ILLINOIS POLLUTION CONTROL BOARD
March 17, 1994

IN THE MATTER OF:	)	
	)	R93-16
RCRA UPDATE, USEPA REGULATIONS (1-1-93 THROUGH 6-30-93)	)	(Identical in Substance Rules)

Adopted Rule. Final Order.

ORDER OF THE BOARD (by E. Dunham):

Pursuant to Sections 22.4(b) of the Environmental Protection Act (Act), the Board is amending the Resource Conservation and Recovery Act (RCRA) regulations.

Section 22.4(b) provides for quick adoption of regulations that are "identical in substance" to federal regulations and that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by the Joint Committee on Administrative Rules (JCAR). The federal RCRA regulations are found at 40 CFR 260 through 272 and 279. This rulemaking updates RCRA rules to correspond with major federal amendments more fully outlined in the accompanying opinion.

This order is supported by an opinion adopted on the same day. The Board will delay filing the adopted rules with the Secretary of State for 30 days, as is our common practice in these matters, to allow additional opportunity for comment on the amendments by U.S. EPA before they are filed and become effective. The complete text of the adopted amendments follows. Due to the number of revisions from the text of the amendments as proposed, highlighting indicates the revisions from the proposal for public comment. Where the entire Section heading is highlighted, the Section was not included in the proposal for public comment. Highlighting within such a Section focuses on the actual amendments adopted.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted by the Board on the 17th day of March, 1994, by a vote of 6-0.

Dorothy M. Gunn

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

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

PART 702
RCRA AND UIC PERMIT PROGRAMS

SUBPART A: GENERAL PROVISIONS

SUBPART B: PERMIT APPLICATIONS

SUBPART C: PERMIT CONDITIONS

SUBPART D: ISSUED PERMITS

AUTHORITY: Implementing Section 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111~~1/2~~2, pars. 1013, 1022.4 and 1027) [415 ILCS 5/13, 22.4 and 27].

SOURCE: Adopted in R81-32, 47 PCB 93, at 6 Ill. Reg. 12479, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19, at 53 PCB 131, 7 Ill. Reg. 14352, effective as noted in 35 Ill. Adm. Code 700.106; amended in R84-9 at 9 Ill. Reg. 11926, effective July 24, 1985; amended in R85-23 at 10 Ill. Reg. 13274, effective July 29, 1986; amended in R86-1 at 10 Ill. 14083, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6131, effective March 24, 1987; amended in R87-5 at 11 Ill. Reg. 19376, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2579, effective January 15, 1988; amended in R87-29 at 12 Ill. Reg. 6673, effective March 28, 1988; amended in R87-39 at 12 13083, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18452, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3089, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6273, effective April 16, 1990; amended in R92-10 at 17 Ill. Reg. 5769, effective March 26, 1993; amended in R93-16 at _____ Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 702.110 Definitions

The following definitions apply to 35 Ill. Adm. Code 702, 703, 704 and 705. Terms not defined in this Section have the meaning given by the appropriate Act. When a defined term appears in a definition, the defined term is sometimes placed within quotation marks as to an aid to readers. When a definition applies primarily to one or more programs, those programs appear in

parentheses after the defined terms.

"Administrator" means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

"Agency" means the Illinois Environmental Protection Agency.

"Application" means the Agency forms for applying for a permit. For RCRA, application also includes the information required by the Agency under 35 Ill. Adm. Code 703.182 et seq. (contents of Part B of the RCRA application).

"Appropriate act and regulations" means the Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); or the "Environmental Protection Act," whichever is applicable; and applicable regulations promulgated under those statutes.

"Approved program or approved State" means a State or interstate program which has been approved or authorized by EPA under 40 CFR 271 (19~~88~~92) (RCRA) or Section 1422 of the SDWA (UIC).

"Aquifer" (RCRA and UIC) means a geological "formation", group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

"Area of review" (UIC) means the area surrounding an injection well described according to the criteria set forth in 35 Ill. Adm. Code 730.106, or in the case of an area permit, the project area plus a circumscribing area the width of which is either 402 meters (1/4 of a mile) or a number calculated according to the criteria set forth in 35 Ill. Adm. Code 730.106.

"Board" means the Illinois Pollution Control Board.

"Closure" (RCRA) means the act of securing a "Hazardous Waste Management Facility" pursuant to the requirements of 35 Ill. Adm. Code 724.

"Component" (RCRA) means any constituent part of a unit or any group of constituent parts of a unit which are assembled to p~~er~~eform a specific function (e.g., a pump seal, pump, kiln liner, kiln thermocouple).

"Contaminant" (UIC) means any physical, chemical, biological or radiological substance or matter in water.

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the

purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.
BOARD NOTE: U.S. EPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"CWA" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) P.L. 92-500, as amended by P.L. 95-217, and P.L. 95-576; 33 U.S.C. 1251 et seq. (19~~88~~92).

"Date of approval by U.S. EPA of the Illinois UIC program" means February 1, 1984.

"Director" means the Director of the Illinois Environmental Protection Agency or the Director's designee.

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

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

"Draft Permit" means a document prepared under 35 Ill. Adm. Code 705.141 indicating the Agency's tentative decision to issue, deny, modify, terminate or reissue a "permit". A notice of intent to deny a permit, as discussed in 35 Ill. Adm. Code 705.141 is a type of "draft permit". A denial of a request for modification, as discussed in 35 Ill. Adm. Code 705.128, is not a "draft permit". A "proposed permit" is not a "draft permit".

"Drilling Mud" (UIC) means a heavy suspension used in drilling an "injection well", introduced down the drill pipe and through the drill bit.

"Elementary neutralization unit" means a device which:

> Is used for neutralizing wastes which are hazardous wastes only because they exhibit the corrosivity characteristics defined in 35 Ill. Adm. Code 721.122, or are listed in Subpart D of 35 Ill. Adm. Code 721.Subpart D

only for this reason; and

Meets the definition of tank, tank system, container, transport vehicle or vessel in 35 Ill. Adm. Code 720.110.

"Emergency Permit" means a RCRA or UIC "permit" issued in accordance with 35 Ill. Adm. Code 703.221 or 704.163, respectively.

"Environmental Protection Act" means the Environmental Protection Act (Ill. Rev. Stat. 19~~87~~91, ch. 111~~-1/2~~2, par. 1001 et seq. [415 ILCS 5]).

"Environmental Protection Agency" ("EPA" or "U.S. EPA") means the United States Environmental Protection Agency.

~~"EPA" means the United States "Environmental Protection Agency".~~

"Exempted aquifer" (UIC) means an "aquifer" or its portion that meets the criteria in the definition of "underground source of drinking water" but which has been exempted according to the procedures in 35 Ill. Adm. Code 702.105, 704.104 and 704.123(b).

"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980. A facility has commenced construction if:

The owner or operator has obtained the Federal, State and local approvals or permits necessary to begin physical construction; and

Either:

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

The owner or operator has entered into contractual obligations -- which cannot be cancelled or modified without substantial loss -- for physical construction of the facility to be completed within a reasonable time.

"Existing injection well" (UIC) means an "injection well" other than a "new injection well".

"Facility or activity" means any "HWM facility", UIC "injection well", or any other facility or activity (including land or appurtenances thereto) that is subject to regulations under the Illinois RCRA or UIC program.

"Facility mailing list" (RCRA) means the mailing list for a facility maintained by the Agency in accordance with 35 Ill. Adm. Code 705.163.

"Federal, State and local approvals or permits necessary to begin physical construction" means permits and approvals required under Federal, State or local hazardous waste control statutes, regulations or ordinances. (See 35 Ill. Adm. Code 700.102 et seq.)

"Final authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management Program which has met the requirements of Section 3006(b) of RCRA and the applicable requirements of 40 CFR 271, Subpart A (19~~87~~92). EPA granted initial final authorization on January 31, 1986.

"Fluid" (UIC) means any material or substance which flows or moves whether in a semisolid, liquid, sludge, gas or any other form or state.

"Formation" (UIC) means a body of rock characterized by a degree of lithologic homogeneity which is prevailingly, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

"Formation fluid" (UIC) means "fluid" present in a "formation" under natural conditions as opposed to introduced fluids, such as "drilling mud".

"Functionally equivalent component" (RCRA) means a component which performs the same function or measurement and which meets or exceeds the performance specifications of another component.

"Generator" (RCRA) means any person, by site location, whose act or process produces "hazardous waste" identified or listed in 35 Ill. Adm. Code 721.

"Groundwater" (RCRA and UIC) means a water below the land surface in a zone of saturation.

"Hazardous Waste" (RCRA and UIC) means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste management facility" ("HWM facility")~~"~~ means all contiguous land, and structures, other appurtenances and improvements on the land, used for treating, storing or disposing of "hazardous waste". A facility may consist of several "treatment", "storage" or "disposal" operational units (for example, one or more landfills, surface impoundments or combinations of them).

"HWM facility" (RCRA) means "Hazardous Waste Management facility".

"Injection well" (RCRA and UIC) means a "well" into which "fluids" are being injected.

"Injection zone" (UIC) means a geological "formation", group of formations or part of a formation receiving fluids through a "well".

"In operation" (RCRA) means a facility which is treating, storing or disposing of "hazardous waste".

"Interim authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management program which has met the requirements of Section 3006(c) of RCRA and applicable requirements of 40 CFR 271 (19~~87~~92). This happened on May 17, 1982.

"Interstate agency" means an agency of two or more states established by or under an agreement or compact approved by the Congress, or any other agency of two or more states having substantial powers or duties pertaining to the control of pollution as determined and approved by the Administrator under the "appropriate Act and regulations".

"Major facility" means any RCRA or UIC "facility or activity" classified as such by the Regional Administrator or the Agency.

"Manifest" (RCRA and UIC) means the shipping document originated and signed by the "generator" which contains the information required by 35 Ill. Adm. Code 722.Subpart B.

"National Pollutant Discharge Elimination System" means the program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements under Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.Subpart A and 310. The term includes an "approved program".

"New HWM facility" (RCRA) means a "Hazardous Waste Management facility" which began operation or for which construction commenced after November 19, 1980.

"New injection well" (UIC) means a "well" which began injection after the UIC program for the State of Illinois applicable to the well is approved.

"Off-site" (RCRA) means any site which is not "on-site".

"On-site" (RCRA) means on the same or geographically contiguous property which may be divided by public or private right(s)-of-way, provided the entrance

and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along, the right(s)-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way which the person controls and to which the public does not have access, is also considered on-site property.

"Owner or operator" means the owner or operator of any "facility or activity" subject to regulation under the RCRA or UIC programs.

"Permit" means an authorization, license or equivalent control document issued to implement the requirements of this Part and 35 Ill. Adm. Code 703, 704, and 705.

"Permit" includes RCRA "permit by rule" (35 Ill. Adm. Code 703.141), UIC area permit (35 Ill. Adm. Code 704.162) and RCRA or UIC "Emergency Permit" (35 Ill. Adm. Code 703.221 and 704.163). "Permit" does not include RCRA interim status (35 Ill. Adm. Code 703.153 et seq.), UIC authorization by rule (35 Ill. Adm. Code 704.–Subpart C), or any permit which has not yet been the subject of final Agency action, such as a "Draft Permit" or a "Proposed Permit."

