “this Subpart” to “this Subpart F”
703.241(b) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.246(c)	Board	Changed “annual report” to “facility activities report”; changed “an annual report” to “a facility activities report”; changed “during the previous calendar year (see 35 Ill. Adm. Code 724.175)” to “as described in 35 Ill. Adm. Code 724.175”
703.246(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.260(a)	Board	Changed “under” to “pursuant to”
703.260 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments

Section	Source	Revision(s)
703.260(b)	Board	Removed “the requirements of” from before “Subpart H of 35 Ill. Adm. Code 724”
703.270 heading	Board	Changed “Modification” to “Modification or Reissuance”
703.270	Board, JCAR	Added a comma before “as required” to offset a parenthetical; added a comma after “705.128” to offset the final element of a series; changed “under” to “pursuant to” (twice); added a comma after “reissuance” to separate the final element of a series; changed “see” to capitalized “See”; changed “703.280 et seq.” to “703.280 through 703.283”
703.270 Board note	Board, Agency	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments; added the statements relating to reissuance of a permit
703.271(f)	Board	Changed “35 Ill. Adm. Code 702 and 720 through 726” to “35 Ill. Adm. Code 702, 703, and 720 through 727”
703.271 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.272(a)	Board	Added the subsection with explanatory material to maintain structural consistency
703.272(b)	Board	Designated the existing text as subsection (b); changed the ending period to a semicolon; added the ending conjunction “or”
703.272 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including deletion of an obsolete <i>Federal Register</i> citation and addition of a <i>Federal Register</i> citation for later amendments
703.280(d)(1)	Board	Changed “Appendix A” to “Appendix A of this Part”
703.280(d)(2)	Board	Changed “Appendix A” to “Appendix A of this Part”
703.280(d)(2)(A)	Board	Added “adequately” before “protect”
703.280(e)(1)	Board	Changed “this subsection” to “this subsection (e)”
703.280(e)(3)(B)(v)	Board	Added “adequately” before “protect”
703.280(f)(1)	Board	Changed “under” to “pursuant to”
703.280(f)(3)	Board	Changed “under” to “pursuant to”
703.280(g)(1)	Board	Changed “under” to “pursuant to”
703.280(g)(1)(D)	Board	Changed “under” to “pursuant to”
703.280(g)(1)(E)	Board	Changed “under” to “pursuant to”
703.280(g)(2)	Board	Changed “under” to “pursuant to”
703.280(j)	Board	Changed “under” to “pursuant to”
703.280(j)(1)	Board	Changed “40 CFR 63” to “subpart EEE of 40 CFR 63”; added “incorporated . . . 720.111(b)”; changed “under” to “pursuant to”

Section	Source	Revision(s)
703.280 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
703.301(b)(3)	Board	Changed “modified, revoked and reissued, or terminated” to “modified or reissued, or terminated”; changed “revoked and reissued” to “reissued”
703.302(a) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(b) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(c)	Board	Changed “under” to “pursuant to” (three times)
703.302(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(d)(8)	Board	Changed “under” to “pursuant to”
703.302(d)(9)	Board	Added “adequately” before “protect”
703.302(d) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(e)	Board	Changed “under” to “pursuant to”
703.302(e) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(f) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(g) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(a)(2)	Board	Changed “under” to “pursuant to”
703.303(a) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(b)(1)	Board	Changed “under” to “pursuant to”
703.303(b)(2)(C)	Board	Changed “revoking and reissuing” to “reissuing”
703.303(b)(2)(D)	Board	Added “adequately” before “protect”
703.303(b) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(d) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(e)(5)	Board	Changed “under” to “pursuant to”
703.303(e) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(f)(1)	Board	Changed “under” to “pursuant to” (five times)
703.303(f) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(g)(1)	Board	Changed “under” to “pursuant to” (twice)

Section	Source	Revision(s)
703.303(g) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition; changed “under” to “pursuant to” (twice)
703.303(h) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304 heading	Board	Changed “Modified, Revoked and Reissued, or Terminated” to “Modified, Reissued, or Terminated”
703.304(a)	Board	Changed “modified, revoked and reissued, or terminated” to “modified, reissued, or terminated” (twice); changed “under” to “pursuant to”; changed “modification, revocation and reissuance, or termination” to “modification, reissuance, or termination” (twice)
703.304(a) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304(b)(1)(H)	Board	Changed “under” to “pursuant to”
703.304(b)(2)	Board	Changed “under” to “pursuant to”; changed “35 Ill. Adm. Code 702, 703, 705, and 720 through 726” to “35 Ill. Adm. Code 702, 703, and 720 through 727”
703.304(b) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304(c)	Board	Changed “revoke and reissue” to “reissue”
703.304(c)(1)	Board	Changed “revoke and reissue” to “reissue”; changed “revocation and reissuance” to “reissuance” (twice); changed “modify or revoke and reissue” to “modify or reissue”; changed “modification or revocation and reissuance” to “modification or reissuance”
703.304(c)(2)	Board	Changed “revocation and reissuance” to “reissuance”
703.304(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304(d) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304(e) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition; changed “under” to “pursuant to” (twice)
703.304(f) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304(g) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.304(h) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.320(a)(1)(A)(i)	Board	Changed “under” to “pursuant to”
703.320(a)(1)(B)	Board	Changed “the Agency must do the following” to “the following must occur”



Section	Source	Revision(s)
703.320(a)(1)(B)(i)	Board	Added “the Agency must”; removed the ending conjunction “and”
703.320(a)(1)(B)(ii)	Board	Added “the Agency must”; changed the ending period to a semicolon; added the ending conjunction “and”
703.320(a)(1)(B) Board note	Board, JCAR	Changed “subsection (a)(1)(B)(iii) of this Section was added” to active-voice “the Board added subsection (a)(1)(B)(iii) of this Section”
703.320(a)(1)(C)(i)	Board	Changed “under” to “pursuant to” (twice); deleted “by the Administrator”
703.320(a)(2)(B)	Board	Changed “the Agency must do the following” to “the following must occur”
703.320(a)(2)(B)(i)	Board	Added “the Agency must”; removed the ending conjunction “and”
703.320(a)(2)(B)(ii)	Board	Added “the Agency must”; changed the ending period to a semicolon
703.320(a)(2)(B)(iii)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
703.320(a)(2)(B) Board note	Board, JCAR	Changed “subsection (a)(2)(B)(iii) of this Section was added” to active-voice “the Board added subsection (a)(2)(B)(iii) of this Section”
703.320(a)(2)(C)(i)	Board	Changed “under” to “pursuant to” (twice); deleted “by the Agency”
703.320(a)(2)(C)(ii)	Board	Changed “under” to “pursuant to”
703.320(a)(3)(B)(i)	Board	Changed “under” to “pursuant to”
703.320(a)(3)(B)(ii)	JCAR	Corrected the spelling of “though” to “through”
703.320(b)(1)(B)	Board	Changed “under” to “pursuant to” (twice); deleted “by the Agency”
703.320 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> by including a <i>Federal Register</i> citation for later amendments
704 table of contents, 704.121 heading	Board	Changed “of” to “against”
704 table of contents, 704.122 heading	Board	Changed “of” to “against”
704 table of contents, 704.123 heading	Board	Changed “USDW” to plural “USDWs”
704 table of contents, 704.124 heading	Board	Changed “of” to “against”; added “injection” before “wells”
704 table of contents, 704.141 heading	Board	Added “injection “ before “wells”
704 table of contents, 704.142 heading	Board	Changed “of” to “against”
704 table of contents, 704.145 heading	Board	Added “injection “ before “wells”

Section	Source	Revision(s)
704 table of contents, 704.146 heading	Board	Added “injection “ before “wells”
704 table of contents, 704.150 heading	Board	Added “injection “ before “wells”; changed “authorized” to capitalized “Authorized”
704 table of contents, 704.151 heading	Board	Added “injection “ before “wells”
704 source note	Board	Removed the reference “at 47 PCB 95” and the offsetting commas
704.101	Board	Changed “this Subpart” to “this Subpart A” (twice); added the statutory citation “415 ILCS 5/12(g)” in brackets; removed the unnecessary date “1987” in parentheses
704.101 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” and changing “see” to “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.102	Board	Changed “all owners or operators of . . . wells” to singular “the owner or operator of a . . . well”; changed “must” to “may”; changed “40 CFR 142” to the corresponding Illinois provision “35 Ill. Adm. Code 611”; changed “Class V wells are” to singular “a Class V injection well is”; changed “prior to the . . . specific type of” to “for a”; added “see” before “Section”
704.102 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.103	Board	Corrected “with” to “that” for a restrictive relative clause; removed the unnecessary quotation marks from “identified”; added “by the Agency” after “identified”
704.103 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.104	Board	Changed “aquifers are those” to singular “an aquifer is one”; changed “underground sources of drinking water . . . have . . . drinking water sources” in quotation marks to the singular, defined abbreviation “a USDW . . . has . . . a source of drinking water”; changed “aquifers that do . . . are not” to singular “an aquifer that does . . . is”; changed “underground sources of drinking water are” in quotation marks to the singular, defined abbreviation “a USDW is”; changed “exempt aquifers” in quotation marks to singular “an exempted aquifer” without quotation marks; changed “they are . . . USDWs” to singular “it is . . . a USDW”

Section	Source	Revision(s)
704.104 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.105(a)(3)	Board	Changed “septic systems and cesspools . . . their” to singular “a septic system or cesspool . . . its”
704.105(b)(1)	Board	Changed “injection wells” to singular “an injection well”
704.105(b)(2)	Board	Changed “individual . . . systems” to singular “an individual . . . system”; changed “domestic cesspools or septic systems” to singular “a domestic cesspool or septic system”
704.105(b)(3)	Board	Changed “nonresidential cesspools, septic systems, or similar waste disposal systems if such systems are . . . and have” to singular “a nonresidential cesspool, septic system, or similar waste disposal system if such system is . . . and has”
704.105(b)(4)	Board	Changed “injection wells” to singular “an injection well”
704.105(b)(6)	Board	Changed “Class II wells” to singular “a Class II injection well”
704.105(c)	Board	Changed “Class IV wells” to singular “a Class IV injection well”; changed “injections . . . into aquifers or portions thereof that have” to singular “injection . . . into an aquifer or portion of an aquifer that has”
704.105 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.106(a)	Board	Changed “Class I” to “Class I injection wells”; added the ending period; added “any of the following is a Class I injection well:”
704.106(a)(1)	Board	Changed “wells used by generators of hazardous wastes or owners or operators of . . . facilities” to singular “a well used by a generator of hazardous waste or the owner or operator of . . . a facility”; changed “underground source of drinking water” to the defined abbreviation “USDW”; moved “within 402 meters . . . of the well bore” to follow “USDW”
704.106(a)(2)	Board	Changed “other . . . wells which inject” to singular “any other . . . well that injects”; changed “underground source of drinking water” to the defined abbreviation “USDW”; moved “within 402 meters . . . of the well bore” to follow “USDW”
704.106(a)(3)	Board	Changed “radioactive . . . wells that inject” to singular “a radioactive . . . well that injects”; changed “underground source of drinking water” to the defined abbreviation “USDW”; changed “within one-quarter mile” to “within 402 meters (one-quarter mile)”

Section	Source	Revision(s)
704.106(b)	Board	Changed “Class II” to “Class II injection wells”; changed “wells which inject fluids” to singular “any well that injects any of the following fluids is a Class II injection well”
704.106(b)(1)	Board	Added “fluids”; changed “which” to “that” for a restrictive relative clause (twice); added a comma after “gas production” to offset the final element of a series”; added “which” before “may be”
704.106(b)(2)	Board	Added “fluids injected”
704.106(b)(3)	Board	Added “fluids injected”; changed “which” to “that” for a restrictive relative clause
704.106(c)	Board	Changed “Class III” to “Class III injection wells”; changed “wells which inject fluids” to singular “any well that injects fluids”; added “the” before “extraction”; added “the following”
704.106(c)(1)	Board	Added “the” before “mining”
704.106(c)(2)	Board	Added “the” before “in-situ”; changed the semicolon after “metals” to a period and capitalized “This”; changed “in situ” to hyphenated “in-situ”; changed “which” to “that” for a restrictive relative clause; added commas before and after “such as stopes leaching” to offset it as a parenthetical; changed “included in” to included as”; changed “Class V” to a Class V injection well”
704.106(d)	Board	Changed “Class IV” to “Class IV injection wells”; added “any of the following is a Class IV injection well:”
704.106(d)(1)	Board	Changed “wells used by generators of hazardous wastes or of radioactive wastes, by owners or operators of . . . facilities or by owners or operators of . . . sites” to singular “a well used by a generator of hazardous waste or of radioactive waste, by the owner or operator of . . . a facility, or by the owner or operator of a . . . site”; changed “which” to “that” for a restrictive relative clause; changed “underground source of drinking water” to the defined abbreviation “USDW”; moved “within 402 meters . . . of the well bore” to follow “USDW”

Section	Source	Revision(s)
704.106(d)(2)	Board	Changed “wells used by generators of hazardous wastes or of radioactive wastes, by owners or operators of . . . facilities or by owners or operators of . . . sites” to singular “a well used by a generator of hazardous waste or of radioactive waste, by the owner or operator of . . . a facility, or by the owner or operator of a . . . site”; changed “which” to “that” for a restrictive relative clause; changed “underground source of drinking water” to the defined abbreviation “USDW”; moved “within 402 meters . . . of the well bore” to follow “USDW”
704.106(d)(3)	Board	Changed “wells used by generators of hazardous wastes or of radioactive wastes, by owners or operators of . . . facilities” to singular “a well used by a generator of hazardous waste or of radioactive waste, by the owner or operator of . . . a facility”; changed “which” to “that” for a restrictive relative clause (twice); corrected the spelling “classified” to “classified”; added “any of” before “subsections”; changed “subsections (a)(1) or (d)(1) and (d)(2)” to “subsections (a)(1), (d)(1), or (d)(2) of this Section”; changed “wells used” to singular “a well that is used”
704.106(e)	Board	Changed “Class V” to “Class V injection wells”; changed “injections wells not in” to singular “any injection well that is not classified as a”; added “injection well” after “Class I, II, III, or IV”
704.106 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.107	Board	Changed “Part 704” to “this Part”
704.107 Board note	Board	Added the citation to the federal source of this provision
704.121 heading	Board	Changed “of” to “against”
704.121	Board	Changed “under” to “pursuant to”; changed “this part” to capitalized “this Part”; removed the unnecessary parenthetical “as applicable” and its offsetting commas
704.121 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.122 heading	Board	Changed “of” to “against”

Section	Source	Revision(s)
704.122(a)	Board	Changed “no owner or operator shall” to “no owner or operator may”; changed “underground sources of drinking water” to the defined singular abbreviation “a USDW”; added “national” before “primary drinking water regulation”; changed “40 CFR 142, incorporated . . . 702.104” to “35 Ill. Adm. Code 611 (derived from 40 CFR 141)”; changed “may” to “could”; changed shall have” to “has”; changed “this paragraph” to “this subsection (a)” corrected “are” to singular “is”
704.122(b)	Board, JCAR	Changed “Class I and III wells” to singular “a Class I or III injection well”; changed “underground source of drinking water” to the defined abbreviation “USDW” (twice); changed “a contaminant” to “any contaminant”; changed “shall” to “must” (twice); changed “wells” to singular “a well”; changed “or” to “and”; moved “and the permit . . . if cause exists” and its offsetting comma from “702.185” to follow “violated”
704.122(c)	Board	Changed “Class V wells” to singular “a Class V injection well”; added “injection” before “well” (twice); changed “may cause” to “could cause”; added “any national” before “primary drinking water regulations” and changed to singular “primary drinking water regulation”; changed “40 CFR 142, incorporated . . . 702.104” to “35 Ill. Adm. Code 611 (derived from 40 CFR 141)”; changed “shall” to “must”; added “undertake one of the following actions”
704.122(c)(1)	Board	Added “it must”
704.122(c)(2)	Board	Added “it must”; changed “which” to “that” for a restrictive relative clause; changed “where required” to “where necessary” and added commas before and after to set it off as a parenthetical
704.122(c)(3)	Board	Changed “take” to “it may initiate”
704.122(d)	Board	Added “injection” before “well”; changed “subsection (c)” to “subsection (c) of this Section”
704.122(e)	Board	Changed “which” to “that” for a restrictive relative clause; changed “underground source of drinking water” to the defined abbreviation “a USDW”; added the statutory citation “415 ILCS 5/34” in brackets
704.122 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” and changing “see” to “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.123 heading	Board	Changed “USDW” to plural “USDWs”

Section	Source	Revision(s)
704.123(a)	Board	Added a comma after “maps” to separate the final element of a series; changed “shall” to “must” (twice); changed “subsection (b) below” to “subsection (b) of this Section”; changed “underground source of drinking water” to the defined abbreviation “a USDW” (three times); changed “all aquifers or parts of aquifers that meet” to singular “any aquifer or part of an aquifer that meets”; changed “by Agency criteria” to “made according to criteria adopted by the Agency”
704.123(b)	Board	Added “identification of an exempted aquifer” as a topical heading
704.123(b)(1)	Board	Added the previously missing text to correspond with 40 C.F.R. 144.7(b)(1)
704.123(b)(2)	Board	Changed “shall” to “may”; changed “the Administrator” to “USEPA”
704.123(b)(3)	Board	Removed the unnecessary parenthetical “after notice and . . . public hearing” and its offsetting commas
704.123(b)(4)	Board, JCAR	Changed “shall” to “may”; changed “35 Ill. Adm. Code 702.105” to “35 Ill. Adm. Code 102 and 702.105”; added “and Sections 27 and 28 . . . set forth in 35 Ill. Adm. Code 730.104”
704.123(c)	Board	Changed “Class III wells” to singular “a Class III injection well”; changed “shall” to “must” (three times); added “a” before “map”; added a comma after “mining method” to separate the final element of a series; changed “35 Ill. Adm. Code 702.105” to “35 Ill. Adm. Code 102 and 702.105”; added “and Sections 27 and 28 . . . [415 ILCS 5/27 and 28]”; changed “shall” to “will”; changed “the Administrator” to “USEPA”
704.123 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.124 heading	Board	Changed “of” to “against”; added “injection” before “wells”
704.124(a)	Board	Changed “subsection (c)” to “subsection (c) of this Section”
704.124(a)(1)	Board	Added “injection” before “well”
704.124(a)(2)	Board	Added “injection” before “well”
704.124(a)(3)	Board	Added “injection” before “well”
704.124(b)	Board	Changed “Class IV wells” to singular “a Class IV injection well”; removed the unnecessary comma after “704.203” that separated a two-element series; changed “with the requirements of Section 704.145 regarding closure of Class IV wells” to “the Class IV injection well closure requirements of 704.145”

Section	Source	Revision(s)
704.124(c)	Board	Changed “wells . . . are” to singular “a well . . . is”; added “originally” before “drawn”; removed the unnecessary conjunction “or” between elements of a series (twice); changed the commas to parentheses and changed the statutory citation “42 U.S.C. 9601-9657” to “42 U.S.C. 9601 et seq.”; added “by USEPA” before “pursuant to”; changed the statutory citation “42 U.S.C. 6901-6987” to “42 U.S.C. 6901 et seq.”; added “or by the Agency . . . [415 ILCS 5/39]”
704.124(d)	Board	Changed “the following wells are not prohibited by this Section” to “This Section does not prohibit any of the following wells”
704.124(d)(1)	Board	Changed “wells . . . aquifers or portions thereof that have” to singular “a well . . . an aquifer or a portion of an aquifer that has”; changed “wells are Class I wells” to singular “a well is a Class I injection well”; changed “Class I wells” to singular “a Class I injection well”
704.124(d)(2)	Board	Changed “wells” to singular “a well”; changed “wells are Class I wells” to singular “a well is a Class I injection well”; changed “Class I wells” to singular “a Class I injection well”
704.124 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” and changing “see” to “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.141 heading	Board	Added “injection “ before “wells”
704.141(a)	Board	Changed “existing Class I and II wells” to singular “an existing Class I or Class III injection well”; added “fulfills either of the conditions . . . of this Section”
704.141(a)(1)	Board	Added “it”
704.141(a)(2)	Board	Added “it”; removed “the requirements of” from before “Section 704.148”
704.141(a)(3)	Board	Changed “shall” to “must”
704.141(b)	Board	Added “injection” before “wells” (twice)
704.141 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.142 heading	Board	Changed “of” to “against”
704.142 preamble	Board	Changed “this Subpart” to “this Subpart C”; added “on the occurrence or any of the following”
704.142(f)	Board	Added the statutory citation “415 ILCS 5/43” in brackets
704.142(g)	JCAR	Removed the ending conjunction “or”



Section	Source	Revision(s)
704.142(h)	Board	Added “injection” before “wells”; added “for a permit” after “application”; added the ending conjunction “or”
704.142(i)	Board	Changed “this subsection” to “this subsection (i)”; changed “U.S. EPA” TO “USEPA”
704.142 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.143 preamble	Board	Changed “shall expire” to “expires”; added “events”
704.143 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.144	Board	Changed “shall” to “must”
704.144 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.145 heading	Board	Added “injection “ before “wells”
704.145(a)	Board	Changed “Class IV wells” to singular “a Class IV injection well”; added commas before and after “as defined in Section 704.106(d)(1)” to offset it as a parenthetical
704.145(b)(1)	Board	Added “injection” before “well”
704.145(b)(2)	Board	Added “injection” before “well”
704.145(b)(3)	Board	Added “injection” before “well”
704.145(c)	Board, JCAR	Removed “the requirements of” from before “subsections (a) and (b)”; changed “injection wells used . . . are” to singular “an injection well that is used . . . is”; removed the unnecessary commas before and after “pursuant to . . . (CERCLA); replaced commas with parentheses and changed the statutory citation “42 U.S.C. 9601-9675” to “42 U.S.C. 9601 et seq.”; changed “or pursuant to” to “by USEPA pursuant to”; replaced commas with parentheses and changed the statutory citation “42 U.S.C. 6901-6987” to “42 U.S.C. 6901 et seq.”; added “by the” before “Agency”; removed the unnecessary comma from before “pursuant to”; added the statutory citation “415 ILCS 5/39” in brackets
704.145 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.146 heading	Board	Added “injection “ before “wells”
704.146(a)	Board	Added “injection “ before “well”
704.146(c)	Board	Added “on the occurrence of any of the following”
704.146 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition

Section	Source	Revision(s)
704.147(a)	Board	Changed “this Subpart” to “this Subpart C”; added “the following”
704.147(a)(1)	Board	Changed “this Subpart” to “this Subpart C”; added “the following”
704.147(a)(1) Board note	Board	Changed “this Subpart” to “this Subpart C”; added “the following”
704.147(a)(3)	Board, JCAR	Changed “which” to “that” for a restrictive relative clause; changed “this Subpart” to “this Subpart C”; added “the following”; changed the ending period to a semicolon; added the ending conjunction “or”
704.147(a)(4)	Board	Added “injection” before “well”
704.147(b)	Board	Changed “this Subpart” to “this Subpart C”; changed “this subsection” to “this subsection (b)”; added “on the occurrence of . . . this Section”; changed the ending colon to a period
704.147(b)(1)	JCAR	Changed the ending comma to a semicolon
704.147(b)(3)	Board	Changed “shall” to “must”; added “all of the following”
704.147(b)(3)(D)	Board	Changed “this subsection” to “this subsection (b)”
704.147(c)	Board	Changed “shall” to “must”; moved “to the Agency” to follow “submit”
704.147 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.148 preamble	Board	Changed “this Subpart” to “this Subpart C”; changed “time” to “time frame”; changed “subsection (d) or (e)” to “subsection (d)”
704.148(a)(1)	Board	Added “the”
704.148(a)(2)	Board	Added “the”
704.148(a)(3)	Board	Added “the”
704.148(a)(4)	Board	Added “the”
704.148(a)(5)	Board	Added “the”
704.148(a) Board note	Board	Changed “OMB No. 158-R0170” to “USEPA Form 7520-16”; added “incorporated . . . 702.111(a)”
704.148(b)(1)(A)	Board	Added “injection” before “wells”
704.148(b)(1)(B)	Board	Added “injection” before “wells”
704.148(b)(1)(C)	Board	Added “types of” before “Class V”; added “injection” before “wells”
704.148(b)(1)(C)(i)	Board	Changed “sand or other backfill wells” to singular “a sand or other backfill well”
704.148(b)(1)(C)(ii)	Board	Changed “radioactive waste disposal wells that are not Class I wells” to singular “a radioactive waste disposal well that is not a Class I injection well”

Section	Source	Revision(s)
704.148(b)(1)(C)(iii)	Board	Changed “geothermal energy recovery wells” to singular “a geothermal energy recovery well”
704.148(b)(1)(C)(iv)	Board	Changed “brine return flow wells” to singular “a brine return flow well”
704.148(b)(1)(C)(v)	Board	Changed “wells used in experimental technologies” to singular “a well used in an experimental technology”
704.148(b)(1)(C)(vi)	Board	Changed “municipal or industrial disposal wells” to singular “a municipal or industrial disposal well”; changed “Class I” to “a Class I injection well”
704.148(b)(1)(C)(ii)	Board	Changed “Class V wells” to singular “Class V injection well”
704.148(b)(2)(B)	Board	Added “the”
704.148(b)(2)(C)	Board	Added “the”
704.148(b)(2)(D)	Board	Changed “formation(s)” to “formations”
704.148(b)(2)(E)	Board	Added “the”
704.148(b)(2)(F)	Board	Added “the”
704.148(b)(2)(G)	Board	Added “the”
704.148(b)(2)(H)	Board	Added “the”
704.148(b)(2)(I)	Board	Added “the”
704.148(b)(2)(J)	Board	Added “the”
704.148(c)	Board	Changed “this subsection” to “this subsection (c)”
704.148(d)	Board	Removed “excepts as provided in subsection (e) of this Section” and the offsetting comma
704.148(e)	Board	Changed “Class V Wells” to singular, lower-case “a Class V injection well”
704.148(e)(1)	Board	Added “injection” before “well”; changed “within one year . . . of the Illinois UIC program” to “before March 3, 1985”
704.148(e)(2)	Board	Added “injection” before “well”
704.148(e)(3)	Board	Added “injection” before “well”
704.148(e)(4) Board note	Board	Changed “wells that were . . . were” to singular “a well that was . . . was”; changed “Class V wells are” to singular “a Class V injection well is”; changed “permit applications” to singular “a permit application”; changed “Class V wells” to singular “a Class V injection well”
704.148 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.149(a)	Board	Changed “this Subpart” to “this Subpart C”; changed “underground source of drinking water” to the defined abbreviation “a USDW”
704.149(b)	Board	Added “the following”
704.149(b)(1)	Board	Corrected the subsection indent level

Section	Source	Revision(s)
704.149(b)(2)	Board	Corrected the subsection indent level
704.149(b)(3)	Board	Corrected the subsection indent level
704.149(c)	Board	Changed “shall” to “must” (twice); changed “period(s)” to “periods”
704.149(d)	Board	Corrected the subsection number; changed “this Subpart” to “this Subpart C”; changed “subsection (c) above” to “subsection (c) of this Section”; changed “shall” to “may”; added a comma before “except under” to offset a parenthetical
704.149 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.150 heading	Board	Added “injection “ before “wells”; changed “authorized” to capitalized “Authorized”
704.150 preamble	Board	Changed “this Subpart” to “this Subpart C”
704.150(a)	Board	Changed “shall” to “must”; changed “this Subpart” to “this Subpart “; changed “the Safe Drinking Water Act” to the defined abbreviation “SDWA”
704.150(b)	Board	Changed “shall” to “must”; added “either of the events . . . of this Section”
704.150(b)(1)	Board	Added the ending conjunction “or”
704.150(b)(2)	Board	Changed the ending colon to a period; removed the unnecessary ending conjunction “or”
704.150(b)(3)	Board	Changed “shall” to “must” (three times); changed the semicolon before “including” to a comma to offset a parenthetical
704.150(c)(1)	Board	Changed “shall” to “must”; changed “this subsection” to “this subsection (c)”
704.150(c)(2)(A)	Board	Changed “shall” to “must”
704.150(c)(2)(B)	Board	Changed “shall” to “must”; changed “subsection (i)” to “subsection (i) of this Section”
704.150(c)(2)(C)	Board	Changed “shall” to “must”
704.150(c)(2)(D)	Board, JCAR	Added a comma after “years” to offset the introductory phrase; changed “shall” to “must”; added a comma before “unless” to offset a parenthetical; added “performs both of the following actions”
704.150(c)(2)(D)(i)	Board	Added “it”; added “written” before “notice”; added the ending conjunction “and”
704.150(c)(2)(D)(ii)	Board	Added “it”; changed “shall” to “must”; changed “a variance” to “regulatory relief in the form of a variance or adjusted standard”; changed “Environmental Protection Act” to the defined short-form “Act”; added the statutory citation “415 ILCS 5?Title IX” in brackets

Section	Source	Revision(s)
704.150(c)(2)(E)	Board	Added “which” before “has met” for a subsequent restrictive relative clause; changed “subsection (c)(2)(D)(i) and (c)(2)(D)(ii)” to plural “subsections (c)(2)(D)(i) and (c)(2)(D)(ii) of this Section”; changed “shall” to “must”; added “in writing” after “Agency”
704.150(d)(1)	Board	Added “injection” before “well” added “one of the following occurred”
704.150(d)(1)(A)	Board	Changed “subsection (c) above” to “subsection (c) of this Section”; changed “subsection (k) below” to “subsection (k) of this Section”
704.150(d)(1)(B)	Board	Removed “the requirements of” from before “subsection (j)”; changed “subsection (j) below” to “subsection (j) of this Section”
704.150(d)(1)(C)	Board	Changed “shall” to “must”
704.150(d)(2)	Board, JCAR	Corrected “ownership of operational control” to “ownership or operational control”; changed “shall” to “must”; changed “subsection (l)(2) below” to “subsection (l)(2) of this Section”
704.150(d)(4)	Board	Changed “shall” to “must”; changed “704.Subpart G” to “Subpart G of this Part”
704.150(d)(6)	Board, JCAR	Changed “subsection (d)(5) above” to “subsection (d)(5) of this Section”; changed “under” to “pursuant to”; changed “shall” to “will”; changed “this subsection” to “this subsection (d)”; changed “shall” to “must”
704.150(e)	Board	Changed “this subsection” to “this subsection (e)”; changed “U.S. EPA” to “USEPA”
704.150(f)(1)	Board	Changed “shall” to “must”; changed “underground sources of drinking water” to the defined abbreviation “USDWs”
704.150(f)(2)(A)	Board, JCAR	Changed “this Subpart” to “this Subpart C”; changed “shall” to “must”; added “either of the following has occurred”; added the ending colon
704.150(f)(2)(A)(i)	Board, JCAR	Changed “subsection (c) above” to “subsection (c) of this Section”; changed “subsection (k) below” to “subsection (k) of this Section”; changed the ending comma to a semicolon
704.150(f)(2)(A)(ii)	Board	Changed “subsection (j) below” to “subsection (j) of this Section”
704.150(f)(2)(B)	Board	Changed “shall” to “must”
704.150(f)(3)(A)	Board	Changed “shall” to “must”
704.150(f)(3)(B)	Board	Changed “shall” to “must”
704.150(f)(3)(C)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 730.110”

Section	Source	Revision(s)
704.150(f)(5)	Board	Changed “Class I wells” to singular “a Class I injection well”; changed “shall” to “must” (three times); changed “other Class I wells” to singular “any other Class I injection well”; changed “underground sources of drinking water” to the defined abbreviation “USDWs”
704.150(f)(6)	Board	Added “injection” before “wells”
704.150(f)(6)(A)	Board	Changed “shall” to “must” (twice)
704.150(f)(6)(B)	Board	Changed “shall” to “must”; changed “an underground source of drinking water” to the defined abbreviation “a USDW”
704.150(g)	Board	Changed “shall” to “must”; changed “this subsection” to “this subsection (g)”; changed “Table I or 40 CFR 136.3” to “tables IA (List of . . . Pharmaceutical Procedures) of 40 CFR 136.3 (Identification of Test Procedures)”; changed “Appendix” to lower-case “appendix”; added the appendix title “Chemical Analysis Test Methods” in parentheses after “Appendix III of 40 CFR 261”; added “each incorporated . . . 720.111(b)”
704.150(g)(1)	Board	Added “injection” before “well”; changed “shall” to “must”; added “undertake the following actions”
704.150(g)(1)(A)	Board	Added “it must”
704.150(g)(1)(B)	Board	Added “it must”; added the ending conjunction “and”
704.150(g)(1)(C)	Board	Added “it must”; changed “underground sources of drinking water” to the defined abbreviation “USDWs”
704.150(g)(2)	Board	Changed “this subsection” to “this subsection (g)(2)”; changed “U.S. EPA” to “USEPA”
704.150(g)(3)	Board	Changed “shall” to “must”; added “undertake the following actions”
704.150(g)(3)(A)	Board	Added “it must”
704.150(g)(3)(A)(i)	Board	Changed “35 Ill. Adm. Code 120” to “35 Ill. Adm. Code 130”
704.150(g)(3)(A)(ii)	Board	Changed “shall” to “must”
704.150(g)(3)(A)(iii)	Board	Changed “shall” to “must”
704.150(g)(3)(B)	Board	Added “it must”
704.150(g)(3)(C)	Board	Added “it must”
704.150(g)(3)(D)	Board	Added “injection” before “wells”
704.150(h)	Board	Changed “shall” to “must”
704.150(h)(1)	Board	Changed “Class I wells” to singular “a Class I injection well”; added “all of the following”
704.150(h)(1)(C)	Board	Changed “subsection (f)(1)(C)” to “subsection (f)(1)(C) of this Section”
704.150(h)(2)	Board	Changed “this subsection” to “this subsection (h)(2)”; changed “U.S. EPA” to “USEPA”

Section	Source	Revision(s)
704.150(h)(3)	Board, JCAR	Changed “Class I wells” to singular “a Class III injection well”; added “all of the following offset by a comma”
704.150(h)(3)(A)	Board	Changed “subsections (f)(2)(A), (f)(2)(B), and (f)(2)(C)” to “subsections (f)(2)(A), (f)(2)(B), and (f)(2)(C) of this Section”
704.150(h)(3)(B)	Board	Added the ending conjunction “and”
704.150(i)	Board	Changed “shall” to “must”
704.150(i)(2)	Board	Changed “shall” to “must”
704.150(j)	Board	Changed “shall” to “must”
704.150(k)	Board	Changed “shall” to “must” (four times)
704.150(l)(1)	Board	Changed “shall” to “must”
704.150(l)(2)	Board	Changed “shall” to “must”; changed “subsection (d) above” to “subsection (d) of this Section”
704.150(l)(3)	Board	Changed “subsection (d) above” to “subsection (d) of this Section”
704.150(m)	Board	Changed “Class I Hazardous Waste Wells” to singular, lower-case “a Class I hazardous waste injection well”; added “injection” before “well”; changed “shall” to “must” (twice)
704.150 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.151 heading	Board	Added “injection “ before “wells”
704.150	Board	Changed “which” to “that” for a restrictive relative clause; added “injection” before “well’s”; moved “to that well” to follow “RCRA permit”; added “injection” before “well”
704.150 Board note	Board	Changed the note format by removing the parentheses and changing “see” to “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.161(a)	Board	Changed “704.Subpart C” to “Subpart C of this Part”; changed “35 Ill. Adm. Code 724.Subpart C” to “Subpart C of 35 Ill. Adm. Code 724”
704.161(a) Board note	Board	Added “subsection (a) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.161(b)	Board	Changed “is” to past-tense “was”; changed “shall” to “must”
704.161(b)(1)	Board	Added “the application was . . . following deadlines” offset by a comma
704.161(b)(1)(A)	Board	Removed the unnecessary ending conjunction “or”

Section	Source	Revision(s)
704.161(b)(1)(B)	Board	Changed “by August 1, 1984” to “before August 1, 1984”
704.161(b)(1)(C)	Board	Changed “subsections (b)(1)(A) and (b)(1)(B)” to “subsections (b)(1)(A) and (b)(1)(B) of this Section”; changed “by August 1, 1984” to “before August 1, 1984”
704.161(b)(2)	Board	Added “the application must be filed” before “a reasonable time”
704.161(b) Board note	Board	Added “subsection (b) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.161(c)	Board	Changed “shall” to “must”
704.161(d)	Board	Changed “Class I hazardous waste injection wells” to “a Class I hazardous waste injection well”
704.161(d)(1)(A)	Board	Changed “dates” to “the dates the”; changed the ending period to a semicolon; added the ending conjunction “and”
704.161(d) Board note	Board	Added “subsection (d) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.161(e)	Board	Added “the applicant must provide the following” offset by a comma
704.161(e)(1)	Board	Changed “the applicant shall” to “it must”; changed the ending period to a semicolon; added the ending conjunction “and”
704.161(e)(2)	Board	Changed “the applicant shall” to “it must”
704.161(e) Board note	Board	Added “subsection (e) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.162(a)	Board	Added “for which the following are true”
704.162(a)(1)	Board	Added “they are”; changed “application(s)” to “applications”; added “multiple” before “wells”; removed the unnecessary ending conjunction “and”
704.162(a)(2)	Board, JCAR	Added “they are”; changed “State” to lower-case “state”; removed the unnecessary ending conjunction “and”
704.162(a)(3)	Board	Added “they are”
704.162(a)(4)	Board	Added “they are”
704.162(b)	Board	Changed “shall” to “must”; added “both of the following”
704.162(b)(1)	Board	Changed the ending comma to a semicolon
704.162(c)	Board	Added “the following are fulfilled”