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agency or assigns.

"Phase I" (RCRA) means, as used in the corresponding federal regulations, the period of time commencing May 19, 1980. For Illinois purposes, Phase I began on May 17, 1982.

"Phase II" (RCRA) means, as used in the corresponding federal regulations, the period of time commencing May 19, 1980. For Illinois purposes, Phase II ~~will~~ commenced whenever U.S. EPA granted final authorization to the Agency to issue RCRA permits for any class of facility or unit. This occurred on January 31, 1986.

"Physical construction" (RCRA) means excavation, movement of earth, erection of forms or structures or similar activity to prepare an "HWM facility" to accept "hazardous waste".

"Plugging" (UIC) means the act or process of stopping the flow of water, oil or gas into or out of a formation through a borehole or well penetrating that formation.

"POTW" means "publicly owned treatment works".

"Project" (UIC) means a group of wells in a single operation.

"Publicly owned treatment works" ("POTW") is as defined in 35 Ill. Adm. Code 310.

"Radioactive waste" (UIC) means any waste which contains radioactive material in concentrations which exceed those listed in 10 CFR 20, Appendix B, Table II, Column 2, incorporated by reference in 35 Ill. Adm. Code 720.111.

"RCRA" means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (P. L. 94-580, as amended by P. L. 95-609, P.L. 96-510, 42 U.S.C. 6901 et seq. (19~~88~~92)).

"RCRA permit" means a permit required under Section 21(f) of the Environmental Protection Act.

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

"Schedule of compliance" means a schedule of remedial measures included in a "permit", including an enforceable sequence of interim requirements (for example, actions, operations or milestone events) leading to compliance with the "appropriate Act and regulations".

"SDWA" means the Safe Drinking Water Act (Pub. L. 93-523, as amended 42 U.S.C. 300f et seq. (19~~88~~92)).

"Site" means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity.

"SIC Code" means codes pursuant to the Standard Industrial Classification Manual incorporated by reference in 35 Ill. Adm. Code 720.111.

"State" means the State of Illinois.

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

"State/EPA Agreement" means an agreement between the Regional Administrator and the State which coordinates EPA and State activities, responsibilities and programs including those under the RCRA and SDWA.

"Storage" (RCRA) means the holding of "hazardous waste" for a temporary

period, at the end of which the hazardous waste is treated, disposed or stored elsewhere.

"Stratum (plural strata)" (UIC) means a single sedimentary bed or layer, regardless of thickness, that consists of generally the same kind of rock material.

"Total dissolved solids" (UIC) means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR 136, incorporated by reference in 35 Ill. Adm. Code 720.111.

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

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

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

"UIC" means the Underground Injection Control program.

"Underground Injection" (UIC) means a "well injection".

"Underground source of drinking water" ("USDW") (RCRA and UIC) means an "aquifer" or its portion:

Which:

Supplies any public water system; or

Contains a sufficient quantity of groundwater to supply a public water system; and

Currently supplies drinking water for human consumption; or

Contains less than 10,000 mg/1 total dissolved solids; and

Which is not an "exempted aquifer".

"USDW" (RCRA and UIC) means an "underground source of drinking water".

~~"USEPA" means the United States Environmental Protection Agency.~~

"Wastewater treatment unit" means a device which:

Is part of a wastewater treatment facility which is subject to regulation under 35 Ill. Adm. Code 309.Subpart A or 310; and

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

Meets the definition of tank or tank system in 35 Ill. Adm. Code 720.110.

"Well (UIC) means a bored, drilled or driven shaft, or a dug hole, whose depth is greater than the largest surface dimension.

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

BOARD NOTE: Derived from 40 CFR 144.3 and 270.2 (19~~88~~92), as amended at 5~~3~~8 Fed. Reg. ~~34086~~8685 (Feb. 16, 1993)~~, September 2, 1988, and 53 Fed. Reg. 37934, September 28, 1988~~.

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

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

PART 703
RCRA PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section
703.100 Scope and Relation to Other Parts
703.101 Purpose
703.110 References

SUBPART B: PROHIBITIONS

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

SUBPART D: APPLICATIONS

SUBPART E: SHORT TERM AND PHASED PERMITS

SUBPART F: PERMIT CONDITIONS OR DENIAL

SUBPART G: CHANGES TO PERMITS

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27]).

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14289, effective October 12, 1983; amended in R83-24 at 8 Ill. Reg. 206, effective December 27, 1983; amended in R84-9 at 9 Ill. Reg. 11899, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1110, effective January 2, 1987; amended in R85-23 at 10 Ill. Reg. 13284, effective July 28, 1986; amended in R86-1 at 10 Ill. Reg. 14093, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20702, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6121, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13543, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19383, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2584, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13069, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 447, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18477, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6278, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14492, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9616, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14554, effective September 30, 1991; amended in R91-13 at 16 Ill Reg. 9767, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5774, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20794, effective November 22, 1993; amended in R93-16 at _____ Ill. Reg. _____, effective _____.

Section 703.Appendix A Classification of Permit Modifications

Class	Modifications
	A. General Permit Provisions
1	1. Administrative and informational changes.
1	2. Correction of typographical errors.
1	3. Equipment replacement or upgrading with functionally equivalent components (e.g., pipes, valves, pumps, conveyors, controls).
	4. Changes in the frequency of or procedures for monitoring, reporting, sampling or maintenance activities by the permittee:
1	a. To provide for more frequent monitoring, reporting or maintenance.
2	b. Other changes.

5. Schedule of compliance:

1* a. Changes in interim compliance dates, with prior approval of the Agency.

~~BOARD NOTE: "*" indicates that prior Agency approval is required.~~

3 b. Extension of final compliance date.

1* 6. Changes in expiration date of permit to allow earlier permit termination, with prior approval of the Agency.

1* 7. Changes in ownership or operational control of a facility, provided the procedures of Section 703.260(b) are followed.

B. General Facility Standards

1. Changes to waste sampling or analysis methods:

1 a. To conform with Agency guidance or Board regulations.

1* b. To incorporate changes associated with F039 (multi-source leachate) sampling or analysis methods.

1* c. To incorporate changes associated with underlying hazardous constituents in ignitable or corrosive wastes.

2 ~~e~~d. Other changes.

2. Changes to analytical quality assurance/control plan:

1 a. To conform with agency guidance or regulations.

2 b. Other changes.

1 3. Changes in procedures for maintaining the operating record.

2 4. Changes in frequency or content of inspection schedules.

5. Changes in the training plan:

2 a. That affect the type or decrease the amount of training given to employees.

1 b. Other changes.

6. Contingency plan:

2 a. Changes in emergency procedures (i.e., spill or release response procedures).

1 b. Replacement with functionally equivalent equipment, upgrade or relocate emergency equipment listed.

2 c. Removal of equipment from emergency equipment list.

1 d. Changes in name, address or phone number of coordinators or other persons or agencies identified in the plan.

Note: When a permit modification (such as introduction of a new unit) requires a change in facility plans or other general facility standards, that change must be reviewed under the same procedures as the permit modification.

7. CQA plan:

1 a. Changes that the CQA officer certifies in the operating record will provide equivalent or better certainty that the unit components meet the design specifications.

2 b. Other changes.

Note: When a permit modification (such as introduction of a new unit) requires a change in facility plans or other general facility standards, that change shall be reviewed under the same procedures as a permit modification.

C. Groundwater Protection

1. Changes to wells:

2 a. Changes in the number, location, depth or design of upgradient or downgradient wells of permitted groundwater monitoring system.

1 b. Replacement of an existing well that has been damaged or rendered inoperable, without change to location, design or depth of the well.

1*	2.		Changes in groundwater sampling or analysis procedures or monitoring schedule, with prior approval of the Agency.
1*	3.		Changes in statistical procedure for determining whether a statistically significant change in groundwater quality between upgradient and downgradient wells has occurred, with prior approval of the Agency.
2*	4.		Changes in point of compliance.
	5.		Changes in indicator parameters, hazardous constituents or concentration limits (including ACLs (Alternate Concentration Limits)):
3		a.	As specified in the groundwater protection standard.
2		b.	As specified in the detection monitoring program.
2	6.		Changes to a detection monitoring program as required by 35 Ill. Adm. Code 724.198(j), unless otherwise specified in this Appendix.
	7.		Compliance monitoring program:
3		a.	Addition of compliance monitoring program as required by 35 Ill. Adm. Code 724.198(h)(4) and 724.199.
2		b.	Changes to a compliance monitoring program as required by 35 Ill. Adm. Code 724.199(k), unless otherwise specified in this Appendix.
	8.		Corrective action program:
3		a.	Addition of a corrective action program as required by 35 Ill. Adm. Code 724.199(i)(2) and 724.200.
2		b.	Changes to a corrective action program as required by 35 Ill. Adm. Code 724.200(h), unless otherwise specified in this Appendix.
D.	Closure		
	1.		Changes to the closure plan:
1*		a.	Changes in estimate of maximum extent of operations or maximum inventory of waste on-site at any time during the active life of the facility, with prior approval of the Agency.

1*		b.	Changes in the closure schedule for any unit, changes in the final closure schedule for the facility or extension of the closure period, with prior approval of the Agency.
1*		c.	Changes in the expected year of final closure, where other permit conditions are not changed, with prior approval of the Agency.
1*		d.	Changes in procedures for decontamination of facility equipment or structures, with prior approval of the Agency.
2		e.	Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, unless otherwise specified in this Appendix.
2		f.	Extension of the closure period to allow a landfill, surface impoundment or land treatment unit to receive non-hazardous wastes after final receipt of hazardous wastes under 35 Ill. Adm. Code 724.213(d) or (e).
3	2.	Creation of a new landfill unit as part of closure.	
	3.	Addition of the following new units to be used temporarily for closure activities:	
3		a.	Surface impoundments.
3		b.	Incinerators.
3		c.	Waste piles that do not comply with 35 Ill. Adm. Code 724.350(c).
2		d.	Waste piles that comply with 35 Ill. Adm. Code 724.350(c).
2		e.	Tanks or containers (other than specified below).
1*		f.	Tanks used for neutralization, dewatering, phase separation or component separation, with prior approval of the Agency.

E. Post-Closure

1	1.	Changes in name, address or phone number of contact in post-closure plan.
2	2.	Extension of post-closure care period.

3 3. Reduction in the post-closure care period.

1 4. Changes to the expected year of final closure, where other permit conditions are not changed.

2 5. Changes in post-closure plan necessitated by events occurring during the active life of the facility, including partial and final closure.

F. Containers

1. Modification or addition of container units:

3 a. Resulting in greater than 25% increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a).

2 b. Resulting in up to 25% increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a).

1 c. Or treatment processes necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards or to treat wastes to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 728.108, with prior approval of the Agency. This modification may also involve the addition of new waste codes or narrative description of wastes. It is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

2. Modification of container units without an increased capacity or alteration of the system:

2 a. Modification of a container unit without increasing the capacity of the unit.

1 b. Addition of a roof to a container unit without alteration of the containment system.

3. Storage of different wastes in containers, except as provided in F(4):

3 a. That require additional or different management practices from those authorized in the permit.

2 b. That do not require additional or different management practices

from those authorized in the permit.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

4. Storage or treatment of different wastes in containers:

2 a. That require addition of units or change in treatment process or management standards, provided that the wastes are restricted from land disposal and are to be treated to meet some or all of the applicable treatment standards, or are to be treated to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 728.108. It is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

1* b. That do not require the addition of units or a change in the treatment process or management standards, and provided that the units have previously received wastes of the same type (e.g., incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

G. Tanks

1.

3 a. Modification or addition of tank units resulting in greater than 25% increase in the facility's tank capacity, except as provided in paragraphs G(1)(c), G(1)(d) and G(1)(e).

2 b. Modification or addition of tank units resulting in up to 25% increase in the facility's tank capacity, except as provided in paragraphs G(1)(d) and G(1)(e).

2 c. Addition of a new tank that will operate for more than 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation or component separation.

1* d. After prior approval of the Agency, addition of a new tank that will operate for up to 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase

separation or component separation.

1* e. Modification or addition of tank units or treatment processes that are necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards or to treat wastes to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 728.108, with prior approval of the Agency. This modification may also involve the addition of new waste codes. It is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

2 2. Modification of a tank unit or secondary containment system without increasing the capacity of the unit.

1 3. Replacement of a tank with a tank that meets the same design standards and has a capacity within ~~+/-~~ 10% of the replaced tank provided:

a. The capacity difference is no more than 1500 gallons,

b. The facility's permitted tank capacity is not increased and

c. The replacement tank meets the same conditions in the permit.

2 4. Modification of a tank management practice.

5. Management of different wastes in tanks:

3 a. That require additional or different management practices, tank design, different fire protection specifications or significantly different tank treatment process from that authorized in the permit, except as provided in paragraph G(5)(c).

2 b. That do not require additional or different management practices, tank design, different fire protection specification or significantly different tank treatment process than authorized in the permit, except as provided in paragraph G(5)(d).

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

1* c. That require addition of units or change in treatment processes or

management standards, provided that the wastes are restricted from land disposal and are to be treated to meet some or all of the applicable treatment standards, or that are to be treated to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 728.108. The modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

1 d. That do not require the addition of units or a change in the treatment process or management standards, and provided that the units have previously received wastes of the same type (e.g., incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

H. Surface Impoundments

3 1. Modification or addition of surface impoundment units that result in increasing the facility's surface impoundment storage or treatment capacity.

3 2. Replacement of a surface impoundment unit.

2 3. Modification of a surface impoundment unit without increasing the facility's surface impoundment storage or treatment capacity and without modifying the unit's liner, leak detection system or leachate collection system.

2 4. Modification of a surface impoundment management practice.

5. Treatment, storage or disposal of different wastes in surface impoundments:

3 a. That require additional or different management practices or different design of the liner or leak detection system than authorized in the permit.

2 b. That do not require additional or different management practices or different design of the liner or leak detection system than

authorized in the permit.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

1 c. That are wastes restricted from land disposal that meet the applicable treatment standards or that are treated to satisfy the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 728.108, and provided that the unit meets the minimum technological requirements stated in 40 CFR 268.5(h)(2), incorporated by reference in 35 Ill. Adm. Code 728.105. This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

1 d. That are residues from wastewater treatment or incineration, provided the disposal occurs in a unit that meets the minimum technological requirements stated in 40 CFR 268.5(h)(2), incorporated by reference in 35 Ill. Adm. Code 728.105, and provided further that the surface impoundment has previously received wastes of the same type (for example, incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

1* 6. Modifications of unconstructed units to comply with 35 Ill. Adm. Code 724.321(c), 724.322, 724.323 and 724.326(d).

7. Changes in response action plan:

3 a. Increase in action leakage rate.

3 b. Change in a specific response reducing its frequency or effectiveness.

2 c. Other changes.
Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

I. Enclosed Waste Piles. For all waste piles, except those complying with 35 Ill. Adm. Code 724.350(c), modifications are treated the same as for a landfill. The following modifications are applicable only to waste piles complying with 35 Ill. Adm. Code 724.350(c).

1. Modification or addition of waste pile units:

3 a. Resulting in greater than 25% increase in the facility's waste pile storage or treatment capacity.

2 b. Resulting in up to 25% increase in the facility's waste pile storage or treatment capacity.

2 2. Modification of waste pile unit without increasing the capacity of the unit.

1 3. Replacement of a waste pile unit with another waste pile unit of the same design and capacity and meeting all waste pile conditions in the permit.

2 4. Modification of a waste pile management practice.

5. Storage or treatment of different wastes in waste piles:

3 a. That require additional or different management practices or different design of the unit.

2 b. That do not require additional or different management practices or different design of the unit.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

2 6. Conversion of an enclosed waste pile to a containment building unit.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

J. Landfills and Unenclosed Waste Piles

3 1. Modification or addition of landfill units that result in increasing the facility's disposal capacity.

3 2. Replacement of a landfill.

3 3. Addition or modification of a liner, leachate collection system, leachate detection system, run-off control or final cover system.

2 4. Modification of a landfill unit without changing a liner, leachate collection system, leachate detection system, run-off control or final cover system.

2 5. Modification of a landfill management practice.

6. Landfill different wastes:

3 a. That require additional or different management practices, different design of the liner, leachate collection system or leachate detection system.

2 b. That do not require additional or different management practices, different design of the liner, leachate collection system or leachate detection system.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

1 c. That are wastes restricted from land disposal that meet the applicable treatment standards or that are treated to satisfy the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 728.108, and provided that the landfill unit meets the minimum technological requirements stated in 40 CFR 268.5(h)(2), incorporated by reference in 35 Ill. Adm. Code 728.105. This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

1 d. That are residues from wastewater treatment or incineration, provided the disposal occurs in a landfill unit that meets the minimum technological requirements stated in 40 CFR 268.5(h)(2), incorporated by reference in 35 Ill. Adm. Code 728.105, and provided further that the landfill has previously received wastes of the same type (for example, incinerator ash). This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027 and F028).

1* 7. Modification of unconstructed units to comply with 35 Ill. Adm. Code 724.351(c), 724.352, 724.353, 724.354(c), 724.401(c), 724.402, 724.403(c) and 724.404.

8. Changes in response action plan:

3 a. Increase in action leakage rate.

3 b. Change in a specific response reducing its frequency or

effectiveness.

2 c. Other changes.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

K. Land Treatment

3 1. Lateral expansion of or other modification of a land treatment unit to increase area extent.

2 2. Modification of run-on control system.

3 3. Modify run-off control system.

2 4. Other modification of land treatment unit component specifications or standards required in permit.

5. Management of different wastes in land treatment units:

3 a. That require a change in permit operating conditions or unit design specifications.

2 b. That do not require a change in permit operating conditions or unit design specifications.

Note: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

6. Modification of a land treatment unit management practice to:

3 a. Increase rate or change method of waste application.

1 b. Decrease rate of waste application.

2 7. Modification of a land treatment unit management practice to change measures of pH or moisture content or to enhance microbial or chemical reactions.

3 8. Modification of a land treatment unit management practice to grow food chain crops, to add to or replace existing permitted crops with different food chain crops or to modify operating plans for distribution of animal feeds resulting from such crops.

3	9.	Modification of operating practice due to detection of releases from the land treatment unit pursuant to 35 Ill. Adm. Code 724.378(g)(2).
3	10.	Changes in the unsaturated zone monitoring system resulting in a change to the location, depth, number of sampling points or replace unsaturated zone monitoring devices or components of devices with devices or components that have specifications different from permit requirements.
2	11.	Changes in the unsaturated zone monitoring system that do not result in a change to the location, depth, number of sampling points, or that replace unsaturated zone monitoring devices or components of devices with devices or components having specifications different from permit requirements.
2	12.	Changes in background values for hazardous constituents in soil and soil-pore liquid.
2	13.	Changes in sampling, analysis or statistical procedure.
2	14.	Changes in land treatment demonstration program prior to or during the demonstration.
1*	15.	Changes in any condition specified in the permit for a land treatment unit to reflect results of the land treatment demonstration, provided performance standards are met, and the Agency's prior approval has been received.
1*	16.	Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the wastes can be treated completely, provided the conditions for the second demonstration are substantially the same as the conditions for the first demonstration and have received the prior approval of the Agency.
3	17.	Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the wastes can be treated completely, where the conditions for the second demonstration are not substantially the same as the conditions for the first demonstration.
2	18.	Changes in vegetative cover requirements for closure.

L. Incinerators, Boilers and Industrial Furnaces

3 1. Changes to increase by more than 25% any of the following limits authorized in the permit: A thermal feed rate limit, a feedstream feed rate limit, a chlorine/chloride feed rate limit, a metal feed rate limit or an ash feed rate limit. The Agency shall require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means.

2 2. Changes to increase by up to 25% any of the following limits authorized in the permit: A thermal feed rate limit, a feedstream feed rate limit, a chlorine/chloride feed rate limit, a metal feed rate limit or an ash feed rate limit. The Agency shall require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means.

3 3. Modification of an incinerator, boiler or industrial furnace unit by changing the internal size or geometry of the primary or secondary combustion units, by adding a primary or secondary combustion unit, by substantially changing the design of any component used to remove HCl/Cl_2, metals or particulate from the combustion gases or by changing other features of the incinerator, boiler or industrial furnace that could affect its capability to meet the regulatory performance standards. The Agency shall require a new trial burn to substantiate compliance with the regulatory performance standards, unless this demonstration can be made through other means.

2 4. Modification of an incinerator, boiler or industrial furnace unit in a manner that will not likely affect the capability of the unit to meet the regulatory performance standards but which will change the operating conditions or monitoring requirements specified in the permit. The Agency may require a new trial burn to demonstrate compliance with the regulatory performance standards.

5. Operating requirements:

3 a. Modification of the limits specified in the permit for minimum or maximum combustion gas temperature, minimum combustion gas residence time, oxygen concentration in the secondary combustion chamber, flue gas carbon monoxide or hydrocarbon concentration, maximum temperature at the inlet to the PM emission control system or operating parameters for the air pollution control system. The Agency shall require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means.

3 b. Modification of any stack gas emission limits specified in the permit, or modification of any conditions in the permit concerning emergency shutdown or automatic waste feed cutoff procedures or controls.

2 c. Modification of any other operating condition or any inspection or recordkeeping requirement specified in the permit.

6. Burning different wastes:

3 a. If the waste contains a POHC that is more difficult to burn than authorized by the permit or if burning of the waste requires compliance with different regulatory performance standards than specified in the permit, the Agency shall require a new trial burn to substantiate compliance with the regulatory performance standards, unless this demonstration can be made through other means.

2 b. If the waste does not contain a POHC that is more difficult to burn than authorized by the permit and if burning of the waste does not require compliance with different regulatory performance standards than specified in the permit.

BOARD NOTE: See Section 703.280(g) for modification procedures to be used for the management of newly listed or identified wastes.

7. Shakedown and trial burn:

2 a. Modification of the trial burn plan or any of the permit conditions applicable during the shakedown period for determining operational readiness after construction, the trial burn period or the period immediately following the trial burn.

1* b. Authorization of up to an additional 720 hours of waste burning during the shakedown period for determining operational readiness after construction, with the prior approval of the Agency.

1* c. Changes in the operating requirements set in the permit for conducting a trial burn, provided the change is minor and has received the prior approval of the Agency.