Section	Source	Revision(s)
704.162(c)(2)	Board	Changed “subsection (a) above” to “subsection (a) of this Section”; changed “subsection (b) above” to “subsection (b) of this Section”
704.162(d)	Board	Changed “subsection (c) above” to “subsection (c) of this Section”; removed “any of” from before “the requirements”; changed “subsection (c)(2) above” to “subsection (c)(2) of this Section”
704.162 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.163(a)	Board	Changed “substantial endangerment to the health” to “substantial threat to the health”
704.163(b)(1)	Board	Changed “subsection (a)” to “subsection (a) of this Section”; changed “shall” to “must”; changed “prevent the hazard” to “prevent the threat”
704.163(b)(2)	Board, JCAR	Changed “subsection (b)” to “subsection (b) of this Section”; changed “shall” to “must”; changed “within 10 days of” to “within 10 days after”
704.163(b)(3)	Board	Changed numeric “5” to written “five”
704.163(b)(4)	Board	Changed “shall” to “must”; changed “an underground source of drinking water” to the defined abbreviation “a USDW”
704.163 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” and changing “see” to “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181 preamble	Board	Moved “apply to all UIC permits” to follow “conditions”; changed “shall” to “must”; added a comma and “these conditions” before “must” for an independent clause
704.181(a) Board note	Board	Added “subsection (a) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181(b)	Board	Changed “shall” to “must” (twice); changed “35 Ill. Adm. Code 730.Subpart G” to “Subpart G of 35 Ill. Adm. Code 730”; changed “three year” to hyphenated “three-year”; added a comma before “unless” to offset a parenthetical
704.181(b) Board note	Board	Added “subsection (b) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181(c)	Board	Added “the following” offset by a comma; added “both of the following must occur”
704.181(c)(1)	Board	Changed “has submitted” to “must have submitted”

Section	Source	Revision(s)
704.181(c)(2)	Board	Changed “Review” to lower-case “review”; added “must have occurred”; added “as follows” offset by a comma
704.181(c)(2)(B)	Board	Changed “subsection (c)(1)” to “subsection (c)(1) of this Section”; changed “shall” to “must”
704.181(c) Board note	Board	Added “subsection (c) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181(d)	Board, JCAR	Changed “Noncompliance” to lower-case “noncompliance”; added the ending period
704.181(d)(1)	Board	Changed “shall” to “must”; added “the following”
704.181(d)(1)(A)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
704.181(d)(2)	Board, JCAR	Changed “shall” to “must” (three times); changed numeric “within 5 days of” to written “within five days after”
704.181(d) Board note	Board	Added “subsection (d) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181(e)	Board	Changed “shall” to “must”
704.181(e) Board note	Board	Added “subsection (e) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181(f)	Board	Changed “shall” to “must” (twice); changed “this subsection” to “this subsection (f)”
704.181(f) Board note	Board	Added “subsection (f) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.181(g)	Board	Changed “shall” to “must” (four times); added “of the following”
704.181(g) Board note	Board	Added “subsection (g) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.181(h)(1)	Board	Added “injection” before “well”; changed “shall” to “must”
704.181(h)(2)	Board	Added “injection” before “well”; changed “shall” to “must” (twice); removed “the requirements of” from before “35 Ill. Adm. Code 730.110”
704.181(h) Board note	Board	Added “subsection (h) of this Section is” before “derived from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.182	Board	Changed “shall” to “must”; changed “sections” to capitalized “Sections”

Section	Source	Revision(s)
704.182 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.183	Board	Changed “shall” to “must” (three times)
704.183 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.184	Board	Changed “shall” to “must” (three times)
704.184 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.185	Board	Changed “shall” to “must” (three times); changed “underground source of drinking water” to the defined abbreviation “USDW” (twice)
704.185 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.186	Board	Changed “shall” to “must”; changed “704.Subpart F” to “Subpart F of this Part”
704.186 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.187	Board, JCAR	Changed “shall” to “must” (twice); changed “Table I or 40 CFR 136.3” to “tables IA (List of . . . Pharmaceutical Pollutants) of 40 CFR 136.3 (Identification of Test Procedures)”; removed the unnecessary date “1985” in parentheses (twice); added the appendix title “Chemical Analysis Test Methods” in parentheses after “Appendix III of 40 CFR 261”; added “each incorporated . . . 720.111(b)”; changed “or in” to “as stated in”; changed “Appendix III of 40 CFR 261” to “Appendix C to 35 Ill. Adm. Code 261”; changed “which” to “that” for a restrictive relative clause; added “in writing” after “approved”
704.187 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.188 preamble	Board	Changed “shall” to “must” (twice); added a comma after “two year” to complete the offset of a parenthetical; changed “he” to “it”; added “does the following”
704.188(a)	Board	Added “it”
704.188(b)	Board	Added “it”; changed “shall” to “must”; added a comma before “unless” to offset a parenthetical

Section	Source	Revision(s)
704.188 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.189(a)	Board	Added “one of the following occurs”
704.189(a)(1)	Board	Added “the permittee has” before “submitted”
704.189(a)(2)	Board	Removed “the requirements of” and added “Section” before “704.181(e)”
704.189(c)	Board	Changed “704.Subpart G to “Subpart G of this Part”
704.189 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.190	Board	Added “injection” before “well”; changed “shall” to “must”
704.190 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.191	Board	Changed “shall” to “must”; changed “underground sources of drinking water” to the defined abbreviation “USDWs”
704.191 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.192(a)	Board	Changed “an underground source of drinking water” to the defined abbreviation “a USDW” (twice); changed “reduction requirements” to “reduction in requirements”
704.192(b)	Board	Changed “an underground source of drinking water” to the defined abbreviation “a USDW” (twice)
704.192(c)	Board	Changed “subsection (a) or (b) above” to “subsection (a) or (b) of this Section”; changed “shall” to “must”
704.192 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.193(a)	Board	Changed “applicants for . . . permits” to singular “an applicant for a . . . permit”; changed “shall” to “must” (four times); changed “underground sources of drinking water” to the defined abbreviation “USDWs”; changed “subsection (b) below” to “subsection (b) of this Section”
704.193(b)	Board	Added the ending period
704.193(b)(1)	Board	Changed “Injection Wells” to lower-case “injection wells”; changed “shall” to “must”; changed “subsection (a) above” to “subsection (a) of this Section”
704.193(b)(3)	Board	Changed “shall” to “must”; corrected the spelling of “an” to “and”

Section	Source	Revision(s)
704.193(b)(4)	Board	Added “injection” before “wells”; changed “shall” to “must” (twice); changed “surface(s)” to “surfaces”; changed “direction(s)” to “directions”
704.193 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.194	Board	Changed “shall” to “must” (twice)
704.194 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.201	Board	Removed “the requirements of” from before “Subpart F”; changed “this Part” to “this Subpart”; changed “all generators” to singular “a generator”; removed the unnecessary commas from before and after “and to . . . management facilities”; changed “owners or operators of all . . . facilities using” to singular “an owner or operator of any . . . facility that uses”
704.201 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.202	Board	Changed “by August 2, 1984” to “before August 2, 1984”
704.202 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.203 preamble	Board	Changed “shall” to “must”; added “requirements”
704.203(a)	Board, JCAR	Changed “shall” to “must”; changed “Section” to lower-case “section”; changed “U.S.C.” to “USC”
704.203(b)	Board	Changed “shall” to “must”; removed “the requirements of” from before “35 Ill. Adm. Code 724.111”; removed the unnecessary citation “and 40 CFR 264.11 (1992)”
704.203(c)	Board	Changed “shall” to “must”; removed the unnecessary citation “and 40 CFR 264.71 (1992)”
704.203(d)	Board	Changed “shall” to “must”; removed the unnecessary citation “and 40 CFR 264.72 (1992)”
704.203(e)	Board	Changed “shall” to “must”; removed the unnecessary citation “and 40 CFR 264.73(a), . . . (Jan. 29, 1992)”
704.203(f)	Board	Changed “shall” to “must”; removed the unnecessary citation “and 40 CFR 264.75 (1992)”
704.203(g)	Board	Changed “shall” to “must”; removed the unnecessary citation “and 40 CFR 264.76 (1992)”

Section	Source	Revision(s)
704.203(h)	Board	Changed “shall” to “must”; removed the unnecessary citation “and 40 CFR 264.16 (1992)”
704.203 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.210	Board	Removed “the requirements of” from before “Sections 704.212, 704.213, and 704.240”; added a comma after “704.213” to separate the final element of a series; changed “owners and operators of all existing and new . . . wells” to singular “the owner or operator of an existing or new . . . well”; changed “this Subpart” to “this Subpart G”
704.210 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.211(a)	Board	Removed “the requirements of” from before “Sections 704.150 and 704.181(f)”
704.211(b)	Board	Added a comma after “(b)” to separate the final element of a series
704.211(c)	Board	Changed “which” to “that” for a restrictive relative clause (twice)
704.211(d) “current assets”	Board	Changed “which” to “that” for a restrictive relative clause
704.211 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.212(a)	Board, JCAR	Added a comma before “as specified” to offset a parenthetical; corrected “Section 704.150 and 704.181(f)” to plural “Sections 704.150 and 704.181(f)”
704.212(b)	Board	Changed “subsections (b)(1) and (2)” to “subsections (b)(1) and (b)(2) of this Section”; changed “annual Oil and Gas Field Equipment Cost Guide” to “annual update to ‘Oil and Gas Lease Equipment and Operating Costs 1987 to [Date]’ published by the U.S. Department of Treasury”
704.212(b) Board note	Board	Added explanation of the shift from the usage in corresponding 40 CFR 144.62(b), “Oil and Gas Field Equipment Cost Index” to “annual update to ‘Oil and Gas Lease Equipment and Operating Costs 1987 to [Date]’” and described the availability on the Internet from the U.S. Department of Treasury

Section	Source	Revision(s)
704.212(c)	Board	Changed “subsection (b)” to “subsection (b) of this Section”
704.212(d)	Board	Changed “subsections (a) and (c)” to “subsections (a) and (c) of this Section”; changed “subsection (b)” to “subsection (b) of this Section”
704.212 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.213 preamble	Board	Removed the unnecessary quotation marks from “financial assurance”
704.213(a)	Board	Added “a”
704.213(b)	Board	Added “a”
704.213(c)	Board	Added “a”
704.213(d)	Board	Added “a”
704.213(f)	Board	Added “the”
704.213 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.214(a)	Board	Changed “which” to “that” for a restrictive relative clause (twice); added “injection” before “well”
704.214(c)	Board	Moved the period inside the closing quotation mark
704.214(c)(1)	Board, JCAR	Changed “a receipt . . . must be submitted by the owner or operator to the Agency” to active-voice “the owner or operator must submit a receipt to the Agency . . .”; changed “this initial injection” to “the initial injection”; reformatted the equation into standard equation format, rendering each variable definition as a separate line; added a colon after “where”
704.214(c)(2)	Board, JCAR	Changed “subsection (c)” to “subsection (c) of this Section”; reformatted the equation into standard equation format, rendering each variable definition as a separate line; added a colon after “where”
704.214(d)	Board	Changed “subsection (c)” to “subsection (c) of this Section”
704.214(f)	Board	Corrected the spelling of “orobtain” to “or obtain”
704.214(i)	Board	Changed “subsection (g) or (h)” to “subsection (g) or (h) of this Section”; changed “the Agency will” to “the Agency must”
704.214(j)	Board	Changed “the Agency will” to “the Agency must”; changed “will” to “it must” for an independent clause
704.214(k)	Board	Changed “the Agency will” to “the Agency must”; added “either of the following occurs”
704.214(k)(1)	Board	Changed “an” to “the”

Section	Source	Revision(s)
704.214 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized "BOARD NOTE," changing "see" to "derived from", and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.215(a)	Board	Changed "which" to "that" for a restrictive relative clause
704.215(a) Board note	Board	Added explanation of the availability of Circular 570 on the Internet from the Department of Treasury
704.215(c)	Board	Changed "will be deposited" to "must be deposited"; added "the following limitations apply"
704.215(c)(2)	Board	Removed "the requirements of" from before "this Section"
704.215(d)	Board	Added "fulfill the following requirements"
704.215(d)(1)	Board	Added "it will"; removed unnecessary ending conjunction "or"
704.215(d)(2)	Board	Added "it will"
704.215(d)(3)	Board	Added "it will"
704.215 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized "BOARD NOTE," changing "see" to "derived from", and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.216(a)	Board	Changed "which" to "that" for a restrictive relative clause
704.216(a) Board note	Board	Added explanation of the availability of Circular 570 on the Internet from the Department of Treasury
704.216(c)	Board	Changed "will be deposited" to "must be deposited"; added "the following limitations apply"
704.216(c)(2)	Board	Removed "the requirements of" from before "this Section"
704.216(d)	Board	Added "fulfill the following requirements"
704.216(d)(1)	Board	Added "it will"
704.216(d)(2)	Board	Added "it will"
704.216(e)	Board	Changed "will perform" to "must perform"; changed "will deposit" to "must deposit"
704.216(i)	Board	Changed "will provide" to "must provide"; added "either of the following occurs"
704.216(i)(1)	Board	Moved the ending semicolon before the ending conjunction "or"



Section	Source	Revision(s)
704.216 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.217(a)	Board	Changed “which” to “that” for a restrictive relative clause (twice); removed “the requirements of” from before “this Section”; changed “Federal” to lower-case “federal”
704.217(b)	Board	Corrected “but be as specified” to “must be as specified”
704.217(c)	Board	Changed “will be deposited” to “must be deposited”; added “the following limitations apply”
704.217(c)(2)	Board	Removed “the requirements of” from before “this Section”
704.217(d)	Board	Changed “EPA Identification Number” to lower-case “USEPA identification number”
704.217(e)	Board	Changed numeric “1” to written “one”
704.217(i)	Board	Changed “the Agency will” to “the Agency must” (twice)
704.217(j)	Board	Changed “the Agency will” to “the Agency must”
704.217 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.218(a)	Board	Changed “which” to “that” for a restrictive relative clause; removed “the requirements of” from before “this Section”
704.218(d)	Board	Corrected the spelling of “issurer” to “issuer”
704.218(e)	Board	Corrected the spelling of “expeditures” to “expenditures” (twice); changed “the Agency will” to “the Agency must”; changed “will instruct” to “it will instruct” for an independent clause
704.218(f)	Board	Added a comma before “as specified” to offset a parenthetical; changed “subsection (j)” to “subsection (j) of this Section”
704.218(h)	Board	Added a comma after “terminate” to separate the final element of a series (twice); added a comma after “termination” to separate the final element of a series (twice); added “any of the following occurs”
704.218(h)(2)	Board	Removed the unnecessary ending conjunction “or”

Section	Source	Revision(s)
704.218(h)(3)	Board	Added a comma after “Board” to separate elements of a series; removed the unnecessary conjunction “or” separating intermediate elements of a series”; added a comma after “court” to separate the final element of a series; added “any” before “other”; removed the unnecessary ending conjunction “or”
704.218(h)(4)	Board	Changed “U.S.C.” to “USC:
704.218(j)	Board	Changed “the Agency will” to “the Agency must”; added “either of the following occurs”
704.218(j)(1)	Board	Moved the ending semicolon before the ending conjunction “or”
704.218 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.219(a)	Board	Changed “subsection (a)(1) or (a)(2)” to “subsection (a)(1) or (a)(2) of this Section”
704.219(a)(1)	Board	Added “each of the following”
704.219(a)(1)(A)	Board, JCAR	Corrected “aratio” to “a ratio”; removed the unnecessary ending conjunction “and”
704.219(a)(1)(B)	Board	Removed the unnecessary ending conjunction “and”
704.219(a)(1)(C)	Board	Added “a”
704.219(a)(2)	Board	Added “each of the following”
704.219(a)(2)(A)	Board	Added a comma after “A” to separate the final element of a series (twice); added a comma before “as issued” to offset a parenthetical (twice); added removed the unnecessary ending conjunction “and”; added the ending semicolon
704.219(a)(2)(B)	Board	Added “a”; removed the unnecessary ending conjunction “and”
704.219(a)(2)(C)	Board	Added “a”
704.219(b)	Board	Changed “subsection (a)” to “subsection (a) of this Section”; added a comma before “as specified” to offset a parenthetical
704.219(c)(1)	Board	Removed the unnecessary ending conjunction “and”
704.219(c)(3)	Board	Added “the following are true”
704.219(c)(3)(A)	Board	Changed “which” to “that” for a restrictive relative clause
704.219(c)(3)(B)	Board	Changed “which” to “that” for a restrictive relative clause
704.219(d)	Board	Changed “subsection (c)” to “subsection (c) of this Section” (twice)

Section	Source	Revision(s)
704.219(e)	Board	Changed “subsection (c)” to “subsection (c) of this Section” (twice)
704.219(f)	Board	Changed “subsection (a)” to “subsection (a) of this Section”
704.219(g)	Board	Changed “subsection (a)” to “subsection (a) of this Section”; changed “subsection (c)” to “subsection (c) of this Section”
704.219(h)	Board	Replaced brackets with parentheses and changed “subsection (c)(2)” to “subsection (a) of this Section” for the parenthetical; changed “the Agency will” to “the Agency must”
704.219(i)	Board	Changed “subsection (c)” to “subsection (c) of this Section”; added “either of the following occurs”
704.219(j)	Board	Moved the period inside the closing quotation mark; corrected the spelling of “quarantor” to “guarantor”; changed “subsections (a) through (h)” to “subsection (a) through (h) of this Section”; added a comma before “as specified” to offset a parenthetical; changed “subsection (c)” to “subsection (c) of this Section”; corrected the spelling of “quarantee” to “guarantee”; added “the following limitations apply”
704.219(j)(1)	Board	Changed “guarantor will” to “guarantor must”; added a comma before “as specified” to offset a parenthetical
704.219(j)(2)	Board	Changed “guarantee will” to “guarantee must”; added a comma before “as evidenced” to offset a parenthetical
704.219(j)(3)	Board	Changed “guarantor will” to “guarantor must”
704.219 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.220	Board	Added a comma after “letter of credit” to separate the final element of a series; added a comma after “704.217” to separate the final element of a series; changed “which” to “that” for a restrictive relative clause
704.220 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized “BOARD NOTE,” changing “see” to “derived from”, and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.221	Board	Changed “EPA Identification Number” to lower-case “USEPA identification number”; added a comma after “address” to separate the final element of a series; changed “shall” to “must”

Section	Source	Revision(s)
704.221 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized "BOARD NOTE," changing "see" to "derived from", and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.222	Board	Changed "the Agency will" to "the Agency must"; changed "this Subpart" to "this Subpart G"
704.222 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized "BOARD NOTE," changing "see" to "derived from", and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.230(a)	Board	Changed "shall" to "must"; changed "U.S.C." to "USC"
704.230(b)	Board	Removed "the requirements of" from before "Section 704.213"; added a comma after "surety bond" to separate the final element of a series
704.230 Board note	Board	Changed the note format by removing the parentheses, changing to all-capitalized "BOARD NOTE," changing "see" to "derived from", and adding the date of the most recent edition of the <i>Code of Federal Regulations</i> citation
704.240	Board	Removed the incorporation of "40 CFR 144.70" by reference from this Section; changed "the Agency will" to "the Agency must"; corrected the spelling of "standarized" to "standardized" (twice); added the section title "Wording of Instruments" in parentheses; added "incorporated . . . 720.111(b)" offset by a comma; changed "this Subpart" to "this Subpart G"; changed "shall" to "must"
704.240 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.260(a)	Board	Changed "subsection (b)" to "subsection (b) of this Section"; changed "shall" to "must"
704.260(b)	Board	Changed "subsection (a)" to "subsection (a) of this Section"; added "each of the following conditions are fulfilled"
704.260(b)(1)	Board	Changed "subsection (b)(2)" to "subsection (b)(2) of this Section"
704.260(b)(2)	Board	Changed "subsection (b)" to "subsection (b) of this Section"
704.260(b)(1)	Board	Changed "this subsection" to "this subsection (b)"; changed "subsection (b)(2)" to "subsection (b)(2) of this Section"

Section	Source	Revision(s)
704.260 Board note	Board	Removed the sentence “formerly . . . 702.182.”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.261	Board, JCAR	Added “it” before “inspects”; changed the comma to a semicolon to separate elements of a series that contains a parenthetical offset by a comma (three times); added “it” before “receives” (twice); added a comma before “as required” to offset a parenthetical; changed “See” to lower-case “see”; added “it” before “conducts”; changed “the Agency shall not” to “the Agency may not”
704.261 Board note	Board	Removed the sentence “formerly . . . 702.183.”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.262(a)	Board, JCAR	Changed “permits” to singular “a permit”; changed “Class I . . . wells or Class III wells” to singular “a Class I . . . well or a Class III injection well”; added “any of” before “the following”; changed “causes” to singular “cause”; added “of the permit” after “reissuance” (twice); added a comma before “as well as” to offset the parenthetical; added “for permit” before “modification” (twice); added a comma after “wells” to offset the introductory phrase; changed “wells” to singular “injection well”; added commas before and after “as well as for permit modification” to offset it as a parenthetical
704.262(a)(1)	Board	Changed “which” to “that” for a restrictive relative clause
704.262(a)(2)	Board	Changed “UIC Class III wells” to singular “a Class III injection well”; changed “UIC area permits” to singular “an area permit”; changed “shall” to “must”
704.262(a)(3)	Board	Changed “permits other than for UIC Class I hazardous wells or Class III wells” to singular “a permit for other than a Class I hazardous injection well or a Class III injection well”
704.262(a)(3)(B)	Board	Added “all of the following occur”
704.262(a)(3)(B)(i)	Board	Changed “a promulgated 35 Ill. Adm. Code 730 regulation” to “a provision of 35 Ill. Adm. Code 730”; removed the unnecessary ending conjunction “and”
704.262(a)(3)(B)(ii)	Board	Changed “portion of the regulation” to “provision”
704.262(a)(3)(B)(iii)	Board	Changed “a permittee” to “the permittee”; removed the unnecessary written “ninety” and parentheses from the numeric “90”; changed “Illinois Register notice of the rulemaking” to “the effective date of the changed statute or amended standards or regulations”

Section	Source	Revision(s)
704.262(a)(3)(C)	Board, JCAR	Removed the unnecessary written “ninety” and parentheses from the numeric “90”; changed “within 90 days of” to “within 90 days after”
704.262(a)(4)	Board	Removed the unnecessary conjunction “or” from before “materials shortage”
704.262(b)	Board	Added “to” before “reissue”
704.262(b)(1)	Board	Corrected “Section 702.152(c)” to “35 Ill. Adm. Code 702.152(c)”; corrected “Section 702.182(c)” to “35 Ill. Adm. Code 702.182(c)”; changed “will” to “it must” for an independent clause; added a comma before “except upon” to offset a parenthetical
704.262 Board note	Board	Removed the sentence “formerly . . . 702.184.”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.263	Board	Changed “will not be considered” to “must not be considered”; changed “which” to “that” for a restrictive relative clause; changed “Environmental Protection Act” to the defined short-form “Act” (twice); added the statutory citation “415 ILCS 5” in brackets; added the statutory citation “415 ILCS 5/39.2” in brackets
704.263 Board note	Board	Removed the sentence “formerly . . . 702.185.”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.264 preamble	Board	Added a comma before “as required” to offset a parenthetical; added “involve the following changes”
704.264(a)	Board	Changed “correct” to “correcting”
704.264(b)	Board	Changed “require” to “requiring”
704.264(c)	Board	Changed “change” to “changing”
704.264(d)	Board, JCAR	Changed “allow” to “allowing”; changed the ending period to a semicolon; added the ending conjunction “or”
704.264(e)	Board, JCAR	Changed “limited other changes” to “making other limited changes”; added “as follows” offset by a comma
704.264(e)(1)	Board	Changed “change” to “changing”; changed “which” to “that” for a restrictive relative clause
704.264(e)(2)	Board	Changed “change” to “changing”; changed “shall” to “must”; removed “the requirements of” from before “this Part”; changed “35 Ill. Adm. Code 704 and 730” to “35 Ill. Adm. Code 702 and 730”
704.264(e)(3)	Board	Changed “amend” to “amending”; changed “which” to “that” for a restrictive relative clause; changed “35 Ill. Adm. Code 704.181(e)” to “Section 704.181(e)”
704.264 Board note	Board, JCAR	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition; added the ending period

Section	Source	Revision(s)
704.279	Board	Changed “this Subpart” to “this Subpart I” (three times); changed “underground sources of drinking water” to the defined abbreviation “USDWs”; changed “underground injection control (UIC)” to the defined abbreviation “UIC”; added the statutory citation “415 ILCS 5/13(c)” in brackets
704.279 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation; changed “the federal counterpart to this Subpart, 40 CFR 144, Subpart G” to “corresponding subpart G of 40 CFR 144”
704.280	Board	Changed “this Subpart” to “this Subpart I”; added “injection” before “wells” (twice); changed “the Resource Conservation and Recovery Act (RCRA)” to the defined abbreviation “RCRA”; added “injection” before “well” (twice)
704.280 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.281 preamble	Board	Changed “this Subpart” to “this Subpart I”
704.281(b)	Board, JCAR	Changed “large capacity cesspools, including multiple-dwelling . . . cesspools, or other devices that receive . . . have . . . cesspools . . . cesspools that receive . . . and which have” to “a large capacity cesspool, including a multiple-dwelling . . . cesspool, or any other device that receives . . . has . . . cesspool . . . cesspool that receives . . . and which has”
704.281(c)	Board	Changed “cooling water return flow wells that are” to “a cooling water return flow well that is”
704.281(d)	Board	Changed “drainage wells that are” to “a drainage well that is”
704.281(e)	Board	Changed “dry wells that are” to “a dry well that is”
704.281(f)	Board	Changed “recharge wells that are” to “a recharge well that is”
704.281(g)	Board	Changed “salt water intrusion barrier wells that are” to “a salt water intrusion barrier well that is”
704.281(h)	Board	Changed “sand backfill and other backfill wells that are” to “a sand backfill and other backfill well that is”; added a comma after “mill tailings” to separate the final element of a series; changed “subsurface mines” to singular “a subsurface mine”

Section	Source	Revision(s)
704.281(i)	Board	Changed “septic system wells that are” to “a septic system well that is”; added a comma after “community” to separate the final element of a series; changed “single family residential septic system wells” to “a single family residential septic system well”; changed “non-residential septic system wells that are . . . have” to “a non-residential septic system well that is . . . has”
704.281(j)	Board	Changed “subsidence control wells . . . that are” to “a subsidence control well . . . that is”
704.281(k)	Board	Changed “injection wells” to “as injection well”
704.281(l)	Board	Changed “wells that are” to “a well that is”; added a comma before “such as” to offset a parenthetical
704.281(m)	Board	Changed “wells that are” to “a well that is”
704.281(n)	Board	Changed “injection wells that are” to “as injection well that is”
704.281(o)	Board	Changed “injection wells that are” to “as injection well that is”
704.281(p)	Board	Changed “motor vehicle waste disposal wells that receive or which have” to “a motor vehicle waste disposal well that receives or which has”; changed “these wells” to singular “this type of well”
704.281 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.282 preamble	Board	Added “of the USDW” after “endangerment”
704.282(a)(2)	Board	Changed “USDWs” to singular “a USDW”
704.282(c)	Board	Changed “this Subpart” to “this Subpart I” (twice); added “fully” before “understand”
704.282(d)	Board	Replaced the conjunction “and” with a comma after “this Part” for a multi-element series; added “and the Act [415 ILCS5]” as the final element of a series offset by a comma
704.282 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.283(a) Board note	Board	Changed “OMB No. 158-R0170” to “USEPA Form 7520-16”; added “incorporated . . . 702.111(a)”
704.283(a)(2)(A)	Board	Added “injection” before “well” (twice); moved each listed item into a separate subsection
704.283(a)(2)(A)(i)	Board	Added “the”
704.283(a)(2)(A)(ii)	Board	Added “the”
704.283(a)(2)(A)(iii)	Board	Added “the”
704.283(a)(2)(A)(iv)	Board	Added “the”
704.283(a)(2)(C)(i)	Board	Added a comma before “according to” to offset a parenthetical



Section	Source	Revision(s)
704.283(a)(2)(C)(iii)	Board	Changed “formation(s)” to “formations”
704.283 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.284(a)	Board	Changed “this Subpart” to “this Subpart I”
704.284(b)	Board	Changed “Class V well” to “Class V injection well”
704.284(b)(2)	Board	Added a comma before “as specified” to offset a parenthetical
704.284(b)(2) Board note	Board	Removed the unnecessary edition date in parentheses “2000” from the <i>Code of Federal Regulations</i> citation
704.284(b)(3)(B)	Board	Added the ending conjunction “or”
704.284(b)(4)	Board	Changed the ending semicolon to a period and removed the unnecessary ending conjunction “or”
704.284 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.285(a)	Board	Changed “all new and existing . . . cesspools” to singular “a new or existing . . . cesspool”
704.285(b)	Board	Changed “USEPA Region V” to “USEPA Region 5”
704.285(b) Board note	Board	Corrected “40 CFR 68568” to “64 Fed. Reg. 68568”
704.285(c)	Board	Changed “all new motor vehicle waste disposal wells” to singular “a new motor vehicle waste disposal well”
704.285(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.285 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
704.286 “state drinking water . . . program”	Board	Changed “each state will” to “each state must”
704.286 “complete local . . . protection areas”	Board	Changed “the state will” to “the state must”; changed “this Subpart” to “this Subpart I”
704.286 “groundwater protection area”	Board	Replaced the comma that offset the statutory citation “42 USC 300h-7” with parentheses
704.286 “non-transient, non-community water system”	Board	Added a comma after “non-transient” in the defined term
704.286 “delineation”	Board	Changed “the State will” to “the State must”
704.286 “other . . . areas”	Board	Changed “underground sources of drinking water” to the defined abbreviation “USDWs”; corrected the spelling of “urposes” to “purposes”
704.286 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition

Section	Source	Revision(s)
704.287(a)	Board	Removed “the requirements of” from before “Section 704.288”; changed hyphenated “federally-specified” to “federally specified”; changed “will apply” to “must apply”
704.287(b)	Board	Changed “the Board codifies” to “the Board has codified”
704.287(b)(1)	Board	Changed “this Subpart” to “this Subpart I”
704.287(b)(1)(A)	Board	Changed “requirements in this Subpart I will apply” to “requirements in this Subpart I apply”; changed “owner and operator” to “owner or operator”; added a comma before “and the owner and operator” for an independent clause; changed “must close their well or receive a permit” to past-tense, singular “must have closed its well or obtained a permit”
704.287(b)(1)(B)	Board	Changed “USEPA may grant . . . is” to past-tense “USEPA may have granted . . . was”; changed “must apply” to past-tense “must have applied”; changed “fails” to past-tense “failed”; changed “will apply” to present-tense “apply”; changed “owners and operators of . . . wells . . . must close their well or receive” to singular, past-tense “the owner or operator of a . . . well . . . must have closed its well or received”
704.287(c)	Board	Changed “existing . . . well owners and operators within other . . . areas have” to singular “the owner or operator of an existing . . . well within another . . . area has”; changed “if the State fails” to past-tense “if the State failed”; changed “will apply” to present-tense “apply”
704.287(c) Board note	Board	Changed “the State has” to past-tense “the State had” (twice)
704.287 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.288(a)(1)	Board	Added “the following requirements apply” offset by a comma
704.288(a)(1)(A)	Board	Changed “must close” to past-tense “must have closed”
704.288(a)(1)(B)	Board	Changed “must notify” to past-tense “must have notified”
704.288(b)(1)(D)	Board	Changed “health based” to hyphenated “health-based”
704.288(b)(1)(E)	Board	Changed “must close . . . or obtain . . . deadline is” to past-tense “must have closed . . . or obtained . . . deadline was”; changed “must extend . . . if it determines . . . is . . . is” to past-tense “must have extended . . . if it determined . . . was . . . was”
704.288(b)(1)(F)	Board	Changed “State has” to past-tense “State had”

Section	Source	Revision(s)
704.288(b)(1) Board note	Board	Changed “subsection (b)(1)(A), (b)(1)(B), or (b)(1)(E)” to “subsection (b)(1)(A), (b)(1)(B), or (b)(1)(E) of this Section”
704.288 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.289(a)(2)	Board	Changed “and installation” to “or installation”
704.289(a)(2)	Board	Changed “and installation” to “or installation”
704.289(b)	Board	Changed “following two conditions are fulfilled” to “two conditions of subsections (b)(1) and (b)(2) of this Section are fulfilled, subject to the conditions of subsection (b)(3) of this Section”; moved each condition into a separate subsection; moved the last sentence into a separate subsection
704.289(b)(1)	Board	Added the ending semicolon
704.289(b)(3)	Board	Added “injection” before “well”
704.289 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
705 source note	Agency	Removed the reference “at 47 PCB 93” and the offsetting commas
705.101(c)	Board	Added the statutory citation “415 ILCS 5/40(a) and (b)” in brackets
705.101(d)	Board	Added “the provisions of”
705.128(a)	Agency, Board	Added “UIC” in parentheses after “35 Ill. Adm. Code 704.261 through 704.263”; added “RCRA” in parentheses after “35 Ill. Adm. Code 703.270 through 703.273”
705.128(c)(1)	Board	Changed “under” to “pursuant to” (twice)
705.128(c)(2)	Board	Changed “under” to “pursuant to” (twice)
705.128(c)(3)	Board	Removed “the requirements of” from before “this Section”
705.128(e)	Board	Added the statutory citation “415 ILCS 5/Title VIII” in brackets
705.128 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
705.143(b)(5)(A)	Board	Changed “under” to “pursuant to”; changed “Subpart D” to “Subpart D of this Part”
720 table of contents, 720.Appendix A heading	JCAR	Added “Federal RCRA” before “Subtitle C”; added “Hazardous Waste” in parentheses before “Regulations” to reflect text on file since February 23, 2006
720.101(a)	Board	Changed “35 Ill. Adm. Code 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”

Section	Source	Revision(s)
720.101(b)(1)	Board	Changed “under” to “for the purposes of compliance with”; changed “35 Ill. Adm. Code 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
720.101(b)(2)	Board	Changed “under” to “for the purposes of compliance with”; changed “35 Ill. Adm. Code 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
720.101(b)(3)	Board	Changed “35 Ill. Adm. Code 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
720.103 preamble	Board	Changed “35 Ill. Adm. Code 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
720.104(c) Board note	Board	Added a citation to the federal source of the material
720.104(d) Board note	Board	Added a citation to the federal source of the material
720.104(g) Board note	Board	Added a citation to the federal source of the material
720.110 preamble	Board	Changed “35 Ill. Adm. Code 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
720.110 “battery”	Board, Agency	Changed “which” to “that” for a restrictive relative clause
720.110 “containment building”	Board	Changed “under” to “pursuant to”
720.110 “designated facility”	Board	Changed “under” to “pursuant to”
720.110 “facility”	Board	Changed “under” to “pursuant to” (twice)
720.110 “final closure”	Board	Changed “under” to “pursuant to”
720.110 “manifest”	Board	Changed “35 Ill. Adm. Code 720 through 725” to “35 Ill. Adm. Code 720 through 727”
720.110 “mercury-containing equipment” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
720.110 “mercury-containing equipment”	Board	Removed the now-obsolete definition
720.110 “mercury relay” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
720.110 “mercury containing switch”	Board	Removed the now-obsolete definition
720.110 “mercury switch” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
720.110 “miscellaneous unit”	Board	Changed “under” to “pursuant to” (twice)

Section	Source	Revision(s)
720.110 “personnel”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724 or 725”
720.110 “Regional Administrator”	Board	Changed “Region” to lower-case “region”
720.110 “remediation waste management site”	Board	Changed “under” to “pursuant to”
720.110 “staging pile”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724.654”
720.110 “thermostat”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2)”
720.110 “universal waste”	Board	Changed “under” to “pursuant to”; removed the now-obsolete fifth paragraph pertaining to “mercury-containing equipment,” including necessary punctuation changes and movement of the ending conjunction “and”
720.110 “universal waste” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
720.110 “USEPA”	Board	Removed “or ‘U.S. EPA’ ”
720.111 preamble	Board	Changed “35 Ill. Adm. Code 721 through 726, 728, 733, 738, and 739” to “35 Ill. Adm. Code 720 through 728, 733, 738, and 739”
720.111(a) “NFPA”	Board, Agency	Changed “July 17, 1987” to “July 18, 2003” and added “as supplemented . . . August 13, 2004” offset by a comma to reflect text on file since February 23, 2006; removed the unnecessary conjunction “and” before “725.298”; removed the duplicate entry for “724.298”; corrected “727.302” to “727.290”; changed “725.301, 726.211, and 727.290” to “725.301 and 726.211”
720.111(a) “NTIS,” “APTI Course 415”	Board	Corrected “450/2-81-005” to “EPA-450/2-81-005”
720.111(a) “NTIS,” “Screening Procedures for . . . Stationary Sources”	JCAR	Added the definite article “the” before “following Internet address”
720.111(a) “OECD,” “OECD ‘Green List of Wastes’ ”	JCAR	Removed the unnecessary duplicate parenthesis after “Operations”
720.111(a) “OECD,” “OECD Guideline for Testing of Chemicals”	JCAR	Removed the unnecessary duplicate comma after closing quotation mark before “referenced in”
720.111(a) “OECD,” “OECD ‘Red List of Wastes’ ”	JCAR	Removed the unnecessary duplicate “revised” before “May 1993”

Section	Source	Revision(s)
720.111(a) “USDOD,” “Requisition Tracking Form”	JCAR	Changed “tracking form” to capitalized “Tracking Form”
720.111(a) “USEPA, Office of Ground Water and Drinking Water”	Board	Corrected “Office of Drinking Water” to “Office of Ground Water and Drinking Water”
720.111(a) “USEPA, Office of Ground Water and Drinking Water,” “Inventory of Injection Wells	Board	Added incorporation of the latest version of previously omitted federal form “7520-16”
720.111(b) “10 CFR 20.2006”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “Table II, column 2 in 10 CFR 20.2006”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “10 CFR 20”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “appendix G to 10 CFR 20”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “10 CFR 71”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “10 CFR 71.5”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “33 CFR 153.203”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) “40 CFR 3”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
720.111(b) “40 CFR 3.2”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
720.111(b) “40 CFR 3.3”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
720.111(b) “40 CFR 3.10”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
720.111(b) “40 CFR 3.2000”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
720.111(b) “appendix W to 40 CFR 51”	Board	Added the <i>Federal Register</i> citation for later amendments
720.111(b) “appendix B to 40 CFR 52.741”	Board	Added “703.352” (as it corresponds with the citation in 40 C.F.R. 270.315(f))
720.111(b) “40 CFR 60”	Board, JCAR	Added the <i>Federal Register</i> citation for later amendments (six times)