1* d. Changes in the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided the change is

minor and has received the prior approval of the Agency.

1 8. Substitution of an alternate type of nonhazardous waste fuel that is not specified in the permit.

M. Containment Buildings.

1. Modification or addition of containment building units:

3 a. Resulting in greater than 25% increase in the facility's containment building storage or treatment capacity.

2 b. Resulting in up to 25% increase in the facility's containment building storage or treatment capacity.

2 2. Modification of a containment building unit or secondary containment system without increasing the capacity of the unit.

3. Replacement of a containment building with a containment building that meets the same design standards provided:

1 a. The unit capacity is not increased.

1 b. The replacement containment building meets the same conditions in the permit.

2 4. Modification of a containment building management practice.

5. Storage or treatment of different wastes in containment buildings:

3 a. That require additional or different management practices.

2 b. That do not require additional or different management practices

N. Corrective Action.

3 1. Approval of a corrective action management unit pursuant to 35 Ill. Adm. Code 724.652.

2 2. Approval of a temporary unit or time extension pursuant to 35 Ill. Adm. Code 724.653.

Note: * indicates modifications requiring prior Agency approval.

BOARD NOTE: Derived from 40 CFR 270.42, Appendix I (1990~~0~~2), as amended at 58 Fed. Reg. ~~37281~~8685, ~~August~~February 1~~8~~6, 1992~~3~~.

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

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

PART 720
HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL
SUBPART A: GENERAL PROVISIONS

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

SUBPART B: DEFINITIONS

Section
720.110 Definitions
720.111 References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section
720.120 Rulemaking
720.121 Alternative Equivalent Testing Methods
720.122 Waste Delisting
720.130 Procedures for Solid Waste Determinations
720.131 Solid Waste Determinations
720.132 Boiler Determinations
720.133 Procedures for Determinations
720.140 Additional regulation of certain hazardous waste Recycling Activities on a case-by-case Basis
720.141 Procedures for case-by-case regulation of hazardous waste Recycling Activities

720.Appendix A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 5/27]).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill.

Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at _____ Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 726 and 728 only, the following terms have the meanings given below:

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

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

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

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

"Administrator" means the Administrator of the U.S. Environmental Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

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

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

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

"Board" means the Illinois Pollution Control Board.

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

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

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

The unit must export and utilize at least 75 percent of the recovered

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

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

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

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

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

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

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

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

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

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

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.
BOARD NOTE: U.S. EPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

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

"Designated facility" means a hazardous waste treatment, storage or disposal facility,

Which:

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

Has received a RCRA permit from U.S. EPA pursuant to 40 CFR 124 and 270 (1991);

Has received a RCRA permit from a state authorized by U.S. EPA pursuant to 40 CFR 271 (1991); or

Is regulated under 35 Ill. Adm. Code 721.106(c)(2) or 266.Subpart F; and

Which has been designated on the manifest by the generator pursuant to 35 Ill. Adm. Code 722.120.

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

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

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

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous

waste into or on any land or water.

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

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

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

"Elementary neutralization unit" means a device which:

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

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

"EPA" or "U.S. EPA" or "USEPA" means United States Environmental Protection Agency.

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

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

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

Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut

and Rhode Island

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

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

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

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

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

Region VII: Nebraska, Kansas, Missouri and Iowa

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

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

Region X: Washington, Oregon, Idaho and Alaska

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

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

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

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

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

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

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

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

"Facility" means:

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

For the purpose of implementing corrective action under 35 Ill. Adm. Code 264.201, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing corrective action under RCRA Section 3008(h).

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

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

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

"Food-chain crops" means tobacco, crops grown for human consumption and

crops grown for feed for animals whose products are consumed by humans.

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

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

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

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

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

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

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

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

"Incinerator" means any enclosed device that:

Uses controlled flame combustion and neither:

Meets the criteria for classification as a boiler, sludge dryer or carbon regeneration unit, nor

Is listed as an industrial furnace; or

Meets the definition of infrared incinerator or plasma arc incinerator.

"Incompatible waste" means a hazardous waste which is suitable for:

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

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

(See 35 Ill. Adm. Code 725.Appendix E for examples.)

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

Cement kilns

Lime kilns

Aggregate kilns

Phosphate kilns

Coke ovens

Blast furnaces

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

Titanium dioxide chloride process oxidation reactors

Methane reforming furnaces

Pulping liquor recovery furnaces

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

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities

where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least 3%, the acid product is used in a manufacturing process and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20%, as generated.

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

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

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

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

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

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

Other relevant factors.

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

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

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

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

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

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

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

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

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

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

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

"LDS" means leak detection system.

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

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

"Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of hazardous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for

releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of hazardous waste into the secondary containment structure.

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

"Manifest" means the shipping document originated and signed by the generator which contains the information required by 35 Ill. Adm. Code 722.Subpart B.

"Manifest document number" means the U.S. EPA twelve digit identification number assigned to the generator plus a unique five digit document number assigned to the manifest by the generator for recording and reporting purposes.

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

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

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

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

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

"Onground tank" means a device meeting the definition of "tank" that is situated

in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

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

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

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

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

Control of emission of the gaseous combustion products.

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

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

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

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

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

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

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

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

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

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

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

> BOARD NOTE: "State registration" includes, but is not limited to, registration as a professional engineer with the Department of Professional Regulation, pursuant to Ill. Rev. Stat. 1991, ch. 111, par. 5201 [225 ILCS 325/1] and 68 Ill. Adm. Code 1380. "Professional certification" includes, but is not limited to, certification under the certified ground water professional program of the National Ground Water Association.

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

"Remediation waste" means all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris that contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic which are managed for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA Section 3008(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing RCRA sections 3004(v) or 3008(h) for releases beyond the facility boundary.

"Representative sample" means a sample of a universe or whole (e.g., waste pile,

lagoon, groundwater) which can be expected to exhibit the average properties of the universe or whole.

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

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

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

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

"SIC Code" means Standard Industrial Code as defined in Standard Industrial Classification Manual, incorporated by reference in Section 720.111.

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

"Sludge dryer" means any enclosed thermal treatment device which is used to dehydrate sludge and which has a total thermal input, excluding the heating value of the sludge itself, of 2500 Btu/lb or less of sludge treated on a wet weight basis.

"Small Quantity Generator" means a generator which generates less than 1000 kg of hazardous waste in a calendar month.

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

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

"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment or disposal facilities; except that,

as used in the landfill, surface impoundment and waste pile rules, "sump" means any lined pit or reservoir that serves to collect liquids drained from a leachate collection and removal system or leak detection system for subsequent removal from the system.

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

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

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

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

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

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

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

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

"Transport vehicle" means a motor vehicle or rail car used for the transportation

of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

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

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

"Treatability study" means:

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

Whether the waste is amenable to the treatment process.

What pretreatment (if any) is required.

The optimal process conditions needed to achieve the desired treatment.

The efficiency of a treatment process for a specific waste or wastes. Or,

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

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

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

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

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

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

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

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

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

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

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

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

"Wastewater treatment unit" means a device which:

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

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

Meets the definition of tank or tank system in this Section.

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

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

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

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

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

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

PART 721
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section

SUBPART B: CRITERIA FOR IDENTIFYING THE CHARACTERISTICS OF HAZARDOUS WASTE AND FOR LISTING HAZARDOUS WASTES

Section

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

SUBPART D: LISTS OF HAZARDOUS WASTE

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27]).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11,

1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-16 at _____ Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 721.103 Definition of Hazardous Waste

a) A solid waste, as defined in Section 721.102, is a hazardous waste if:

1) It is not excluded from regulation as a hazardous waste under Section 721.104(b); and

2) It meets any of the following criteria:

A) It exhibits any of the characteristics of hazardous waste identified in ~~721.~~Subpart C of this Part. Except that any mixture of a waste from the extraction, beneficiation or processing of ores or minerals excluded under Section 721.104(b)(7) and any other solid waste exhibiting a characteristic of hazardous waste under ~~721.~~Subpart C of this Part is a hazardous waste only: if it exhibits a characteristic that would not have been exhibited by the excluded waste alone if such mixture had not occurred; or, if it continues to exhibit any of the characteristics exhibited by the non-excluded wastes prior to mixture. Further, for the purposes of applying the toxicity characteristic to such mixtures, the mixture is also a hazardous waste: if it exceeds the maximum concentration for any

contaminant listed in Section 721.124 that would not have been exceeded by the excluded waste alone if the mixture had not occurred; or, if it continues to exceed the maximum concentration for any contaminant exceeded by the nonexempt waste prior to mixture.

B) It is listed in ~~721.~~Subpart D of this Part and has not been excluded from the lists in ~~721.~~Subpart D of this Part under 35 Ill. Adm. Code 720.120 and 720.122.

C) It is a mixture of a solid waste and a hazardous waste that is listed in ~~721.~~Subpart D of this Part solely because it exhibits one or more of the characteristics of hazardous waste identified in ~~721.~~Subpart C of this Part, unless the resultant mixture no longer exhibits any characteristic of hazardous waste identified in ~~721.~~Subpart C of this Part, or unless the solid waste: is excluded from regulation under Section 721.104(b)(7); and, the resultant mixture no longer exhibits any characteristic of hazardous waste identified in ~~721.~~Subpart C of this Part for which the hazardous waste listed in ~~721.~~Subpart D of this Part was listed. (However, nonwastewater mixtures are still subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal).

D) It is a mixture of solid waste and one or more hazardous wastes listed in ~~721.~~Subpart D of this Part and has not been excluded from this subsection (a)(2) under 35 Ill. Adm. Code 720.120 and 720.122; however, the following mixtures of solid wastes and hazardous wastes listed in ~~721.~~Subpart D of this Part are not hazardous wastes (except by application of subsection (a)(2)(A) or (B) above) if the generator demonstrates that the mixture consists of wastewater the discharge of which is subject to regulation under either 35 Ill. Adm. Code 309 or 310 (including wastewater at facilities which have eliminated the discharge of wastewater) and:

i) One or more of the following solvents listed in Section 721.131 - carbon tetrachloride, tetrachloroethylene, trichloroethylene - provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 1 part per million; or

ii) One or more of the following spent solvents listed in Section 721.131 - methylene chloride, 1,1,1 - trichloroethane, chlorobenzene, o-dichlorobenzene, cresols, cresylic acid, nitrobenzene, toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, spent chlorofluorocarbon solvents - provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 25 parts per million; or

iii) One of the following wastes listed in Section 721.132 - heat exchanger bundle cleaning sludge from the petroleum refining industry (EPA Hazardous Waste No. K050); or

iv) A discarded commercial chemical product, or chemical intermediate listed in Section 721.133, arising from de minimis losses of these materials from manufacturing operations in which these materials are used as raw materials or are produced in the manufacturing process. For purposes of this subsection, "de minimis" losses include those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves or other devices used to transfer materials); minor leaks of process equipment, storage tanks or containers; leaks from well-maintained pump packings and seals; sample purgings; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing; or

v) Wastewater resulting from laboratory operations containing toxic (T) wastes listed in Subpart D of this Part, provided that the annualized average flow of laboratory wastewater does not exceed one percent of total wastewater flow into the headworks of the facility's wastewater treatment or pretreatment system, or provided that the wastes combined annualized average concentration does not exceed one part per million in the headworks of the facility's wastewater treatment or pretreatment facility. Toxic (T) wastes used in laboratories that are demonstrated not to be discharged to

wastewater are not to be included in this calculation.