Section	Source	Revision(s)
720.111(b) “appendix A to 40 CFR 60,” “Method 22”	Board	Added “727.900” (as it corresponds with the citation in 40 C.F.R. 267.1102(d))
720.111(b) “40 CFR 61”	Board	Added the <i>Federal Register</i> citation for later amendments (twice)
720.111(b) “40 CFR 63”	Board	Added the <i>Federal Register</i> citation for later amendments (21 times)
720.111(b) “subpart EEE of 40 CFR 63” (2000 edition)	Board	Added the previously omitted reference to an older edition of the <i>Code of Federal Regulations</i> , including the reference to “35 Ill. Adm. Code 703.280,” for which it is incorporated
720.111(b) “subpart EEE of 40 CFR 63” (2005 edition)	Board	Added the Federal Register citation for later amendments (three times); added individual listings for provisions (63.1215, 63.1216, 63.1217, 63.1218, 63.1219, 63.1220, and 63.1221) in subpart EEE specifically cited in the rules; added the federal section headings “What are the Health-Based Compliance Alternatives for Total Chlorine?,” “What are the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?,” “What are the Standards for Liquid-Fuel Boilers that Burn Hazardous Waste?,” “What are the Standards for Hydrochloric Acid Production Furnaces that Burn Hazardous Waste?,” “What are the Replacement Standards for Hazardous Waste Incinerators?,” “What are the Replacement Standards for Hazardous Waste-Burning Cement Kilns?,” and “What are the Replacement Standards for Hazardous Waste-Burning Lightweight Aggregate Kilns?” in parentheses; added “703.280”
720.111(b) “40 CFR 257”	Board	Added the <i>Federal Register</i> citation for later amendments
720.111(b) “40 CFR 258”	Board	Added the <i>Federal Register</i> citation for later amendments (twice)
720.111(b) “40 CFR 264.251”	Board	Added “and 727.240”
720.111(b) “appendix V to 40 CFR 264”	Board	Added “and 727.270”
720.111(b) “appendix VI of 40 CFR 264”	Board	Corrected “with§” to “with §”
720.111(b) “49 CFR 107”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments

Section	Source	Revision(s)
720.111(b) “49 CFR 171”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) “49 CFR 171.3”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 171.8”	Board, JCAR	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments (twice)
720.111(b) “49 CFR 171.15”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 171.16”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) “49 CFR 172”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) “49 CFR 172.304”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “subpart F of 49 CFR 172”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) “49 CFR 173.2”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173.12”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173.28”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173.50”	Board, JCAR	Changed the double en-dash to an em-dash in “Class 1—Definitions”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173.54”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173.115”	Board, JCAR	Changed the double en-dash to an em-dash in “Class 2, Divisions 2.1, 2.2, and 2.3—Definitions”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 173.127”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
720.111(b) “49 CFR 174”	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments



Section	Source	Revision(s)
720.111(b) "49 CFR 175"	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) "49 CFR 176"	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) "49 CFR 177"	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) "49 CFR 178"	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) "49 CFR 179"	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.111(b) "49 CFR 170"	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
720.120(a)	Board	Changed "40 CFR 260 through 268, 273, or 279" to "40 CFR 260 through 266, 268, 273, or 279"; changed "35 Ill. Adm. Code 720 through 726, 728, 733, and 739" to "35 Ill. Adm. Code 720 through 728, 733, or 739"
720.140(a)	Board	Changed "under" to "pursuant to" (twice)
721.101(a)	Board	Changed "35 Ill. Adm. Code 702, 703, 705, 722 through 725, and 728" to "35 Ill. Adm. Code 702, 703, and 722 through 728"
721.101(a)(1)	Board	Changed "35 Ill. Adm. Code 702, 703, 705, 722 through 725, and 728" to "35 Ill. Adm. Code 702, 703, and 722 through 728"
721.103(a)(1)	Board	Changed "under" to "pursuant to"
721.103(a)(2)(A)	Board	Changed "under" to "pursuant to" (twice)
721.103(a)(2)(B)	Board	Changed "under" to "pursuant to" (twice)
721.103(a)(2)(D)	Board	Changed "under" to "pursuant to" (twice)
721.103(b)	Board	Changed "under" to "pursuant to"
721.103(d)(1)	Board	Removed "the requirements of" from before "35 Ill. Adm. Code 728"
721.103(d)(2)	Board	Changed "under" to "pursuant to" (three times)
721.103(e)(2)(C)(iii)	Board	Changed "nonhazardous" to hyphenated "non-hazardous"
721.103(g)(3)	Board	Changed "under" to "pursuant to"
721.103(h)(3)	Board	Changed "under" to "pursuant to"
721.104(a)(2)	Board	Added the statutory citation "415 ILCS 5/12(f)" in brackets
721.104(a)(12)(A)	Board	Added the closing parenthesis mark after "SIC"

Section	Source	Revision(s)
721.104(a)(20)(B)(ii)	Agency, Board	Changed “which” to “that” for a restrictive relative clause
721.104(a)(21)(C)	Board	Removed “the requirements of” from before “subsection (a)(21)(B) of this Section”
721.104(c)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”
721.104(d)(1)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”
721.105(b)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”; removed “the requirements of” from before “subsections (f), (g), and (j) of this Section”
721.105(c)(4)	Board	Changed “under the requirements of” to “pursuant to”
721.105(c)(5)	Board	Changed “under the requirements of” to “pursuant to”
721.105(c)(6)	Board	Changed “under” to “pursuant to”
721.105(e)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”
721.105(f)(2)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”
721.105(f)(3)(E)	Board	Removed “the requirements of” from before “federal 40 CFR 257.5”
721.105(f)(3)(G)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 733”
721.105(g)(2)	Board	Changed “under” to “pursuant to”; removed “the requirements of” from before “35 Ill. Adm. Code 702, 703, and 723 through 728”; changed “35 Ill. Adm. Code 702, 703, 723 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 723 through 728”
721.105(g)(3)(E)	Board	Removed “the requirements of” from before “federal 40 CFR 257.5 through 257.30”
721.105(g)(3)(G)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 733”
721.107(a)(1)	Board	Changed “35 Ill. Adm. Code 702, 703, 721 through 725, or 728” to “35 Ill. Adm. Code 702, 703, or 721 through 728”
721.107(a)(2)	Board	Changed “35 Ill. Adm. Code 702, 703, 721 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 721 through 728”

Section	Source	Revision(s)
721.108 preamble	Board	Changed “35 Ill. Adm. Code 702, 703, 721 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 721 through 728”
721.109(c)	Board	Added the ending conjunction “and”
721.109(d)	Board	Changed the ending semicolon to a period; removed the ending conjunction “and”
721.109(e)	Board	Removed the obsolete definition of “mercury-containing equipment”
721.109 (e) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
721.120(b)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”
721.130(c)	Board	Changed “35 Ill. Adm. Code 702, 703, 722 through 725, and 728” to “35 Ill. Adm. Code 702, 703, and 722 through 728”; removed “and federal 40 CFR 122”
721.138(c)(2)(C)	Board	Changed “under” to “pursuant to”
721.138(c)(8)(F)	Board	Changed “under” to “pursuant to”
721.138(c)(8) Board note	Board	Changed “under” to “pursuant to”; changed “this section” to capitalized “this Section”
721.138(c)(9)	Board	Changed “under” to “pursuant to”
721.138(c)(10)(D)	Board	Changed “under” to “pursuant to”
721.138(c)(10)(E)	Board	Changed “under” to “pursuant to”
721.138(c)(10)(F)	Board	Changed “under” to “pursuant to”
721.138(c)(10)(G)	Board	Changed “under” to “pursuant to”
721.138(c)(10)(I)(iv)	Board	Changed “under” to “pursuant to”
721.138(c)(10)(I)(v)	Board	Changed “under” to “pursuant to”
721.138(c)(12)(A)	Board	Changed “under” to “pursuant to”
721.138(c)(12)(C)	Board	Changed “this section” to “40 CFR 261.38”
721.Appendix I, Table B “Conversion Systems, Inc.” ¶ 1	Board	Changed “performed according to using” to “performed using”
721.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 1.C	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
721.Appendix I, Table B “Conversion Systems, Inc.” ¶ 2	Board	Changed “nonhazardous” to hyphenated “non-hazardous”; changed “35 Ill. Adm. Code 702 through 705, 720 through 726, 728, and 733” to “35 Ill. Adm. Code 702 through 705, 720 through 728, 733, 738, and 739”
721.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 3	Board JCAR	Changed the double en-dash to an em-dash between the contaminant name and the maximum allowable level (14 times)

Section	Source	Revision(s)
721.Appendix I, Table B “Conversion Systems, Inc.” ¶ 4	Board	Changed “under” to “pursuant to”; changed “nonhazardous” to hyphenated “non-hazardous”
722.110(f)	Board	Changed “which” to “that” for a restrictive relative clause; removed “all of the requirements of” from before “Section 722.170”; changed “35 Ill. Adm. Code 702, 703, 724, 725, or 728” to “35 Ill. Adm. Code 702, 703, 724 through 728, 733, or 739”
722.110(g)	Board	Removed “the requirements of” from before “this Part”
722.110 Board note	Board	Changed “owners or operators that are . . . they generated” to singular “an owner or operator that is . . . it generated”; changed “35 Ill. Adm. Code 702, 703, 724, 725, 726, and 728” to “35 Ill. Adm. Code 702, 703, 724 through 728, 733, or 739”
722.111(d)	Board	Changed “35 Ill. Adm. Code 724, 725, 728, and 733” to “35 Ill. Adm. Code 724 through 728, 733, and 739”
722.141(b)	Board	Changed “35 Ill. Adm. Code 702, 703, 724, 725, and 726” to “35 Ill. Adm. Code 702, 703, and 724 through 727”
723 authority note	Board, JCAR	Added the reference to Section 7.2 of the Act and the conjunction “and”
723 source note	Board	Removed the reference to “43 PCB 427” and the offsetting commas; removed the reference to “45 PCB 17” and the offsetting commas
723.112	Board	Changed “35 Ill. Adm. Code 702, 703, 724, 725 or 728” to “35 Ill. Adm. Code 702, 703, or 724 through 728”
723.120(a)(1)(A)	Board	Changed “35 Ill. Adm. Code 722.Subpart H” to “Subpart H of 35 Ill. Adm. Code 722”
723.120(a)(1)(A)(ii)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
723.120(a)(1)(B)	Board	Removed “the requirements of” from before “Subpart H of 35 Ill. Adm. Code 722”
723.120(a)(2)(B)(ii)	Board	Removed “the requirements of” from before “Subpart H of 35 Ill. Adm. Code 722”
723.120(e)	Board	Removed “the requirements of” from before “subsections (c), (d), and (f)”
723.120(f)	Board	Removed “the requirements of” from before “subsections (c), (d), and (e)”
723.120(h)	Board	Removed “the requirements of” from before “this Section”; removed “those of” from before “Section 723.122”
723.130(a)	Board	Added “adequately” before “protect”
723.130(b)	Board	Added “adequately” before “protect”

Section	Source	Revision(s)
724.101(c)	Board	Changed “the requirements of this Part apply” to “this Part applies”; changed “under” to “pursuant to” (twice); changed “16 USC 1431-1434, 33 USC 1401” to “33 USC 1401 et seq.”
724.101(e)	Board	Changed “the requirements of this Part apply” to “this Part applies”
724.101(e)	Board	Changed “the requirements of this Part apply” to “this Part applies”; changed “under” to “pursuant to”
724.101(g)	Board	Changed “the requirements of this Part do” to “this Part does”
724.101(g)(1)	Board	Changed “under” to “pursuant to” (twice)
724.101(g)(1) Board note	Board	Changed “under” to “pursuant to”
724.101(g)(8)(D)	Board	Added “adequately” before “protect”
724.101(g)(9)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 722.130”
724.101(g)(11)	Board	Changed “under” to “pursuant to”
724.101(g)(11)(C)	Board	Added the ending conjunction “and”
724.101(g)(11)(D)	Board	Changed the ending semicolon to a period; removed the ending conjunction “and”
724.101(g)(11)(E)	Board	Removed the obsolete definition of “mercury-containing equipment”
724.101(g)(11) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
724.101(i)	Board	Changed “the requirements of this Part apply” to “this Part applies”; changed “under” to “pursuant to”; changed “35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, 705, 720 through 728, and 738”
724.101(j)(5)	Board	Removed “the requirements of” from before “this Part”
724.101(j)(9)	Board	Removed “the requirements of” from before “Section 724.119”
724.156(d)(2)	Board	Changed “under” to “pursuant to”
724.156(d)(2)(A)	Board, JCAR	Added “the”; changed “owner or operator” to “reporter”
724.156(d)(2)(B)	Board	Added “the”
724.156(d)(2)(C)	Board	Added “the”
724.156(d)(2)(D)	Board	Added “the”
724.190(a)(2)	Board, JCAR	Removed “the requirements of” from before “Sections 724.191 through 724.200”; added commas before and after “Section 724.201” to offset it as a parenthetical
724.190(b)(1)	Board	Changed “under” to “pursuant to”
724.190(b)(3)	Board	Changed “under” to “pursuant to”

Section	Source	Revision(s)
724.190(b)(4)	Board	Changed “under” to “pursuant to” (twice)
724.190(c)(2)	Board	Changed “under” to “pursuant to” (twice)
724.190(c)(3)	Board	Changed “under” to “pursuant to” (three times)
724.190(e)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 703.161”
724.190(f)	Board	Changed “under” to “pursuant to”
724.190(f)(2)	Board	Added “adequately” before “protect”
724.191(a)(1)	Board	Changed “under” to “pursuant to” (three times)
724.191(a)(2)	Board	Changed “under” to “pursuant to” (twice)
724.191(a)(3)	Board	Changed “under” to “pursuant to” (four times)
724.191(a)(4)	Board	Changed “under” to “pursuant to”
724.191(b)	Board	Added “adequately” before “protect”
724.197(h)	Board	Changed “be protective of” to “adequately protect”
724.197(i)	Board	Changed “under” to “pursuant to”
724.197(i)(3)	Board	Changed “be protective of” to “adequately protect”
724.197(i)(4)	Board	Changed “be protective of” to “adequately protect”
724.197(i)(5)	Board	Changed “be protective of” to “adequately protect”; changed “under” to “pursuant to”
724.200 preamble	Board	Changed “under” to “pursuant to”
724.200(a)	Board	Changed “under” to “pursuant to”
724.200(a)(1)	Board	Changed “under” to “pursuant to”
724.200(a)(2)	Board	Changed “under” to “pursuant to”
724.200(a)(3)	Board	Changed “under” to “pursuant to”
724.200(a)(4)	Board	Changed “under” to “pursuant to”
724.200(d)	Board	Changed “under” to “pursuant to” (three times)
724.200(e)	Board	Changed “under” to “pursuant to” (twice)
724.200(e)(1)(A)	Board	Changed “under” to “pursuant to”
724.200(e)(1)(B)	Board	Added “adequately” before “protect”
724.200(e)(2)(A)	Board	Changed “under” to “pursuant to”
724.200(e)(2)(B)	Board	Changed “under” to “pursuant to” (three times)
724.200(f)	Board	Changed “under” to “pursuant to”
724.200(h)	Board	Removed “the requirements of” from before “this Section”
724.201(a)	Board	Added “adequately” before “protect”
724.201(c)	Board	Added “adequately” before “protect”
724.201(d)	Board	Changed “the requirements of this Part do” to “this Part does”
724.210(b)(3)	Board	Changed “under” to “pursuant to”
724.210(b)(4)	Board	Changed “under” to “pursuant to”
724.210(c)	Board	Changed “under” to “pursuant to”
724.210(c)(2)	Board	Added “adequately” before “protect”
724.211(a)	Board	Added “the”
724.211(b)	Board	Added “the closure”

Section	Source	Revision(s)
724.211(c)	Board	Added “the closure”; removed “the requirements of” from before “Sections 724.278, . . . 724.1102”
724.212(a)(1)	Board	Changed “under” to “pursuant to”
724.212(a)(7)	Board	Changed “under” to “pursuant to”
724.212(a)(8)	Board	Changed “under” to “pursuant to” (twice)
724.212(c)(2)(D)	Board	Changed “under” to “pursuant to” (twice)
724.212(c)(3)	Board, JCAR	Changed “under” to “pursuant to”; corrected “Sections 724.328(c)(1)(A) or 724.358(c)(1)(A)” to singular “Section 724.328(c)(1)(A) or 724.358(c)(1)(A)”; removed “the requirements of” from before “Section 724.410”
724.212(d)(2)(A)	Board	Corrected “the owner or operator have” to singular “the owner or operator has”; added “adequately” before “protect”
724.212(d)(2)(B)	Board	Added “adequately” before “protect”
724.213(d)(1)(C)	Board	Changed “under” to “pursuant to”
724.213(d)(2)	Board	Changed “under” to “pursuant to” (twice)
724.212(d)(3)	Board	Changed “the requirements of this subsection (d) do” to “this subsection (d) does”
724.213(e)(3)(A)	Board	Changed “under” to “pursuant to”
724.213(e)(3)(B)	Board	Changed “under” to “pursuant to”
724.213(e)(5)(A)	Board	Added “adequately” before “protect”; changed “do the following” to “fulfill the conditions of subsections (e)(5)(A)(i) and (e)(5)(A)(ii) of this Section”; added the text of subsection (e)(5)(A)(iii) “the Board will retain jurisdiction . . . pursuant to subsection (e)(7) of this Section”
724.213(e)(5)(A)(iii)	Board	Moved the text to subsection (e)(5)(A)
724.213(e)(8)(D)	Board	Changed “under” to “pursuant to”
724.217(a)(2)(A)	Board	Added “adequately” before “protect”
724.217(a)(2)(B)	Board	Added “adequately” before “protect”
724.219(b)(1)	JCAR	Changed the double en-dashes to em-dashes before and after “or on some . . . title search”
724.219(b)(1)(B)	Board	Changed “under” to “pursuant to”
724.219(c)	Board	Changed “35 Ill. Adm. Code 703 and 720 through 726” to “35 Ill. Adm. Code 703 and 720 through 728, and 738”
724.240(b)(3)	Board	Changed “under” to “pursuant to”
724.240(b)(4)	Board	Changed “under” to “pursuant to”
724.240(d)(1)	Board	Changed “under” to “pursuant to”
724.240(d)(2)	Board	Added “adequately” before “protect”

Section	Source	Revision(s)
724.245(f)(3)(A)	Board	Removed the unnecessary comma from before “as specified”; removed the unnecessary ending conjunction “and”
724.247(a)(6)	Board	Changed “under” to “pursuant to”
724.247(a)(7)(B)	Board	Changed “under” to “pursuant to”
724.247(a)(7)(C)	Board	Changed “under” to “pursuant to”
724.247(b)(6)	Board	Changed “under” to “pursuant to”
724.247(b)(7)(B)	Board	Changed “under” to “pursuant to”
724.247(b)(7)(C)	Board	Changed “under” to “pursuant to”
724.247(c)	Board	Changed “under” to “pursuant to” (three times)
724.247(d)	Board	Changed “under” to “pursuant to” (twice); added “adequately” before “protect”
724.247(f)(2)	Board	Changed “under” to “pursuant to”
724.275(a)	JCAR	Changed the ending period to a semicolon
724.275(b)(5) Board note	Board	Added “of 35 Ill. Adm. Code 722 through 728”
724.293(c)(4) Board note	Board	Changed “35 Ill. Adm. Code 722 through 725” to “35 Ill. Adm. Code 722 through 728”
724.331(b)	Board	Added “adequately” before “protect”
724.359(b)	Board	Added “adequately” before “protect”
724.372(b)	Board	Changed “under” to “pursuant to” (twice)
724.372(c)	Board	Changed “under” to “pursuant to” (twice)
724.372(c)(3)	Board	Added “adequately” before “protect”
724.383(b)	Board, JCAR	Changed “ground water” to “groundwater”; added “adequately” before “protect”
724.417(b)	Board	Added “adequately” before “protect”
724.440(b)(1)	Board	Changed “an” to “the” before “owner or operator”; changed “under” to “pursuant to”
724.440(b) Board note	Board, JCAR	Changed “September 30, 1999” to “Sept. 30, 1999”
724.440(c)(1)(C)	Board	Changed “under” to “pursuant to”
724.451 Board note	Board	Changed “this Subchapter” to “35 Ill. Adm. Code 722 through 728”
724.651(a)	Board	Changed “under” to “pursuant to”
724.651(b)(1)(A)	Board	Changed “under” to “pursuant to”
724.651(e)(4)(A)(ii)	Board	Added “adequately” before “protect”
724.651(e)(4)(C)	Board	Changed “under” to “pursuant to”
724.651(e)(4)(D)	Board	Added “adequately” before “protect”
724.651(g)	Board	Changed “under” to “pursuant to”
724.652(a)	Board	Changed “under” to “pursuant to” (twice)
724.651(b)(1)(A)	Board	Changed “under” to “pursuant to”
724.651(e)(3)(A)	Board	Changed “under” to “pursuant to”



Section	Source	Revision(s)
724.651(e)(4)(A)(ii)	Board	Changed the semicolon after “site” to a period and capitalized “When” to split the sentence
724.651(e)(4)(A)(iii)	Board	Added “that posed by” to “the cleanup levels”
724.651(e)(4)(D)(v)	Board	Changed “under” to “pursuant to”
724.651(e)(4)(E)	Board	Changed “be protective of” to “adequately protect”
724.651(e)(4)(E)(ii)	Board	Changed “under” to “pursuant to”
724.651(e)(5)(C)	Board	Added “adequately” before “protect”
724.651(e)(6)(A)(ii)	Board	Added “adequately” before “protect”
724.651(e)(6)(C)	Board	Changed “under” to “pursuant to”
724.651(e)(6)(E)	Board	Added “adequately” before “protect”
724.651(h)	Board	Changed “under” to “pursuant to”
724.651(i)	Board	Added “adequately” before “protect”
724.651(j)	Board	Changed “under” to “pursuant to”
724.653(a)	Board	Changed “under” to “pursuant to”. . . ; added “adequately” before “protect”
724.653(f)(1)	Board	Changed “under” to “pursuant to”
724.653(f)(2)	Board	Changed “under” to “pursuant to”
724.653 Board note	Board	Changed “USEPA promulgated this provision pursuant to” to “USEPA promulgated 40 CFR 264.553, from which this Section was derived, pursuant to”; changed “USEPA Region V” to “USEPA Region 5”; changed “under this provision” to “pursuant to this Section”
724.653(c)(2)	Board	Added “adequately” before “protect”
724.653(c)(3)	Board	Added “adequately” before “protect”
724.653(d)(1)(B)	Board	Added “adequately” before “protect”
724.653(d)(1)(C)	Board	Changed “under” to “pursuant to”
724.653(e)(1)(A)	Board	Changed “under” to “pursuant to”
724.653(i)(2)	Board	Added “adequate” before “protection”
724.653(j)(2)	Board	Added “adequately” before “protect”
724.653(l)(1)(A)	Board	Changed “under” to “pursuant to”
724.653(l)(1)(B)	Board	Changed “under” to “pursuant to”
724.653(l)(2)	Board	Changed “under” to “pursuant to”
724.653(l)(3)	Board	Changed “under” to “pursuant to”
724.654(k)(2)	JCAR, Board	Changed “the above requirement” to “the requirement stated in subsection (k)(1) of this Section”
724.671(b)(3)(B)(ii)	Board	Changed “be protective of” to “adequately protect”
724.701 preamble	Board	Added “adequate” before “protection”; added “adequate” before “protection” (twice); added “adequately” before “protect”
724.702	Board	Added “adequately” before “protect”
724.931 preamble	Board	Changed “35 Ill. Adm. Code 720 through 726” to “35 Ill. Adm. Code 720 through 728, and 738”

Section	Source	Revision(s)
724.951 preamble	Board	Changed “35 Ill. Adm. Code 720 through 726” to “35 Ill. Adm. Code 720 through 728, and 738”
724.981	Board, JCAR	Removed “RCRA” and the offsetting commas; changed “35 Ill. Adm. Code 720.110” to “35 Ill. Adm. Code 720 through 728”
725 source note	Board	Added “effective February 14, 2003, amended in R05-8 at 29 Ill. Reg. 6028, effective April 13, 2005” to reflect text omitted
725.101(b)	Board	Changed “under” to “pursuant to” (three times)
725.101 Board note	Board	Changed “under” to “pursuant to”
725.101(c)(1)	Board	Changed “under” to “pursuant to” (three times)
725.101(c)(3) Board note	Board	Changed “under” to “pursuant to” (twice)
725.101(c)(5)	Board	Changed “under” to “pursuant to”
725.101(c)(11)(D)	Board	Added “adequately” before “protect”
725.101(c)(14)	Board	Changed “under” to “pursuant to”
725.101(c)(14)(C)	Board	Added the ending conjunction “and”
725.101(c)(14)(D)	Board	Changed the ending semicolon to a period; removed the ending conjunction “and”
725.101(c)(14)(E)	Board	Removed the obsolete definition of “mercury-containing equipment”
725.101(c)(14) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
725.101(d)	Board	Changed “under” to “pursuant to”
725.101(f)	Board	Changed “under” to “pursuant to”; changed “35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, 705, 720 through 728, and 738”
725.153 preamble	Board	Changed “a copy of the contingency plan . . . must be disposed” to active-voice “the facility owner or operator must . . . copies of the contingency plan and all revisions to the plan”
725.153(a)	Board	Changed “they must be maintained” to active-voice, singular “it must maintain a copy”
725.153(b)	Board	Changed “they must be submitted to all . . . departments, . . . departments, hospitals . . . teams” to active-voice, singular “it must submit to each . . . department, . . . department, hospital . . . team”; added “at the facility”
725.190(d)	Board	Changed “under” to “pursuant to”
725.190(e)(1)	Board	Changed “under” to “pursuant to”
725.190(f)	Board	Changed “under” to “pursuant to”
725.190(f)(2)	Board	Added “adequately” before “protect”
725.210(b)(3)	Board	Changed “under” to “pursuant to”

Section	Source	Revision(s)
725.210(b)(4)	Board	Changed “under” to “pursuant to”
725.210(d)(2)	Board	Added “adequately” before “protect”
725.211(b)	Board, JCAR	Added “adequately” before “protect”; removed “to” from before “human health”
725.213(a)(1)(A)	JCAR	Removed “of this Section” from after “this subsection (a)”
725.213(d)(1)(C)	Board	Changed “under” to “pursuant to”
725.213(d)(2)	Board	Changed “under” to “pursuant to” (twice)
725.213(e)(3)(A)	Board	Changed “under” to “pursuant to”
725.213(e)(3)(B)	Board	Changed “under” to “pursuant to”
725.213(e)(5)(A)	Board	Added “adequately” before “protect”
725.213(e)(8)(D)	Board	Changed “under” to “pursuant to”
725.217(a)(2)(A)	Board	Added “adequately” before “protect”
725.217(a)(2)(B)	Board	Added “adequately” before “protect”
725.219(b)(1)(B)	Board	Added “adequately” before “protect”; changed “Subpart G of 35 Ill. Adm. Code 725” to “Subpart G of this Part”
725.219(c)	Board	Changed “35 Ill. Adm. Code 702, 703, and 720 through 726” to “35 Ill. Adm. Code 702, 703, 720 through 728, and 738”
725.240(b)(2)	Board	Changed “under” to “pursuant to”
725.240(b)(3)	Board	Changed “under” to “pursuant to”
725.240(d)(1)	Board	Changed “under” to “pursuant to”
725.240(d)(2)	Board	Added “adequately” before “protect”
725.247(a)(6)	Board, JCAR	Changed “under” to “pursuant to”; changed “this subsection” to “this subsection (b)(6)”
725.247(a)(7)(B)	Board	Changed “under” to “pursuant to”
725.247(a)(7)(C)	Board	Corrected the spelling of “judgement” to “judgment”; changed “under” to “pursuant to”
725.247(b)(6)	Board	Changed “under” to “pursuant to”
725.247(b)(7)(B)	Board	Changed “under” to “pursuant to”
725.247(b)(7)(C)	Board	Changed “under” to “pursuant to”
725.247(c)	Board	Changed “under” to “pursuant to”
725.247(d)	Board	Changed “under” to “pursuant to” (twice); added “adequately” before “protect”; changed “nonsudden” to hyphenated “non-sudden”
725.247(f)(2)	Board	Changed “under” to “pursuant to”
725.293(c)(4) Board note	Board	Changed “35 Ill. Adm. Code 722 through 725” to “35 Ill. Adm. Code 722 through 728”
725.451 Board note	Board	Changed “this Subchapter” to “35 Ill. Adm. Code 722 through 728”
725.541(b)(3)(B)(ii)	Board	Changed “be protective of” to “adequately protect”
725.931 preamble	Board	Changed “35 Ill. Adm. Code 720 through 726” to “35 Ill. Adm. Code 720 through 728, and 738”

Section	Source	Revision(s)
725.951 preamble	Board	Changed “35 Ill. Adm. Code 720 through 726” to “35 Ill. Adm. Code 720 through 728, and 738”
725.980(b)(1)	Board	Changed “is added” to past-tense “was added”
725.980(b)(5)	Board	Changed “under” to “pursuant to”
725.980(b)(6)	Board	Changed “under” to “pursuant to”
725.980(b)(7)	Board	Changed “under” to “pursuant to”
725.981 preamble	Board	Removed “RCRA” and the offsetting comma; changed “35 Ill. Adm. Code 720 through 726” to “35 Ill. Adm. Code 720 through 728”
726.170(d)	Board	Removed “RCRA” and the offsetting comma; changed “35 Ill. Adm. Code 702, 703, and 722 through 726” to “35 Ill. Adm. Code 702, 703, and 722 through 728”
726.200(b)(1)	Board, JCAR	Reverted “became” to “becomes”; corrected the overstruck “63.1210(d)” to “63.1210(b)” to reflect text on file that is to be amended; changed “under” to “pursuant to”
726.200(b)(3)	Board, JCAR, Agency	Corrected the spelling of “requiriements” to “requirements”
726.200(b) Board note	JCAR	Changed “Title V” to lower-case “title V”
726.200(c)	Board	Changed “under” to “pursuant to”
726.200(c)(1)	Board	Changed “under” to “pursuant to”; changed “this Subpart” to “this Subpart H”
726.200(c)(3)	Board	Changed “under” to “pursuant to” (twice)
726.200(d)	Board	Changed “under” to “pursuant to”
726.200(d)(1)(A)(i)	Board	Changed “under” to “pursuant to”; changed “this subsection” to “this subsection (d)”
726.200(d)(3)	Board, JCAR	Changed “under” to “pursuant to” (four times)
726.200(d)(3)(A)(iv)	Board	Changed “under” to “pursuant to”
726.200(d)(3)(B)	Board	Removed the over-strike from “pose a hazard to human health and the environment” and the underlined “threaten a violation of the Act of Board regulations” to reverse proposed amendments to text on file
726.200(e)	Board	Changed “under” to “pursuant to”
726.200(f)	Board	Changed “under” to “pursuant to”
726.200(g)	Board	Changed “under” to “pursuant to”
726.200(g)(1)(A)	Board	Changed “under” to “pursuant to”
726.200(h)	Board, JCAR	Changed “under” to “pursuant to” (three times); changed “this Subpart” to “this Subpart H”
726.202(a)(1)	Board	Changed “under” to “pursuant to”

Section	Source	Revision(s)
726.202(b)(1)	Board	Replaced the parentheses on “incorporated . . . 720.111” with an offsetting comma; added “adequately” before “protect”; changed “this Subpart” to “this Subpart H”; changed “under” to “pursuant to”
726.202(d)(1)	Board	Changed “under” to “pursuant to”
726.202(d)(2)	Board	Changed “under” to “pursuant to”
726.202(d)(3)	Board	Changed “under” to “pursuant to”
726.202(e)(2)(A)	Board	Changed “under” to “pursuant to”
726.202(e)(2)(A)(vi)	Board	Changed “under” to “pursuant to”
726.202(e)(2)(B)(ii)	Board	Changed “under” to “pursuant to”
726.202(e)(2)(B)(iii)	Board	Changed “under” to “pursuant to”
726.202(e)(2)(C)	Board	Changed “under” to “pursuant to”
726.202(e)(3)(B)	Board	Changed “under” to “pursuant to”
726.202(e)(4)(A)(i)	Board	Changed “under” to “pursuant to”
726.202(e)(4)(B)	Board	Changed “under” to “pursuant to” (twice)
726.202(e)(4)(B)(x)	Board, JCAR	Changed “under” to “pursuant to”; changed “Sections 726.206(c) or (d)” to singular “Section 726.206(c) or (d)”
726.202(e)(4)(C)	Board	Changed “under” to “pursuant to”
726.202(e)(4)(C)(x)	Board, JCAR	Changed “under” to “pursuant to”; changed “Sections 726.206(c) or (d)” to singular “Section 726.206(c) or (d)”
726.202(e)(5)(B)	Board	Changed “under” to “pursuant to” (twice)
726.202(e)(5)(B)(vii)	Board	Changed “under” to “pursuant to”
726.202(e)(6)(C)	Board	Changed “under” to “pursuant to”
726.202(e)(6)(D)(ii)	Board	Changed “under” to “pursuant to” (twice)
726.202(e)(7)(A)(i)	JCAR	Removed the unnecessary ending conjunction “or”
726.202(e)(7)(B)	Board	Changed “under” to “pursuant to”
726.202(e)(7)(B)(i)	JCAR	Changed the ending comma to a semicolon
726.202(e)(8)(A)(ii)	JCAR	Changed the ending period to a semicolon; added the ending conjunction “and”
726.208(a)(1)	Board	Changed “the Table A” to “Table A of this Part”
726.208(b)	Board	Changed “nonhazardous” to hyphenated “non-hazardous” (twice)
726.208(c)	Board	Changed “under” to “pursuant to”
726.208(c) “n”	JCAR	Changed “means” to “=”
726.208(c) Board note	Board	Changed “under” to “pursuant to” (twice)
726.208(d)	Board	Changed “under” to “pursuant to”
726.208(d)(3)	Board	Added a comma before “as provided” to offset a parenthetical
726.211(d)	Board	Changed “under” to “pursuant to”
726.211(e)(3)(C)	Board	Changed “under” to “pursuant to”; changed “this subsection” to “this subsection (e)(3)”

Section	Source	Revision(s)
726.300(b)	Board	Changed “35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, 705, 720 through 728, and 738”
726.303(a)(1)	Board	Changed “under” to “pursuant to” (twice); changed “35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, 705, 720 through 728, and 738”
726.303(a)(2)	Board	Changed “under” to “pursuant to”
726.303(b)(1)	Board	Changed “under” to “pursuant to”
726.303(b)(2)	Board	Changed “under” to “pursuant to”; added “adequately” before “protect”
726.303(b)(3)	Board	Changed “under the preceding sentence” to “pursuant to subsection (b)(2) of this Section”
726.303(b)(4)	Board	Changed “under” to “pursuant to”
726.304(a)(1)	Board	Changed “under” to “pursuant to” (twice); changed “35 Ill. Adm. Code 702, 703, 705, 720 through 726, 728, 733, and 739” to “35 Ill. Adm. Code 702, 703, 705, 720 through 728, 733, 738, and 739”
726.304(c)(1)	Board	Changed “under” to “pursuant to”
726.304(c)(2)	Board	Changed “under” to “pursuant to”; added “adequately” before “protect”
726.305(c)(3)	Board	Changed “under the preceding sentence” to “pursuant to subsection (b)(2) of this Section”
726.304(c)(4)	Board	Changed “under” to “pursuant to”
726.304(d)(1)	Board	Changed “under” to “pursuant to”
726.304(d)(2)	Board	Changed “under” to “pursuant to”
726.305(c)(3)	Board	Changed “the preceding subsection (c)(2)” to “subsection (c)(2) of this Section”
726.305(d)(1)	Board	Removed the unnecessary comma from after “35 Ill. Adm. Code 721”
726.306	Board	Changed “35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, 705, 720 through 728, and 738”
726.345(b)	Board	Changed “under” to “pursuant to”; added “adequately” before “protect”
726.355(a)	Board	Changed “Sections of 35 Ill. Adm. Code 702, 703, 720 through 726, and 728” to “provisions of 35 Ill. Adm. Code 702, 703, 720 through 728, and 738”
726.460(b)	Board	Changed “under” to “pursuant to”; added “adequately” before “protect”
728 table of contents, 728.106 heading	Board	Changed “under” to “pursuant to”
728.101(c)(1)	Board	Changed “under” to “pursuant to”

Section	Source	Revision(s)
728.101(c)(2)	Board	Changed “under” to “pursuant to”
728.101(c)(3)	Board	Changed “under” to “pursuant to”
728.101(c)(3)(A)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
728.101(c)(4)	Board	Changed “under” to “pursuant to”
728.101(c)(4)(A)(i)	Board	Changed “under” to “pursuant to”
728.101(e)(5)	Board	Changed “under” to “pursuant to”
728.101(f)	Board	Changed “under” to “pursuant to”
728.101(f)(3)	Board	Added the ending conjunction “and”
728.101(f)(4)	Board	Changed the ending semicolon to a period; removed the ending conjunction “and”
728.101(f)(5)	Board	Removed the obsolete definition of “mercury-containing equipment”
728.101(f) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
728.106 heading	Board	Changed “under” to “pursuant to”
728.106(a)	Board	Changed “under” to “pursuant to”
728.106(c)(3)	Board	Changed “under” to “pursuant to”
728.106(c)(4)	Board	Changed “under” to “pursuant to”
728.106(c)(5)	Board	Changed “under” to “pursuant to”
728.106(f)(3)(C)	Board	Changed “under” to “pursuant to”
728.106(k)	Board	Changed “under” to “pursuant to” (three times)
728.106(l)	Board	Changed “under” to “pursuant to”
728.106(m)	Board	Changed “under” to “pursuant to”; changed “35 Ill. Adm. Code 702, 703, and 720 through 726” to “35 Ill. Adm. Code 702, 703, and 720 through, 728, and 738”
728.106(n)	Board	Changed “under” to “pursuant to”
728.142(a)(2)	Board	Changed “under” to “pursuant to” (twice)
728.142(a)(3)	Board	Changed “under” to “pursuant to”
728.142(b)	Board	Changed “is protective of” to “adequately protects”
728.Table F, note 4	Board	Changed “under” to “pursuant to”
728.Table F, ¶ A.2.a.	Board	Changed “under” to “pursuant to” (twice)
728.Table F, ¶ A.3.a.	Board	Changed “under” to “pursuant to”
728.Table F, ¶ A.3.b.	Board	Changed “under” to “pursuant to”
728.Table F, ¶ B.1.	Board	Changed “under” to “pursuant to”
728.Table F, ¶ B.2.a.	Board	Changed “under” to “pursuant to”
728.Table F, ¶ B.3.	Board	Changed “under” to “pursuant to”
728.Table F Board note	Board	Added citation to the federal source of the table
730 table of contents, 730.101 heading	Board	Added a comma after “Scope” to separate the final element of a series
730 table of contents, Subpart B heading	Board	Added “Waste Injection” before “Wells”
730 table of contents, 730.113 heading	Board	Added a comma after “Monitoring” to separate the final element of a series