E) Rebuttable presumption for used oil. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in ~~721.~~Subpart D of this Part. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, Edition III, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 721.Appendix H). USEPA Publication SW-846, Third Edition, is available for the cost of $110.00 from the Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, (202) 783-3238 (document number 955-001-00000-1).

i) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement as described in 35 Ill. Adm. Code 739.124(c), to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils or fluids are recycled in any other manner, or disposed.

ii) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

b) A solid waste which is not excluded from regulation under subsection (a)(1) above becomes a hazardous waste when any of the following events occur:

1) In the case of a waste listed in Subpart D of this Part, when the waste first meets the listing description set forth in Subpart D of this Part.

2) In the case of a mixture of solid waste and one or more listed hazardous wastes, when a hazardous waste listed in Subpart D of this Part is first added to the solid waste.

3) In the case of any other waste (including a waste mixture), when the waste exhibits any of the characteristics identified in Subpart C of this Part.

c) Unless and until it meets the criteria of subsection (d) below:

1) A hazardous waste will remain a hazardous waste.

2) Specific inclusions and exclusions.

A) Except as otherwise provided in subsection (c)(2)(B) below, any solid waste generated from the treatment, storage or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust or leachate (but not including precipitation run-off), is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.)

B) The following solid wastes are not hazardous even though they are generated from the treatment, storage or disposal of a hazardous waste, unless they exhibit one or more of the characteristics of hazardous waste:

i) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC Codes 331 and 332) (Standard Industrial Codes, as defined and incorporated by reference in 35 Ill. Adm. Code 720.110 and 720.111).

ii) Wastes from burning any of the materials exempted from regulation by Section 721.106(a)(3)(E), (F), (G) or (H).

iii) Nonwastewater residues, such as slag, resulting from high temperature metal recovery (HTMR) processing of K061, K062 or F006 waste, in units identified, that are disposed of in non-hazardous waste units, provided that these residues meet the generic exclusion levels identified in the tables in this subsection for all constituents, and exhibit no characteristics of hazardous waste. The types of units are: rotary kilns, flame reactors, electric furnaces, plasma arc furnaces, slag reactors, rotary hearth furnace/electric furnace combinations or the following types of industrial furnaces (as defined in 35 Ill. Adm. Code 720.110): blast furnaces, smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters and

foundry furnaces), and other furnaces designated by the Agency pursuant to that definition. Testing requirements must be incorporated in a facility's waste analysis plan or a generator's self-implementing waste analysis plan; at a minimum, composite samples of residues must be collected and analyzed quarterly and when the process or operation generating the waste changes. Persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements. The generic exclusion levels are:

Constituent	Maximum for any single composite sample (mg/L)
Generic exclusion levels for K061 and K062 nonwastewater HTMR residues.	
Antimony	0.10
Arsenic	0.50
Barium	7.6
Beryllium	0.010
Cadmium	0.050
Chromium (total)	0.33
Lead	0.15
Mercury	0.009
Nickel	1.0
Selenium	0.16
Silver	0.30
Thallium	0.020
Vanadium	1.26
Zinc	70.
Generic exclusion levels for F006 nonwastewater HTMR residues	
Antimony	0.10
Arsenic	0.50
Barium	7.6
Beryllium	0.010
Cadmium	0.050
Chromium (total)	0.33
Cyanide (total) (mg/kg)	1.8
Lead	0.15

Mercury	0.009
Nickel	1.0
Selenium	0.16
Silver	0.30
Thallium	0.020
Zinc	70

A one-time notification and certification must be placed in the facility's files and sent to the Agency (or, for out-of-State shipments, to the appropriate Regional Administrator of USEPA or state agency authorized to implement 40 CFR 268 requirements) for K061, K062 or F006 HTMR residues that meet the generic exclusion levels for all constituents and do not exhibit any characteristics that are sent to RCRA Subtitle D units. The notification and certification that is placed in the generators or treaters files must be updated if the process or operation generating the waste changes or if the RCRA Subtitle D unit receiving the waste changes. However, the generator or treater need only notify the Agency on an annual basis if such changes occur. Such notification and certification should be sent to the Agency by the end of the calendar year, but no later than December 31. The notification must include the following information: The name and address of the nonhazardous waste management unit receiving the waste shipment; The USEPA hazardous waste number and treatability group at the initial point of generation; The treatment standards applicable to the waste at the initial point of generation. The certification must be signed by an authorized representative and must state as follows:

"I certify under penalty of law that the generic exclusion levels for all constituents have been met without impermissible dilution and that no characteristic of hazardous waste is exhibited. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

BOARD NOTE. The generic exclusion levels for arsenic and zinc are higher than the HTMR based alternative treatment standards for KO62 and FOO6, and HTMR based treatment standards for KO61, specified in 35 Ill. Adm. Code 728.141. However, the HTMR residues must meet the applicable treatment standards prior to generic

exclusion. Therefore, to be eligible for a generic exclusion, the treated residues must meet the lower of either the treatment standards or the generic exclusion levels for each constituent.

d) Any solid waste described in subsection (c) above is not a hazardous waste if it meets the following criteria:

1) In the case of any solid waste, it does not exhibit any of the characteristics of hazardous waste identified in Subpart C of this Part. (However, wastes which exhibit a characteristic at the point of generation may still be subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.)

2) In the case of a waste which is a listed waste under Subpart D of this Part, contains a waste listed under Subpart D of this Part or is derived from a waste listed in Subpart D of this Part, it also has been excluded from subsection (c) above under 35 Ill. Adm. Code 720.120 and 720.122.

e) This subsection corresponds with 40 CFR 261.3(e), a subsection which has been deleted from the federal regulations. This statement maintains structural consistency with USEPA rules.

f) Notwithstanding subsections (a) through (d) above and provided the debris as defined in 35 Ill. Adm. Code 728 does not exhibit a characteristic identified at ~~721.~~Subpart D of this Part, the following materials are not subject to regulation under 35 Ill. Adm. Code 720, 721 to 726, 728, or 730:

1) Hazardous debris as defined in 35 Ill. Adm. Code 728 that has been treated using one of the required extraction or destruction technologies specified in Table A of 35 Ill. Adm. Code 728.145; persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements; or

2) Debris as defined in 35 Ill. Adm. Code 728 that the Agency, considering the extent of contamination, has determined is no longer contaminated with hazardous waste.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 721.104 Exclusions

a) Materials which are not solid wastes. The following materials are not solid

wastes for the purpose of this Part:

1) Sewage:

   A) Domestic sewage; and

   B) Any mixture of domestic sewage and other waste that passes through a sewer system to publicly-owned treatment works for treatment. "Domestic sewage" means untreated sanitary wastes that pass through a sewer system.

2) Industrial wastewater discharges that are point source discharges with NPDES permits issued by the Agency pursuant to Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.

   BOARD NOTE: This exclusion applies only to the actual point source discharge. It does not exclude industrial wastewaters while they are being collected, stored or treated before discharge, nor does it exclude sludges that are generated by industrial wastewater treatment.

3) Irrigation return flows.

4) Source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)

5) Materials subjected to in-situ mining techniques which are not removed from the ground as part of the extraction process.

6) Pulping liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process, unless accumulated speculatively as defined in Section 721.101(c);

7) Spent sulfuric acid used to produce virgin sulfuric acid, unless it is accumulated speculatively as defined in Section 721.101(c).

8) Secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process, provided:

   A) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;

   B) Reclamation does not involve controlled flame combustion (such

as occurs in boilers, industrial furnaces or incinerators);

C) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed; and

D) The reclaimed material is not used to produce a fuel, or used to produce products that are used in a manner constituting disposal.

9) Wood preserving wastes.

A) Spent wood preserving solutions that have been used and are reclaimed and reused for their original intended purpose; and

B) Wastewaters from the wood preserving process that have been reclaimed and are reused to treat wood.

10) Hazardous waste number K060, K087, K141, K142, K143, K144, K145, K147, and K148, and any wastes from the coke by-products processes which are hazardous only because they exhibit the toxicity characteristic specified in Section 721.124, when, subsequent to generation, these materials are recycled to coke ovens, to the tar recovery process as a feedstock to produce coal tar or are mixed with coal tar prior to the tar's sale or refining. This exclusion is conditioned on there being no land disposal of the wastes from the point they are generated to the point they are recycled to coke ovens or tar recovery or the tar refining processes, or mixed with coal.

11) Nonwastewater splash condenser dross residue from the treatment of K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery.

b) Solid wastes which are not hazardous wastes. The following solid wastes are not hazardous wastes:

1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse-derived fuel) or reused. "Household waste" means any waste material (including garbage, trash and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of or otherwise managing hazardous wastes for the purposes of regulation under this Part, if such facility:

A) Receives and burns only:

i) Household waste (from single and multiple dwellings, hotels, motels and other residential sources) and

ii) Solid waste from commercial or industrial sources that does not contain hazardous waste; and

B) Such facility does not accept hazardous waste and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.

2) Solid wastes generated by any of the following and which are returned to the soil as fertilizers:

A) The growing and harvesting of agricultural crops.

B) The raising of animals, including animal manures.

3) Mining overburden returned to the mine site.

4) Fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, except as provided in 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.

5) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas or geothermal energy.

6) Chromium wastes:

A) Wastes which fail the test for the toxicity characteristic (Sections 721.124 and 721.Appendix B) because chromium is present or are listed in Subpart D of this Part due to the presence of chromium, which do not fail the test for the toxicity characteristic for any other constituent or are not listed due to the presence of any other constituent, and which do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that:

i) The chromium in the waste is exclusively (or nearly

exclusively) trivalent chromium; and

ii) The waste is generated from an industrial process which uses trivalent chromium exclusively (or nearly exclusively) and the process does not generate hexavalent chromium; and

iii) The waste is typically and frequently managed in non-oxidizing environments.

B) Specific wastes which meet the standard in subsections (b)(6)(A)(i), (ii) and (iii), above, (so long as they do not fail the test for the toxicity characteristic for any other constituent and do not exhibit any other characteristic) are:

i) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry; hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearling.

ii) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry; hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearling.

iii) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue.

iv) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearling.

v) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearling.

vi) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; and through-the-blue.

vii) Waste scrap leather from the leather tanning industry, the shoe manufacturing industry, and other leather product manufacturing industries.

viii) Wastewater treatment sludges from the production of titanium dioxide pigment using chromium-bearing ores by the chloride process.