Section	Source	Revision(s)
730 table of contents, Subpart C heading	Board	Added “Injection” before “Wells”
730 table of contents, 730.121 heading	Board	Added “Injection” before “Wells”
730 table of contents, Subpart D heading	Board	Added “Injection” before “Wells”
730 table of contents, Subpart G heading	Board	Added “Waste Injection” before “Wells”
730 source note	Board	Removed the reference “at 47 PCB 93” and the offsetting commas; removed the reference “at 53 PCB 131” and the offsetting comma
730.101 heading	Board	Added a comma after “Scope” to separate the final element of a series
730.101(a)	Board	Changed “should” to “must”; added a comma after “704” to separate the final element of a series; added a comma before “which also apply” to offset a non-restrictive relative clause; added the sentence “35 Ill. Adm. Code 704 further outlines . . . types of Class V injection wells.”; changed “Illinois Environmental Protection Agency (Agency)” to the defined term “Agency”; changed “Illinois Environmental Protection Agency (Agency)” to the defined term “Agency”; changed “will” to “must”
730.101(b)	Board	Changed “which” to “that” for a restrictive relative clause
730.102	Board	Replaced the Illinois Revised Statutes citation in parentheses with “415 ILCS 5” in brackets
730.103 “application”	Board	Added a comma after “revisions” to separate the final element of a series; changed “under” to “pursuant to”
730.103 “area of review”	Board	Changed “one-quarter of a mile” to “one-quarter mile”
730.103 “contaminant”	Board	Added a comma after “biological” to separate the final element of a series
730.103 “fluid”	Board	Added a comma after “gas” to separate the final element of a series
730.103 “hazardous waste management facility”	Board	Added a comma after “storing” to separate the final element of a series; added a comma after “storage” to separate the final element of a series; added a comma after “impoundments” to separate the final element of a series
730.103 “injection zone”	Board	Added a comma after “group of formations” to separate the final element of a series



Section	Source	Revision(s)
730.103 “permit”	Board	Added a comma after “license” to separate the final element of a series; replaced the comma with an opening parenthesis mark before “Subpart C of 35 Ill. Adm. Code 703”; changed “35 Ill. Adm. Code 703, Subpart C” to “Subpart C of 35 Ill. Adm. Code 703”
730.103 “point of injection”	Board	Added “injection” before “well”
730.103 “radioactive waste”	Board	Changed “which” to “that” for a restrictive relative clause; changed “10 CFR 20, Appendix B, Table II, Column 2” to “Table II, column 2 in appendix B to 10 CFR 20”; added the table title “Water Effluent Concentrations” in parentheses
730.103 “RCRA”	Board	Removed the unnecessary citation to “P.L. 94-580, as amended by P.L. 95-609” and the offsetting comma; changed “42 USC 6901” to “42 USC 6901 et seq.”
730.103 “SDWA”	Board	Removed the unnecessary citation to “P.L. 95-523, as amended by P.L. 95-190” and the offsetting comma; changed “42 USC 300(f)” to “42 USC 300(f) et seq.”
730.103 “sole or principal source aquifer”	Board	Added the statutory citation “42 USC 300h-3(a) or (e)” in parentheses
730.103 “total dissolved solids”	Board	Changed “40 CFR 136” to “40 CFR 136.3” to narrow the reference; added the section title “Identification of Test Procedures” and an indication of the method of interest in parentheses
730.103 “UIC”	Board	Added the statutory citation “42 USC 300h through 300h-8” in parentheses
730.103 “underground source of drinking water”	Board	Changed “mg/l” to “mg/ℓ”; moved the ending period inside the closing quotation mark
730.103 “well stimulation”	Board	Added a comma after “channels” to separate the final element of a series; added a comma after “acidizing” to separate the final element of a series
730.103 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.104 preamble	Board	Changed “under” to “pursuant to” (twice); changed “following criteria” to “criteria of either subsections (a) and (b) or (a) and (c) of this Section”; changed the ending colon to a period
730.104(b)	Board	Added “one or more of the following is true of the aquifer”
730.104(b)(4)	Board	Added “injection” before “well”
730.104(c)	Board	Changed “mg/l” to “mg/ℓ”

Section	Source	Revision(s)
730.105(a)	Board	Added “injection wells” after “Class I”; added “a Class I injection well is any of the following:”
730.105(a)(1)	Board	Changed “wells used by generators . . . owners or operators of hazardous waste management facilities” to singular “a Class I hazardous waste injection well that is used by a generator . . . an owner or operator of a hazardous waste management facility”;
730.105(a)(2)	Board	Changed “other industrial and municipal disposal wells that inject” to singular “an industrial or municipal disposal well that injects”
730.105(a)(3)	Board	Changed “radioactive waste disposal wells that inject” to singular “an radioactive waste disposal well that injects”
730.105(b)	Board	Added “injection wells” after “Class II”; changed “wells that inject fluids” to singular “a Class II injection well is one that injects any of the following types of fluids”
730.105(b)(1)	Board	Added “fluids”
730.105(b)(2)	Board	Added “fluids that are used”
730.105(b)(3)	Board	Added “fluids that are used”
730.105(c)	Board	Added “injection wells” after “Class III”; changed “wells that inject for extraction of minerals, including” to singular “a Class III injection well is one that injects fluid for extraction of minerals, including one used in any of the following activities”
730.105(c)(2)	Board	Changed the ending conjunction “and” to “or”
730.105(c) Board note	Board	Changed “Class III wells include . . . do . . . wells . . . fall” to singular “a Class III injection well would include a well used for . . . does . . . well . . . falls”
730.105(d)	Board	Added “injection wells” after “Class IV”; added “a Class IV injection well is any of the following:”
730.105(d)(1)	Board	Changed “wells used by generators . . . owners or operators of hazardous waste facilities . . . owners or operators of radioactive waste disposal sites” to singular “a well used by a generator . . . an owner or operator of a hazardous waste facility . . . an owner or operator of a radioactive waste disposal site”
730.105(d)(2)	Board	Changed “wells used by generators . . . owners or operators of hazardous waste facilities . . . owners or operators of radioactive waste disposal sites” to singular “a well used by a generator . . . an owner or operator of a hazardous waste facility . . . an owner or operator of a radioactive waste disposal site”

Section	Source	Revision(s)
730.105(d)(3)	Board	Changed “wells used by generators . . . owners or operators of hazardous waste facilities” to singular “a well used by a generator . . . an owner or operator of a hazardous waste facility”; changed “under” to “pursuant to”
730.105(e)	Board	Added “injection wells” after “Class V”; changed “injection wells” to singular “a Class V injection well is any”
730.105(e)(11)	Board	Added “injection” before “wells”
730.105(e)(12)	Board	Added a comma after “aquaculture” to separate the final element of a series
730.106 preamble	Board	Changed “shall” to “must”; changed “subsection (a) or (b) below” to “subsection (a) or (b) of this Section”
730.106(a)(1)	Board	Changed “shall” to “must”; added “the applicable of the following”
730.106(a)(1)(A)	Board	Changed “under” to “pursuant to”
730.106(a)(1)(B)	Board	Changed “under” to “pursuant to”
730.106(a)(2)	Board	Corrected the format of the equation by replacing italics with standard typeface (twice); added the ending period
730.106(b)	JCAR	Changed “Radius” to lower-case “radius”
730.106(b)(1)	Board	Changed “under” to “pursuant to”; added a comma after “in the case of . . . 704.161” to offset the introductory prepositional phrase; changed numeric “1/4” to written “one-quarter”
730.106(b)(2)	Board	Changed “under” to “pursuant to”; added a comma after “in the case of . . . 704.162” to offset the introductory prepositional phrase; changed numeric “1/4” to written “one-quarter”
730.106(b)(3)	Board	Changed “shall” to “must”
730.106(c)	Board	Changed “subsection (a) above” to “subsection (a) of this Section”; changed numeric “1/4” to written “one-quarter”
730.107 preamble	Board	Changed “under” to “pursuant to”; changed “shall” to “must”
730.107(a)	Board	Added “the”
730.107(b)	Board	Added “the”
730.107(c)	Board	Added “any”
730.107(f)	Board	Added “the”
730.107(g)	Board	Added “any”
730.107(h)	Board	Added “any”
730.107(i)	Board	Added “any”

Section	Source	Revision(s)
730.108(a)	Board	Changed “applicant or permittee” to “owner or operator”; added “both of the following conditions are fulfilled”
730.108(b)	Board	Changed “under” to “pursuant to”; changed “subsection (a)(1) above” to “subsection (a)(1) of this Section”
730.108(b)(2)	Board	Added “any”
730.108(c)	Board	Changed “under” to “pursuant to”; changed “subsection (a)(2) above” to “subsection (a)(2) of this Section”
730.108(c)(1)	Board	Removed the unnecessary ending conjunction “or”
730.108(c)(2)	Board	Added “injection” before “wells”; changed “subsection (c)(1) above” to “subsection (c)(1) of this Section”
730.108(c)(3)	Board	Added “injection” before “wells”; changed “shall” to “must”
730.108(d)	Board	Changed “subsection (b) and (c) above” to “subsection (b) and (c) of this Section”; changed “shall” to “must” (twice)
730.108(e)	Board	Changed “shall” to “must” (three times)
730.108(f)	Board	Changed “under” to “pursuant to”; changed “subsection (e) above” to “subsection (e) of this Section”
730.109 heading	Board	Removed the ending period
730.109 preamble	Board	Changed “under” to “pursuant to”; changed “shall” to “must”
730.109(a)	Board	Added “any”
730.109(b)	Board	Added “any”
730.109(c)	Board	Added “the”
730.109(d)	Board	Added “any”
730.109(e)	Board	Added “any”
730.109(f)	Board	Changed “Federal” to lower-case “federal”
730.109(g)	Board	Added “the”
730.109(h)	Board	Added “the”
730.110(a)	Board	Added a comma after “II” to separate the final element of a series
730.110(a)(1)	Board	Added “injection” before “well”; added “injection” before “wells”
730.110(a)(2)	Board	Added “means”
730.110(a)(4)	Board	Added “injection” before “well”; changed “under” to “pursuant to”
730.110(b)	Board	Added “injection” before “well”
730.110(c)(1)	Board	Changed “under” to “pursuant to”
730.Subpart B heading	Board	Added “Waste Injection” before “Wells”
730.111	Board	Changed “this Subpart” to “this Subpart B”; added “waste injection” before “wells”

Section	Source	Revision(s)
730.111 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.112(a)	Board	Added “injection” before “well”; changed “shall” to “must”; corrected “400 meters” to “402 meters”; changed “one quarter” to hyphenated “on-quarter”
730.112(b)	Board	Added “injection” before “well”; changed “shall” to “must” (three times)
730.112(b)(1)	Board	Added “the”
730.112(b)(2)	Board	Added “the”
730.112(b)(3)	Board	Added “the”
730.112(b)(4)	Board	Added “the”
730.112(b)(5)	Board	Added “the”
730.112(b)(6)	Board, JCAR	Added “the” (twice); changed the ending comma to a semicolon
730.112(b)(7)	Board	Added “the”
730.112(c)	Board	Changed “all Class I injection wells, except those municipal wells” to “a Class I injection well, except a municipal well”; changed “shall” to “must” (twice); changed “operators” to “an operator”
730.112(c)(1)	Board	Changed “shall” to “must” (twice); removed the unnecessary comma and changed “which shall set forth” to “that sets forth” for a restrictive relative clause
730.112(c)(2)	Board	Changed “shall” to “must”
730.112(c)(2)(A)	Board	Added “the”
730.112(c)(2)(B)	Board	Added “the”
730.112(c)(2)(C)	Board	Added “the”
730.112(c)(2)(D)	Board	Added “the”
730.112(c)(2)(E)	Board	Added “the”
730.112(c)(2)(F)	Board	Added “the”
730.112(d)	Board	Changed “shall” to “must” (three times); added “injection” before “wells”; added “the following information”
730.112(d)(1)	Board	Changed “shall” to “must”
730.112(d)(2)	Board	Changed “shall” to “must”
730.112(d)(2)(A)	Board	Added “the following” offset by a comma
730.112(d)(2)(B)	Board	Added “the following” offset by a comma
730.112(e)	Board	Changed “shall” to “must”; added “injection” before “wells”
730.112(e)(4)	JCAR	Changed the ending comma to a semicolon
730.113 heading	Board	Added a comma after “Monitoring” to separate the final element of a series

Section	Source	Revision(s)
730.113(a)	Board	Changed “shall” to “must”; changed “that” to “the following”
730.113(a)(1)	Board	Added “that”; added a comma before “except” to offset the parenthetical; changed “shall” to “must” (three times); changed “which” to “that” for a restrictive relative clause; changed the ending period to a semicolon
730.113(a)(2)	Board	Added “that”; changed the ending period to a semicolon; added the ending conjunction “and”
730.113(a)(3)	Board, JCAR	Added “that”; added a comma before “except” to offset the parenthetical; changed “under” to “pursuant to”; changed “shall” to “must” (twice); corrected “pressureprescribed” to “pressure prescribed”
730.113(b)	Board	Changed “shall” to “must”; added “all of the following”
730.113(b)(2)	Board	Added a comma after “flow rate” to separate the final element of a series
730.113(b)(4)	Board	Added a comma after “number” to separate the final element of a series; added a comma after “measured” to separate the final element of a series
730.113(c)	Board	Changed “shall” to “must”
730.113(c)(1)	Board	Added “each of the following”
730.113(c)(1)(A)	Board	Added a comma after “chemical” to separate the final element of a series
730.113(c)(1)(B)	Board	Added “the”
730.113(c)(1)(C)	Board	Changed “under” to “pursuant to”; changed “subsection (b)(4)” to “subsection (b)(4) of this Section”
730.113(c)(2)	Board	Added “each of the following”
730.113(d)(1)	Board	Changed “shall” to “must” (twice)
730.113(d)(2)(A)	Board	Changed “shall” to “must”
730.113 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.114 preamble	Board, JCAR	Changed “this section” to capitalized “this Section”; changed “Class I wells” to singular “a Class I injection well”; added a comma after “for an existing . . . well” to offset the introductory prepositional phrase; added “injection” before “well” (twice); changed “shall” to “must”; added “injection” before “wells”; added a comma after “wells” to separate the final element of a series; added a comma before “provided” to offset a parenthetical
730.114(a)	Board, JCAR	Added “injection” before “well” (twice); added a comma after “prior to the . . . well” to offset the introductory prepositional phrase; changed “shall” to “must”

Section	Source	Revision(s)
730.114(a)(1)	Board	Changed “35 Ill. Adm. Code 702.120 through 702.124 and 35 Ill. Adm. Code 704.161(c)” to “35 Ill. Adm. Code 702.120 through 702.124 and 704.161(c)”
730.114(a)(3)	Board	Changed “shall” to “must”
730.114(a)(4)	Board	Changed “cross sections” to hyphenated “cross-sections”
730.114(a)(5)	Board	Changed “cross sections” to hyphenated “cross-sections”
730.114(a)(6)	Board	Changed “cross sections” to hyphenated “cross-sections”
730.114(a)(7)	Board	Added “including the following information” offset by a comma; changed the ending semicolon to a colon
730.114(a)(7)(A)	Board	Added “the”
730.114(a)(7)(B)	Board	Added “the”
730.114(a)(7)(C)	Board	Added “the”
730.114(a)(8)	Board	Added “a”
730.114(a)(9)	Board	Added “a”
730.114(a)(10)	Board	Added “the”
730.114(a)(14)	Board	Changed “under” to “pursuant to”
730.114(a)(15)	Board	Changed a comma to a semicolon to separate elements of a series that contains a sub-series (three times)
730.114(b)	Board, JCAR	Added “injection” before “well”; added a comma after “prior to the . . . well” to offset the introductory prepositional phrase; changed “shall” to “must”
730.114(c)	Board, JCAR	Added “injection” before “well”; changed “shall” to “must”; added a comma after “prior to the . . . well” to offset the introductory prepositional phrase
730.114(c)(1)	JCAR	Changed the ending comma to a semicolon
730.114(c)(3)	JCAR	Changed the ending comma to a semicolon
730.Subpart C heading	Board	Added “Injection” before “Wells”
730.121 heading	Board	Added “Injection” before “Wells”
730.121	Board	Added “injection” before “well”; added the statutory citation “42 USC 300h-4” in parentheses
730.Subpart D heading	Board	Added “Injection” before “Wells”
730.131	Board	Changed “this Subpart” to “this Subpart M”; added “injection” before “wells”
730.132(a)	Board	Changed “all new Class III wells” to singular “a new Class III injection well”; changed “new wells” to “a new well”
730.132(a)(1)	Board	Added “the”
730.132(a)(2)	Board	Added “the”
730.132(a)(3)	Board	Added “the”
730.132(a)(4)	Board	Added “the”
730.132(a)(5)	Board	Added “the”
730.132(a)(6)	Board	Added “the”
730.132(a)(7)	Board	Added “the”

Section	Source	Revision(s)
730.132(b)	Board	Changed “new Class III wells” to singular “a new Class III injection well”; added “injection” before “well”; added “the” before “availability”
730.132(c)	Board	Changed “new Class III wells or projects” to singular “a new Class III injection well or project”
730.132(c)(1)	Board	Added “the”
730.132(c)(2)	Board	Added “the”
730.132(c)(3)	Board	Added “the”
730.132(d)	Board	Changed “subsection (c)(2) above” to “subsection (c)(2) of this Section”
730.132(e)	Board	Changed “mg/l” to “mg/ℓ”; changed “shall” to “must” (three times)
730.132(f)	Board	Changed “mg/l” to “mg/ℓ”; changed “shall” to “must” (three times)
730.132(h)	Board	Added a comma after “construction” to separate the final element of a series
730.133	Board	Changed “that” to “each of the following”
730.133(a)	JCAR	Changed “Requirements” to lower-case “requirements”
730.133(a)(1)	Board	Added “that”; added a comma before “except” to offset the parenthetical; changed “shall” to “must”; changed the ending period to a semicolon; added the ending conjunction “and”
730.133(a)(2)	Board	Added “that”
730.133(b)	Board, JCAR	Changed “Requirements” to lower-case “requirements”; changed “shall” to “must”; added “the information set forth . . . this Section”
730.133(b)(1)	Board	Changed “shall” to “must”
730.133(b)(6)	Board	Changed “all Class III wells” to “a Class III injection well”
730.133(c)	Board, JCAR	Changed “Requirements” to lower-case “requirements”; changed “shall” to “must”; added “the information set forth . . . this Section”
730.133(c)(1)	Board	Added the ending conjunction “and”
730.133(c)(2)	Board	Changed the ending semicolon to a period and removed the ending conjunction “and”
730.134 preamble	Board	Changed “this section” to capitalized “this Section”; changed “which” to “that” for a restrictive relative clause; changed “Class III wells” to singular “a Class III injection well”; changed “cross sections” to hyphenated “cross-sections”



Section	Source	Revision(s)
730.134(a)	Board, JCAR	Changed “permit for and existing . . . area to operate or the construction” to “permit to operate and existing . . . area or for the construction”; added “injection” before “well”; added a comma after “prior to the . . . well” to offset the introductory prepositional phrase; changed “shall” to “must”
730.134(a)(1)	Board	Added “the”; changed “35 Ill. Adm. Code 702.120 through 702.124 and 35 Ill. Adm. Code 704.161(c)” to “35 Ill. Adm. Code 702.120 through 702.124 and 704.161(c)”
730.134(a)(2)	Board	Added a comma after “systems” to separate the final element of a series; changed the ending period to a semicolon
730.134(a)(3)	Board	Changed “under” to “pursuant to”; changed “subsection (a)(2)” to “subsection (a)(2) of this Section”; changed “which” to “that” for a restrictive relative clause; added a comma after “type” to separate the final element of a series; changed the ending period to a semicolon
730.134(a)(4)	Board	Changed “cross sections” to hyphenated “cross-sections”; changed “which” to “that” for a restrictive relative clause
730.134(a)(5)	Board	Changed “cross sections” to hyphenated “cross-sections”
730.134(a)(6)	Board	Changed “cross sections” to hyphenated “cross-sections”
730.134(a)(7)	Board	Changed the ending semicolon to a colon; added “as follows” offset by a comma
730.134(a)(7)(A)	Board	Added “the”
730.134(a)(7)(B)	Board	Added “the”
730.134(a)(7)(C)	Board	Changed “which” to “that” for a restrictive relative clause; changed “shall” to “must” (twice); changed the ending period to a semicolon
730.134(a)(8)	Board	Added “a”
730.134(a)(9)	Board	Added “a”
730.134(a)(10)	Board	Added “the”
730.134(a)(15)	Board	Added a comma after “plug” to separate the final element of a series
730.134(a)(16)	Board	Changed “under” to “pursuant to”
730.134(b)	Board, JCAR	Added “injection” before “well”; added a comma after “prior to the . . . well” to offset the introductory prepositional phrase; changed “shall” to “must”
730.134(c)	Board, JCAR	Added “injection” before “well”; added a comma after “prior to the . . . well” to offset the introductory prepositional phrase; changed “shall” to “must”
730.134(c)(3)	Board	Added a comma after “grade” to separate the final element of a series

Section	Source	Revision(s)
730.151 preamble	Board	Changed “this Subpart” to “this Subpart F” (twice); changed “730.Subparts B, D, and E” to “Subparts B, D, and E of this Part”; changed “Class II wells . . . are” to “a Class II well . . . is”
730.151(a)	Board	Changed “wells . . . inject” to “a well . . . injects”; changed “this Subpart” to “this Subpart F”
730.151(b)	Board, JCAR	Changed “wells . . . inject” to “a well . . . injects”; changed “10 CFR 20, Appendix B, Table II, Column 2” to “table II, column 2 in appendix B to 10 CFR 20”; added the table title “Water Effluent Concentrations” in parentheses; added “incorporated . . . 720.111(b)” offset by a comma
730.Subpart G heading	Board	Added “Waste Injection” before “Wells”
730.161(a)	Board	Changed “this Subpart” to “this Subpart G” (twice); changed “Subpart A” to “Subpart A of this Part”; changed “Subpart B” to “Subpart B of this Part”; changed “Class I hazardous waste injection wells” to singular “a Class I hazardous waste injection well”
730.161(b)	Board	Added the ending period; added “the following definitions apply for the purposes of this Subpart G:”
730.161(b) “existing well”	Board	Added “hazardous waste injection” before “well” (twice); changed “which” to “that” for a restrictive relative clause; changed “under” to “pursuant to”
730.161(b) “new well”	Board	Changed “which” to “that” for a restrictive relative clause
730.161 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.162(a)	Board	Changed numeric “1/4” to written “one-quarter”
730.162(b)	Board, JCAR	Changed “Class I hazardous waste injection wells . . . areas that are” to singular “a Class I hazardous waste injection well . . . an area that is”; changed “shall” to “must”; added “its consideration of the following”
730.162(b)(1)	Board	Added a comma after “hydrogeology” to separate the final element of a series
730.162(b)(2)	Board	Added a comma after “structure” to separate the final element of a series; changed the comma to a semicolon after “properties” to offset element of a series that contains a sub-series; added a semicolon after “hydrodynamics” to offset element of a series that contains a sub-series
730.162(c)	Board	Changed “shall” to “must”; added “the following is true”
730.162(c)(1)	Board	Added a comma after “thickness” to separate the final element of a series

Section	Source	Revision(s)
730.162(c)(2)	Board	Added “is as follows”
730.162(c)(2)(A)	Board	Added “it”; added a comma after “faults” to separate the final element of a series
730.162(c)(2)(B)	Board	Added “it”
730.162(d)	Board	Changed “shall” to “must”; added “one of the alternatives is subsections (d)(1) through (d)(3) of this Section”; changed “that” to “subject to subsection (d)(4) of this Section” offset by a comma
730.162(d)(1)	Board	Added “that”; removed the unnecessary ending conjunction “or”
730.162(d)(2)	Board	Added “that”; added a comma before “within the area” to offset the parenthetical; added a comma after “pressures” to separate the final element of a series
730.162(d)(4)	Board	Changed “which” to “that” for a restrictive relative clause; changed “subsection (d)(1), (d)(2), or (d)(3)” to “subsection (d)(1), (d)(2), or (d)(3) of this Section”; changed “35 Ill. Adm. Code 106.Subpart G” to “Subpart D of 35 Ill. Adm. Code 104”; changed the comma to a semicolon after “considerations” to separate elements of a series that contains a sub-series; added a semicolon after “boreholes” to separate elements of a series that contains a sub-series; changed “under” to “pursuant to”; changed “this subsection” to “this subsection (d)(4)”
730.162(d)(4)(A)	Board	Changed “which” to “that” for a restrictive relative clause
730.162(d)(4)(B)	Board	Changed “35 Ill. Adm. Code 106.705(l)” to “35 Ill. Adm. Code 104.228”
730.162 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.163	Board	Changed “Class I hazardous waste wells “ to “a Class I hazardous waste injection well”; changed “shall” to “must”; changed numeric “2-mile” to written “two-mile”; added “if it determines that the larger area is necessary”
730.163 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.164 preamble	Board	Changed “Class I hazardous waste injection wells “ to “a Class I hazardous waste injection well”
730.164(a)	Board	Added “injection” before “well”; changed “shall” to “must”; added “accomplish both of the following”

Section	Source	Revision(s)
730.164(b)	Board	Added “injection” before “well”; changed “shall” to “must” (twice); added “both of the following”; added a comma before “as required” to offset the parenthetical
730.164(c)	Board	Added a comma after “completed” to separate the final element of a series; removed the unnecessary comma after “abandoned”; changed “shall” to “must” (twice); changed “subsection (e)” to “subsection (e) of this Section”; added “do the appropriate of the following”; added a comma before “as required” to offset the parenthetical
730.164(c)(1)	Board	Added “it must”
730.164(c)(2)	Board	Added “it must”
730.164(c)(3)	Board	Added “it must”
730.164(d)	Board	Changed the ending colon to a period
730.164(d)(1)	Board	Changed “under” to “pursuant to” (three times); changed “subsection (c)” to “subsection (c) of this Section”; changed numeric “2-mile” to written “two-mile”
730.164(d)(2)	Board	Changed “under” to “pursuant to”
730.164(d)(3)	Board	Changed “shall” to “must” (twice); changed “under” to “pursuant to”
730.164(e)	Board	Changed “shall” to “must”; changed “under” to “pursuant to”; changed “subsection (c)” to “subsection (c) of this Section”
730.164(e)(1)	Board	Added “the”
730.164(e)(2)	Board	Added “the”
730.164(e)(5)	Board	Added “the”
730.164(e)(6)	Board	Added “any”
730.164(e)(7)	Board	Added “the”
730.164(e)(8)	Board	Added “any”
730.164(e)(9)	Board	Added “the”
730.164(e)(10)	Board	Changed “which” to “that” for a restrictive relative clause
730.164 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.165(a)	Board	Changed “shall” to “must”; added “accomplish each of the following”
730.165(b)	Board	Changed “shall” to “must”; added “USEPA publication number” before “EPA-570/9-87-002”; changed “EPA 570/9-87-002” to hyphenated “EPA-570/9-87-002”
730.165(c)	JCAR	Changed “Cementing New Wells” to lower-case “cementing new wells”
730.165(c)(1)	Board	Changed “shall” to “must” (three times)

Section	Source	Revision(s)
730.165(c)(1)(A)	Board	Added “the”
730.165(c)(1)(B)	Board	Added “the”; added a comma after “pressure” to separate the final element of a series
730.165(c)(1)(C)	Board	Added “the”
730.165(c)(1)(D)	Board	Added “the”; added a comma after “specification” to separate the final element of a series
730.165(c)(1)(E)	Board	Added “the”; added a comma after “fluids” to separate the final element of a series
730.165(c)(1)(F)	Board	Added “the” (twice)
730.165(c)(1)(G)	Board	Added “the”
730.165(c)(1)(H)	Board	Added “the”
730.165(c)(2)	Board	Changed “120%” to “120 percent” (twice)
730.165(c)(3)(B)	Board	Changed “120%” to “120 percent” (twice); changed “shall” to “must”
730.165(c)(5)	Board	Removed the unnecessary comma after “withstand”; added “both of the following conditions”
730.165(c)(5)(A)	Board	Changed “which” to “that” for a restrictive relative clause; added a comma after “operation” to separate the final element of a series
730.165(c)(5)(B)	Board	Changed “which” to “that” for a restrictive relative clause
730.165(d)(2)	Board	Changed the ending semicolon to a colon
730.165(d)(2)(A)	Board	Added “the”
730.165(d)(2)(B)	Board	Added “the”; added a comma after “temperature” to separate the final element of a series
730.165(d)(2)(C)	Board	Added “the”
730.165(d)(2)(D)	Board	Added “the”
730.165(d)(2)(E)	Board	Added “the”; added a comma after “temperature” to separate the final element of a series
730.165(d)(2)(F)	Board	Added “the”
730.165(d)(2)(G)	Board	Added “the”
730.165(d)(3)	Board	Added “in writing” after “determines”
730.165 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.166(a)	Board	Changed “shall” to “must” (twice); added a comma after “rock type” to separate the final element of a series; added “set forth” before “in Section 730.165”; added “the following information”
730.166(a)(1)	Board	Changed “which” to “that” for a restrictive relative clause
730.166(a)(2)	Board	Changed “following situations” to “indicated situations”
730.166(a)(2)(A)	Board	Added “the following information” offset by a comma

Section	Source	Revision(s)
730.166(a)(2)(B)	Board	Added “the following information” offset by a comma
730.166(a)(2)(C)	Board	Changed “shall” to “must”
730.166(a)(3)	Board	Added “the following”
730.166(c)	Board	Added a comma after “pressure” to separate the final element of a series
730.166(d)	Board	Changed “shall” to “must”
730.166(d)(1)	Board	Added “the”
730.166(d)(3)	Board	Added “the”
730.166(e)	Board	Changed “shall” to “must”
730.166(f)	Board	Changed “shall” to “must” (twice); changed “this Subpart” to “this Subpart G”
730.166 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.167(b)	JCAR	Changed “protection” to “protecting”
730.167(c)	Board	Added “in writing” after “determines”
730.167(e)	Board	Changed “which” to “that” for a restrictive relative clause; added “the following”
730.167(f)	Board	Added “each of the following”; added “either of the following”
730.167(g)	Board	Changed “under” to “pursuant to”; added “undertake all of the following actions”
730.167(g)(1)	Board	Added “it must”
730.167(g)(2)	Board	Added “it must”
730.167(g)(3)	Board	Added “it must”
730.167(h)	Board	Added “undertake all of the following actions”
730.167(h)(1)	Board	Added “it must”
730.167(h)(2)	Board	Added “it must”
730.167(h)(3)	Board	Added “it must”
730.167(h)(4)	Board	Added “it must”
730.167(h)(5)	Board	Added “it must”
730.167(i)	Board	Added “the following must occur”
730.167(i)(1)	Board	Added “undertake all of the following actions”
730.167(i)(1)(A)	Board	Added “it must”
730.167(i)(1)(B)	Board	Added “it must”
730.167(i)(1)(C)	Board	Added “it must”
730.167(i)(1)(D)	Board	Added “it must”
730.167(i)(1)(E)	Board	Added “it must”
730.166 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
730.168 preamble	Board	Changed “shall” to “must”
730.168(a)(1)	Board	Changed “shall” to “must” (twice); added “all of the following”

Section	Source	Revision(s)
730.168(a)(2)	Board	Changed “shall” to “must”
730.168(a)(3)	Board	Changed “shall” to “must”
730.168(a)(4)	Board	Changed “shall” to “must”
730.168(b)	Board	Changed “shall” to “must”; added a comma after “thickness” to separate the final element of a series
730.168(c)(1)	Board	Changed “shall” to “must”; added a commas before and after “for the purposes of this requirement”; changed “under” to “pursuant to”
730.168(c)(2)	Board	Changed “shall” to “must”; added “any of the following means”
730.168(c)(2)(A)	Board	Removed the unnecessary ending conjunction “or”
730.168(c)(3)	Board	Added “both of the following must occur” offset by a comma
730.168(c)(3)(B)	Board	Changed “shall” to “must”; added a comma after “pitting” to separate the final element of a series
730.168(d)	Board	Changed “shall” to “must”
730.168(d)(4)(A)	Board	Added “for either of the following reasons”
730.168(d)(4)(A)(i)	Board, JCAR	Capitalized “Due”; changed the ending comma to a semicolon
730.168(d)(4)(A)(ii)	Board	Capitalized “Based”
730.168(d)(4)(B)	Board	Added “in writing” after “determines”
730.168(d)(5)	Board	Added “set forth” after “in Section 730.108(d)”
730.168(e)	JCAR	Changed “Monitoring” to lower-case “monitoring”
730.168(e)(1)	Board	Changed “shall” to “must” (twice)
730.168(e)(2)	Board	Added “any of the following actions that it determines in writing is necessary”
730.168(e)(2)(A)	Board	Changed “shall” to “must”; added a comma after “aquifer” to separate the final element of a series
730.168(e)(2)(E)	Board	Changed the ending conjunction “and” to “or”
730.168(e)(2)(F)	Board	Removed “the Agency may require”; added a comma before “when” to offset a parenthetical; changed “it” to “the Agency”
730.168 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.169 preamble	Board	Added “include the following” offset by a comma
730.169(a)	Board	Added “the following information”
730.169(a)(3)	Board	Changed “which” to “that” for a restrictive relative clause
730.169(a)(6)	Board	Added a comma after “chemical” to separate the final element of a series
730.169(a)(7)	Board	Changed “under” to “pursuant to”

Section	Source	Revision(s)
730.169(b)	Board, JCAR	Added a comma after “report” to separate the final element of a series; added “the following activities”; changed the ending semicolon to a colon
730.169 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.170 preamble	Board	Changed “which” to “that” for a restrictive relative clause (twice); changed “Class I hazardous waste injection wells” to singular “a Class I hazardous waste injection well”; changed “shall” to “must” (twice); added a comma after “accurate” to separate the final element of a series; changed “both existing and new Class I hazardous waste injection wells” to singular “either an existing or a new Class I hazardous waste injection well”; added a comma after “review” to separate the final element of a series; replaced the conjunction “and” with a comma after “current” to offset intermediate elements of a series; added a comma after “file”) to separate the final element of a series
730.170(a)	Board	Added a comma after “operate” to separate the final element of a series; changed “shall” to “must”
730.170(a)(2)	Board	Added a comma after “water wells” to separate the final element of a series
730.170(a)(3)	Board	Changed “which” to “that” for a restrictive relative clause; added a comma after “completion” to separate the final element of a series
730.170(a)(4)	Board	Added a comma after “locate” to separate the final element of a series; changed “which” to “that” for a restrictive relative clause
730.170(a)(5)	Board	Added a comma after “formation” to separate the final element of a series; changed “which” to “that” for a restrictive relative clause
730.170(a)(8)	Board	Added “as follows” offset by a comma
730.170(a)(8)(A)	Board	Added “the”
730.170(a)(8)(B)	Board	Added “the”
730.170(a)(9)	Board	Added “the”
730.170(a)(10)	Board	Added “the”
730.170(a)(11)	Board	Added “the”
730.170(a)(13)	Board	Added “the”
730.170(a)(14)	Board	Added “the”
730.170(a)(15)	Board	Changed “which” to “that” for a restrictive relative clause; changed “under” to “pursuant to”



Section	Source	Revision(s)
730.170(a)(16)	Board	Added “the”; changed the comma to a semicolon to separate elements of a series that contains a sub-series; added a comma after “testing” to separate the final element of a series
730.170(a)(17)	Board	Added a comma before “pursuant to” to offset a parenthetical; changed “35 Ill. Adm. Code 704.Subpart G” to “Subpart G of 35 Ill. Adm. Code 704”; added a comma after “plug” to separate the final element of a series
730.170(b)	Board	Changed “shall” to “must”; added commas before and after “and the Agency must review” to offset it as an independent clause
730.170(b)(7)	Board	Changed “under” to “pursuant to”; changed “Section 730.170(a)(2) and (3)” to “Section 730.170(a)(2) and (a)(3)”
730.170(c)	Board	Changed “shall” to “must”
730.170(d)	Board	Added “the following facts are true”
730.170(d)(2)	Board	Changed “which” to “that” for a restrictive relative clause
730.170 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.171(a)	Board, JCAR	Changed “Plan” to lower-case “plan”; changed “shall” to “must”; changed “subsection (d)” to “subsection (d) of this Section”
730.171(a)(1)	Board	Changed “shall” to “must”
730.171(a)(2)	Board	Changed “shall” to “must”; changed “under” to “pursuant to”; changed “subsection (b)” to “subsection (b) of this Section”
730.171(a)(3)	Board	Added a comma before “as required” to offset a parenthetical
730.171(a)(4)(F)	Board	Added a comma after “size” to separate the final element of a series
730.171(a)(4)(H)	Board	Changed “subsection (d)(5)” to “subsection (d)(5) of this Section”
730.171(a)(5)	Board	Changed “35 Ill. Adm. Code 702.Subpart C” to “Subpart C of 35 Ill. Adm. Code 702”
730.171(a)(6)	Board	Added “conditions of subsections . . . are true of” before “owner or operator”; added “subject to . . . this Section” offset by a comma
730.171(a)(6)(C)	Board	Added the parenthesis mark to the subsection number; changed “this subsection” to “this subsection (a)”
730.171(a)(7)	Board	Changed “shall” to “must”
730.171(b)	Board	Changed “shall” to “must”

Section	Source	Revision(s)
730.171(c)	Board	Added commas before and after “or at the time . . . (whichever is less)” to offset a parenthetical; changed “shall” to “must”; added “the following documents”
730.171(d)(1)	Board	Changed “shall” to “must” (twice); changed “conform with” to “conform to”
730.171(d)(2)	Board	Added “the following”
730.171(d)(5)	Board	Added “means”
730.171(d)(7)	Board	Changed “plug(s)” to “plugs”
730.171 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.172(a)	Board	Changed “shall” to “must”; added a comma after “maintain” to separate the final element of a series; changed “subsection (b)” to “subsection (b) of this Section”
730.172(a)(1)	Board	Changed “shall” to “must”
730.172(a)(2)	Board	Changed “shall” to “must”; changed “under” to “pursuant to”
730.172(a)(3)	Board	Added a comma before “as required” to offset a parenthetical
730.172(a)(4)(D)	Board	Added “the”
730.172(a)(4)(E)	Board	Changed “under” to “pursuant to”
730.172(b)	Board	Changed “shall” to “must”; added “undertake each of the following activities”
730.172(b)(1)	Board	Added “it must”; changed “under” to “pursuant to”
730.172(b)(2)	Board	Added “it must”; changed “shall” to “must”; added “in writing” after “determines”
730.172(b)(3)	Board, JCAR	Added “it must”; changed “under” to “pursuant to”; changed “Region V” to “Region 5”
730.172(b)(4)	Board, JCAR	Added “it must”; changed “Illinois Department of Mines and Minerals” to “Illinois Department of Natural Resources, Office of Mines and Minerals”; replaced the Illinois Revised Statutes citation in parentheses with “415 ILCS 30” in brackets
730.172(b)(5)	Board	Added “it must”; added a comma after “composition” to separate the final element of a series; changed “shall” to “must”; added “in writing” after “determines”
730.172(c)	Board	Changed “shall” to “must”; changed “which” to “that” for a restrictive relative clause
730.172(c)(2)	Board	Changed “Region V Environmental Protection Agency” to “USEPA Region 5”
730.172(c)(3)	Board	Added a comma after “injected” to separate the final element of a series

Section	Source	Revision(s)
730.172(d)	Board	Replaced the obsolete citation to the “Responsible Property Transfer Act” with “any other State or federal law . . . prospective owners”
730.172(d) Board note	Board	Added explanation of the repeal of the “Responsible Property Transfer Act” and its continued vitality
730.172 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
730.173	Board	Changed “shall” to “must”; added a comma after “insurance” to separate the final element of a series; changed “35 Ill. Adm. Code 704.Subpart G” to “Subpart G of 35 Ill. Adm. Code 704”
730.173 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including removal of the obsolete <i>Federal Register</i> citation
733 table of contents, 733.102 heading	Board	Changed the em-dash to a colon in the Section title
733 table of contents, 733.103 heading	Board	Changed the em-dash to a colon in the Section title
733 table of contents, 733.104 heading	Board	Changed the em-dash to a colon in the Section title
733 table of contents, 733.105 heading	Board, JCAR	Changed the em-dash to a colon in the Section title; removed the unnecessary ending period
733 table of contents, 733.106 heading	Board	Changed the em-dash to a colon in the Section title; added “repealed” in parentheses
733 table of contents, 733.107 heading	Board	Changed the em-dash to a colon in the Section title
733 table of contents, 733.108 heading	Board	Changed the em-dash to a colon in the Section title
733 authority note	Board	Removed the unnecessary citation to Section 22.23a of the Act
733.101(a)(3)	Board	Added the ending conjunction “and”
733.101(a)(4)	Board	Changed the ending semicolon to a period; removed the ending conjunction “and”
733.101(a)(5)	Board	Removed the obsolete definition of “mercury-containing equipment”
733.101(a)(5) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.101(b)	Board	Changed “under” to “pursuant to”; changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”
733.102 heading	Board	Changed the em-dash to a colon in the Section title

Section	Source	Revision(s)
733.102(a)(2)	Board	Changed “35 Ill. Adm. Code 726.Subpart G” to “Subpart G of 35 Ill. Adm. Code 726”
733.102(b)(1)	Board	Changed “35 Ill. Adm. Code 726.Subpart G” to “Subpart G of 35 Ill. Adm. Code 726”
733.103 heading	Board	Changed the em-dash to a colon in the Section title
733.103(a)(1)	Board	Added “as follows” offset by a comma
733.103(a)(1)(A)	Board	Changed “7 USC 136q(b)” to “7 USC 136q”
733.103(a)(1)(B)	Board	Changed the ending period to a semicolon and added the ending conjunction “or”
733.103(b)(2)	Board	Changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”
733.103(b)(4)	Board	Changed “35 Ill. Adm. Code 721.Subpart D” to “Subpart D of 35 Ill. Adm. Code 721”; changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.103(d)(1)	Board	Added “of the following conditions exist”
733.103(d)(1)(B)	Board	Changed the ending period to a semicolon and added the ending conjunction “and”
733.104 heading	Board	Changed the em-dash to a colon in the Section title
733.104(b)(1)	Board	Changed “under” to “pursuant to”
733.104(b)(2)	Board	Changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.105 heading	Board, JCAR	Changed the em-dash to a colon in the Section title; removed the unnecessary ending period
733.105(b)(1)	Board	Changed the ending period to a semicolon and added the ending conjunction “and”
733.105(b)(2)	Board	Changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.106 heading	Board	Changed the em-dash to a colon in the Section title; added “repealed” in parentheses
733.106	Board	Repealed the now-obsolete provision
733.108 heading	Board	Changed the em-dash to a colon in the Section title
733.108(a)	JCAR	Changed the ending colon to a period
733.108(b)	Board	Changed “shall” to “must”
733.109 “large quantity handler of universal waste”	Board	Removed what would be the second appearance of “mercury-containing equipment” and moved the conjunction “or”
733.109 “large quantity handler of universal waste” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”

Section	Source	Revision(s)
733.109 “mercury-containing equipment” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.109 “mercury-containing lamp”	Board	Removed the now-obsolete definition
733.109 “mercury-containing lamp” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.109 “mercury relay”	Board	Removed the now-obsolete definition
733.109 “mercury relay” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.109 “mercury switch”	Board	Removed the now-obsolete definition
733.109 “mercury switch” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.109 “pesticide”	Board	Changed “Section” to lower-case “section” (four times); changed “(FIFRA; 7 USC 136(u))” to “(FIFRA) (7 USC 136(u))”; changed “FFDCA Section 360b(j)” to “FFDCA Section 512(j) (21 USC 360b(j))”; changed “720.111” to “720.111(c)” (twice)
733.109 “pesticide” Board note	Board	Moved the ending period inside the closing quotation mark
733.109 “small quantity handler of universal waste”	Board	Removed what would be the second appearance of “mercury-containing equipment” and moved the conjunction “or”
733.109 “small quantity handler of universal waste” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.109 “universal waste”	Board	Removed what would be the second appearance of “mercury-containing equipment” and moved the conjunction “and”
733.109 “universal waste” Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.109 “universal waste handler”	Board	Changed “under” to “pursuant to”
733.110	Board	Changed “this Subpart” to “this Subpart B”
733.113(a)	Board	Changed “shall” to “must”
733.113(a)(1)	Board	Changed “shall” to “must”; changed the ending period to a semicolon
733.113(a)(2)(G)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”

Section	Source	Revision(s)
733.113(a)(3)	Board, JCAR	Changed “listed above” to “listed in subsection (a)(2) of this Section”; changed “shall” to “must”; changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.113(a)(3)(A)	Board	Changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”
733.113(a)(3)(B)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.113(a)(3)(B) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets; changed “nonhazardous” to hyphenated “non-hazardous”
733.113(b)	Board	Changed “shall” to “must”
733.113(b)(2)	Board	Changed “subsection (b)(1)” to “subsection (b)(1) of this Section”
733.113(b)(3)	Board	Changed “35 Ill. Adm. Code 725.Subpart J” to “Subpart J of 35 Ill. Adm. Code 725”
733.113(b)	Board	Changed “shall” to “must”
733.113(c)(1)	JCAR, Board, Agency	Changed the comma to a semicolon to separate elements of a series that includes a sub-series (four times); added “must be” before “structurally sound”; added “must be” before “compatible”; corrected the spelling “excape” to “escape”
733.113(c)(2)(C)	Board	Removed the unnecessary comma after “ampules”
733.113(c)(4)(B)	Board	Changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”; changed “shall” to “must”
733.113(c)(4)(C)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.113(c)(4)(C) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets; changed “nonhazardous” to hyphenated “non-hazardous”
733.113(d)	Board	Changed “shall” to “must”
733.113(d)(1)	Board	Changed “shall” to “must”; changed the ending period to a semicolon
733.113(d)(2)	Board	Changed “shall” to “must” (twice); changed the ending period to a semicolon; added the ending conjunction “and”
733.113(d)(3)(A)	Board	Changed “shall” to “must”; changed numeric “8-hour” to written “eight-hour”
733.113(d)(3)(C)	Board	Changed “40 CFR 262.34” to “35 Ill. Adm. Code 722.134”

Section	Source	Revision(s)
733.113(d)(3)(F)	Board	Added a comma after “handling” to separate the final element of a series
733.113 Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.114 preamble	Board	Changed “shall” to “must”; added a comma before “as follows” to offset it as a parenthetical
733.114(a)	Board	Moved the comma inside the closing quotation mark (twice); changed the ending semicolon to a period and moved it inside the closing quotation mark
733.114(b)	Board	Added a comma before “as follows” to offset it as a parenthetical
733.114(b)(2)	Board	Changed the ending semicolon to a period
733.114(c)	Board	Added a comma before “as follows” to offset it as a parenthetical
733.114(c)(1)(B)	Board	Added the part title “Hazardous Materials . . . Requirements” in parentheses; added “incorporated . . . 720.111(b)”
733.114(c)(2)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.114(d)(1)	Board	Moved the ending period inside the closing quotation mark
733.114(d)(2)	Board	Moved the comma inside the closing quotation mark (twice); changed the ending semicolon to a period and moved it inside the closing quotation mark; removed the ending conjunction “and”
733.114(e)	Board	Moved the comma inside the closing quotation mark; moved the ending period inside the closing quotation mark; added a comma after “Waste Lamps” to offset the final element of a series
733.114(f)	Board	Removed what would be the second entry for “mercury-containing equipment”
733.114(f) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.115(a)	Board	Changed “subsection (b) below” to “subsection (b) of this Section”
733.115(c)	Board	Changed “shall” to “must”
733.116	Board	Changed “shall” to “must”; changed “type(s)” to “types”
733.117(a)	Board	Changed “shall” to “must”
733.117(b)	Board	Changed “shall” to “must” (three times); changed “733.Subpart D” to “Subpart D of this Part”
733.118(b)	Board	Changed “shall” to “must”; changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”

Section	Source	Revision(s)
733.118(c)	Board	Changed “hazardous materials” to singular “hazardous materials”; added “USDOT regulation” before “49 CFR 171.8”; changed “49 CFR 171 through 180” to “49 CFR 171.8”; added the section title “Definitions and Abbreviations” in parentheses; added “incorporated . . . 720.111(b)” (twice); changed “shall” to “must”; changed “49 CFR 171 through 180” to “49 CFR 171 . . . , 172 . . . , 173 . . . , and 180”; added the section title “General Information, . . . and Definitions” in parentheses; added the section title “Hazardous Materials . . . Training Requirements” in parentheses; added the section title “Shippers--General . . . and Packages” in parentheses; added the section title “Carriage by Rail” in parentheses; added the section title “Carriage by Aircraft” in parentheses; added the section title “Carriage by Vessel” in parentheses; added the section title “Carriage by Public Highway” in parentheses; added the section title “Specifications for Packagings” in parentheses; added the section title “Specifications for Tank Cars” in parentheses; added the section title “Continuing Qualification . . . of Packagings” in parentheses
733.118(d)	Board	Changed “shall” to “must”
733.118(d)	Board	Changed “shall” to “must”; changed “either” to “do either of the following”
733.118(d)(1)	Board	Changed the ending comma to a semicolon
733.118(f)	Board	Changed “shall” to “must” (twice)
733.118(f)(1)	Board	Changed the ending comma to a semicolon
733.118(g)	Board	Changed “shall” to “must” (twice)
733.118(h)	Board	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.118(h) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets; changed “nonhazardous” to hyphenated “non-hazardous”
733.120 preamble	Board	Changed “35 Ill. Adm. Code 722.Subpart H” to “Subpart H of 35 Ill. Adm. Code 722”; changed “shall” to “must”; added “do the following”
733.120(b)	Board	Changed “35 Ill. Adm. Code 722.Subpart E” to “Subpart E of 35 Ill. Adm. Code 722”
733.130	Board	Changed “this Subpart” to “this Subpart C”
733.132(a)(1)	Board	Changed “shall” to “must”
733.132(a)(2)	Board	Changed “under” to “pursuant to”
733.132(a)(3)	Board	Added “federal” before “40 CFR 165”; changed “under” to “pursuant to”
733.132(b)	Board	Added “the following”



Section	Source	Revision(s)
733.132(b)(4)	Board	Removed what would be the second appearance of “mercury-containing equipment” and moved the conjunction “or”
733.132(b) Board note	Board	Added “that” before “the generator” for a restrictive relative clause
733.132(b) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.132(e)(4)	JCAR	Corrected “e.g.” to “e.g.,”
733.133(a)	Board	Changed “shall” to “must”
733.133(a)(1)	Board	Changed “shall” to “must”
733.133(a)(3)	Board	Changed “listed above” to “listed in subsection (a)(2) of this Section”; changed “shall” to “must”; changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.133(a)(3)(A)	Board	Changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”
733.133(a)(3)(B)	Board, JCAR	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.133(a)(3)(B) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets; changed “nonhazardous” to hyphenated “non-hazardous”
733.133(b)	Board	Changed “shall” to “must”
733.133(b)(2)	Board	Changed “subsection (b)(1)” to “subsection (b)(1) of this Section”
733.133(b)(3)	Board	Changed “35 Ill. Adm. Code 725.Subpart J” to “Subpart J of 35 Ill. Adm. Code 725”
733.133(c)	Board	Changed “shall” to “must”
733.133(c)(1)	Board, JCAR	Changed a comma to a semicolon to separate elements of a series that contains a sub-series (four times); added “must be” before “structurally sound”; added “must be” before “compatible”
733.133(c)(2)	Board	Added a comma before “provided” to offset a parenthetical
733.133(c)(4)(A)	Board	Changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.133(c)(4)(B)	Board	Changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”; changed “shall” to “must”
733.133(c)(4)(C)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.133(c)(4)(C) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets; changed “nonhazardous” to hyphenated “non-hazardous”

Section	Source	Revision(s)
733.133(d)	Board	Changed “shall” to “must”
733.133(d)(1)	Board	Changed “shall” to “must”; changed the ending period to a semicolon
733.133(d)(2)	Board	Changed “shall” to “must” (twice); changed the ending period to a semicolon; added the ending conjunction “and”
733.133(d)(3)(A)	Board	Changed “shall” to “must”
733.133(d)(3)(C)	Board	Changed “40 CFR 262.34” to “35 Ill. Adm. Code 722.134”
733.133(d) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.134 preamble	Board	Changed “shall” to “must”; added a comma before “as follows” to offset it as a parenthetical
733.134(a)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.134(b)(2)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.134(c)	Board	Added a comma before “as follows” to offset it as a parenthetical
733.134(c)(1)(B)	Board	Changed “under” to “pursuant to”; added the part title “Hazardous Materials . . . Requirements” in parentheses; added “incorporated . . . 720.111(b)”
733.134(c)(2)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.134(d)(2)	Board	Moved the comma inside the closing quotation mark (twice); changed the ending semicolon to a period and moved it inside the closing quotation mark; removed the ending conjunction “and”
733.134(e)	Board	Moved the comma inside the closing quotation mark; moved the ending period inside the closing quotation mark
733.134(e)	Board	Removed what would be the second entry for “mercury-containing equipment”
733.134(f) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.135(a)	Board	Changed “subsection (b) below” to “subsection (b) of this Section”
733.135(c)	Board	Changed “shall” to “must”
733.136	Board	Changed “shall” to “must”; changed “type(s)” to “types”
733.137(a)	Board	Changed “shall” to “must”
733.137(b)	Board	Changed “shall” to “must” (twice); changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”
733.138(b)	Board	Changed “shall” to “must” (three times); changed “733.Subpart D” to “Subpart D of this Part”

Section	Source	Revision(s)
733.138(c)	Board, JCAR	Changed “hazardous materials” to singular “hazardous materials”; added “USDOT regulation” before “49 CFR 171.8”; changed “49 CFR 171 through 180” to “49 CFR 171.8”; added the section title “Definitions and Abbreviations” in parentheses; added “incorporated . . . 720.111(b)” (twice); changed “shall” to “must”; changed “49 CFR 171 through 180” to “49 CFR 171 . . . , 172 . . . , 173 . . . , and 180”; removed the unnecessary semicolon after “180”; added the section title “General Information, . . . and Definitions” in parentheses; added the section title “Hazardous Materials . . . Training Requirements” in parentheses; added the section title “Shippers--General . . . and Packages” in parentheses; added the section title “Carriage by Rail” in parentheses; added the section title “Carriage by Aircraft” in parentheses; added the section title “Carriage by Vessel” in parentheses; added the section title “Carriage by Public Highway” in parentheses; added the section title “Specifications for Packagings” in parentheses; added the section title “Specifications for Tank Cars” in parentheses; added the section title “Continuing Qualification . . . of Packagings” in parentheses
733.138(d)	Board	Changed “shall” to “must”
733.138(e)	Board	Changed “shall” to “must”; changed “either” to “do either of the following”
733.138(e)(1)	Board	Changed the ending comma to a semicolon
733.138(f)	Board	Changed “shall” to “must” (twice)
733.138(f)(1)	Board	Changed the ending comma to a semicolon
733.138(g)	Board	Changed “shall” to “must”
733.138(h)	Board	Changed “state” to capitalized “State”; added a comma after “State” to separate the final element of a series; changed “nonhazardous” to hyphenated “non-hazardous”
733.138(h) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets
733.139(a)	Board	Changed “shall” to “must”
733.139(a)(1)	Board	Changed “from whom” to “from which”
733.139(b)	Board	Changed “shall” to “must”
733.139(b)(1)	Board	Changed “from whom” to “from which”
733.139(b)(2)	Board	Added the ending conjunction “and”
733.139(c)(1)	Board	Changed “shall” to “must”; changed “subsection (a) above” to “subsection (a) of this Section”
733.139(c)(2)	Board	Changed “shall” to “must”; changed “subsection (b) above” to “subsection (b) of this Section”

Section	Source	Revision(s)
733.139(c)(2) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.140 preamble	Board	Changed “35 Ill. Adm. Code 722.Subpart H” to “Subpart H of 35 Ill. Adm. Code 722”; changed “shall” to “must”; added “do the following”
733.140(b)	Board	Added a comma before “as defined” to offset the parenthetical; changed “35 Ill. Adm. Code 722.Subpart E” to “Subpart E of 35 Ill. Adm. Code 722”
733.150	Board	Changed “this Subpart” to “this Subpart C”
733.151(a)(1)	Board	Added the ending conjunction “and”
733.151(b)(1)	Board	Changed “shall” to “must”
733.151(b)(3)	Board	Changed “40 CFR 262.34” to “35 Ill. Adm. Code 722.134”
733.151(b) Board note	Board	Removed the now-obsolete explanation of “P.A. 93-964”
733.152(a)	Board	Changed “shall” to “must”; changed “49 CFR 171 through 180” to “49 CFR 171 . . . , 172 . . . , 173 . . . , and 180”; added the section title “General Information, . . . and Definitions” in parentheses; added the section title “Hazardous Materials . . . Training Requirements” in parentheses; added the section title “Shippers--General . . . and Packages” in parentheses; added the section title “Carriage by Rail” in parentheses; added the section title “Carriage by Aircraft” in parentheses; added the section title “Carriage by Vessel” in parentheses; added the section title “Carriage by Public Highway” in parentheses; added the section title “Specifications for Packagings” in parentheses; added the section title “Specifications for Tank Cars” in parentheses; added the section title “Continuing Qualification . . . of Packagings” in parentheses; added the section title “Definitions and Abbreviations” in parentheses; changed “720.111” to “720.111(b)”
733.152(b)	Board	Added the section title “Hazardous Materials . . . Class Definitions” in parentheses; changed “720.111” to “720.111(b)”; moved the comma inside the closing quotation mark; moved the period inside the closing quotation mark
733.153(b)	Board	Changed “shall” to “must”; changed “733.Subpart B or C” to “Subpart B or C of this Part”
733.154(a)	Board	Changed “shall” to “must”
733.154(b)	Board	Changed “shall” to “must”; changed “35 Ill. Adm. Code 702 through 705, 720 through 726, and 728” to “35 Ill. Adm. Code 702 through 705 and 720 through 728”

Section	Source	Revision(s)
733.155(b)	Board	Changed “hazardous materials” to singular “hazardous material”; added the section title “Definitions and Abbreviations” in parentheses; changed “720.111” to “720.111(b)”; changed “49 CFR part 17” to “49 CFR 172”; added the section title “Hazardous Materials . . . Training Requirements” in parentheses; added “incorporated . . . 720.111(b)”
733.156 preamble	Board	Changed “35 Ill. Adm. Code 722.Subpart H” to “Subpart H of 35 Ill. Adm. Code 722”; changed “shall” to “must”
733.160(a)	Board	Added the statutory citation “42 USC 6930” in parentheses
733.160(b)	Board	Changed “shall” to “must”
733.161(b)	Board	Changed “shall” to “must” (twice)
733.161(b)(1)	Board	Changed the ending comma to a semicolon
733.161(c)	Board	Changed “shall” to “must”
733.161(d)	Board	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.161(d) Board note	Board	Added the statutory citation “415 ILCS 5” in brackets; changed “nonhazardous” to hyphenated “non-hazardous”
733.162(a)	Board	Changed “shall” to “must”
733.162(a)(1)	Board	Changed “from whom” to “from which”
733.162(a)(2)	Board	Added the ending conjunction “and”
733.162(b)	Board	Changed “shall” to “must”; changed “subsection (a) above” to “subsection (a) of this Section”
733.162(b) Board note	Board	Removed the now-obsolete explanation of “P.A. 90-502”
733.170 preamble	Board	Changed “subsections (a) through (c) below” to “subsections (a) through (c) of this Section”
733.170(b)	Board	Changed “733.Subpart B or C” to “Subpart B or C”
733.170(d)	Board	Changed “Subpart H of 35 Ill. Adm. Code 722.Subpart H” to “Subpart H of 35 Ill. Adm. Code 722”
733.180(a)(1)	Board, JCAR	Added “federal” before “40 CFR 273”; changed “Section 22.4(a)” to “Sections 7.2 and 22.4(a)”; added the statutory citation “415 ILCS 5/7.2 and 22.4(a)” in brackets; added the conjunction “and” before the final element of the series “35 Ill. Adm. Code 720.120”
733.180(a)(2)	Board	Added “federal” before “40 CFR 273” added the statutory citation “415 ILCS 5/22.4(b) and 27” in brackets
733.180(b)(1)	Board	Changed “subsection (a)(1) above” to “subsection (a)(1) of this Section”; changed “notice(s)” to “notices” (twice); changed “addition(s)” to “additions”; added “federal” before “40 CFR 273”

Section	Source	Revision(s)
733.180(c)(1)	Board	Changed “subsection (a)(2) above” to “subsection (a)(2) of this Section”
733.180(c)(3)	Board	Changed “subsection (a)(1) above” to “subsection (a)(1) of this Section”
733.181(a)	Board	Changed “35 Ill. Adm. Code 721.Subpart D” to “Subpart D of 35 Ill. Adm. Code 721”; changed “35 Ill. Adm. Code 721.Subpart C” to “Subpart C of 35 Ill. Adm. Code 721”
733.181(f)	Board	Changed “under” to “pursuant to”; added a comma after “sewer” to separate the final element of a series; added the statutory citation “42 USC 6821-6939e” in parentheses
733.181(g)	Board	Changed “under” to “pursuant to”; added a comma after “sewer” to separate the final element of a series; added the statutory citation “42 USC 6821-6939e” in parentheses
738 table of contents	Board	Changed the Subchapter designation from “Subchapter D: Underground Injection Control and Underground Storage Tank Programs” to “Subchapter C: Hazardous Waste Operating Requirements”
738 authority note	Board	Added the citation to Section 13 of the Act
738.122(a)(3)	Board	Changed “under” to “pursuant to”
738.122(d)	Board	Changed “under” to “pursuant to”
738.122(e)	Board	Changed “under” to “pursuant to”
739 authority note	Board	Added a comma after “22.4” to separate the final element of a series
739.110 preamble	Board	Changed “35 Ill. Adm. Code 702, 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”
739.110(b)(1)(A)	Board	Changed “35 Ill. Adm. Code 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”
739.110(b)(2)(A)	Board	Changed “35 Ill. Adm. Code 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”
739.110(c)(1)(B)	Board	Changed “35 Ill. Adm. Code 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”
739.110(e)(1)(B)	Board	Changed “35 Ill. Adm. Code 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”
739.110(e)(3)(B)	Board	Changed “35 Ill. Adm. Code 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”

Section	Source	Revision(s)
739.110(i)	JCAR	Added “Definitions” in parentheses to reflect on file since February 23, 2006
739.181(b)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
739.181(e)(3)(B)	Board	Changed “35 Ill. Adm. Code 703, 720 through 726, and 728” to “35 Ill. Adm. Code 702, 703, and 720 through 728”
810 authority note	Board	Removed the citations to Sections 5 and 28.1 of the Act; added citations to Sections 7.2 and 22.40 of the Act
810.104(a)(1) “40 CFR 3.2”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
810.104(a)(1) “40 CFR 3.3”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
810.104(a)(1) “40 CFR 3.10”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
810.104(a)(1) “40 CFR 3.2000”	Board	Added the incorporation, including the <i>Federal Register</i> citation adopting the provision
811 authority note	Board	Removed the citations to Sections 5 and 28.1 of the Act; added citations to Sections 7.2 and 22.40 of the Act
811.112(a)	Board	Added a comma after “812.303” to separate the final element of a series
811.112(f)	Board	Added a comma after “812.115” to separate the final element of a series
811.112 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition, including a <i>Federal Register</i> citation for later amendments
811.326(a)	Board	Changed “under” to “pursuant to”; changed “section 811.325(d)” to capitalized “Section 811.325(d)”; changed “shall” to “must”; added “fulfill the following requirements”
811.326(a)(1)	Board	Added “it must”; added “fulfills the following requirements”
811.326(a)(1)(A)	Board	Changed “meets” to “the program must meet”; changed “under” to “pursuant to”
811.326(a)(1)(B)	Board	Changed “indicates” to “the program must indicate”; changed “under” to “pursuant to”
811.326(a)(1)(C)	Board, JCAR	Changed “demonstrates” to “the program must demonstrate”; changed “ground water” to “groundwater”; changed “standard” to plural “standards”
811.326(a)(2)	Board	Added “it must”
811.326(a)(1)	Board	Added “it must”; added “adequate” before “protection”; changed “shall” to “must”
811.326(b)	Board	Changed “shall” to “must”; added “fulfill the following requirements”

Section	Source	Revision(s)
811.326(b)(1)	Board	Added “it must”; changed “under” to “pursuant to”
811.326(b)(2)	Board	Added “it must”; changed “subsection (b)(1)” to “subsection (b)(1) of this Section”
811.326(c)	Board	Changed “shall” to “must”; added “fulfill the following requirements”
811.326(c)(1)	Board	Added “it must”; changed “under” to “pursuant to”
811.326(c)(2)	Board	Added “it must”; added “adequate” before “protection”
811.326(c)(3)	Board	Added “it must”; added “fulfill the following requirements”
811.326(c)(3)(A)	Board	Added “the measures are”
811.326(c)(3)(B)	Board	Added “the measures are”
811.326(c)(4)	Board	Added “it must”; changed “subsection (c)” to “subsection (c) of this Section”
811.326(d)	Board, Agency	Removed “a remedy required” from before “pursuant to”; changed “under” to “pursuant to”; removed the unnecessary commas before and after “or subsection (a)(3) of this Section”; changed “subsection (a)(3)” to “subsection (a)(3) of this Section”; removed “pursuant to an interim measure required” from before “subsection (a)(3); changed “shall” to “must”; added “that fulfills the following requirements”
811.326(d)(1)	Board, Agency	Changed “that is protective of” to “it adequately protects”
811.326(d)(2)	Board	Changed “that complies” to “it complies”
811.326(e)	Board	Changed “shall” to “must”; added “the following requirements are fulfilled”
811.326(e)(1)	Board	Changed “under” to “pursuant to”
811.326(e)(2)	Board	Changed “under” to “pursuant to” (twice); changed “shall” to “must”
811.326(e)(2)(A)	Board	Changed “release(s)” to “releases”
811.326(e)(2)(B)	JCAR	Changed “ground water” to “groundwater”
811.326(e)(2)(D)	JCAR	Changed “ground water” to “groundwater”
811.326(f)	Board	Changed “within 14 days of” to “within 145 days after”; changed “shall” to “must”; changed “subsection (e)” to “subsection (e) of this Section”
811.326(g)	Board	Changed “subsection (e)” to “subsection (e) of this Section”
811.326 Board note	Board	Corrected the spelling “form” to “from”; updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
811.715(a) “current assets”	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.715(b)	Board	Changed “Filed” to lower-case “filed”



Section	Source	Revision(s)
811.715(b)(1)	Board	Changed “subsection (c)” to “subsection (c) of this Section”
811.715(b)(2)	Board	Changed “subsection (d)” to “subsection (d) of this Section”
811.715(b)(3)	Board	Changed “subsection (e)” to “subsection (e) of this Section”
811.715(c)	Board	Changed “Without Surety” to lower-case “without surety”; changed “shall” to “must” (twice)
811.715(d)	Board	Changed “Revenue Test” to lower-case “revenue test”; changed “shall” to “must”
811.715(d)(1)	Board	Changed “shall” to “must”
811.715(d)(1)(A)	Board	Changed “shall” to “must”
811.715(d)(1)(B)	Board	Changed “shall” to “must”
811.715(e)	Board	Changed “Test” to lower-case “test”
811.715(e)(1)	Board	Changed “subsection (e)(1)(A) or (e)(1)(B)” to “subsection (e)(1)(A) or (e)(1)(B) of this Section”
811.715(e)(1)(A)(iv)	JCAR, Board	Changed “owner or operator operator’s” to “owner’s or operator’s”
811.715(e)(1)(B)(i)	Board	Added a comma after “A” to separate the final element of a series (twice)
811.715(d)(2)	Board	Changed “shall” to “must”
811.715(e)(1)(B)(i)	Board	Added a comma after “A” to offset the final element of a series” (twice)
811.715(e)(2)(C)(i)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.715(e)(2)(C)(ii)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.715(f)(1)	Board	Changed “subsections (d) and (e)” to “subsections (d) and (e) of this Section”; changed “shall” to “must”
811.715(f)(2)	Board	Changed “subsections (d) and (e)” to “subsections (d) and (e) of this Section”; changed “shall” to “must”
811.715(g)	Board	Changed “subsections (e)(2)(B) and (e)(2)(C)” to “subsections (e)(2)(B) and (e)(2)(C) of this Section”; changed “shall” to “must” (twice)
811.715(h)	Board	Changed “which” to “that” for a restrictive relative clause; changed “shall” to “must”
811.716(a)(3)	Board	Changed “under” to “pursuant to”
811.716(a)(3)(D)	Board	Changed “under” to “pursuant to”
811.716(d)	Board	Changed “under” to “pursuant to”
811.716(d)(2)	Board	Changed “under” to “pursuant to” (five times)
811.719 preamble	JCAR	Changed “owner or operator of an MSWLF” to “MSWLF owner or operator”

Section	Source	Revision(s)
811.719(a)(1)(A)	Board	Added a comma after “A” to separate the final element of a series
811.719(b)(1)(A)(i)	Board	Changed “under” to “pursuant to” (five times)
811.719(b)(1)(B)	Board, Agency	Changed “shall” to “must” (twice); changed “which” to “that” for a restrictive relative clause
811.719(b)(1)(C)	Board	Changed “shall” to “must”
811.719(b)(1)(D)	Board	Changed “shall” to “must”
811.719(b)(2)	Board	Changed “shall” to “must”
811.719(b)(3)	Board	Changed “shall” to “must”
811.719(b)(5)	Board	Changed “shall” to “must” (twice)
811.719(b)(6)	Board	Changed “shall” to “must”
811.719(c)	Board	Changed “shall” to “must”; changed “under” to “pursuant to” (five times)
812 authority note	Board	Removed the citations to Sections 5 and 28.1 of the Act; added citations to Sections 7.2 and 22.40 of the Act
813 authority note	Board	Removed the citations to Sections 5 and 28.1 of the Act; added citations to Sections 7.2 and 22.40 of the Act
814 authority note	Board	Removed the citations to Sections 5 and 28.1 of the Act; added citations to Sections 7.2 and 22.40 of the Act; removed the obsolete citation to the Illinois Revised Statutes in parentheses

Table C:  
Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised	Source(s) of Revision(s)	Revision(s)
702 table of contents, 702.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
702 source note	Board	Removed the reference to “47 PCB 93” and the offsetting commas; removed the reference to “at 53 PCB 131” and the offsetting commas
702.101(b)(1)(B)	Board	Removed “permit” from before “regulations”
702.101(b)(1)(C)	Board	Removed “permit” from before “regulations”
702.101(b)(1)(D)	Board	Removed “permit” from before “regulations”
702.101(c)	JCAR	Changed “Other Requirements” to lower-case “other requirements”
702.101(c)(1)	JCAR	Changed “Application Forms” to lower-case “application forms”
702.101(c)(2)	JCAR	Changed “Regulations” to lower-case “regulations”
702.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”

702.103(a)	JCAR, Board	Changed “these regulations and 35 Ill. Adm. Code 703 through 705”
702.105(a)(1)	Board, JCAR	Changed “does excludes” to “routinely excludes”
702.105(b)	Board	Removed the unnecessary comma added after “22.4(b)”
702.106(a)	Board	Changed “agency” to capitalized “Agency”
702.110 “appropriate act and regulations”	Board	Added “42 USC 6901 et seq.” in parentheses; added “42 USC 300f et seq.” in parentheses
702.110 “approved program or approved state”	Board	Changed “(42 USC 300h-1; UIC)” to “(42 USC 300h-1) (UIC)”
702.110 “closure”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724”
702.110 “CWA”	Board	Removed the unnecessary added “through January 7, 2003”
702.110 “draft permit”	Board, JCAR	Removed the unnecessary quotation marks from “draft permit”
702.110 “in operation”	Board	Removed the unnecessary quotation mark from before “hazardous waste”
702.110 “interim authorization”	JCAR	Changed “Section 3006(g)(2)” to lower-case “section 3006(g)(2)”
702.110 “permit”	Board	Removed “the requirements of” from before “this Part”; changed “703.144” to “703.238”
702.110 “RCRA standardized permit”	Board, Agency	Added “RCRA” in parentheses; changed “Subpart G of 35 Ill. Adm. Code 702” to “Subpart G of 35 Ill. Adm. Code 705”; changed “in all cases” to “for all RCRA standardized permits”
702.110 “remedial action plan”	Board	Changed “Action Plan” to lower-case “action plan”
702.110 “SIC code”	JCAR, Board	Changed the over-struck text “codes pursuant to” to “codes pursuant to the” as text on file that is deleted; removed the erroneous over-struck text “Code as”; added underlining to “Standard Industrial Classification” as text that is added
702.110 “wastewater treatment unit”	JCAR	Added “it”
702.120(a)	Board	Added a comma after “issuance” to offset the final element of a series
702.120(b)(2)	Board	Changed “35 Ill. Adm. Code 703.Subpart C” to “Subpart C of 35 Ill. Adm. Code 703”
702.120(b)(6)	Board	Changed “subpart J” to capitalized “Subpart J”
702.120 Board note	Board	Changed “270.10(a)” to capitalized “40 CFR 270.10(a)”
702.121	Board	Removed the Section from consideration in this rulemaking, since the proposal included no significant amendments to it

702.123 preamble	Board, JCAR	Changed “RCRA or UIC permits” to singular “RCRA or UIC permit”
702.123(g)	Board	Changed “one fourth mile” to “one-quarter mile”
702.125(e)	Board	Added “RCRA” before “standardized permits”
702.125(e)(1)(C)	JCAR	Changed “the previous permit” to “the previous permit”
702.126(a)(1)(A)	JCAR	Changed the ending comma to a semicolon
702.141	Board	Corrected “one of more” to “one or more”
702.146	Board	Changed “revocation” to “reissuance”
702.148	Board	Changed “modifying, revoking and reissuing, or terminating this permit” to “modifying or reissuing this permit”
702.151	Board	Removed “the requirements of” from before “Section 702.126”
702.160(b)(3)	Board	Corrected “Subpart F of 35 Ill. Adm. Code 703.241” to “Subpart F of 35 Ill. Adm. Code 703”
702.161(a)(2)	Board	Changed “UIC permits ” to singular “a UIC permit” (twice); changed “Class III wells” to singular “a Class III injection well”; moved “must” to precede the parenthetical “without requiring a new application”; changed “modified, revoked, or a minor modification” to “modified, reissued, or a minor modification”
702.162(d)	JCAR	Added a comma after “to avoid delay” to offset it as an introductory phrase
702.163(c)(4)	JCAR	Added a comma before “after the permittee” to offset the parenthetical
702.181(a)	Board	Changed “modified, reissued, or revoked ” to “modified or reissued”
702.181(c)	Board	Removed “any” from before “injury”
702.186(d)	Board	Changed “modification or revocation” to “modification, reissuance, or revocation”
703 table of contents, 703.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
703 table of contents, Section 703.238	Board	Changed Section 703.144 to Section 703.238 and moved it from Subpart C to Subpart E
703 table of contents, Section 703.270	Board	Changed “Modification” to “Modification or Reissuance”
703 table of contents, Section 703.304	Board	Changed “Modified, Revoked and Reissued, or Terminated” to “Modified, Reissued, or Terminated”
703 table of contents, Subpart J heading	JCAR	Changed the em-dash after “Subpart J” to a colon
703.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
703.123(b)	JCAR	Changed “its” to “the farmer’s”