7) Solid waste from the extraction, beneficiation and processing of ores and minerals (including coal, phosphate rock and overburden from the mining of uranium ore), except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste. For purposes of this subsection, beneficiation of ores and minerals is restricted to the following activities: crushing, grinding, washing, dissolution, crystallization, filtration, sorting, sizing, drying, sintering, pelletizing, briquetting, calcining to remove water or carbon dioxide, roasting, autoclaving or chlorination in preparation for leaching (except where the roasting or autoclaving or chlorination)/leaching sequence produces a final or intermediate product that does not undergo further beneficiation or processing), gravity concentration, magnetic separation, electrostatic separation, floatation, ion exchange, solvent extraction, electrowinning, precipitation, amalgamation, and heap, dump, vat tank and in situ leaching. For the purposes of this subsection, solid waste from the processing of ores and minerals includes only the following wastes:

A) Slag from primary copper processing;

B) Slag from primary lead processing;

C) Red and brown muds from bauxite refining;

D) Phosphogypsum from phosphoric acid production;

E) Slag from elemental phosphorus production;

F) Gasifier ash from coal gasification;

G) Process wastewater from coal gasification;

H) Calcium sulfate wastewater treatment plant sludge from primary copper processing;

I) Slag tailings from primary copper processing;

J) Fluorogypsum from hydrofluoric acid production;

K) Process wastewater from hydrofluoric acid production;

L) Air pollution control dust/sludge from iron blast furnaces;

M) Iron blast furnace slag;

N) Treated residue from roasting/leaching of chrome ore;

O) Process wastewater from primary magnesium processing by the anhydrous process;

P) Process wastewater from phosphoric acid production;

Q) Basic oxygen furnace and open hearth furnace air pollution control dust/sludge from carbon steel production;

R) Basic oxygen furnace and open hearth furnace slag from carbon steel production;

S) Chloride processing waste solids from titanium tetrachloride production; and,

T) Slag from primary zinc smelting.

8) Cement kiln dust waste, except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.

9) Solid waste which consists of discarded arsenical-treated wood or wood products which fails the test for the toxicity characteristic for hazardous waste codes D004 through D017 and which is not a hazardous waste for any other reason if the waste is generated by persons who utilize the arsenical-treated wood and wood products for these materials' intended end use.

10) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of Section 721.124 (hazardous waste codes D018 through D043 only) and are subject to corrective action regulations under 35 Ill.

Adm. Code 731.

11) Injected groundwater that is hazardous only because it exhibits the toxicity characteristic (U.S. EPA hazardous waste codes D018 through D024 only) in Section 721.124 that is reinjected through an underground injection well pursuant to free phase hydrocarbon recovery operations undertaken at petroleum refineries, petroleum marketing terminals petroleum bulk plants, petroleum pipelines and petroleum spill sites until January 25, 1993. This extension applies to recovery operations in existence, or for which contracts have been issued, on or before March 25, 1991. For groundwater returned through infiltration galleries from such at petroleum refineries, marketing terminals and bulk plants, until October 2, 1991. New operations involving injection wells (beginning after March 25, 1991) will qualify for this compliance date extension (until January 25, 1993) only if:

A) Operations are performed pursuant to a "free product removal report" pursuant to 35 Ill. Adm. Code 731.164; and

B) A copy of the "free product removal report" has been submitted to:

Characteristics Section (OS-333)
U.S. EPA
401 M Street, SW
Washington, D.C. 20460

12) Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems, which use chlorofluorocarbons as the heat transfer fluid in a refrigeration cycle, provided the refrigerant is reclaimed for further use.

~~13) This subsection should contain the equivalent of 40 CFR 261.4(b)(13), which USEPA has not yet adopted.~~

~~14) This subsection should contain the equivalent of 40 CFR 261.4(b)(14), which USEPA has not yet adopted.~~

15) Non-terne plated used oil filters which are not mixed with wastes listed in Subpart D of this Part, if these oil filters have been gravity hot-drained using one of the following methods:

A) Puncturing the filter anti-drain back valve or the filter dome end

and hot-draining;

B) Hot-draining and crushing;

C) Dismantling and hot-draining; or,

D) Any other equivalent hot-draining method which will remove used oil.

14) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.

c) Hazardous wastes which are exempted from certain regulations. A hazardous waste which is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit or an associated non-waste-treatment manufacturing unit, is not subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 725 and 728 or to the notification requirements of Section 3010 of RCRA until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials.

d) Samples

1) Except as provided in subsection (d)(2) below, a sample of solid waste or a sample of water, soil or air, which is collected for the sole purpose of testing to determine its characteristics or composition, is not subject to any requirements of this Part or 35 Ill. Adm. Code 702, 703, 705 and 722 through 728. The sample qualifies when:

A) The sample is being transported to a laboratory for the purpose of testing; or

B) The sample is being transported back to the sample collector after testing; or

C) The sample is being stored by the sample collector before transport to a laboratory for testing; or

D) The sample is being stored in a laboratory before testing; or

E) The sample is being stored in a laboratory for testing but before it is returned to the sample collector; or

F) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).

2) In order to qualify for the exemption in subsection (d)(1)(A) and (B) above, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector must:

A) Comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS) or any other applicable shipping requirements; or

B) Comply with the following requirements if the sample collector determines that DOT, USPS or other shipping requirements do not apply to the shipment of the sample:

i) Assure that the following information accompanies the sample: The sample collector's name, mailing address and telephone number; the laboratory's name, mailing address and telephone number; the quantity of the sample; the date of the shipment; and a description of the sample.

ii) Package the sample so that it does not leak, spill or vaporize from its packaging.

3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in subsection (d)(1) above.

e) Treatability study samples.

1) Except as is provided in subsection (e)(2) below, persons who generate or collect samples for the purpose of conducting treatability studies, as defined in 35 Ill. Adm. Code 720.110, are not subject to any requirement of 35 Ill. Adm. Code 721 through 723 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act. Nor are such samples included in the quantity determinations of Section 721.105 and 35 Ill. Adm. Code 722.134(d) when:

A) The sample is being collected and prepared for transportation by the generator or sample collector; or,

B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or

C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study.

2) The exemption in subsection (e)(1) above is applicable to samples of hazardous waste being collected and shipped for the purpose of conducting treatability studies provided that:

A) The generator or sample collector uses (in "treatability studies") no more than 1000 kg of any non-acute hazardous waste, 1 kg of acute hazardous waste or 250 kg of soils, water or debris contaminated with acute hazardous waste for each process being evaluated for each generated wastestream; and

B) The mass of each shipment does not exceed 1000 kg of non-acute hazardous waste, 1 kg of acute hazardous waste or 250 kg of soils, water or debris contaminated with acute hazardous waste; and

C) The sample must be packaged so that it does not leak, spill or vaporize from its packaging during shipment and the requirements of subsections (e)(2)(C)(i) or (ii), below, are met.

i) The transportation of each sample shipment complies with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS) or any other applicable shipping requirements; or

ii) If the DOT, USPS or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample: The name, mailing address and telephone number of the originator of the sample; the name, address and telephone number of the facility that will perform the treatability study; the quantity of the sample; the date of the shipment; and, a description of the sample, including its U.S. EPA hazardous waste number.

D) The sample is shipped to a laboratory or testing facility which is exempt under subsection (f) below, or has an appropriate RCRA permit or interim status.

E) The generator or sample collector maintains the following records for a period ending 3 years after completion of the treatability study:

i) Copies of the shipping documents;

ii) A copy of the contract with the facility conducting the treatability study;

iii) Documentation showing: The amount of waste shipped under this exemption; the name, address and U.S. EPA identification number of the laboratory or testing facility that received the waste; the date the shipment was made; and, whether or not unused samples and residues were returned to the generator.

F) The generator reports the information required in subsection (e)(2)(E)(iii) above in its report under 35 Ill. Adm. Code 722.141.

3) The Agency may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in subsection (e)(2)(A) above, for up to an additional 500 kg of any non-acute hazardous waste, 1 kg of acute hazardous waste and 250 kg of soils, water or debris contaminated with acute hazardous waste, to conduct further treatability study evaluation when: There has been an equipment or mechanical failure during the conduct of the treatability study; there is need to verify the results of a previously conducted treatability study; there is a need to study and analyze alternative techniques within a previously evaluated treatment process; or, there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment. The additional quantities allowed are subject to all the provisions in subsections (e)(1) and (e)(2)(B) through (F), above. The generator or sample collector must apply to the Agency and provide in writing the following information:

A) The reason why the generator or sample collector requires additional quantity of sample for the treatability study evaluation and the additional quantity needed;

B) Documentation accounting for all samples of hazardous waste from the wastestream which have been sent for or undergone treatability studies, including the date each previous sample was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study

processes were conducted on each sample shipped, and the available results of each treatability study;

C) A description of the technical modifications or change in specifications which will be evaluated and the expected results;

D) If such further study is being required due to equipment or mechanical failure, the applicant must include information regarding the reason for the failure or breakdown and also include what procedures or equipment have been made to protect against further breakdowns; and,

E) Such other information as the Agency determines is necessary.

4) Final Agency determinations pursuant to this subsection may be appealed to the Board.

f) Samples undergoing treatability studies at laboratories or testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to RCRA requirements) are not subject to any requirement of this Part, or of 35 Ill. Adm. Code 702, 703, 705, 722 through 726, and 728, or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act, provided that the requirements of subsections (f)(1) through (f)(11), below, are met. A mobile treatment unit may qualify as a testing facility subject to subsections (f)(1) through (f)(11), below. Where a group of mobile treatment units are located at the same site, the limitations specified in subsections (f)(1) through (f)(11), below, apply to the entire group of mobile treatment units collectively as if the group were one mobile treatment unit.

1) No less than 45 days before conducting treatability studies, the facility notifies the Agency in writing that it intends to conduct treatability studies under this subsection.

2) The laboratory or testing facility conducting the treatability study has a U.S. EPA identification number.

3) No more than a total of 250 kg of "as received" hazardous waste is subjected to initiation of treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.

4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 1000 kg, the

total of which can include 500 kg of soils, water or debris contaminated with acute hazardous waste or 1 kg of acute hazardous waste. This quantity limitation does not include:

A) Treatability study residues; and,

B) Treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste.

5) No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs.

6) The treatability study does not involve the placement of hazardous waste on the land or open burning of hazardous waste.

7) The facility maintains records for 3 years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:

A) The name, address and U.S. EPA identification number of the generator or sample collector of each waste sample;

B) The date the shipment was received;

C) The quantity of waste accepted;

D) The quantity of "as received" waste in storage each day;

E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;

F) The date the treatability study was concluded;

G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated facility, the name of the facility and the U.S. EPA identification number.

8) The facility keeps, on-site, a copy of the treatability study contract and all shipping papers associated with the transport of treatability study samples to and from the facility for a period ending 3 years from the completion

date of each treatability study.

9) The facility prepares and submits a report to the Agency by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:

A) The name, address and U.S. EPA identification number of the facility conducting the treatability studies;

B) The types (by process) of treatability studies conducted;

C) The names and addresses of persons for whom studies have been conducted (including their U.S. EPA identification numbers);

D) The total quantity of waste in storage each day;

E) The quantity and types of waste subjected to treatability studies;

F) When each treatability study was conducted;

G) The final disposition of residues and unused sample from each treatability study;

10) The facility determines whether any unused sample or residues generated by the treatability study are hazardous waste under Section 721.103 and, if so, are subject to 35 Ill. Adm. Code 702, 703 and 721 through 728, unless the residues and unused samples are returned to the sample originator under the subsection (e) exemption above.

11) The facility notifies the Agency by letter when the facility is no longer planning to conduct any treatability studies at the site.