703.Subpart C heading	Board, Agency	Removed the proposed amendment to the Subpart heading.
703.184(a)	JCAR, Board	Changed numeric “21(1)” to alphabetic “21(l)” (three times)
703.184(b)	Board	Removed “USEPA” from before “pertains”; changed the ending period to a semicolon
703.184 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.188 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.189 preamble	JCAR	Corrected “an assessments” to singular “an assessment”
703.189 Board note	Board	Added a citation to the <i>Code of Federal Regulations</i> source of the provision, including a <i>Federal Register</i> citation for later amendments
703.191(a)	Board, Agency	Removed “the requirements of” from before “this Section” (five times); changed “apply” to singular “applies” (three times); changed “do” to singular “does”; removed the duplicate sentence “This Section does not apply . . . action at a facility.”
703.191(b)	Board	Removed “for a facility” from after “permit application”; removed “to” from before “the submission”
703.191(c)	Board	Removed “to” from before “the submission”
703.192(a)	Board	Removed “the requirements of” from before “this Section” (four times); changed “must apply” to singular “applies” (twice); changed “do” to singular “does” (twice)
703.205(e)	Board	Removed “the requirements of” from before “this Section”; changed “do” to singular “does”
703.208 preamble	Board, JCAR, Agency	Removed “the requirements of” from before “this Section” (twice); changed “do” to singular “does”; changed “section” to capitalized “Section”; changed “apply” to singular “applies”; corrected “Section 703.310(a)(1)(A)” to “Section 703.320(a)(1)(A)”
703.208(a)(2)(B)(i)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 726.209(a)(1)”
703.210(d)(3)	Board, JCAR	Changed “EPA 450/2-81-005” to hyphenated “EPA-450/2-81-005”
703.211(d)(3)	JCAR	Changed “EPA 450/2-81-005” to hyphenated “EPA-450/2-81-005”
703.221	Board, Agency	Removed “the requirements of” from before “Sections 703.221 through 703.225”; corrected “Section 703.310(a)(1)(A)” to “Section 703.320(a)(1)(A)”

703.232 preamble	Board, JCAR, Agency	Removed “the requirements of” from before “this Section” (twice); changed “do” to singular “does” (twice); corrected “Section 703.310(a)(1)(A)” to “Section 703.320(a)(1)(A)””; changed “section” to capitalized “Section”; corrected “270.10(l)” to “703.189”
703.232(g)	Board	Changed “which” to “that” for a restrictive relative clause; removed “the requirements of” from before “this Section”
703.238 heading	Board, Agency	Renumbered the Section from 703.144 and moved it into Subpart E
703.238 preamble	Board	Changed “RCRA standardized permits” to singular “a RCRA standardized permit”
703.241(a)(2)	JCAR, Board	Changed the ending period to a semicolon; added the ending conjunction “and”
703.246(c)	Board	Changed “annual report” to “facility activities report”; changed “an annual report” to “a facility activities report”; changed “during the previous calendar year (see 35 Ill. Adm. Code 724.175)” to “as described in 35 Ill. Adm. Code 724.175”
703.246(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.260(b)	Board	Removed “the requirements of” from before “Subpart H of 35 Ill. Adm. Code 724”
703.270 heading	Board	Changed “Modification” to “Modification or Reissuance”
703.270	Board, JCAR	Added a comma after “705.128” to offset the final element of a series; changed “see” to capitalized “See”
703.270 Board note	Board, Agency	Added the statements relating to reissuance of a permit
703.271(f)	Board	Added a comma after “703” to offset the final element of a series
703.272(a)	Board	Removed “USEPA” from before “pertains”
703.272(c)	Agency	Corrected “35 Ill. Adm. Code 705.301(b)(2)” to “35 Ill. Adm. Code 705.301(a)(2)”
703.280(j)(1)	JCAR	Changed “Subpart EEE of 40 CFR 63” to lower-case “subpart EEE of 40 CFR 63”
703.280(j)(2)	JCAR	Changed “this section” to capitalized “this Section”
703.280(k)(1)(A)	Board, Agency, JCAR	Changed “which” to “that” for a restrictive relative clause; changed “you are” to “the owner or operator is”
703.280(k)(1)(D)	JCAR	Changed “within 30 days of” to “within 30 days after”
703.280(k)(2)	Board	Changed “Administrator” to “Agency”

703.301(b)(3)	Board	Changed “modified, revoked and reissued, or terminated” to “modified or reissued, or terminated”; changed “revoked and reissued” to “reissued”
703.302(a) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(b) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.302(c) Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
703.303(b)(2)(C)	Board	Changed “revoking and reissuing” to “reissuing”
703.304 heading	Board	Changed “Modified, Revoked and Reissued, or Terminated” to “Modified, Reissued, or Terminated”
703.304(a)	Board	Changed “modified, revoked and reissued, or terminated” to “modified, reissued, or terminated” (twice); changed “modification, revocation and reissuance, or termination” to “modification, reissuance, or termination” (twice)
703.304(c)	Board	Changed “revoke and reissue” to “reissue”
703.304(c)(1)	Board	Changed “revoke and reissue” to “reissue”; changed “revocation and reissuance” to “reissuance” (twice); changed “modify or revoke and reissue” to “modify or reissue”; changed “modification or revocation and reissuance” to “modification or reissuance”
703.304(c)(2)	Board	Changed “revocation and reissuance” to “reissuance”
703.320(a)(1)(B)	Board	Changed “the Agency must do the following” to “the following must occur”
703.320(a)(1)(B)(i)	Board	Added “the Agency must”; removed the ending conjunction “and”
703.320(a)(1)(B)(ii)	Board	Added “the Agency must”; changed the ending period to a semicolon; added the ending conjunction “and”
703.320(a)(1)(B) Board note	Board, JCAR	Changed “subsection (a)(1)(B)(iii) of this Section was added” to active-voice “the Board added subsection (a)(1)(B)(iii) of this Section”
703.320(a)(2)(B)	Board	Changed “the Agency must do the following” to “the following must occur”
703.320(a)(2)(B)(i)	Board	Added “the Agency must”; removed the ending conjunction “and”
703.320(a)(2)(B)(ii)	Board	Added “the Agency must”; changed the ending period to a semicolon
703.320(a)(2)(B)(iii)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
703.320(a)(2)(B) Board note	Board, JCAR	Changed “subsection (a)(2)(B)(iii) of this Section was added” to active-voice “the Board added subsection (a)(2)(B)(iii) of this Section”
703.320(a)(3)(B)(ii)	JCAR	Corrected the spelling of “though” to “through”

703.320(c)(2)	Board	Added a comma before “including” to offset a parenthetical
703.Subpart J heading	JCAR	Changed the em-dash after “Subpart J” to a colon
703.350(c)	Board, Agency	Changed “this part 270” to “this Part”
703.350(c)(1)	Agency, Board	Corrected “Subpart B of this Part; Sections 703.110, 703.153 through 703.160, and 703.161(a); Subpart A of 35 Ill. Adm. Code 702; and 35 Ill. Adm. Code 702.181” to “Sections 703.121 through 703.124, 703.158 through 703.159, and 703.161(a) and 35 Ill. Adm. Code 702.110, 702.181, and 720.111”
703.350(c)(2)	Board	Removed the parentheses from “in subpart B of 40 CFR 270”
703.350(c)(3)	Agency	Corrected “35 Ill. Adm. Code 702.140 through 702.152, 702.160, 702.162, and 702.163” to “35 Ill. Adm. Code 702.140 through 702.152, 702.160, and 702.162 through 702.164”
703.350(c)(4)	Board	Removed the parentheses from “in subpart D of 40 CFR 270”
703.350(c)(5)	Agency, Board	Corrected “Sections 702.125 and 702.161” to “35 Ill. Adm. Code 702.125 and 702.161”
703.350(c)(6)	Board, Agency	Removed the parentheses from “in subpart F of 40 CFR 270”; corrected “Section 703.233” to “Section 703.238”
703.350(c)(8)	Agency	Changed “Subpart H of 35 Ill. Adm. Code 703” to “no provisions of Subpart H of 35 Ill. Adm. Code 703 apply”
703.350(c)(9)	Board, Agency	Changed “Subpart J of this Part” to “this Subpart J”
703.351(a)	Board, Agency	Added “this Subpart J and”
703.351(b)(4)	JCAR	Changed “U.S.C.” to “USC” (five times)
703.351(b)(6)	Board, Agency	Changed “§ 270.280” to “subsection (c) of this Section” (twice); changed “40 CFR part 267” to “35 Ill. Adm. Code 727”
703.351(b)(7)	Board, Agency	Changed “part 267, subpart G” to “35 Ill. Adm. Code 727.210”
703.351(b)(8)	Board	Changed “your facility” to “the facility”
703.351(c)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 727”
703.351(c)(2)	Board	Changed “the above certification” to “the certification of subsection (c)(1) of this Section”
703.351(c)(3)	JCAR	Placed “Notice of Intent” in parentheses
703.352(a)(2)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 727”



703.352(a)(12)	Board, JCAR, Agency	Changed “you . . . your” to “that the owner or operator . . . its”; changed “727.110(g)(1)(C)” to “727.110(g)(1)(B)”
703.352(a)(15)	JCAR	Changed “your facility” to “the facility”
703.352(a)(19)(D)	Board	Added “etc.” offset by a comma
703.352(c)(10)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 727.290(m) and (n)”
703.352(d)(4)(C)	Board, JCAR	Removed the duplicate “Course 415:”; changed “EPA 450/2-81-005” to hyphenated “EPA-450/2-81-005”
703.352(e)(2)	Board	Removed “the requirements of” from before “Subpart CC or 35 Ill. Adm. Code 724”
703.352(e)(3)	Board	Removed “pursuant to” from after “specified in”
703.352(e)(5)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724.987”
703.352(e)(6)	Board	Changed “40 CFR part 60” to “40 CFR 60”; added “incorporated . . . 720.111(b)” offset by commas
703.353	Agency	Corrected “35 Ill. Adm. Code 704.304” to “35 Ill. Adm. Code 705.304”
704 table of contents, 704.108 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
704 source note	Board	Removed the reference “at 47 PCB 95” and the offsetting commas
704.101 Board note	Board	Updated the citation to the <i>Code of Federal Regulations</i> to the most recent edition
704.102	Board	Changed “a Class V well” to “a Class V injection well”
704.104	JCAR	Corrected “an aquifers” to singular “an aquifer”
704.105(a)(3)	JCAR, Board	Changed “their” to singular “its”
704.105(b)(2)	Board	Changed “systems” to singular “system”; added the indefinite article “a” before “domestic cesspool”
704.105(b)(6)	Board	Changed “a Class II well” to “a Class II injection well”
704.105(c)	Board	Changed “a Class IV well” to “a Class IV injection well”
704.106(a)(3)	Board	Changed “one-quarter mile” to “402 meters (one-quarter mile)”
704.106(d)(1)	JCAR, Board	Added “and” over-struck as text on file and added “or” underlined as text added to change “owners and operators” to “owner or operator” (twice)
704.106(d)(2)	JCAR, Board	Added “and” over-struck as text on file and added “or” underlined as text added to change “owners and operators” to “owner or operator” (twice)
704.106(d)(3)	JCAR, Board	Added “and” over-struck as text on file and added “or” underlined as text added to change “owners and operators” to “owner or operator”

704.108 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
704.122(b)	JCAR	Changed “a contaminant” to “any contaminant”
704.123(b)	JCAR	Changed “Exempted Aquifer” to lower-case “exempted aquifer”
704.123(b)(1)	Board	Added the previously missing text to correspond with 40 C.F.R. 144.7(b)(1)
704.123(b)(2)	Board	Removed the amendment to the subsection number to retain to the existing number
704.123(b)(3)	Board	Removed the amendment to the subsection number to retain to the existing number
704.123(b)(4)	Board, JCAR	Removed the amendment to the subsection number to retain to the existing number; added “35 Ill. Adm. Code” before “730.104”
704.124(b)	Board	Changed “Class IV wells” to singular “a Class IV injection well”
704.124(c)	Board	Changed “U.S.C.” to “USC” (twice)
704.141(a)	Board	Changed “Class I and III” to “Class I or Class III”
704.141(a)(2)	Board	Removed “the requirements of” from before “Section 704.148”
704.142(g)	JCAR	Removed the ending conjunction “or”
704.142(h)	Board	Added the ending conjunction “or”
704.145(c)	Board, JCAR	Removed “the requirements of” from before “subsections (a) and (b)”; changed “U.S.C.” to “USC” (twice)
704.147(a)(3)	Board, JCAR	Changed the ending period to a semicolon; added the ending conjunction “or”
704.147(b)(1)	JCAR	Changed the ending comma to a semicolon
704.148(b)(1)(C)(v)	Board	Changed “technologies” to singular “technology”
704.150(c)(2)(D)	JCAR	Added a comma after “years” to offset the introductory phrase
704.150(c)(2)(E)	JCAR, Board	Corrected “subsection (c)(2)(D)(i) and (c)(2)(D)(ii) of this Section” to plural “subsections (c)(2)(D)(i) and (c)(2)(D)(ii) of this Section”
704.150(d)(1)(B)	Board	Removed “the requirements of” from before “subsection (j)”
704.150(d)(2)	JCAR	Corrected “ownership of operational control” to “ownership or operational control”
704.150(d)(6)	JCAR	Changed “under” to “pursuant to”
704.150(f)(2)(A)	JCAR	Added the ending colon
704.150(f)(2)(A)(i)	JCAR	Changed the ending comma to a semicolon
704.150(f)(3)(C)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 730.110”

704.150(g)	JCAR	Changed “Tables” to lower-case “tables”; changed “Appendix” to lower-case “appendix”
704.150(g)(1)	JCAR, Board	Corrected “injectionwell” to “injection well”
704.150(g)(3)(B)	Board	Added “it must”
704.150(g)(3)(C)	Board	Added “it must”
704.150(h)(3)	JCAR	Corrected “a Class I injection well” to “a Class III injection well”
704.161(d)(1)(A)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
704.161(e)(1)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
704.162(a)(2)	JCAR	Changed “State” to lower-case “state”
704.162(b)(1)	Board	Changed the ending comma to a semicolon
704.163(b)(2)	JCAR	Changed “within 10 days of” to “within 10 days after”
704.181(c)(2)	JCAR	Changed “Review” to lower-case “review”
704.181(d)	JCAR	Changed “Noncompliance” to lower-case “noncompliance”
704.181(d)(2)	JCAR	Changed “within five days of” to “within five days after”
704.181(h)(2)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 730.110”
704.187	JCAR, Board	Changed “Tables” to lower-case “tables”; changed “Appendix III” to “Appendix C”
704.189(a)(2)	Board	Removed “the requirements of” and added “Section” before “704.181(e)”
704.201	Board	Removed “the requirements of” from before “Subpart F”; changed “facilities” to “facility”
704.202	Board	Changed “by August 2, 1984” to “before August 2, 1984”
704.203(a)	JCAR	Changed “U.S.C.” to “USC”
704.203(b)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724.111”
704.210	Board	Removed “the requirements of” from before “Sections 704.212, 704.213, and 704.240”; changed “owner and operator” to “owner or operator”
704.211(a)	Board	Removed “the requirements of” from before “Sections 704.150 and 704.181(f)”
704.212(a)	JCAR	Corrected “Section 704.150 and 704.181(f)” to plural “Sections 704.150 and 704.181(f)”
704.214(c)(1)	JCAR	Added a colon after “where”
704.214(c)(2)	JCAR	Added a colon after “where”
704.215(a) Board note	JCAR	Added “the” before “Treasury”

704.215(c)(2)	Board	Removed “the requirements of” from before “this Section”
704.215(d)(1)	Board	Removed unnecessary ending conjunction “or”
704.216(a) Board note	JCAR	Added “the” before “Treasury”
704.216(c)(2)	Board	Removed “the requirements of” from before “this Section”
704.217(a)	Board	Removed “the requirements of” from before “this Section”
704.217(c)(2)	Board	Removed “the requirements of” from before “this Section”
704.218(a)	Board	Removed “the requirements of” from before “this Section”
704.218(e)	Board	Added “it” before “must instruct”
704.219(a)(1)(A)	JCAR	Corrected “aratio” to “a ratio”
704.219(j)	Board	Corrected the over-struck “guarantee” to “quarantee” to reflect text on file
704.230(b)	Board	Removed “the requirements of” from before “Section 704.213”
704.261	JCAR	Changed “See” to lower-case “see”
704.262(a)	JCAR, Board	Added “any of” before “the following”; changed “causes” to singular “cause”; added a comma before “as well as” to offset the parenthetical; removed the over-strike from “wells” and the underlined “well” to revert to the plural text on file; added a comma after “wells” to offset the introductory phrase; added commas before and after “as well as for permit modification” to offset it as a parenthetical
704.262(a)(3)(B)(iii)	Board	Removed the unnecessary written “ninety” and parentheses from the numeric “90”; added “the effective date of the” before “changed statute”
704.262(a)(3)(C)	Board, JCAR	Removed the unnecessary written “ninety” and parentheses from the numeric “90”; changed “within 90 days of” to “within 90 days after”
704.262(b)(1)	Board	Added “it” before “must not be reissued”
704.264(d)	JCAR	Changed the ending period to a semicolon; added the ending conjunction “or”
704.264(e)	JCAR	Changed “limited other changes” to “making other limited changes”
704.264(e)(2)	Board	Removed “the requirements of” from before “this Part”
704.264 Board	JCAR	Added the ending period
704.281(b)	Board, JCAR	Changed “receive . . . have” to singular “receives . . . has”
704.284(b)	Board	Changed “Class V well” to “Class V injection well”
704.287(a)	Board	Removed “the requirements of” from before “Section 704.288”

704.287(b)(1)(A)	Board	Changed “owner and operator” to “owner or operator”
704.287(b)(1)(B)	Board	Changed “owner and operator” to “owner or operator”
705 table of contents, 705.104 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
705 table of contents, 705.304 heading	Board	Corrected “Maintaining a RCRA Standardized Permit” to “Modifying a RCRA Standardized Permit”
705 source note	Agency	Removed the reference “at 47 PCB 93” and the offsetting commas
705.104 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
705.Subpart B heading	JCAR	Added the Subpart heading to the text
705.128(a)	Agency, Board	Added “UIC” in parentheses after “35 Ill. Adm. Code 704.261 through 704.263”; added “RCRA” in parentheses after “35 Ill. Adm. Code 703.270 through 703.273”
705.128(c)(1)	Agency, Board	-Added language missing from the proposal, “other than . . . under 35 Ill. Adm. Code 703.272(c)”; corrected “Subpart G of 35 Ill. Adm. Code 702” to “Subpart G of 35 Ill. Adm. Code 705”; removed the unnecessary “for a RCRA standardized permit”
705.128(c)(3)	Board	Removed “the requirements of” from before “this Section”
705.Subpart G heading	JCAR	Changed the em-dash to a colon and spaces
705.300(a)(1)	Agency, Board	Corrected “35 Ill. Adm. Code 267” to “35 Ill. Adm. Code 727” (twice)
705.300(a)(2)(A)	Board	Corrected “35 Ill. Adm. Code 727.201” to “35 Ill. Adm. Code 727.190(1)”
705.301(a)(1)	Board	Changed “an owner or operator” to “a facility owner or operator”
705.301(b)	Board, JCAR, Agency	Changed “my individual RCRA permit” to “an individual RCRA permit”; moved “in accordance with 35 Ill. Adm. Code 705.128” and “in accordance with Section 705.302(a)”; added “The Agency must modify or reissue any permit” and “The Agency must issue any RCRA standardized permit (or reissue a RCRA permit as a RCRA standardized permit)”
705.302(a)(3)	Board	Added “etc.” after “waste analysis plans”
705.302(a)(4)(J)	JCAR	Changed “apply” to singular “applies”; corrected “705.163(a)(2) and (a)(4)” to “705.163(a)(4) and (a)(5)(A)”
705.302(b)	JCAR	Changed “your” to “the Agency’s”
705.302(b)(1)	Board	Changed “all of Section 705.101 applies” to “all subsections apply”
705.302(b)(4)	JCAR	Changed “apply” to singular “applies”

705.302(b)(5)	Board	Changed “all of Section 705.183 applies” to “all subsections apply”
705.302(b)(6)	Board, Agency	Changed “all of Section 705.184 applies” to “all subsections apply”; corrected “Section 705.183(b)(1)” to “Section 705.184(b)(1)”; corrected “Section 705.183(b)(3)” to “Section 705.184(b)(3)”; Changed “is Section 705.303(b)” to “relates to Section 705.303(b); corrected “Section 705.183(c)” to “Section 705.184(c)”
705.302(b)(7)	Board	Changed “all of Section 705.201 applies” to “all subsections apply”
705.302(b)(8)	Board, Agency	Corrected “all of Section 705.183 applies” to “all subsections apply”
705.302(b)(10)	Board	Changed “all of Section 705.211 applies” to “all subsections apply”
705.302(b)(11)	JCAR, Board, Agency	Corrected the spelling of “Seciton” to “Section”; changed “all of Section 705.212 applies” to “all subsections apply”
705.302(b)(12)	Board	Changed “all of Section 705.103 applies” to “all subsections apply”
705.302(c)(1)(D)	JCAR, Board, Agency	Removed the indefinite article “an” from before “incomplete or inadequate materials”; changed “Section Section” to “Section”
705.302(c)(3)	JCAR, Agency	Corrected “this subsection (b)(3)” to “this subsection (c)(3)”
705.302(c)(4)	JCAR	Changed “your decision” to “its decision”
705.302(c)(5)	Board, JCAR	Changed “their facility” to “that facility”
705.303(a)(1)(C)	JCAR	Changed “States” to lower-case “states”
705.303(a)(1)(D)	JCAR	Removed “to” from before “everyone”
705.303(a)(1)(E)	JCAR	Removed “to” from before “any”
705.303(a)(3)(B)	JCAR	Changed “your” to “the Agency’s”
705.303(a)(4)	Board, JCAR	Changed “the facility owner or operator” to “the Agency”; changed “your office” to “the local Agency office”
705.304 heading	Agency	Changed “Maintaining” to “Modifying”
705.304(a)	Board	Changed “an owner or operator may” to “a facility owner or operator may”; changed “and” to “or” before “significant change”
705.304(a) “routine change”	JCAR	Changed the ending comma to a period; removed the ending conjunction “and”
705.304(a) “routine change with prior Agency approval”	JCAR	Changed “class 2” to capitalized “Class 2”; changed the ending comma to a period; removed the ending conjunction “and”
705.304(a) “significant change”	JCAR	Changed “class 3” to capitalized “Class 3”

705.304(d)(1)(A)	JCAR, Board	Changed “Meeting” to lower-case “meeting”; changed “your” to “its”
705.304(d)(1)(B)	JCAR, Board	Changed “Notice” to lower-case “notice”; removed “the requirements of” from before “35 Ill. Adm. Code 703.191(d)”
720 table of contents, 720.104 heading	JCAR, Agency, Board	Added the Section heading of the added provision
720 table of contents, 720.Appendix A heading	JCAR	Added “Federal RCRA” before “Subtitle C”; added “Hazardous Waste” in parentheses before “Regulations” to reflect text on file since February 23, 2006
720.104 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
720.104(a)(1)	Board	Added a comma after “Board” to offset the final element of a series; changed “filing” to “submission” (twice); added “in lieu of paper documents” after “electronic documents”; removed “report or” from before “document”
720.104(a)(2)	Board	Changed “document filing” to “reporting”; changed “begin” to “occur”; removed “after USEPA has first done” form before “as follows”
720.104(a)(2)(A)	Board	Changed “as to filing with” to “for submissions to documents to”; added “submissions may occur only after” before USEPA has published”; moved “in an electronic format” from after “Regulations” to after “receive” as a parenthetical offset by commas
720.104(a)(2)(B)	Board	Changed “as to filing with” to “for submissions to documents to”; replaced the proposed text with “submissions may occur only under the following circumstances”; changed the ending period to a colon
720.104(a)(2)(B)(i)	Board	Added the provision relating to an existing system for which application to USEPA for approval has not been submitted
720.104(a)(2)(B)(ii)	Board	Added the provision relating to an existing system for which application to USEPA for approval has been submitted
720.104(a)(2)(B)(i)	Board	Added the provision relating to a system for which USEPA has granted its approval
720.104(a)(3)(C)	Board	Changed “transfers” to singular “transfer”

720.104(a)(4)	Board	Added “written” before “approval”; changed “filing” to “submission”; added “in lieu of paper documents” after “electronic documents”; changed “subsection (a)(2)(B)” to “subsection (a)(2)(B)(iii)”, added “as applicable” before “the date” as a parenthetical offset by commas; added “written” before “cessation”; added “in lieu of a paper document” after “electronic document”
720.104(a) Board note	Board	Changed “40 C.F.R. 3.1” to “40 C.F.R. 3.1, 3.2, 3.10, 3.20, and 3.1000”
720.104(c)	JCAR, Board	Added “in lieu of paper documents” after “electronic documents”; changed “provided” to present-tense “provide”
720.104(c) Board note	Board	Added a citation to the federal source of the material
720.104(c)(2)	Board	Changed “subsection (a)(2)” to “subsection (a)(2)(A)”
720.104(d)	Board	Added “in lieu of paper documents” after “electronic documents”
720.104(d)(1)	JCAR	Changed “procedures” to “procedural rules” (twice); removed “that meet the requirements of 40 CFR 3.2 and 3.2000, incorporated by reference in Section 611.102(c)” to “under this Section”; changed “5 ILCS 100/5” to “5 ILCS 100/Art. 5”; removed the offsetting comma before “5 ILCS 100/5” and placed it in brackets
720.104(d)(2)	Board	Changed “may not accept” to “may accept”; changed “until after USEPA has approved the procedures in writing, and the Board or the Agency has published a notice of such approval in the Illinois Register” to “only as provided in subsection (a)(2)(B) of this Section”; removed the statement “Nothing in this subsection (d) limits the authority of the Board or the Agency under the Illinois Environmental Protection Act [415 ILCS 5] to accept documents filed electronically.”
720.104(d) Board note	Board	Added a citation to the federal source of the material
720.104(e)	Board	Added “in lieu of paper documents” after “electronic documents”
720.104(e)(1)	JCAR	Added “of” before “this Section”
720.104(e)(2)	Board	Removed the proposed subsection (e)(2), which duplicated subsection (e)(1), and renumbered proposed subsection (e)(3) as subsection (e)(2)
720.104(e)(3)	Board	Renumbered proposed subsection (e)(4) as subsection (e)(3)
720.104(e)(4)	Board	Renumbered proposed subsection (e)(5) as subsection (e)(4)
720.104(e) Board note	Board	Added “and 3.2000(c)”



720.104(f)	Board, JCAR	Changed “filing” to “submission”; removed the unnecessary conjunction “and” from before “its retention”; added “its” before “availability”
720.104(f)(4)	JCAR	Added the ending semicolon
720.104(f)(6)	JCAR	Removed the offsetting comma before “2 Ill. Adm. Code 2175” and placed it in parentheses
720.104(f)(7)	JCAR	Removed the offsetting comma before “35 Ill. Adm. Code 130” and placed it in parentheses
720.104(g)	Board	Corrected “subsection (c)(1)” to “subsection (d)(1)”
720.104(g) Board note	Board	Added a citation to the federal source of the material
720.110 “battery”	Board, Agency	Changed “which” to “that” for a restrictive relative clause
720.110 “personnel”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724 or 725”
720.110 “RCRA standardized permit”	Board	Added the definition, which also appears in 35 Ill. Adm. Code 702.110
720.110 “Regional Administrator”	Board	Changed “Region” to lower-case “region”
720.110 “staging pile”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 724.654”
720.110 “thermostat”	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2)”
720.110 “USEPA”	Board	Removed “or ‘U.S. EPA’”
720.111(a) “NFPA”	Board, Agency	Changed “July 17, 1987” to “July 18, 2003” and added “as supplemented . . . August 13, 2004” offset by a comma to reflect text on file since February 23, 2006; removed the unnecessary conjunction “and” before “725.298”; corrected “727.302” to “727.290”; changed “725.301, 726.211, and 727.290” to “725.301 and 726.211”
720.111(a) “USEPA, Receptor Analysis Branch” Board note	JCAR	Added the Board note to reflect text on file since February 23, 2006
720.111(b) “40 CFR 3.2”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
720.111(b) “40 CFR 3.3”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
720.111(b) “40 CFR 3.10”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
720.111(b) “40 CFR 3.2000”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
720.111(b) “40 CFR 60”	Board	Added “70 Fed. Reg. 74679 (Dec. 16, 2005)” to the series with an offsetting comma
720.111(b) “subpart EEE of 40 CFR 63”	Board	Changed “March 23, 2006” to “Mar. 23, 2006”

720.111(b) “appendix VI of 40 CFR 264”	Board	Corrected “with§” to “with §”
720.111(b) “49 CFR 171.8”	Board	Added “70 Fed. Reg. 73156 (Dec. 9, 2005) and”
720.111(b) “49 CFR 173.50”	Board	Changed the double en-dash to an em-dash in “Class 1—Definitions”
720.111(b) “49 CFR 173.115”	Board	Changed the double en-dash to an em-dash in “Class 2, Divisions 2.1, 2.2, and 2.3—Definitions”
721.101(e)	Board	Changed “electronic document filing” to “electronic reporting”
721.103(a)(2)(D)(i)	JCAR, Board	Changed “they receive” to “it receives”; changed “the Agency may . . . if it finds” to “the Agency must . . . if it determines”; changed “the above information” to “the information required by this subsection (a)(2)(D)(i)”; changed “if the Agency finds” to “if the Agency determines”
721.103(a)(2)(D)(ii)	JCAR, Board	Changed “they receive” to “it receives”; changed “the above information” to “the information required by this subsection (a)(2)(D)(ii)”; changed “if the Agency finds” to “if the Agency determines”
721.103(a)(2)(D)(iv)	JCAR	Changed “this subsection” to “this subsection (a)(2)(D)(iv)”; corrected “Sections 721.131 or 721.132” to singular “Section 721.131 or 721.132”
721.103(a)(2)(D)(vi)	JCAR, Board	Changed “they receive” to “it receives”; changed “the above information” to “the information required by this subsection (a)(2)(D)(vi)”; changed “if the Agency finds” to “if the Agency determines”
721.103(a)(2)(D)(vii)	JCAR, Board	Changed “they receive” to “it receives”; changed “the above information” to “the information required by this subsection (a)(2)(D)(vii)”; changed “if the Agency finds” to “if the Agency determines”
721.103(d)(1)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 728”
721.103(e)(2)(C)(iii)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
721.104(a)(20)(B)(ii)	Agency, Board	Changed “which” to “that” for a restrictive relative clause
721.104(a)(21)(C)	Board	Removed “the requirements of” from before “subsection (a)(21)(B) of this Section”
721.105(b)	Board	Removed “the requirements of” from before “subsections (f), (g), and (j) of this Section”
721.105(c)(4)	Board	Changed “under the requirements of” to “pursuant to”
721.105(c)(5)	Board	Changed “under the requirements of” to “pursuant to”
721.105(c)(6)	Board	Changed “under” to “pursuant to”

721.105(f)(3)(E)	Board	Removed “the requirements of” from before “federal 40 CFR 257.5”
721.105(f)(3)(G)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 733”
721.105(g)(2)	Board	Changed “under” to “pursuant to”; removed “the requirements of” from before “35 Ill. Adm. Code 702, 703, and 723 through 728”
721.105(g)(3)(E)	Board	Removed “the requirements of” from before “federal 40 CFR 257.5 through 257.30”
721.105(g)(3)(G)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 733”
721.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 1.C	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
721.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 2	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
721.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 3	Board, JCAR	Changed the double en-dash to an em-dash between the contaminant name and the maximum allowable level (14 times)
721.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 4	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
722 table of contents, 722.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
722.110(f)	Board	Changed “which” to “that” for a restrictive relative clause; removed “all of the requirements of” from before “Section 722.170”
722.110(g)	Board	Removed “the requirements of” from before “this Part”
722.110 Board note	Board	Changed “owners or operators that are . . . they generated” to singular “an owner or operator that is . . . it generated”
722.111(d)	Board	Removed the unnecessary comma after “724”
722.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
723 table of contents, 723.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
723 authority note	JCAR	Changed “7.2, 22.4” to “7.2 and 22.4”
723 source note	Board	Removed the reference to “43 PCB 427” and the offsetting commas; removed the reference to “45 PCB 17” and the offsetting commas
723.112	Board	Changed “35 Ill. Adm. Code 702, 703, 724 through 728, or 738” to “35 Ill. Adm. Code 702, 703, or 724 through 728”

723.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
723.120(a)(1)(A)(ii)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
723.120(a)(1)(B)	Board	Removed “the requirements of” from before “Subpart H of 35 Ill. Adm. Code 722”
723.120(a)(2)(B)(ii)	Board	Removed “the requirements of” from before “Subpart H of 35 Ill. Adm. Code 722”
723.120(e)	Board	Removed “the requirements of” from before “subsections (c), (d), and (f)”
723.120(f)	Board	Removed “the requirements of” from before “subsections (c), (d), and (e)”
723.120(h)	Board	Removed “the requirements of” from before “this Section”; removed “those of” from before “Section 723.122”
724 table of contents, 724.104 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
724.101(c)	Board	Changed “the requirements of this Part apply” to “this Part applies”
724.101(d)	Board	Changed “the requirements of this Part apply” to “this Part applies”
724.101(e)	Board	Changed “the requirements of this Part apply” to “this Part applies”
724.101(g)	Board	Changed “the requirements of this Part do” to “this Part does”
724.101(g)(9)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 722.130”
724.101(g)(11)(C)	Board	Added the ending conjunction “and”
724.101(g)(11)(D)	Board	Changed the ending semicolon to a period; removed the ending conjunction “and”
724.101(i)	Board	Changed “the requirements of this Part apply” to “this Part applies”
724.101(j)	Board	Removed “the requirements of” from before “Subparts B, C, and D of this Part” (twice); changed “owners or operators of . . . sites” to singular “the owner or operator of a . . . site”
724.101(j)(5)	Board	Removed “the requirements of” from before “this Part”
724.101(j)(9)	Board	Removed “the requirements of” from before “Section 724.119”
724.104 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
724.156(d)(2)(A)	JCAR	Changed “owner or operator” to “reporter”
724.190(a)(2)	Board, JCAR	Removed “the requirements of” from before “Sections 724.191 through 724.200”; added commas before and after “Section 724.201” to offset it as a parenthetical

724.190(e)	Board	Removed “the requirements of” from before “35 Ill. Adm. Code 703.161”
724.200(h)	Board	Removed “the requirements of” from before “this Section”
724.201(d)	Board	Changed “the requirements of this Part do” to “this Part does”
724.211(a)	JCAR	Added “minimizes” before “the need”
724.211(c)	Board	Removed “the requirements of” from before “Sections 724.278, . . . 724.1102”
724.212(c)(3)	JCAR, Board	Corrected “Sections 724.328(c)(1)(A) or 724.358(c)(1)(A)” to singular “Section 724.328(c)(1)(A) or 724.358(c)(1)(A)”; removed “the requirements of” from before “Section 724.410”
724.212(d)(2)(A)	Board	Corrected “the owner or operator have” to singular “the owner or operator has”
724.212(d)(3)	Board	Changed “the requirements of this subsection (d) do” to “this subsection (d) does”
724.213(e)(5)(A)	Board	Changed “do the following” to “fulfill the conditions of subsections (e)(5)(A)(i) and (e)(5)(A)(ii) of this Section”; added the text of subsection (e)(5)(A)(iii) “the Board will retain jurisdiction . . . pursuant to subsection (e)(7) of this Section”
724.213(e)(5)(A)(iii)	Board	Moved the text to subsection (e)(5)(A)
724.219(b)(1)	JCAR	Changed the double en-dashes to em-dashes before and after “or on some . . . title search”
724.275(a)	JCAR	Changed the ending period to a semicolon
724.383(b)	Board, JCAR	Changed “ground water” to “groundwater”
724.440(b) Board note	Board, JCAR	Changed “September 30, 1999” to “Sept. 30, 1999”
724.654(k)(2)	JCAR, Board	Changed “the above requirement” to “the requirement stated in subsection (k)(1) of this Section”
724.701 preamble	Board	Added “adequate” before “protection”
724.981	JCAR	Removed the unnecessary comma after “725.981”
725 table of contents, 725.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
725 source note	Board	Added “effective February 14, 2003, amended in R05-8 at 29 Ill. Reg. 6028, effective April 13, 2005” to reflect text omitted
725.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
725.153 preamble	Board	Changed “a copy of the contingency plan . . . must be disposed” to active-voice “the facility owner or operator must . . . copies of the contingency plan and all revisions to the plan”

725.153(a)	Board	Changed “they must be maintained” to active-voice, singular “it must maintain a copy”
725.153(b)	Board	Changed “they must be submitted to all . . . departments, . . . departments, hospitals . . . teams” to active-voice, singular “it must submit to each . . . department, . . . department, hospital . . . team”; added “at the facility”
725.211(b)	JCAR	Removed “to” from before “human health”
725.213(a)(1)(A)	JCAR	Removed “of this Section” from after “this subsection (a)”
725.247(a)(6)	JCAR	Changed “this subsection” to “this subsection (b)(6)”
725.247(a)(7)(C)	Board	Corrected the spelling of “judgement” to “judgment”
726 table of contents, 726.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
726.102 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
726.200(b)(1)	Board, JCAR	Reverted “became” to “becomes”; corrected the overstruck “63.1210(d)” to “63.1210(b)” to reflect text on file that is to be amended
726.200(b)(3)	Board, JCAR, Agency	Corrected the spelling of “requiements” to “requirements”
726.200(b) Board note	JCAR	Changed “Title V” to lower-case “title V”
726.200(d)(3)	JCAR	Changed “under” to “pursuant to”
726.200(d)(3)(B)	Board	Removed the over-strike from “pose a hazard to human health and the environment” and the underlined “threaten a violation of the Act of Board regulations” to reverse proposed amendments to text on file
726.200(h)	JCAR	Changed “under” to “pursuant to”
726.202(b)(1)	JCAR	Changed “analytical procedures . . . 720.111. Alternative methods . . . may be used. If SW-846 does not prescribe a . . . best available method.” to “using appropriate analytical methods” to reflect text on file since February 23, 2006; changed “Appendix H of 35 Ill. Adm. Code 721 constituents excluded” to “constituents listed in Appendix H of 35 Ill. Adm. Code 721 that are” to reflect text on file since February 23, 2006; changed “owners and operators of BIFs” to “the owner or operator of a BIF” to reflect text on file since February 23, 2006
726.202(c)	JCAR	Changed “owners and operators” to “an owner or operator” to reflect text on file since February 23, 2006
726.202(e)(4)(B)(x)	JCAR	Changed “Sections 726.206(c) or (d)” to singular “Section 726.206(c) or (d)”

726.202(e)(4)(C)(x)	JCAR	Changed “Sections 726.206(c) or (d)” to singular “Section 726.206(c) or (d)”
726.202(e)(7)(A)(i)	JCAR	Removed the unnecessary ending conjunction “or”
726.202(e)(7)(B)(i)	JCAR	Changed the ending comma to a semicolon
726.202(e)(8)(A)(ii)	JCAR	Changed the ending period to a semicolon; added the ending conjunction “and”
726.208(b)	Board	Changed “nonhazardous” to hyphenated “non-hazardous” (twice)
726.208(c) “n”	JCAR	Changed “means” to “=”
726.303(b)(3)	Board	Changed “the preceding subsection (b)(2)” to “subsection (b)(2) of this Section”
726.305(c)(3)	Board	Changed “the preceding subsection (c)(2)” to “subsection (c)(2) of this Section”
726.305(d)(1)	Board	Removed the unnecessary comma from after “35 Ill. Adm. Code 721”
727 authority note	Board, JCAR	Added the previously omitted note
727 source note	Board, JCAR	Added the previously omitted note
727.100(a)	Board	Added a comma after “scope” to offset the final element of a series
727.100(a)(1)	Board	Added “as such is defined in 35 Ill. Adm. Code 702.110 and 720.110” offset by commas
727.100(a) Board note	Board, Agency	Added the explanation of the exemptions from the Part 727 requirements; added explanation of the citation to 35 Ill. Adm. Code 724.101(f)
727.100(b)	Board, Agency	Corrected “703.151” to “703.153”; removed “you” from before “must comply”; changed “40 CFR part 265” to “35 Ill. Adm. Code 725”
727.100(c) Board note	JCAR, Board	Changed “Act” to “Environmental Protection Act [415 ILCS 5] (Act)”
727.100(d)	Board	Changed “electronic document filing” to “electronic reporting”
727.110(f)(1)	Agency, Board	Changed “either of the following conditions” to “either of the conditions . . . of this Section”; changed the ending colon to a period; moved the sentence “The owner or operator . . . human health and the environment.” from subsection (f)(1)(B)
727.110(f)(1)(B)	Agency	Moved the sentence “The owner or operator . . . human health and the environment.” to subsection (f)(1)
727.110(f)(2)	JCAR	Removed the unnecessary comma from between “inspecting” and “monitoring”
727.110(f)(2)(C)	JCAR	Added the conjunction “and” before “727.900(d)”
727.110(g)(1)	JCAR	Changed “part” to capitalized “Part”
727.110(g)(1)(B)(v)	JCAR	Changed “ground water” to “groundwater”

727.110(i)(1)(C) Board note	JCAR	Removed the unnecessary comma after “40 CFR 264”
727.130(a)	JCAR	Changed “subpart J” to capitalized “Subpart J”
727.130(b)	Agency	Corrected “human health and the environment” to “human health or the environment”
727.130(e)	JCAR	Changed “facility” to capitalized “Facility”
727.150(b)(1)	Agency	Corrected “human health and the environment” to “human health or the environment”
727.150(b)(2)	Board, Agency	Changed “which” to “that” for a restrictive relative clause; corrected “human health and the environment” to “human health or the environment”
727.150(c)(1)(B)	JCAR	Changed “state” to capitalized “State”
727.150(c)(1)(C)	JCAR	Changed “you” to “the owner or operator”
727.150(c)(1)(E)	JCAR	Changed “the facility owner or operator” to “the plan”
727.150(d)(2)	JCAR	Changed “state” to capitalized “State”
727.150(g)(3)	Agency, Board, JCAR	Changed “which” to “that” for a restrictive relative clause; changed “a violation of the Act or Board regulations” to “human health or the environment”
727.150(i)(2)(E)	Board, JCAR	Changed the ending period to a semicolon
727.170(a)	JCAR	Changed “your facility” to “the facility”
727.170(b)(1)(E)	Board	Corrected the spelling of “msut” to “must”
727.170(b)(2)	Board	Changed “which” to “that” for a restrictive relative clause
727.170(b)(4)	Board	Changed “within three working days of” to “within three working days after”; changed “subpart H” to capitalized “Subpart H”
727.170(d)(2)(C)	Board, JCAR	Removed “you” from before “performed”; changed “perform” to past-tense “performed”
727.170(d)(2)(D)	Board, JCAR	Changed “you” to “the owner or operator”
727.170(d)(2)(H)	Board, JCAR	Added “executed” before “at least”; corrected “have” to singular “has”; changed “you determine” to “the owner or operator determines”
727.170(d)(2)(I)	JCAR, Agency	Removed the unnecessary ending conjunction “and”
727.170(d)(2)(J)	JCAR, Agency	Changed the ending period to a semicolon
727.170(d)(2)(K)	JCAR, Agency	Added the ending conjunction “and”
727.170(f)(1)	Agency	Changed “previous calendar year” to “previous two calendar years”
727.170(f)(2)(C)	Agency, Board	Added “other information”



727.190(l)(2)	Board, Agency	Corrected “this subsection (m)” to “this subsection (l)”
727.190(l)(4)	Board, Agency	Corrected “this subsection (m)” to “this subsection (l)”
727.210(b)(2)	Board, Agency	Added the ending conjunction “and”
727.210(c)(3)	Agency	Changed “705.304(a)” to ”705.304”
727.210(c)(3)(B)	Agency	Changed “705.304(a)” to ”705.304”
727.210(e)	Agency	Corrected “this subsection (b)” to ”this subsection (e)”
727.210(f)(2)(A)	JCAR	Changed “ground water” to “groundwater”
727.210(h)	JCAR, Agency	Changed “within 60 days of” to “within 60 days after”; changed “727.240(d)(9)” to ”727.240(d)(10)” (to correct the corresponding citation to 40 C.F.R. 267.143(i) to 40 C.F.R. 267.143(j))
727.240(c)(1)	JCAR	Added the conjunction “and” before “727.900(i)”
727.240(c)(1)(A)	JCAR	Changed the ending semicolon to a period; removed the ending conjunction “and”
727.240(c)(1)(B)	JCAR, Agency	Changed “onsite” to “on-site”
727.240(c)(2)	Board, Agency	Corrected “subsection (d)(6)(B)(iii) of this Section” to “subsection (n)(3) of this Section”; added a short-form for the title “Deflator” in parentheses
727.240(d)	Board, JCAR, Agency	Changed “he” to “it”; added “among” before “the financial assurance mechanisms”; changed “subsections (d)(1), (d)(2), (d)(3), (d)(4), (d)(5), (d)(6), and (d)(7)” to “subsections (d)(1) through (d)(7)”; changed “they meet” to “the combination meets”; removed the duplicate “Agency”
727.240(d)(4)	Agency, Board	Added “incorporated . . . 720.111(b)”
727.240(d)(7)(B)	Board, Agency	Corrected “subsection (d)(6)(B)(i) of this Section” to “subsection (n)(1) of this Section”
727.240(d)(8)	JCAR	Changed “he” to “it”
727.240(d)(10)	Board, JCAR	Changed “this subsection” to “this subsection (d)”; changed “shall” to “must”
727.240(h)(1)(D)	Board, JCAR	Changed “this subsection” to “this subsection (h)”
727.240(h)(1)(E)	Board, JCAR	Changed “this subsection” to “this subsection (h)”
727.240(h)(1)(F)	Board, JCAR	Changed “this subsection” to “this subsection (h)”
727.240(h)(5)	Board, JCAR	Corrected the spelling “Agecny” to “Agency” (twice)

727.240(h)(7)(A)	Agency, Board	Corrected “this Section” to “this subsection (h)”; corrected “subsections (h)(6)(A) through (h)(6)(C) of this Section” to “subsections (h)(6)(A) and (h)(6)(B) of this Section”; changed “Regional Administrator” to “Agency”; added a comma before “as specified” to offset the parenthetical
727.240(h)(7)(B) Board note	Agency	Added the explanatory sentence “See the further explanation . . . appended to subsection (q)”
727.240(k)(1)	Board, JCAR	Changed “a State” to “the State”; changed “this subpart” to “this Section”; changed “the Agency will” to “the Agency must”; changed “he” to “it”
727.240(l)(2)	Agency	Corrected “Appendix A, Illustration A of this Part” to “Appendix A, Illustration B of this Part”
727.240(m)(1)(A)	Board	Added a comma before and after “as issued by Standard and Poor’s” to offset to offset it as a parenthetical; added a comma before and after “as issued by Moody’s” to offset to offset it as a parenthetical
727.240(n)(1)(A)(i)	Board, Agency	Changed “which” to “that” for a restrictive relative clause; changed “EPA” to “USEPA” (twice)
727.240(n)(1)(A)(i) Board note	Agency	Corrected “40 CFR 267.143(f)(2)(i)(A)(I)(vi)” to “40 CFR 267.143(f)(2)(i)(A)(I)(vii)”
727.240(n)(1)(B)	Board, Agency	Changed “which” to “that” for a restrictive relative clause; changed “EPA” to “USEPA” (twice)
727.240(n)(1)(E)(vi)	Board	Changed “required under” to “required by”; changed “under” to “pursuant to”; removed the unnecessary commas before and after “or as part of an action undertaken pursuant to”
727.240(n)(1)(E) Board note	Agency, Board	Corrected “40 CFR 267.143(f)(2)(i)(A)(I)(vi)” to “40 CFR 267.143(f)(2)(i)(A)(I)(vii)”;
727.240(n)(4)(B)	Agency	Removed “this” from before “added”
727.240(n)(5)	JCAR, Board	Changed “paragraph (f)(1)” to “subsection (m)”; changed “section” to capitalized “Section”
727.240(n)(5)(A)	Agency, JCAR, Board	Changed “Regional Administrator” to “Agency”; changed “this section” to “this subsection (n) and subsections (d), (m), and (o) of this Section”
727.240(n)(6)	Board	Corrected “the subsection (d) of this Section” to “the Agency”
727.240(o)(3)	JCAR	Changed “within 120 days of” to “within 120 days after”
727.240(p)	Agency, Board	Removed the statement “See subsection (p) of this Section.”
727.240(p)(1)(A)	JCAR	Removed “also” from before “35 Ill. Adm. Code 724 or 725”

727.240(p)(1)(B)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
727.240(p)(4)(B)	Agency	Corrected “subsection (h)(10)” to “subsection (d)(10)” for a restrictive relative clause
727.240(p)(6)	Agency	Corrected “this subsection” to “subsection (h) of this Section”
727.240(q)	Board	Changed “Corporations” to lower-case “corporations”; removed the statement “See subsection (q) of this Section.”
727.240(q)(1)	Agency	Substituted the language from 35 Ill. Adm. Code 724.247(g)(2) (See the discussion on pages 20-23 of this opinion.)
727.240(q)(2)	Agency	Substituted the language from 35 Ill. Adm. Code 724.247(g)(3) (See the discussion on page 20-23 of this opinion.)
727.240(q) Board note	Board	Added the explanation of the substitution of language from 35 Ill. Adm. Code 724.247(g)(3)
727.270(d)(3)	Board	Removed the unnecessary definite article “the” from before “either”
727.290(b)(1)	Board	Changed “tank(s)” to “tanks”
727.290(b)(4)(B)	Board	Added the ending conjunction “and”
727.290(d)	JCAR	Changed “you find . . . you must” to “the owner or operator finds . . . it must”
727.290(e)(3)	JCAR	Changed “you” to “the owner or operator”
727.290(f)	JCAR	Changed “you” to “the owner or operator”; changed “this section” to “this subsection (f)”
727.290(f)(2)(B)	Board	Removed the ending conjunction “and”
727.290(f)(2)(C)	Board	Changed the ending period to a semicolon; added the ending conjunction “and”
727.290(g)	Board, Agency	Added a comma after “operating” to offset the final element of a series; corrected the spelling “requiriements” to “requirements”
727.290(g)(2)	Board	Corrected the spelling “requiriements” to “requirements”
727.290(g)(3)	Agency	Corrected the spelling “requiriements” to “requirements”
727.290(g)(3)(A)	Board, Agency	Changed the ending period to a semicolon
727.290(g)(3)(B)	Board, Agency	Changed the ending period to a semicolon; added the ending conjunction “and”
727.290(k)(4)	Board, JCAR	Changed “40 CFR part 302” to “40 CFR 302”
727.290(k)(4)(A)(ii)	Board	Added “the spill” after “cleaned up”
727.290(k)(5)(A)	Agency	Corrected “subsections (k)(5)(B) or (k)(5)(C)” to “subsections (k)(5)(B) and (k)(5)(C)”

727.290(m) Board note	Board	Corrected “40 CFR 267.203” to “40 CFR 267.202”
727.900(b)(1)	JCAR, Board	Removed the unnecessary comma before the parenthetical “e.g., precipitation, wind, runoff, etc.”; added “etc.” offset by a comma
727.900(b)(2)(B)(v)	Board	Changed the ending semicolon to a period
727.900(c)(2)	Board	Changed the ending period to a semicolon
727.900(h)	Board, Agency	Changed “adequate” to “acceptable”; changed “under both of the following conditions” to “if both of the following conditions are fulfilled”
727.Appendix A, Illustration A heading	JCAR	Changed “Assurance Forms” to “Instruments”
727.Appendix A, Illustration A	JCAR, Agency, Board	Changed “Sum of Lines 3., 4., 5. & 6” to “Sum of Lines 3, 4, 5 & 6”; changed “Line 1. ÷ Line 2. =” to “Line 1 ÷ Line 2 =”; changed “Line 7. ÷ Line 1. =” to “Line 7 ÷ Line 1 =”; changed “Is Line 8. less than 1.5?” to “Is Line 8 less than 1.5?”; corrected “owner or operator’s” to “owner’s or operator’s”; changed “this section” to “Section 727.240(d); changed “Total Municipal Solid Waste Landfill Facility Liability” to “Total Underground Injection Control Facility Liability”; changed “Total Municipal Solid Waste Landfill Facility Liability” to “Total Petroleum Underground Storage Tank Liability”; changed “Total Municipal Solid Waste Landfill Facility Liability” to “Total PCB Storage Facility Liability”; changed “undertaken under” to “taken under”; changed “Tangible Assets (Line 12.-Line 13.)” to “Tangible Assets (Line 12-Line 13)”; changed “Tangible Net Worth (Line 14.-Line 1.)” to “Tangible Net Worth (Line 14-Line 1)”; changed “Is Line 15. less than Line 11?” to “Is Line 15 less than Line 11?”; changed “Is Line 16. less than Line 10?” to “Is Line 16 less than Line 10?”; changed “permitting authority of the state or territory where the facility is located” to “Agency”
727.Appendix A, Illustration B heading	JCAR	Changed “Assurance Forms” to “Instruments”
727.Appendix A, Illustration B	Agency, Board	Separated the second and third paragraphs; changed “35 Ill. Adm. Code 727.240(l)” to “Appendix A, Illustration B to 35 Ill. Adm. Code 727”; changed “permitting authority of the state or territory where the facility is located” to “Agency”
727.Appendix B, Table A	Board	Removed the entry linking “267.143(f)(3)” to “727.240(d)(6)(C)”; added the entry linking “270.67” to “703.238”

727.Appendix B, Table B	Board	Added the entry linking “270.67” to “703.238”; removed the entry linking “267.143(f)(3)” to “727.240(d)(6)(C)”
728.101(c)(3)(A)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
728.101(h)	Board	Changed “electronic document filing” to “electronic reporting”
728.Table F	JCAR	Changed “table 1” to capitalized “Table 1”
730 source note	Board	Removed the reference “at 47 PCB 93” and the offsetting commas; removed the reference “at 53 PCB 131” and the offsetting comma
730.101(a)	Board	Changed “Illinois Environmental Protection Agency (Agency)” to the defined term “Agency”
730.101(c)	Board	Changed “electronic document filing” to “electronic reporting”
730.103 “area of review”	Board	Changed “one-quarter of a mile” to “one-quarter mile”
730.103 “permit”	Board	Removed the unnecessary comma before the parenthetical “Subpart C of 35 Ill. Adm. Code 703”
730.105(d)(1)	Board	Changed “generators . . . owners or operators of hazardous waste management facilities, . . . owners or operators of radioactive waste disposal sites” to singular “a generator . . . an owner or operator of a hazardous waste management facility, . . . an owner or operator of a radioactive waste disposal site”
730.105(d)(2)	Board	Corrected “sites” to singular “site”
730.105(d)(3)	JCAR	Added the indefinite article “a” before “hazardous waste management facility”
730.105(e)	JCAR	Corrected “Class IV” to “Class V”
730.106(b)	JCAR	Changed “Radius” to lower-case “radius”
730.112(b)(6)	JCAR	Changed the ending comma to a semicolon
730.112(c)(1)	Board	Removed the unnecessary comma after “Agency” that separated a restrictive relative clause and its antecedent; changed “must that sets” to “that sets”
730.112(e)(4)	JCAR	Changed the ending comma to a semicolon
730.113(a)(1)	Board, JCAR, Agency	Changed “must that” to “that must”
730.113(a)(3)	JCAR	Corrected “pressureprescribed” to “pressure prescribed”
730.114 preamble	JCAR	Added a comma after “for an existing . . . well” to offset the introductory prepositional phrase
730.114(a)	JCAR	Added a comma after “prior to the . . . well” to offset the introductory prepositional phrase
730.114(b)	JCAR	Added a comma after “prior to the . . . well” to offset the introductory prepositional phrase

730.114(c)	JCAR	Added a comma after “prior to the . . . well” to offset the introductory prepositional phrase
730.114(c)(1)	JCAR	Changed the ending comma to a semicolon
730.114(c)(3)	JCAR	Changed the ending comma to a semicolon
730.133(a)	JCAR	Changed “Requirements” to lower-case “requirements”
730.133(b)	JCAR	Changed “Requirements” to lower-case “requirements”
730.133(c)	JCAR	Changed “Requirements” to lower-case “requirements”; corrected the spelling of “Secion” to “Section”
730.134(a)	Board, JCAR	Changed “permit for and existing . . . area to operate or the construction” to “permit to operate and existing . . . area or for the construction”; added a comma after “prior to the . . . well” to offset the introductory prepositional phrase
730.134(a)(7)(C)	Board, JCAR	Changed “must that” to “that must”
730.134(b)	JCAR	Added a comma after “prior to the . . . well” to offset the introductory prepositional phrase
730.134(c)	JCAR	Added a comma after “prior to the . . . well” to offset the introductory prepositional phrase
730.151(b)	JCAR, Board	Changed “Table II” to lower-case “table II”; changed “Appendix B” to lower-case “appendix B”; changed “720.111” to “720.111(b)”
730.162(b)	JCAR	Corrected “an areas” to “an area”
730.163	Board	Changed “Class I . . . wells” to singular “a Class I . . . well”
730.165(b)	Board	Changed “EPA 570/9-87-002” to hyphenated “EPA-570/9-87-002”
730.165(c)	JCAR	Changed “Cementing New Wells” to lower-case “cementing new wells”
730.167(b)	JCAR	Changed “protection” to “protecting”
730.168(d)(4)(A)(i)	JCAR	Changed the ending comma to a semicolon
730.168(e)	JCAR	Changed “Monitoring” to lower-case “monitoring”
730.169(b)	JCAR	Changed the ending semicolon to a colon
730.171(a)	JCAR	Changed “Plan” to lower-case “plan”
730.172(b)(3)	JCAR	Changed “Region V” to “Region 5”
730.172(b)(4)	JCAR	Changed “Illinois Department of Mines and Minerals” to “Illinois Department of Natural Resources, Office of Mines and Minerals”
730.172(d)	JCAR, Agency	Corrected the spelling “ro” to “or”
733 table of contents, 733.105 heading	JCAR	Removed the unnecessary ending period
733.101(c)	Board	Changed “electronic document filing” to “electronic reporting”

733.105 heading	JCAR	Removed the unnecessary ending period
733.108 heading	JCAR	Changed the em-dash to a colon in the Section title
733.108(a)	JCAR	Changed the ending colon to a period
733.109 “pesticide”	JCAR	Changed “Section” to lower-case “section” (four times); changed “(FIFRA; 7 USC 136(u))” to “(FIFRA) (7 USC 136(u))”
733.113(a)(3)	JCAR, Board	Changed “listed above” to “listed in subsection (a)(2) of this Section”
733.113(a)(3)(B)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.113(a)(3)(B) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.113(c)(1)	JCAR, Board, Agency	Changed the comma to a semicolon to separate elements of a series that includes a sub-series (four times); added “must be” before “structurally sound”; added “must be” before “compatible”; corrected the spelling “excape” to “escape”
733.113(c)(4)(C)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.113(c)(4)(C) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.114(b)(2)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.114(c)(1)(B)	Board	Changed “720.111” to “720.111(b)”
733.114(c)(2)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.114(d)(1)	Board	Moved the ending period inside the closing quotation mark
733.114(e)	Board	Added a comma after “Waste Lamps” to offset the final element of a series
733.118(c)	Board	Changed “720.111” to “720.111(b)” (twice)
733.118(h)	Board, JCAR	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.118(h) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.132(e)(4)	JCAR	Corrected “e.g,” to “e.g.,”
733.133(a)(3)	JCAR, Board	Changed “listed above” to “listed in subsection (a)(2) of this Section”
733.133(a)(3)(B)	Board, JCAR	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.133(a)(3)(B) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.133(c)(1)	JCAR, Board	Added “must be” before “structurally sound”; added “must be” before “compatible”

733.133(c)(4)(C)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.133(c)(4)(C) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.134(a)	Board	Changed the ending semicolon to a period and moved it inside the closing quotation mark
733.134(c)(1)(B)	Board	Changed “720.111” to “720.111(b)”
733.138(c)	Board, JCAR	Changed “720.111” to “720.111(b)” (twice); removed the unnecessary semicolon after “180”
733.138(h)	Board, JCAR	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.138(h) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.139(c)(2) Board note	Board	Removed the unnecessary note referring to Section 22.23a of the Act
733.151(b) Board note	Board	Removed the unnecessary note referring to Section 22.23a of the Act
733.152(a)	Board	Changed “720.111” to “720.111(b)”
733.155(b)	Board	Changed “materials” to singular “material”; changed “720.111” to “720.111(b)”
733.161(d)	Board	Changed “state” to capitalized “State”; changed “nonhazardous” to hyphenated “non-hazardous”
733.161(d) Board note	Board	Changed “nonhazardous” to hyphenated “non-hazardous”
733.162(b) Board note	Board	Removed the unnecessary note referring to Section 22.23a of the Act
733.180(a)(1)	JCAR	Added the conjunction “and” before the final element of the series “35 Ill. Adm. Code 720.120”
738 table of contents, 738.106 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
738.106 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
739 table of contents, 739.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
739.110(b)(1)(B)	JCAR	Changed “persons” to “an owner or operator” and “using an analytical method from SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111, to show” to “showing” to reflect on file since February 23, 2006
739.110(i)	JCAR	Added “Definitions” in parentheses to reflect on file since February 23, 2006
739.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
739.113 source note	JCAR	Changed “amended” to “added”
739.181(b)	Board	Changed “nonhazardous” to hyphenated “non-hazardous”



810 table of contents, 810.105 heading	JCAR	Added the previously omitted heading for the new Section
810.104(a)(1) “40 CFR 3.2”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
810.104(a)(1) “40 CFR 3.3”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
810.104(a)(1) “40 CFR 3.10”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
810.104(a)(1) “40 CFR 3.2000”	JCAR	Corrected “70 Fed. Reg. 59849 (Oct. 13, 2006)” to “70 Fed. Reg. 59848 (Oct. 13, 2005)”
810.105 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
810.105(a)(1)	Board	Added a comma after “Board” to offset the final element of a series
810.105(a)(2)	Board	Changed “electronic document filing” to “electronic reporting”
810.105(a)(3)(C)	Board	Changed “transfers” to singular “transfer”
810.105(c)	JCAR	Changed “provided” to present-tense “provide”
810.105(c)(2)	Board	Corrected the subsection number from “(c)(3)” to “(c)(2)”
810.105(c) Board note	Board	Added a citation to the federal source of the material
810.105(d)(1)	Board, JCAR	Corrected the subsection number from “(d)(3)” to “(d)(1)”; removed the offsetting comma before “5 ILCS 100/5” and placed it in brackets
810.105(d)(2)	Board	Corrected the subsection number from “(d)(4)” to “(d)(2)”
810.105(d) Board note	Board	Added a citation to the federal source of the material
810.105(e)(2)	Board	Removed the proposed subsection (e)(2), which duplicated subsection (e)(1), and renumbered proposed subsection (e)(3) as subsection (e)(2)
810.105(e)(3)	Board	Renumbered proposed subsection (e)(4) as subsection (e)(3)
810.105(e)(4)	Board	Renumbered proposed subsection (e)(5) as subsection (e)(4)
810.105(e) Board note	Board	Added “and 3.2000(c)”
810.105(f)	JCAR	Removed the unnecessary conjunction “and” from before “its retention”; added “its” before “availability”
810.105(f)(4)	JCAR	Added the ending semicolon
810.105(f)(6)	Board	Removed the offsetting comma and “at” before “2 Ill. Adm. Code 2175” and placed it in parentheses
810.105(f)(7)	JCAR	Removed the offsetting comma before “35 Ill. Adm. Code 130” and placed it in parentheses
810.105(g) Board note	Board	Added a citation to the federal source of the material

811 table of contents, 811.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
811.112(h)	Board	Replaced the electronic document filing requirement with a stand-alone Section
811.112 Board note	Board	Removed the reference “as amended at 70 Fed. Reg. 59848 (Oct. 13, 2005)”
811.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
811.113	Board	Added the electronic document filing requirement as a stand-alone Section
811.326(a)(1)(C)	JCAR	Changed “ground water” to “groundwater”; changed “standard” to plural “standards”
811.326(d)	Board, Agency	Removed “a remedy required” from before “pursuant to”; removed the unnecessary commas before and after “or subsection (a)(3) of this Section”; changed “subsection (a)(3)” to “subsection (a)(3) of this Section”; removed “pursuant to an interim measure required” from before “subsection (a)(3)
811.326(d)(1)	Agency	Changed “that adequately protects” to “it adequately protects”
811.326(e)(2)(B)	JCAR	Changed “ground water” to “groundwater”
811.326(e)(2)(D)	JCAR	Changed “ground water” to “groundwater”
811.326 Board note	JCAR	Corrected the spelling “form” to “from”
811.715(a) “current assets”	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.715(b)	Board	Changed “Filed” to lower-case “filed”
811.715(b)(1)	Board	Changed “subsection (c)” to “subsection (c) of this Section”
811.715(b)(2)	Board	Changed “subsection (d)” to “subsection (d) of this Section”
811.715(b)(3)	Board	Changed “subsection (e)” to “subsection (e) of this Section”
811.715(c)	Board	Changed “Without Surety” to lower-case “without surety”
811.715(d)	Board	Changed “Revenue Test” to lower-case “revenue test”
811.715(e)	Board	Changed “Test” to lower-case “test”
811.715(e)(1)	Board	Changed “subsection (e)(1)(A) or (e)(1)(B)” to “subsection (e)(1)(A) or (e)(1)(B) of this Section”
811.715(e)(1)(A)(iv)	JCAR, Board	Changed “owner or operator operator’s” to “owner’s or operator’s”
811.715(e)(1)(B)(i)	Board	Added a comma after “A” to offset the final element of a series” (twice)
811.715(e)(2)(C)(i)	Board, Agency	Changed “which” to “that” for a restrictive relative clause

811.715(e)(2)(C)(ii)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.715(f)(1)	Board	Changed “subsections (d) and (e)” to “subsections (d) and (e) of this Section”
811.715(f)(2)	Board	Changed “subsections (d) and (e)” to “subsections (d) and (e) of this Section”
811.715(g)	Board	Changed “subsections (e)(2)(B) and (e)(2)(C)” to “subsections (e)(2)(B) and (e)(2)(C) of this Section”
811.715(g)(1)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.715(h)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
811.719 preamble	JCAR	Changed “owner or operator of an MSWLF” to “MSWLF owner or operator”
811.719(a)(1)(A)	Board	Added a comma after “A” to offset the final element of a series”
811.715(b)(1)(B)	Board, Agency	Changed “which” to “that” for a restrictive relative clause
812 table of contents, 812.117 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
812.117 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
813 table of contents, 813.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
813.113 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
814 table of contents, 814.104 heading	JCAR	Changed “For” to lower-case “for” to reflect text on file
814 table of contents, 814.105 heading	JCAR	Changed “For” to lower-case “for” to reflect text on file
814 table of contents, 814.106 heading	JCAR	Changed “On” to lower-case “on” to reflect text on file; changed “For” to lower-case “for” to reflect text on file
814 table of contents, 814.110 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”
814.110 heading	Board	Changed “Electronic Document Filing” to “Electronic Reporting”

Table 4  
Requested Revisions to the Text of the Proposed Amendments Not Made in Final Adoption

Section Affected	Source(s) of Request: Requested Revision(s)	Explanation
Text Generally	Agency: Changed “subpart” to capitalized “Subpart” throughout the text.	The Board has capitalized every appearance of an Illinois provision, but has followed the JCAR preference of using lower-case for federal provisions.
702.103(a)	JCAR: Add “a” before “trade secret.”	“Trade secret” refers to a quality of “information,” not to an object.
702.110 “CWA”	JCAR: Change “33 USC 1251 et seq.” to “33 USC 125 et seq.”	“33 USC 1251 et seq.” is the correct citation.
702.110 “improved sinkhole”	JCAR: Remove the definite article “the” from before “purpose” without strike-through.	The text on file since December 7, 2000 has included the definite article, which is derived directly from corresponding 40 C.F.R. 144.3 and is needed for clarity in the language.
702.110 “SIC code”	JCAR: Add “the” before the statement in quotation marks, “Standard Industrial Classification code”; change “Standard Industrial Classification Manual” to “Manual” and remove the quotation marks.	The statement in quotation marks defines the abbreviation “SIC code,” and it does not refer to an item or thing; quotation marks are appropriate for the document title “Standard Industrial Classification Manual.”
702.110 Board note	JCAR: Move the <i>Federal Register</i> citation to follow the citation to 40 C.F.R. 144.3.	The <i>Federal Register</i> citation directly relates to the citation to 40 C.F.R. 270.2, so the movement is inappropriate.
702.120(b)(1)	JCAR: Change “the owner or operator needs not” to “the owner or operator need not.”	The change is grammatically incorrect, as the verb would disagree with the singular subject.
702.120(b)(3)	Agency: Move the references to Sections 703.153 through 703.157 (corresponding with 40 C.F.R. 270.70 through 270.73) to subsection (b)(2) to correct an apparent error in the federal text.	The change would not clarify the manifest intent of USEPA. What USEPA intended is not completely clear, so the Board will restore the federal cross-reference.

702.120(b)(3)	Agency: Change the references to Sections 703.153 through 703.157 to “Subpart B of 35 Ill. Adm. Code 702 and Subpart D of 35 Ill. Adm. Code 703.”	The change would not clarify the manifest intent of USEPA. USEPA may not have intended so broad a cross-reference.
702.120 Board note	JCAR: Remove the added comma before “and subsection (b) of this Section is.”	The comma is necessary to offset the independent clause.
702.125(e)(1)(C)	JCAR: Change “where it is impractical” to “when it is impractical.”	“Where” is more appropriate in formal writing when “a situation in which” is the desired meaning.
702.126(a)(1) Board note	JCAR: Change “(a)(1)(A)” and “(a)(1)(B)” to “(a)(1)(A)” and “(a)(1)(B).”	The use of the number “1” is appropriate; the use of the letter “I” is not.
702.161(a)(2)	JCAR: Omit the added word “injection” before “well.”	The Board modified the existing language for enhanced clarity by adding “the conditions of subsections (a)(1) and (a)(2) of this Section, subject to subsection (a)(3) of this Section.” The existing structure with minor modifications in language comports with codification requirements, and the meaning is clear with the language added by the Board.
702.181(a) Board note	JCAR: Retain the deleted comma before “air emissions limitations.”	The Board deleted the comma because it is not necessary.
703.100(e)	JCAR: Add a comma before “which.”	The comma because it is not necessary, and it would separate a subsequent relative clause from its predicate.
703.184(b)	JCAR: Change “pertains . . . to facilities” to “retains . . . for facilities.”	The Board intends the words “pertains . . . to facilities.”
703.184(c) Board note	JCAR: Remove the comma after “Urbana.”	The comma is necessary to separate the city and state.

703.280(k)(1)	JCAR: Split the subsection into subsections (k)(1) and (k)(1)(A); renumber subsections (k)(1)(A) through (k)(1)(C) as subsections (k)(1)(A)(i) through (k)(1)(A)(iii) and subsection (k)(1)(D) as subsection (k)(1)(B).	The Board-proposed structure comports with codification requirements, it directly correlates with that of the corresponding federal provision, the meaning is clear with the language added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the potential for confusion that could arise in the future from the changed structure.
703.320(a)(1)(B)	JCAR: Add citations to subsections (a)(1)(B)(i) and (a)(1)(B)(ii) and move the requirement for compliance with subsection (a)(3) from subsection (a)(1)(B)(iii) and remove that subsection.	The Board has modified the language for enhanced clarity. The existing structure with minor modifications in language modified comports with codification requirements, it directly correlates with that of the corresponding federal provision, the meaning is clear with the language now added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the potential for confusion that could arise in the future from the changed structure.
703.320(a)(2)(B)	JCAR: Add citations to subsections (a)(1)(B)(i) and (a)(1)(B)(ii) and move the requirement for compliance with subsection (a)(3) from subsection (a)(1)(B)(iii) and remove that subsection.	The Board has modified the language for enhanced clarity. The existing structure with minor modifications in language comports with codification requirements, it directly correlates with that of the corresponding federal provision, the meaning is clear with the language now added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the potential for confusion that could arise in the future from the changed structure.

703.351(c)(1), certification ¶ 1	JCAR: Change the brackets in the required language of the form to parentheses.	The text of this provision sets forth the exact language that a regulated entity must use to make a certification. USEPA added the material in brackets as instructional, not parenthetical information. The brackets are not proscribed by the current codification requirements, even though they are generally reserved for citations to Illinois statutory material. Here the brackets are drawn directly from the corresponding federal provision, there is no possibility for confusion of the bracketed material for statutory citations, and confusion as to the nature of the bracketed material could result were the Board to substitute parentheses.
703.330(c)(2)	JCAR: Add a comma before “in the RCRA permit.”	The comma is not necessary to offset the prepositional phrase.
703.Appendix A, ¶ A.1.	JCAR: Remove comma after “errors.”	Each entry in the table that is not a major topical heading ends with a period.
703.Appendix A, ¶¶ A.5.a., A.6., A.7., A.8., B.1.b., B.1.c., C.2., C.3., C.4., D.1.a., D.1.b., D.1.c., D.1.d., D.3.f., F.4.b., G.1.d., G.1.e., G.5.c., H.6., J.7., K.15., K.16., L.7.b., L.7.c., L.7.d., L.9. & L.10.	Agency: Add explanation of the asterisks appended to the modification class numbers.	An existing note at the end of the table explains that the asterisks indicate that prior Agency approval is necessary before the owner or operator may make the particular modification.
703.Appendix A, ¶ L.3.	JCAR: Change “l” to numeric “1” in “HCl/Cl <sub>2</sub> .”	The letter “l” is appropriate in the chemical symbol for chlorine “Cl.”
704.106(a)(3)	JCAR: Change “one-quarter mile” to “one quarter-mile” to reflect text on file.	The text on file for this provision has “one-quarter mile,” which is the more appropriate usage in the context.

704.141(a)	<p>JCAR: Change “the conditions of subsections (a)(1) and (a)(2) of this Section, subject to subsection (a)(3) of this Section” to “the conditions of subsection (a)(1) of this Section, subject to subsection (a)(2) of this Section”; change subsection (a)(1) to “it did one of the following”; renumber existing subsections (a)(1) and (a)(2) to subsections (a)(1)(A) and (a)(1)(B); and renumber subsection (a)(3) to subsection (a)(2).</p>	<p>The Board modified the existing language for enhanced clarity by adding “the conditions of subsections (a)(1) and (a)(2) of this Section, subject to subsection (a)(3) of this Section.” The existing structure with minor modifications in language comports with codification requirements, and the meaning is clear with the language added by the Board.</p>
704.148(b)(1)(A)	<p>JCAR: Omit the added word “injection” before “well.”</p>	<p>The Board modified the existing language for enhanced clarity by adding “the conditions of subsections (a)(1) and (a)(2) of this Section, subject to subsection (a)(3) of this Section.” The existing structure with minor modifications in language comports with codification requirements, and the meaning is clear with the language added by the Board.</p>
704.150(b)	<p>JCAR: Change “the conditions of subsections (b)(1) and (b)(2) of this Section, subject to subsection (b)(3) of this Section” to “the conditions of subsection (b)(1) of this Section, subject to subsection (b)(2) of this Section”; change subsection (b)(1) to “it did one of the following”; renumber existing subsections (b)(1) and (b)(2) to subsections (b)(1)(A) and (b)(1)(B); and renumber subsection (b)(3) to subsection (b)(2).</p>	<p>The Board modified the existing language for enhanced clarity by adding “the conditions of subsections (b)(1) and (b)(2) of this Section, subject to subsection (b)(3) of this Section.” The existing structure with minor modifications in language comports with codification requirements, and the meaning is clear with the language added by the Board.</p>
704.150(d)(2) Board note	<p>JCAR: Change “(1)(2)” to “(1)(2).”</p>	<p>The use of the letter “I” is appropriate; the use of number “1” is not.</p>



704.287(b)(1)(A)	JCAR: Change “the owner and operator . . . must have closed its well” to “the owner and operator . . . must have closed their well.”	The Board chose instead to changed “the owner and operator” to “the owner or operator,” with which the singular possessive “its” agrees.
704.287(b)(1)(B)	JCAR: Change “the owner and operator . . . must have closed its well” to “the owner and operator . . . must have closed their well.”	The Board chose instead to changed “the owner and operator” to “the owner or operator,” with which the singular possessive “its” agrees.
705.128(a)	Agency: Add a reference to Section 705.301(b).	The reference is not necessary because the amendments based on the federal rules include a request for a RCRA standardized permit as a basis for permit modification or reissuance. (See the discussion on pages 26-28 of this opinion.)
705.301(b)	Agency: Move the text of Section 705.301(b) to subpart G of Part 703 and replace it here with a cross-reference.	The movement of the reference is not necessary because the amendments based on the federal rules include a request for a RCRA standardized permit as a basis for permit modification or reissuance. (See the discussion on pages 26-28 of this opinion.)
705.301(b)	Agency: Add a reference to permit revocation.	The only way revocation is possible is through an appropriate Board order in the context of an enforcement proceeding. That is outside the scope of this provision. (See the discussion on pages 26-28 of this opinion.)
705.302(a)(4)(I)	Agency: Add an exclusion equivalent to “however, in the context of the RCRA standardized permit, the reference to the public comment period is 40 C.F.R. 124.204(c) instead of 124.6.”	At Section 705.144(b), which corresponds with 40 C.F.R. 124.9(b), the Board did not codify a citation equivalent to 40 C.F.R. 124.6, so no exception is necessary.