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

Section 721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators

a) A generator is a conditionally exempt small quantity generator in a calendar month if it generates no more than 100 kilograms of hazardous waste in that month. 35 Ill. Adm. Code 700 explains the relation of this to the 100 kg/mo exception of 35 Ill. Adm. Code 809.

b) Except for those wastes identified in subsections (e), (f), (g) and (j) below, a

conditionally exempt small quantity generator's hazardous wastes are not subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of Section 3010 of Resource Conservation and Recovery Act, provided the generator complies with the requirements of subsections (f), (g) and (j) below.

c) Hazardous waste that is not subject to regulation or that is subject only to 35 Ill. Adm. Code 722.111, 722.112, 722.140(c) and 722.141 is not included in the quantity determinations of this Part and 35 Ill. Adm. Code 722 through 726 and 728, and is not subject to any requirements of those Parts. Hazardous waste that is subject to the requirements of Section 721.106(b) and (c) and 35 Ill. Adm. Code 726.Subparts C, D and F is included in the quantity determinations of this Part and is subject to the requirements of this Part and 35 Ill. Adm. Code 722 through 726 and 728.

d) In determining the quantity of hazardous waste it generates, a generator need not include:

1) Hazardous waste when it is removed from on-site storage; or

2) Hazardous waste produced by on-site treatment (including reclamation) of its hazardous waste so long as the hazardous waste that is treated was counted once; or,

3) Spent materials that are generated, reclaimed and subsequently reused on-site, so long as such spent materials have been counted once.

e) If a generator generates acute hazardous waste in a calendar month in quantities greater than set forth below, all quantities of that acute hazardous waste are subject to full regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:

1) A total of one kilogram of acute hazardous wastes listed in Sections 721.131, 721.132, or 721.133(e); or

2) A total of 100 kilograms of any residue or contaminated soil, waste or other debris resulting from the clean-up of a spill, into or on any land or water, of any acute hazardous wastes listed in Sections 721.131, 721.132, or 721.133(e).

BOARD NOTE: "Full regulation" means those regulations applicable to generators of greater than 1000 kg of non-acute hazardous waste in a calendar month.

f) In order for acute hazardous wastes generated by a generator of acute hazardous wastes in quantities equal to or less than those set forth in subsection (e)(1) or (e)(2) above to be excluded from full regulation under this Section, the generator must comply with the following requirements:

1) 35 Ill. Adm. Code 722.111.

2) The generator may accumulate acute hazardous waste on-site. If the generator accumulates at any time acute hazardous wastes in quantities greater than set forth in subsections (e)(1) or (e)(2) above, all of those accumulated wastes are subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(a), for accumulation of wastes on-site, begins when the accumulated wastes exceed the applicable exclusion limit.

3) A conditionally exempt shall quantity generator may either treat or dispose of its acute hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment or disposal facility, either of which, if located in the United States, is:

A) Permitted under 35 Ill. Adm. Code 703;

B) In interim status under 35 Ill. Adm. Code 703 and 725;

C) Authorized to manage hazardous waste by a State with a hazardous waste management program approved by U.S. EPA;

D) Permitted, licensed or registered by a State to manage municipal or industrial solid waste; or

E) A facility which:

i) Beneficially uses or reuses or legitimately recycles or reclaims its waste; or

ii) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation.

g) In order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kilograms of hazardous waste during a calendar month to be excluded from full regulation under this Section, the

generator must comply with the following requirements:

1) 35 Ill. Adm. Code 722.111;

2) The conditionally exempt small quantity generator may accumulate hazardous waste on-site. If it accumulates at any time more than a total of 1000 kilograms of the generator's hazardous waste, all of those accumulated wastes are subject to regulation under the special provisions of 35 Ill. Adm. Code 722 applicable to generators of between 100 kg and 1000 kg of hazardous waste in a calendar month as well as the requirements of 35 Ill. Adm. Code 702, 703, 705 and 723 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(d) for accumulation of wastes on-site begins for a small quantity generator when the accumulated wastes exceed 1000 kilograms;

3) A conditionally exempt small quantity generator may either treat or dispose of its hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment or disposal facility, either of which, if located in the United States, is:

A) Permitted under 35 Ill. Adm. Code 702 and 703;

B) In interim status under 35 Ill. Adm. Code 703 and 725;

C) Authorized to manage hazardous waste by a State with a hazardous waste management program approved by U.S. EPA under 40 CFR 271 (1986);

D) Permitted, licensed or registered by a State to manage municipal or industrial solid waste; or

E) A facility which:

i) Beneficially uses or re-uses, or legitimately recycles or reclaims the small quantity generator's waste; or

ii) Treats its waste prior to beneficial use or re-use, or legitimate recycling or reclamation.

h) Hazardous waste subject to the reduced requirements of this Section may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations

identified in this Section, unless the mixture meets any of the characteristics of hazardous wastes identified in Subpart C.

i) If a small quantity generator mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this Section, the mixture is subject to full regulation.

j) If a conditionally exempt small quantity generator's hazardous wastes are mixed with used oil, the mixture is subject to 35 Ill. Adm. Code 739~~.Subpart G~~, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated if it is destined to be burned for energy recovery.

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

Section 721.106 Requirements for Recyclable Materials

a) Recyclable materials:

1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters and storage facilities of subsections (b) and (c), below, except for the materials listed in subsections (a)(2) and (3), below. Hazardous wastes that are recycled will be known as "recyclable materials".

2) The following recyclable materials are not subject to the requirements of this Section but are regulated under 35 Ill. Adm. Code 726.Subparts C through H and all applicable provisions in 35 Ill. Adm. Code 702, 703 and 705.

A) Recyclable materials used in a manner constituting disposal (35 Ill. Adm. Code 726.Subpart C);

B) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under 35 Ill. Adm. Code 724 or 725.Subpart O (35 Ill. Adm. Code 726.Subpart H.)

C) Recyclable materials from which precious metals are reclaimed (35 Ill. Adm. Code 726.Subpart F);

D) Spent lead-acid batteries that are being reclaimed (35 Ill. Adm. Code 726.Subpart G).

3) The following recyclable materials are not subject to regulation under 35

Ill. Adm. Code 722 through 726, 728, or 702, 703 or 705 and are not subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:

A) Industrial ethyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in 35 Ill. Adm. Code 722.158:

i) A person initiating a shipment for reclamation in a foreign country, and any intermediary arranging for the shipment, shall comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153, 722.156(a)(1) through (a)(4), (a)(6) and (b), and 722.157, shall export such materials only upon consent of the receiving country and in conformance with the USEPA Acknowledgement of Consent as defined in 35 Ill. Adm. Code 722.Subpart E, and shall provide a copy of the USEPA Acknowledgement of Consent to the shipment to the transporter transporting the shipment for export;

ii) Transporters transporting a shipment for export shall not accept a shipment if the transporter knows the shipment does not conform to the USEPA Acknowledgement of Consent, shall ensure that a copy of the USEPA Acknowledgement of Consent accompanies the shipment and shall ensure that it is delivered to the facility designated by the person initiating the shipment.

B) Used batteries (or used battery cells) returned to a battery manufacturer for regeneration;

C) Scrap metal;

D) Fuels produced from the refining of oil-bearing hazardous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production and transportation practices;

E) Oil reclaimed from hazardous waste resulting from normal petroleum refining, production and transportation practices, which oil is to be refined along with normal process streams at a petroleum refining facility;

F) Petroleum refining wastes.

i) Hazardous waste fuel produced from oil-bearing hazardous wastes from petroleum refining, production or transportation practices, or produced from oil reclaimed from such hazardous wastes, where such hazardous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil so long as the resulting fuel meets the used oil specification under 35 Ill. Adm. Code 726.140(e) and so long as no other hazardous wastes are used to produce the hazardous waste fuel;

ii) Hazardous waste fuel produced from oil-bearing hazardous waste from petroleum refining production and transportation practices, where such hazardous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

iii) Oil reclaimed from oil-bearing hazardous wastes from petroleum refining, production and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

G) Petroleum coke produced from petroleum refinery hazardous wastes containing oil at the same facility at which such wastes were generated, unless the resulting coke product exceeds one or more of the characteristics of hazardous waste in Subpart D of this Part.

4) Used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic is not subject to the requirements of 35 Ill. Adm. Code 720 through 728, but is regulated under 35 Ill. Adm. Code 739. Used oil that is recycled includes any used oil which is reused, following its original use, for any purpose (including the purpose for which the oil was originally used. Such term includes, but is not limited to, oil which is re-refined, reclaimed, burned for energy recovery, or reprocessed.

b) Generators and transporters of recyclable materials are subject to the applicable requirements of 35 Ill. Adm. Code 722 and 723 and the notification requirements under Section 3010 of the Resource Conservation and Recovery Act, except as

provided in subsection (a), above.

c) Storage and recycling:

1) Owners or operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of 35 Ill. Adm. Code 724.Subparts A through L, AA and BB and 725.Subparts A through L, AA and BB, 726, 728, 702, 703 and 705 and the notification requirement under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a), above. (The recycling process itself is exempt from regulation, except as provided in subsection (d), below.)

2) Owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to the following requirements, except as provided in subsection (a), above.

A) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act.

B) 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies)

C) subsection (d), below.

d) Owners or operators of facilities required to have a RCRA permit pursuant to 35 Ill. Adm. Code 703 with hazardous waste management units which recycle hazardous wastes are subject to 35 Ill. Adm. Code 724.Subpart AA and BB and 725.Subpart AA and BB.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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

PART 724
STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

Section

SUBPART B: GENERAL FACILITY STANDARDS

SUBPART C: PREPAREDNESS AND PREVENTION

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

SUBPART G: CLOSURE AND POST-CLOSURE

SUBPART H: FINANCIAL REQUIREMENTS

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

SUBPART J: TANK SYSTEMS

SUBPART K: SURFACE IMPOUNDMENTS

SUBPART L: WASTE PILES

SUBPART M: LAND TREATMENT

SUBPART N: LANDFILLS

SUBPART O: INCINERATORS

SUBPART S: CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

SUBPART W: DRIP PADS

SUBPART X: MISCELLANEOUS UNITS

SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

SUBPART DD: CONTAINMENT BUILDINGS

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 5/27]).

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11964, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6138, effective March 24, 1987; amended in R86-28

at 11 Ill. Reg. 8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at _____ Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 724.101 Purpose, Scope and Applicability

a) The purpose of this Part is to establish minimum standards which define the acceptable management of hazardous waste.

b) The standards in this Part apply to owners and operators of all facilities which treat, store or dispose of hazardous waste, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.

c) The requirements of this Part apply to a person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434, 33 U.S.C. 1401) only to the extent they are included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141. A "RCRA permit" is a permit required by Section 21(f) of the Environmental Protection Act and 35 Ill. Adm. Code 703.121.

BOARD NOTE: This Part does apply to the treatment or storage of hazardous waste before it is loaded onto an ocean vessel for incineration or disposal at sea.

d) The requirements of this Part apply to a person disposing of hazardous waste by means of underground injection subject to a permit issued by the Agency pursuant to Section 12(g) of the Environmental Protection Act only to the extent they are required by 35 Ill. Adm. Code 704, Subpart F.