705.302(b)(6)	Agency: Add an exclusion equivalent to “instead of § 124.10.”	At Section 705.184(b)(3), which corresponds with 40 C.F.R. 124.14(b)(3), the Board did not codify a citation equivalent to 40 C.F.R. 124.10, so substitution reference is necessary.
705.302(b)(6)	Agency: Break the substitution references into separate subsections for enhanced clarity.	The provision is as clear in its present format derived directly from the corresponding federal regulation as it would be with the suggested revised format.
705.302(c)(5)	JCAR: Change “their facility” to “the owner’s or operator’s facility.”	The Board chose instead to use “that facility.”
705.303(b)(3)	JCAR: Remove the comma after “its discretion.”	The comma offsets the introductory phrase “the Agency may . . . at its discretion.”
720.104(c)	JCAR: Changed “except as provided” to “except as provide.”	“Except as provided” is appropriate.
720.104(e)(2)	JCAR: Change “where a document . . . bears an electronic signature” to “when a document . . . bears an electronic signature.”	“Where” is more appropriate in formal writing when “a situation in which” is the desired meaning.
720.110 “TEQ”	JCAR: Change “tetrachlorodibenzo-p-dioxin” to hyphenated “tetra-chlorodibenzo-p-dioxin.”	The text as on file since June 20, 2000 has included a “soft hyphen” only to break the long chemical name at the end of a line of text; the chemical name does not include a hard hyphen as set forth by JCAR.
720.111 preamble	JCAR: Change “35 Ill. Adm. Code 702 through 705” to “35 Ill. Adm. Code 703 through 705.”	Section 720.111 sets forth all documents incorporated by reference for the purposes of Part 702, as is indicated in Section 702.104.
720.111(a) “NFPA,” “Flammable Liquids Code”	Agency: Add a reference to Section 724.276.	Section 724.276 does not refer to NFPA 30.
720.111(a) “NTIS,” “Generic Quality Assurance . . . Program”	JCAR: Change “EPA-530/SW-87-011” to “EPA 530/SW-87-011.”	The text on file since February 23, 2006 includes the hyphenated document number.

720.111(a) "NTIS," "Method 1664, Revision A" Board note	JCAR: Change "EPA-821/R-98-002" to "EPA 821/R-98-002."	The text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Methods for . . . Water and Wastes"	JCAR: Change "EPA-600/4-79-020" to "EPA 600/4-79-020."	The text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Methods for . . . Water and Wastes" Board note	JCAR: Change "EPA-600/4-79-020" to "EPA 600/4-79-020."	The text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Procedures Manual for . . . Disposal Facilities"	JCAR: Add a duplicate entry with the only change "EPA-530/SW-611" to "EPA 530/SW-611."	Only one entry is necessary, and the text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Screening Procedures for . . . Stationary Sources"	JCAR: Change "EPA-454/R-92-019" to "EPA 454/R-92-019."	The text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Screening Procedures for . . . Stationary Sources" Board note	JCAR: Change "EPA-454/R-92-019" to "EPA 454/R-92-019."	The text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Test Methods for . . . Physical/Chemical Methods"	JCAR: Change "EPA-530/SW-846" to "EPA 530/SW-846."	Only one entry is necessary, and the text on file since February 23, 2006 includes the hyphenated document number.
720.111(a) "NTIS," "Test Methods for . . . Physical/Chemical Methods" Board note	JCAR: Change "EPA-530/SW-846" to "EPA 530/SW-846."	Only one entry is necessary, and the text on file since February 23, 2006 includes the hyphenated document number.
720.111(b) "Appendix I to 40 CFR 265"	JCAR: Change "Appendix I to 40 CFR 265" to "Appendix I to 40 CFR 265, Appendices I and III through V."	The text "Appendices I and II through V" and the offsetting comma reflects text deleted from the text since February 23, 2006.
720.111(b) "Appendix IX to 40 CFR 266," "Section 4.0" Board note	JCAR: Change "EPA-530/SW-01-010" to "EPA 530/SW-01-010."	The text on file since February 23, 2006 includes the hyphenated document number.

720.111(b) "49 CFR 173.50"	JCAR: Change "Class 1--Definitions" to "Class 1 -Definitions."	The text on file since February 23, 2006 includes the double-hyphenated "Class 1--Definitions." This is a common substitute for an em-dash. The Board has changed the dash to an em-dash, but did not included the improper spaces before and after the dash.
720.111(b) "49 CFR 173.115"	JCAR: Change "Class 2, Divisions 2.1, 2.2, and 2.3--Definitions" to "Class 2, Divisions 2.1, 2.2, and 2.3 -Definitions."	The text on file since February 23, 2006 includes the double-hyphenated "Class 2, Divisions 2.1, 2.2, and 2.3--Definitions." This is a common substitute for an em-dash. The Board has changed the dash to an em-dash, but did not included the improper spaces before and after the dash.
720.111(c) "Sections 201(v) . . . Food, Drug, and Cosmetic Act"	JCAR: Change "360b(j)" to "360(j)."	The appropriate citation, "21 USC . . . 360b(j)" has been in the text on file since February 23, 2006.
721.101(c)(8)	JCAR: Add en-dashes before and after "during the calendar year (commencing on January 1)" without underlining.	The text on file since July 17, 2003 has replaced em-dashes with commas, which are more appropriate for offsetting parenthetical information.
721.104(a)(4)	JCAR: Change "section 11" to capitalized "Section 11" without underlining and strike-through.	The text on file since February 23, 2006 has included lower-case "section 11," which has been the JCAR preference for citation to federal provisions.
721.120(b)	JCAR: Change "identified by a characteristic" to "identified by characteristic" without strike-through.	The text on file since June 17, 1991 has included the indefinite article before "characteristic," which derives directly from the text of corresponding federal 40 C.F.R. 261.20(b).
721.130(b)(1)(E)	JCAR: Change "hazardous" to capitalized "Hazardous" without underlining and strike-through.	The text on file since July 17, 2003 has included the lower-case "hazardous."

721.Appendix I, Table B, "Conversion Systems, Inc.," ¶ 3	JCAR: Replace the double en-dash between each chemical name and its corresponding numeric standard with a single em-dash preceded and followed spaces (14 times) without underlining strike-through.	The text on file since August 1, 1996 has included the double en-dash without spaces, which was a surrogate for the more appropriate em-dash that was not possible with the then-used word-processing equipment. The Board has used this opportunity to make the substitution of the em-dash, but without the improper preceding and following spaces suggested by JCAR.
722.141(b)	JCAR: Remove the comma after "703."	The comma is necessary to offset the final element of a series.
724.197(i)(5)	JCAR: Change "pql" to "pql."	The use of the letter "l" is appropriate; the use of number "1" is not.
724.219(c)	JCAR: Add a comma before "with alternative requirements."	The prepositional phrase immediately follows its antecedent, it is not a parenthetical, and there is no other reason to insert a comma, so a comma is not appropriate.
724.212(d)(2)(A)	JCAR: Correct "owner or operator have" to plural "owner and operator have."	The text on file since June 2, 1992 has improperly read "owner or operator have." The Board has chosen to correct this to the singular "the owner or operator has."
724.213(d)	JCAR: Remove the comma after "land treatment unit."	The comma separates the final element of a series.
724.213(d)(1)	JCAR: Remove the comma after "703."	The comma separates the final element of a series.
724.213(d)(1)(D)	JCAR: Correct lower-case "closure" to capitalized "Closure." (The <i>Illinois Register</i> text indicates capitalized "Closure" without amendment, although the text submitted to the Office of the Secretary of State had lower-case "closure.")	The text on file since February 14, 2003 has had lower-case "closure."
724.213(d)(4)	JCAR: Add a comma before "or no later than."	There is no need for a comma to separate elements of a two-element series.

724.213(e)(4)	JCAR: Add a period after the ending period and closing quotation marks without using underlining.	The text on file since February 14, 2003 has no such period outside the quotation marks.
724.213(e)(5)(B)	JCAR: Change “must” to “may” without underlining and strike-through.	The text on file since February 14, 2003 has had “must.”
724.217(a)(1)(A)	JCAR: Remove the comma after “treatment” without strike-through.	The text on file since February 14, 2003 has had the comma that is necessary to offset the final element of a series.
724.219(a)	JCAR: Remove the comma after “location.”	The comma is necessary to offset the final element of a series.
724.219(c)	JCAR: Change “granted a permit” to “granted to permit” without underling and strike-through.	The text on file since April 21, 1987 has had “granted a permit.”
724.245(b)(1) Board note	JCAR: Remove the explanatory Board note.	The note is necessary to define the identity and source of the federal circular.
724.245(b)(9)	JCAR: Remove the comma before “as specified.”	The comma is necessary to offset a parenthetical.
724.245(c)(1) Board note	JCAR: Remove the explanatory Board note.	The note is necessary to define the identity and source of the federal circular.
724.247(a)	JCAR: Remove the comma after “storage” without strike-through.	The text on file since February 14, 2003 has had the comma that is necessary to offset the final element of a series.
724.247(a)(1)(A)	JCAR: Remove the comma after “storage” without strike-through.	The text on file since February 14, 2003 has had the comma that is necessary to offset the final element of a series.
724.247(b)(6)	JCAR: Remove the word “guarantee” and its offsetting comma.	The word derives directly from the text of corresponding federal 40 C.F.R. 264.147(b)(6).
724.247(f)(2)	JCAR: Remove the commas before and after “as used in subsection (f)(1) of this Section” without strike-through.	The text on file since February 14, 2003 has had the commas that are necessary to offset the parenthetical.
724.247(f)(3)(A)	JCAR: Change “724.251” to “274.251” without underlining and strike-through.	The text on file since February 14, 2003 has had “724.251.”

724.247(f)(3)(A)	JCAR: Remove the comma before “except as provided” without strike-through.	The text on file since February 14, 2003 has had the comma that is necessary to offset the parenthetical.
724.293(e)(1)(B)	JCAR: Remove the comma before “unless the collection system” without strike-through.	The text on file since February 14, 2003 has had the comma that is necessary to offset the parenthetical.
724.293(e)(3)(C)	JCAR: Change “24 hour” to “24-hour” without underlining and strike-through.	The text on file since November 13, 1989 has had “24 hour.”
724.293(e)(3)(C) Board note	JCAR: Change “720.111(a)” to “720.111” without underlining and strike-through.	The text on file since February 23, 2006 has had “720.111.”
724.293(i)(3)(B) Board note	JCAR: Remove the comma after “API Publication” without strike-through.	The text on file since August 4, 1987 has had the comma that is necessary to offset the parenthetical title.
724.331(a)(1)	JCAR: Remove the comma after “physical” without strike-through.	The text on file since February 14, 2003 has had the comma that is necessary to offset the final element of a series.
724.375(c)(1)	JCAR: Remove the words “the following” without strike-through.	The text on file since February 14, 2003 has included the words.
724.440(b)(1)	JCAR: Remove the words “with the” from before “requirements” without strike-through.	The text on file since June 20, 2000 has included the words.
724.651(e)(1)	JCAR: Change “areal” to “area I” without underlining and strike-through.	The text on file since April 26, 1994 has had “areal,” which is directly derived from corresponding federal 40 C.F.R. 264.551(e)(1).
724.652(e)(4)(D)(v)	JCAR: Change “35 Ill. Adm. Code 728.145” to “Section 268.45” without underlining and strike-through.	The text on file since February 23, 2006 has had “35 Ill. Adm. Code 728.145.”
724.652(e)(4)(D)(vi)	JCAR: Add “the” before “Method 1311” without underlining; change “EPA-530/SW-846” to “EPA 530/SW-846” without underlining and strike-through.	The text on file has not included the definite article before “Method 1311” and included the hyphen in “EPA-530/SW-846” since February 23, 2006.

724.654(g)	JCAR: Change “are not” to “are” without strike-through.	The text on file since April 22, 2002 has had “are not,” which is directly derived from corresponding federal 40 C.F.R. 264.554(g).
724.654(i)(1)	JCAR: Change “subsection (l)” to “subsection (1)” without underlining and strike-through.	The use of the number “1” is appropriate; the use of letter “l” is not.
724.671(b)	JCAR: Remove the period after “724.673” without strike-through.	The text on file since November 22, 1993 has included the period.
724.702	JCAR: Change “724.177” to “724. 177” without underlining and strike-through.	The text on file since November 13, 1989 has had the appropriate citation “724.177.”
724.1101(e)	Agency: Change the provision that the Agency “must not” require secondary containment if the owner or operator has made the necessary demonstration, so that the Agency “may” allow the waiver of secondary containment requirements where the owner or operator has demonstrated.	The Board did not include this Section in the proposal for public comment. It may be possible to include a change of language in the future update docket R07-5. Any change, however, would be limited to conforming this provision with Section 727.900(e), and it would not use the word “may.” (See the discussion at pages 40-45 of this opinion.)
725.213(e)(8)(C)(iv)	JCAR: Remove the comma before “within 30 days” without strike-through.	The text on file has had the comma to offset the parenthetical since April 22, 2005.
725.247(a)(7)(B)	JCAR: Do not include the change “under “ to “pursuant to.”	The Board wishes to make this change as part of series of standardizing stylistic amendments.
725.247(f)(1)	JCAR: Change “must” to “shall” without underlining and strike-through.	The text on file since April 22, 2005 has had “must.”
725.293(i)(2) Board note	JCAR: Move the comma outside the closing quotation marks after “Equipment” without underlining and strike-through.	The text on file has had the comma inside the closing quotation marks since February 23, 2006.
725.451	JCAR: Omit the comma after “scrubber waters” without strike-through.	The text on file since April 22, 2005 has had the comma that is necessary to offset the final element of a series.



726 table of contents, 726.207 heading	JCAR: Change “I” to numeric “1” in “HCl.”	The letter “I” is appropriate in the chemical symbol for chlorine “Cl.”
726.200(b)(1)	JCAR: Omit the comma after “(b)(3)” without strike-through.	The comma is necessary to offset the final element of a series.
726.200(h)	JCAR: Omit “to” in the changed “under” to “pursuant to.”	The appropriate and desired phrase is “pursuant to.”
726.200(i) “TCLP test”	JCAR: Change “EPA-530/SW-846” to “EPA 530/SW-846” without underlining and strike-through.	The text on file has included the hyphen in “EPA-530/SW-846” since February 23, 2006.
726.208(c)	JCAR: Omit the parentheses from “(C <sub>i</sub> /L <sub>i</sub> )” without	The text on file since July 17, 2003 has included the parentheses, which serve to clarify that the summation function applies to the result “C <sub>i</sub> /L <sub>i</sub> ,” and not just the dividend “C <sub>i</sub> .”
726.305(d)(1)	JCAR: Add “be” after “are” without underlining.	The text on file since July 17, 2003 has not included the word “be,” after the Board changed “shall be” to “are.”
726.355(b)	JCAR: Change “IEMA” to “Illinois EMA.”	The Board prefers the use of the defined abbreviation “IEMA,” which has been included in the text of Section 726.310 on file since February 23, 2006.
726.460(a)	JCAR: Change “IEMA” to “Illinois EMA.”	The Board prefers the use of the defined abbreviation “IEMA,” which has been included in the text of Section 726.310 on file since February 23, 2006.
727 generally	Agency: The codification of each federal section as a subsection and each federal subpart as a Section in the Illinois rules departs from the usual codification scheme and is hard to follow.	Although the Board chose an alternative codification scheme that combines numerous short federal provisions into single Sections, the correlation between the corresponding State and federal provisions is linear, and it is set forth in both Board notes appended to each subsection of the rules and in the two tables in Appendix B to the Part.

727 generally	Agency: The word “section” appears numerous times in lower-case type.	The Board has capitalized every appearance of an Illinois provision, but has followed the JCAR preference of using lower-case for federal provisions.
727.100(a)(1)	JCAR: Add “Resource Conservation and Recovery Act (42 USC 6901 et seq.)” and parentheses to “(RCRA).”	The term “RCRA standardized permit” is defined in 35 Ill. Adm. Code 702.110, and the Board added the definition to 35 Ill. Adm. Code 720.110, obviating local definition of the short-form for the purposes of Part 727 alone. Rather than create a possibility of confusion that anything other than the defined meaning is intended by following the JCAR suggestion, the Board added cross references to the two definitions.
727.100(a)(2)	Agency: The regulations cite the exception of Section 727.100(a)(2) in the principal applicability provisions of each of Sections 727.110(a), 727.130(a), 727.150(a), 727.170(a), 727.190(a), 727.210(a), 727.240(a)(1), 727.270(a), 727.290(a), and 727.900(a). Clarify whether this exemption requires compliance with Part 721 and Section 724.101(f) and (g).	Section 727.100(a)(2) is directly derived from 40 C.F.R. 267.1(b), and it is a statement of applicability, rather than an exemption from segments of the Part 727 requirements. It appears that USEPA intended to exempt from the RCRA standardized permit requirements those wastes not defined as hazardous waste and those facilities exempted from the permitted T/S/D facility standards. The Board explanation of this understanding to the Board note appended to Section 727.100(a).
727.110(e)(2)	JCAR: Change the reference to “subsections (e)(2)(B) and (e)(2)(C)” to “subsection (e)(2)(B),” to accommodate changing subsections (e)(2)(B) and (e)(2)(C) to subsection (e)(2)(B)(i) and (e)(2)(B)(ii).	The Board-proposed structure comports with codification requirements, it directly correlates with that of the corresponding federal provision, the meaning is clear with the language added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the

		potential for confusion that could arise in the future from the changed structure.
727.150(c)(2)	JCAR: Change “the facility owner or operator” to “it” (twice).	“It” refers to the facility contingency plan in subsection (c)(1); its use here could lead to a confused meaning.
727.150(d)(2)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.150(e)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.150(e)(3)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.150(e)(4)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.150(e)(5)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.170(c)(2)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.170(d)(2)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.170(d)(2)(H)	JCAR: Change “the facility owner or operator certification” to “it must certify”; change “the owner or operator” to “it.”	The language follows the federal original of 40 C.F.R. 267.73(b)(8) that an owner or operator certification is an object that the owner or operator must include in the operating record referred to in subsection (d)(2), instead the Board added “executed” before “at least annually” to remove ambiguity in the language; the Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.170(f)	JCAR: Change “the facility owner or operator” to “it.”	The Board prefers the use of “the facility owner or operator” for enhanced clarity of meaning.

727.170(f)(1)	Agency: Change the provision to require biennial reporting, rather than annual reporting.	Such a substantive change is beyond the scope of an identical-in-substance proceeding. (See the discussion at pages 35 and 36 of this opinion.)
727.170(f)(2)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.190(b)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(c)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(d)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(e)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(f)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(g)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(h)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(i)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(j)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)

727.190(k)	Agency: Change the provision to read “reserved.”	Codification requirements do not allow reserved sections. (See the discussion at page 37 of this opinion.)
727.190(l)(3)	JCAR: Change “the owner or operator” to “it” (twice).	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.210(b)(3)	JCAR: Change “the facility owner or operator” and “the owner or operator” to “it.”	The Board prefers the use of “the facility owner or operator” and “the owner or operator” for enhanced clarity of meaning.
727.210(c)(1)(A)	JCAR: Change “the facility owner or operator” to “it.”	The Board prefers the use of “the facility owner or operator” for enhanced clarity of meaning.
727.210(g)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.210(h)	Agency: Split the last sentence into a requirement to submit supporting documentation and another relating to release from liability.	Such a shift in language has a substantive effect. (See the discussion at pages 37 and 38 of this opinion.)
727.240(a)(3)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.
727.240(c)(2)	JCAR: Change “Deflator” to lower-case “deflator.”	USEPA appears in corresponding 40 C.F.R. 267.142(b) to mean “Deflator” as a short-form reference to the cited publication “Implicit Price Deflator for Gross Domestic Product”; the Board prefers to retain the short-form reference, adding “Deflator” after the original citation for enhanced clarity of meaning.
727.240(d)	JCAR: Change “the Agency must” to “the Agency shall.”	The Board consistently uses “must” for the mandatory sense for enhanced clarity.
727.240(d)(1)(D)	JCAR: Change “the owner or operator” to “it.”	The Board prefers the use of “the owner or operator” for enhanced clarity of meaning.

727.240(d)(1)(E)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(d)(2)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(d)(3)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(d)(5)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(d)(7)(A)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(f)(2)(A)	JCAR: Change the ending semicolon to a period.	The Board prefers the use of the semicolon, and changing the ending punctuation of subsection (f)(2)(C) will make the punctuation in subsection (f)(2) consistent.
727.240(f)(2)(B)	JCAR: Change the ending semicolon to a period.	The Board prefers the use of the semicolon, and changing the ending punctuation of subsection (f)(2)(C) will make the punctuation in subsection (f)(2) consistent.
727.240(h)(7)(A)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(i)(1)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.240(n)(1)(A)(i) Board note	Agency: Change “40 CFR 267.143(f)(2)(i)(A)(I)” to “40 CFR 267.143(f)(2)(i)(A)(I)(i)” and “subsection (n)(1)(E)” to “subsection (n)(1)(E)(i).”	The text moved included the preamble at 40 CFR 267.143(f)(2)(i)(A)(I), which the Board moved to the preamble at subsection (n)(1)(E)(i)

727.240(n)(1)(E) Board note	Agency: Change “40 CFR 267.143(f)(2)(i)(A)(I)” to “40 CFR 267.143(f)(2)(i)(A)(I)(i)” and “subsection (n)(1)(E)” to “subsection (n)(1)(E)(i).”	The text moved included the preamble at 40 CFR 267.143(f)(2)(i)(A)(I), which the Board moved to the preamble at subsection (n)(1)(E)(i)
727.240(q)(1)	Agency: Change “incorporated . . . 720.111(b)” to “incorporated . . . 724.251.”	The Board moved the incorporation from Section 724.251 to Section 720.111(b) in R05-2, effective April 22, 2005.
727.270(e)	Agency: Change the citation to “Section 727.110(h)(1)” to “Section 727.110(h).”	Such a shift in language has a substantive effect. (See the discussion at pages 38 and 39 of this opinion.)
727.290(m)(1)	Agency: Remove the added words “any of the following three conditions are fulfilled” and replace the omitted conjunction “or” between the subsections for enhanced clarity.	USEPA drafted this provision using the conjunction “or” between each subsection to show the alternative nature of each. The Board cannot use the conjunction “or” anywhere but before the final alternative, and the added words highlight the alternative nature of the subsections.
727.900(e)	Agency: Change the provision that the Agency “must” allow a waiver if it determines that the owner or operator has made the necessary demonstration, so that the Agency “may” allow the waiver where the owner or operator has demonstrated.	The Board routinely provides that the Agency has discretion in making the requisite determination, but lacks the ability to arbitrarily deny permission once that determination is made. (See the discussion at pages 39-45 of this opinion.)
727.900(h)(2)	Agency: Change “727.290(f)(1), (f)(2)(A), and (f)(2)(B)” to “727.290(f)(1) and (f)(2)” to clarify the requirements.	USEPA intended to cite 40 C.F.R. 267.195(a), (b)(1), and (b)(2) (corresponding with 35 Ill. Adm. Code 727.290(f)(1), (f)(2)(A), and (f)(2)(B)). The Board cannot clarify the provision. (See the discussion at pages 45-50 of this opinion.)
728.106(b)(2)	JCAR: Change “EPA-530/SW-846” to “EPA 530/SW-846” and “EPA-530/SW-87-011” to “EPA 530/SW-87-011.”	The text on file has included the hyphen in “EPA-530/SW-846” and “EPA-530/SW-87-011” since February 23, 2006.

728.106(b)(4)	JCAR: Change “EPA-530/SW-846” to “EPA 530/SW-846” without underlining and strike-through and “EPA-530/SW-87-011” to “EPA 530/SW-87-011.”	The text on file has included the hyphen in “EPA-530/SW-846” and “EPA-530/SW-87-011” since February 23, 2006.
728.106(f)(1)	JCAR: Remove “it must.”	The text on file has included “it must” since February 23, 2006.
728.106(f)(2)	JCAR: Remove “it must.”	The text on file has included “it must” since February 23, 2006.
728.106(f)(3)(A)	JCAR: Change “must” to “shall.”	The text on file has included “must” since February 23, 2006.
728.106(f)(3)(B)	JCAR: Remove “it must.”	The text on file has included “it must” since February 23, 2006.
728.106(f)(3)(C)	JCAR: Remove “it must.”	The text on file has included “it must” since February 23, 2006.
728.Table F, ¶ B.2.a., col. 1	JCAR: Change the colon after “reagents” to an en-dash without underlining and strike-through.	The text on file since July 17, 2003 has included the colon, which is the appropriate punctuation to introduce the series that follows.
728.Table F Board note	JCAR: Change “table 1” to capitalized “Table 1.”	The text on file since July 17, 2003 has included the colon, which is the appropriate punctuation to introduce the series that follows.
730.103 “point of injection”	JCAR: Change the em-dash after “distribution box” to an en-dash (hyphen) preceded and followed by spaces.	An em-dash, not an en-dash is the appropriate punctuation to set apart an explanatory or defining phrase, and the use of preceding and following spaces is inappropriate for either the em-dash or the en-dash.
730.113(a)(2)	JCAR: Add a comma after the ending conjunction “and.”	The comma is unnecessary and inconsistent with the existing style.
730.114(a)	JCAR: Add a comma before “or the construction or conversion.”	The comma would separate a two-element series.
730.133(b)	Agency: Change “subsections (b)(1) through (b)(5)” to “subsections (b)(1) through (b)(6).”	The required monitoring information items are included in subsections (b)(1) through (b)(5). Subsection (b)(6) sets forth monitoring alternatives applicable to specific wells.
730.133(c)	JCAR: Change the reference to “subsections (c)(1) and (c)(2),	The Board-proposed structure comports with codification



	subject to subsection (c)(3)” to “subsection (c)(1), subject to subsection (c)(2)” to accommodate changing subsections (c)(1), (c)(2), and (c)(3) to subsections (c)(1)(A) (c)(1)(B) and (c)(2).	requirements, it directly correlates with that of the corresponding federal provision, the meaning is clear with the language added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the potential for confusion that could arise in the future from the changed structure.
730.134(a)	JCAR: Add commas before and after “or area to operate.”	The Board has chosen to minimally amend the language for enhanced clarity, rather than by adding commas that could alter the meaning.
730.162(c)	JCAR: Change the reference to “subsections (d)(1) through (d)(3), subject to subsection (d)(4)” to “subsection (d)(1) through (d)(3), subject to subsection (e)” to accommodate changing subsection (d)(4) to subsections (e).	The Board-proposed structure comports with codification requirements, it directly correlates with that of the corresponding federal provision, the meaning is clear with the language added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the potential for confusion that could arise in the future from the changed structure.
730.164(d)(3)	JCAR: Change “pressure limitation must satisfy” to “pressure limitation satisfies.”	While the change adds certainty in meaning, the chosen language more closely follows the corresponding federal language of 40 C.F.R. 146.64(d)(3), and the clarification may not follow the intended federal meaning.
730.171(a)(6)	JCAR: Add “keeping the well open” and renumber subsections (a)(6), (a)(6)(A), (a)(6)(B), and (a)(6)(C) to subsections (a)(6)(A), (a)(6)(A)(i), (a)(6)(A)(ii), and (a)(6)(B).	The Board-proposed structure comports with codification requirements, it more closely correlates with that of the corresponding federal provision, the meaning is clear with the language added by the Board, and there is insufficient benefit to changing the structure that would counterbalance the

		potential for confusion that could arise in the future from the changed structure.
733.113(c)(4)(A)	JCAR: Change “must” to “shall” before “determine.”	The Board strongly prefers to avoid the ambiguity of “shall” for the mandatory sense.
733.114(d)(1)	JCAR: Change “universal waste mercury-containing equipment” to “universal waste-mercury-containing equipment.”	The added hyphen would be inappropriate.
733.181(f)	JCAR: Change “42 USC 6921-6939e” to “42 USC 6921-6939(e).”	The correct citation is “42 USC 6921-6939e.”
738.122(d)	JCAR: Change “pursuant” to “pusuant.”	The correct spelling is “pursuant.”
810.105(e)(3)	JCAR: Change “where a document . . . bears an electronic signature” to “when a document . . . bears an electronic signature.”	“Where” is more appropriate in formal writing when “a situation in which” is the desired meaning.
811 table of contents, 811.113 heading	JCAR: Omit the addition of the new Section heading.	The Section is new, and its heading must appear in the table of contents.
811.326(e)(2)(A)	Agency: Do not change “release(s)” to “releases.”	The Board strongly prefers to use the plural when the singular/plural alternative, and makes this substitution on a routine basis. The Board intends that the plural includes the singular.
811.715(b)	JCAR: Remove the ending period.	The Board prefers to retain the period for text added as a subsection heading.
811.719(a)(3)	JCAR: Add the conjunction “and” before “corrective action cost estimates” and remove the following comma; remove the comma before “as described.”	The conjunction would separate intermediate elements of a four-element series, and the comma offsets the final element; the final comma offsets a parenthetical.
811.719(b)(2)	JCAR: Add a comma before “in accordance with.”	No comma is necessary to separate a prepositional phrase that is not a parenthetical or introductory phrase.

811.719(b)(4)(A)	JCAR: Remove the commas before and after “as specified in this Subpart G.”	The commas are necessary to offset the words as a parenthetical.
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**HISTORY OF RCRA SUBTITLE C AND UIC ADOPTION  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY OR BOARD ACTION  
EDITORIAL CONVENTIONS**

It has previously been the practice of the Board to include an historical discussion in its RCRA Subtitle C and UIC identical-in-substance rulemaking proposals. However, in the last RCRA Subtitle C update docket, RCRA Subtitle C Update, USEPA Amendments (July 1, 1999 through December 31, 1999), R00-13 (May 18, 2000), the Board indicated that it would cease this practice. Therefore, for a complete historical summary of the Board’s RCRA Subtitle C and UIC rulemakings and programs, interested persons should refer back to the May 18, 2000 opinion and order in R00-13.

The historical summary contains all Board actions taken to adopt and maintain these programs since their inception and until May 18, 2000. It includes a listing of all site-specific rulemaking and adjusted standards proceedings filed that relate to these programs. It also lists all USEPA program authorizations issued during that timeframe. As necessary the Board will continue to update the historical summary as a segment of the opinion in each RCRA Subtitle C and UIC update docket, but those opinions will not repeat the information contained in the opinion of May 18, 2000, in docket R00-13.

The following summarizes the history of the Illinois RCRA Subtitle C hazardous waste and UIC programs since May 18, 2000:

**History of RCRA Subtitle C and State Hazardous Waste Rules Adoption**

The Board has adopted and amended the RCRA Subtitle C hazardous waste rules in the following docket since May 18, 2000:

- R00-13      RCRA Subtitle C Update, USEPA Regulations (July 1, 1999 through December 31, 1999), R00-13 (May 18, 2000); published at 24 Ill. Reg. 9443 (July 7, 2000), effective June 20, 2000.
  
- R01-3      RCRA Subtitle C Update, USEPA Regulations (January 1, 2000 through June 30, 2000), R01-3 (Dec. 7, 2000); published at 25 Ill. Reg. 1266 (Jan. 26, 2001), effective January 11, 2001.
  
- R01-23      RCRA Subtitle C Update, USEPA Regulations (July 1, 2000 through December 31, 2000), R01-23 (May 17, 2001); published at 25 Ill. Reg. 9108 (July 20, 2001), effective July 9, 2001. (Consolidated with UIC update docket R01-21.)

- R02-1 RCRA Subtitle C Update, USEPA Regulations (January 1, 2001 through June 30, 2001), R02-1 (Apr. 18, 2002); published at 26 Ill. Reg. 6667 (May 3, 2002), effective April 22, 2002. (Consolidated with RCRA Subtitle C Update docket R02-12 and UIC Update docket R02-17.)
- R02-12 RCRA Subtitle C Update, USEPA Regulations (July 1, 2001 through December 31, 2001), R02-12 (Apr. 18, 2002); published at 26 Ill. Reg. 6667 (May 3, 2002), effective April 22, 2002. (Consolidated with RCRA Subtitle C Update docket R02-1 and UIC Update docket R02-17.)
- R03-7 RCRA Subtitle C Update, USEPA Regulations (January 1, 2002 through June 30, 2002), R03-7 (Jan. 9, 2003); published at 27 Ill. Reg. 3496, effective February 14, 2003.
- R03-18 RCRA Subtitle C Update, USEPA Regulations (July 1, 2002 through December 31, 2002), R03-7 (June 5, 2003); published at 27 Ill. Reg. 12683, effective July 17, 2003.
- R04-6 RCRA Subtitle C Update, USEPA Regulations (January 1, 2003 through June 30, 2003), R04-6 (Aug. 7, 2003). (Dismissed because no federal actions in the period.)
- R04-16 RCRA Subtitle C Update, USEPA Regulations (July 1, 2003 through December 31, 2003), R04-16 (Apr. 1, 2004); published at 28 Ill. Reg. 10693, effective July 19, 2004.
- R05-2 RCRA Subtitle C Update, USEPA Regulations (January 1, 2004 through June 30, 2004 and October 25, 2004), R05-2 (Mar. 3, 2005); published at 29 Ill. Reg. 6290, effective April 22, 2005.
- R05-13 RCRA Subtitle C Update, USEPA Regulations (July 1, 2004 through December 31, 2004), R05-13 (Feb. 3, 2005) (Dismissed because no federal actions in the period.)
- R06-7 RCRA Subtitle C Update, USEPA Regulations (July 1, 2005 through December 31, 2005), R06-7 (Jan. 5, 2006 and Feb. 2, 2006). (Consolidated with UIC Update docket R06-5 and RCRA Subtitle D Update docket R06-6.)
- R06-18 RCRA Subtitle C Update, USEPA Regulations (July 1, 2005 through December 31, 2005), R06-18. (This docket, consolidated with UIC Update docket R06-5 and RCRA Subtitle D Update docket R06-7.)

The Board has taken other actions since May 18, 2000 relating to administration of the Illinois hazardous waste program. The Board has made solid waste determinations by granting the following adjusted standards:

- AS 01-7 *In re* Petition of Progressive Environmental Services, Inc. for an Adjusted Standard under 35 Ill. Adm. Code 720.131(c), AS 02-7 (Jan. 10, 2002) (used automotive antifreeze).
- AS 02-2 *In re* Petition of World Recycling, Inc. d/b/a Planet Earth Antifreeze for an Adjusted Standard under 35 Ill. Adm. Code 720.131, AS 02-2 (May 2, 2002) (used automotive antifreeze).

The Board has also granted relief from a permit requirement applicable to hazardous waste management facility:

- AS 00-15 *In re* Petition of Heritage Environmental Services, LLC. for an Adjusted Standard from 35 Ill. Adm. Code 702.126(d)(1), AS 00-15 (Feb. 1, 2001) (alternative permit application certification language).

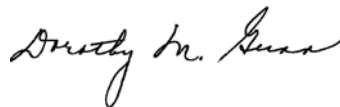
### **History of UIC Rules Adoption**

The Board has adopted and amended Underground Injection Control (UIC) regulations in the following dockets since May 18, 2000:

- R00-11 UIC Update, USEPA Regulations (July 1, 1999 through December 31, 1999), R00-11 (Dec. 7, 2000); published at 25 Ill. Reg. 18585 (December 22, 2001), effective December 7, 2001. (Consolidated with docket R01-1.)
- R01-1 UIC Update, USEPA Regulations (Jan. 1, 2000 through June 30, 2000), R01-1 (Dec. 7, 2000); published at 25 Ill. Reg. 18585 (Dec. 22, 2001), effective December 7, 2001. (Consolidated with docket R00-11.)
- R01-21 UIC Update, USEPA Regulations (July 1, 2000 through December 31, 2000), R01-21 (May 17, 2001); published at 25 Ill. Reg. 9108 (July 20, 2001), effective July 9, 2001. (Consolidated with UIC update docket R01-23.)
- R02-17 UIC Update, USEPA Regulations (July 1, 2001 through December 31, 2001), R02-17 (Apr. 18, 2002); published at 26 Ill. Reg. 6667 (May 3, 2002), effective April 22, 2002. (Consolidated with RCRA Subtitle C Update dockets R02-1 and R02-12.)
- R03-5 UIC Update, USEPA Regulations (January 1, 2002 through June 30, 2002), R03-5 (Aug. 8, 2002). (Dismissed because no federal actions in the period.)

- R03-16 UIC Update, USEPA Regulations (July 1, 2002 through December 31, 2002), R03-16 (Feb. 6, 2003). (Dismissed because no federal actions in the period.)
- R04-4 UIC Update, USEPA Regulations (January 1, 2003 through June 30, 2003), R04-4 (Aug. 7, 2003). (Dismissed because no federal actions in the period.)
- R04-14 UIC Update, USEPA Regulations (July 1, 2003 through December 31, 2003), R04-14 (Mar. 4, 2004). (Dismissed because no federal actions in the period.)
- R05-7 UIC Update, USEPA Regulations (January 1, 2004 through June 30, 2004), R05-7 (Sept. 16, 2004). (Dismissed because no federal actions in the period.)
- R05-18 UIC Update, USEPA Regulations (July 1, 2004 through December 31, 2004), R05-18 (Feb. 3, 2005). (Dismissed because no federal actions in the period.)
- R06-5 UIC Update, USEPA Regulations (July 1, 2005 through December 31, 2005), R06-5 (Jan. 5, 2006 and Feb. 2, 2006). (Consolidated with RCRA Subtitle D Update docket R06-6 and RCRA Subtitle C Update docket R06-7.)
- R06-16 UIC Update, USEPA Regulations (July 1, 2005 through December 31, 2005), R06-5. (This docket; consolidated with RCRA Subtitle D Update docket R06-17 and RCRA Subtitle C Update docket R06-18.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion on November 16, 2006, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board