BOARD NOTE: This Part does apply to the above-ground treatment or storage of hazardous waste before it is injected underground.

e) The requirements of this Part apply to the owner or operator of a POTW (publicly owned treatment works) which treats, stores or disposes of hazardous waste only to the extent included in a RCRA permit by rule granted to such a person under

35 Ill. Adm. Code 703.141.

f) This subsection corresponds with 40 CFR 264.1(f), which provides that the federal regulations do not apply to T/S/D activities in authorized states, except under limited, enumerated circumstances. This statement maintains structural consistency with U.S. EPA rules.

~~f~~g) The requirements of this Part do not apply to:

1) The owner or operator of a facility permitted by the Agency under Section 21 of the Environmental Protection Act to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105.

BOARD NOTE: The owner or operator may be subject to 35 Ill. Adm. Code 807 and may have to have a supplemental permit under 35 Ill. Adm. Code 807.210.

2) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2), ~~and~~ through (a)(4) (except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739).

3) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134.

4) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170.

5) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110.

6) The owner or operator of an elementary neutralization unit or a wastewater treatment unit as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.Table D), or corrosive (D002) waste, to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 724.117(b) of this part;

7) Immediate response:

A) Except as provided in subsection (f)(8)(B), a person engaged in

treatment or containment activities during immediate response to any of the following situations:

i) A discharge of a hazardous waste;

ii) An imminent and substantial threat of a discharge of hazardous waste;

iii) A discharge of a material which, when discharged, becomes a hazardous waste.

B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of Subparts C and D.

C) Any person who is covered by subsection (f)(8)(A) and who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703 and 705 for those activities. Or,

8) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.

9) The addition of absorbent materials to waste in a container (as defined in 35 Ill. Adm. Code 720) or the addition of waste to absorbent material in a container, provided these actions occur at the time waste is first placed in the container; and Sections 724.117(b), 724.271 and 724.272 are complied with.

h) This Part applies to owners and operators of facilities which treat, store or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728.

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

Section 724.103 Relationship to Interim Status Standards

A facility owner or operator who 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.

BOARD NOTE: As stated in Section 21(f) of the Illinois Environmental Protection Act, the

treatment, storage, or disposal of hazardous waste is prohibited, except in accordance with a RCRA permit. 35 Ill. Adm. Code 703, Subpart C provides for the continued operation of an existing facility which meets certain conditions until final administrative disposition of the owner's or operator's permit application ~~is made~~.

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

SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

Section 724.201 Corrective Action for Solid Waste Management Units

a) The owner or operator of a facility seeking a permit for the treatment, storage or disposal of hazardous waste must institute correction action as necessary to protect human health and the environment for all releases of hazardous waste or constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in such unit.

b) Corrective action will be specified in the permit in accordance with this Section and Subpart S of this Part. The permit will contain schedules of compliance for such corrective action (where such corrective action cannot be completed prior to issuance of the permit) and assurances of financial responsibility for completing such corrective action.

c) The owner or operator must implement corrective action measures beyond the facility property boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the Agency that, despite the owner or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such actions. The owner and operator are not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. Assurances of financial responsibility for such corrective action must be provided.

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

SUBPART L: WASTE PILES

Section 724.351 Design and Operating Requirements

a) A waste pile (except for an existing portion of a waste pile) must have:

1) A liner that is designed, constructed and installed to prevent any migration

of wastes out of the pile into the adjacent subsurface soil or groundwater or surface water at any time during the active life (including the closure period) of the waste pile. The liner may be constructed of materials that may allow waste to migrate into the liner itself (but not into the adjacent subsurface soil or groundwater or surface water) during the active life of the facility. The liner must be:

A) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation and the stress of daily operation;

B) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression or uplift; and

C) Installed to cover all surrounding earth likely to be in contact with the waste or leachate; and

2) A leachate collection and removal system immediately above the liner that is designed, constructed, maintained and operated to collect and remove leachate from the pile. The Agency shall specify design and operating conditions in the permit to ensure that the leachate depth over the liner does not exceed 30 cm (one foot). The leachate collection and removal system must be:

A) Constructed of materials that are:

i) Chemically resistant to the waste managed in the pile and the leachate expected to be generated; and

ii) Of sufficient strength and thickness to <u>prevent collapse under the pressures exerted by overlying wastes, waste cover materials and by any equipment used at the pile; and</u>

<u>B) Designed and operated to function without clogging through the scheduled closure of the waste pile.</u>

<u>b)</u> <u>The owner or operator will be exempted from the requirements of subsection (a) above if the Board grants an adjusted standard pursuant to 35 Ill. Adm. Code 106.Subpart G. The level of justification is a demonstration by the owner or operator that alternate design or operating practices, together with location</u>

characteristics, will prevent the migration of any hazardous constituents (see Section 724.193) into the groundwater or surface water at any future time. In deciding whether to grant an adjusted standard, the Board will consider:

1) The nature and quantity of the wastes;

2) The proposed alternate design and operation;

3) The hydrogeologic setting of the facility, including attenuative capacity and thickness of the liners and soils present between the pile and groundwater or surface water; and

4) All other factors which influence the quality and mobility of the leachate produced and the potential for it to migrate to groundwater or surface water.

c) The owner or operator of each new waste pile unit on which construction commences after January 29, 1992, each lateral expansion of a waste pile unit on which construction commences after July 29, 1992, and each replacement of an existing waste pile unit that is to commence reuse after July 29, 1992, shall install two or more liners and a leachate collection and removal system above and between such liners. "Construction commences" is as defined in Section 720.110 under "existing facility".

1) Liners.

A) The liner system must include:

i) A top liner designed and constructed of materials (e.g., a geomembrane) to prevent the migration of hazardous constituents into such liner during the active life and post-closure care period; and

ii) A composite bottom liner, consisting of at least two components. The upper component must be designed and constructed of materials (e.g., a geomembrane) to prevent the migration of hazardous constituents into this component during the active life and post-closure care period. The lower component must be designed and constructed of materials to minimize the migration of hazardous constituents if a breach in the upper component were to occur. The lower component must be constructed of at least 3 feet (91 cm) of compacted soil material with a hydraulic conductivity of no more than $1X10^{-7}$ cm/sec.

B) The liners must comply with subsections (a)(1)(A), (B) and (C) above.

2) The leachate collection and removal system immediately above the top liner must be designed, constructed, operated and maintained to collect and remove leachate from the waste pile during the active life and post-closure care period. The Agency will specify design and operating conditions in the permit to ensure that the leachate depth over the liner does not exceed 30 cm (one foot). The leachate collection and removal system must comply with subsections (c)(3)(C) and (D) below.

3) The leachate collection and removal system between the liners, and immediately above the bottom composite liner in the case of multiple leachate collection and removal systems, is also a leak detection system (LDS). This LDS must be capable of detecting, collecting and removing leaks of hazardous constituents at the earliest practicable time through all areas of the top liner likely to be exposed to waste or leachate during the active life and post-closure care period. The requirements for a LDS in this subsection are satisfied by installation of a system that is, at a minimum:

A) Constructed with a bottom slope of one percent or more;

B) Constructed of granular drainage materials with a hydraulic conductivity of $1X10^{-2}$ cm/sec or more and a thickness of 12 inches (30.5 cm) or more; or constructed of synthetic or geonet drainage materials with a transmissivity of $3X10^{-5}$ m^2/sec or more:

C) Constructed of materials that are chemically resistant to the waste managed in the waste pile and the leachate expected to be generated, and of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying wastes, waste cover materials and equipment used at the waste pile;

D) Designed and operated to minimize clogging during the active life and post-closure care period; and

E) Constructed with sumps and liquid removal methods (e.g., pumps) of sufficient size to collect and remove liquids from the sump and prevent liquids from backing up into the drainage layer. Each unit must have its own sump(s). The design of each sump and removal system must provide a method for measuring and recording the volume of liquids present in the sump and of liquids removed.

4) The owner or operator shall collect and remove pumpable liquids in the LDS sumps to minimize the head on the bottom liner.

5) The owner or operator of a LDS that is not located completely above the seasonal high water table shall demonstrate that the operation of the LDS will not be adversely affected by the presence of ground water.

d) The Agency shall approve alternative design or operating practices to those specified in subsection (c) above if the owner or operator demonstrates to the Agency, by way of permit or permit modification application, that such design or operating practices, together with location characteristics:

1) Will prevent the migration of any hazardous constituent into the ground water or surface water at least as effectively as the liners and leachate collection and removal systems specified in subsection (c) above; and

2) Will allow detection of leaks of hazardous constituents through the top liner at least as effectively.

e) Subsection (c) above does not apply to monofills that are granted a waiver by the Agency in accordance with Section 724.321(e).

f) The owner or operator of any replacement waste pile unit is exempt from subsection (c) above if:

1) The existing unit was constructed in compliance with the design standards of section 3004(o)(1)(A)(i) and (o)(5) of the Resource Conservation and Recovery Act (42 USC 6901 et seq.); and

BOARD NOTE: The cited provisions required the installation of two or more liners and a leachate collection system above (in the case of a landfill) and between such liners, including a top liner designed, operated and constructed of materials to prevent the migration of any constituent into such liner during the period the facility remained in operation (including any post-closure monitoring period), and a lower liner to prevent the migration of any constituent through the liner during such period. The lower liner was deemed to satisfy the requirement if it was constructed of at least a 3-foot thick layer of recompacted clay or other natural material with a permeability of no more than 1×10^{-7} cm/sec.

2) There is no reason to believe that the liner is not functioning as designed.

g) The owner or operator shall design, construct, operate and maintain a run-on control system capable of preventing flow onto the active portion of the pile during peak discharge from at least a 25-year storm.

h) The owner or operator shall design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm.

i) Collection and holding facilities (e.g. tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system.

j) If the pile contains any particulate matter which may be subject to wind dispersal, the owner or operator shall cover or otherwise manage the pile to control wind dispersal.

k) The Agency shall specify in the permit all design and operating practices that are necessary to ensure that the requirements of this Section are satisfied.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

SUBPART S: CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

Section 724.652 Corrective Action Management Units

a) For the purpose of implementing remedies under Section 724.201 or RCRA Section 3008(h), the Agency may designate an area at the facility as a corrective action management unit, as defined in 35 Ill. Adm. Code 720.10, in accordance with the requirements of this Section. One or more CAMUs may be designated at a facility.

1) Placement of remediation wastes into or within a CAMU does not constitute land disposal of hazardous wastes.

2) Consolidation or placement of remediation wastes into or within a CAMU does not constitute creation of a unit subject to minimum technology requirements.

b) Designation of a CAMU.

1) The Agency may designate a regulated unit (as defined in Section 724.190(a)(2)) as a CAMU, or it may incorporate a regulated unit into a CAMU, if:

A) The regulated unit is closed or closing, meaning it has begun the closure process under Section 724.213 or 35 Ill. Adm. Code 725.213; and

B) Inclusion of the regulated unit will enhance implementation of effective, protective, and reliable remedial actions for the facility.

2) The requirements of Subparts F, G, and H and the unit-specific requirements of this Part or the 35 Ill. Adm. Code 725 requirements that applied to that regulated unit will continue to apply to that portion of the CAMU after incorporation into the CAMU.

c) The Agency shall designate a CAMU in accordance with the following factors:

1) The CAMU shall facilitate the implementation of reliable, effective, protective, and cost-effective remedies;

2) Waste management activities associated with the CAMU shall not create unacceptable risks to humans or to the environment resulting from exposure to hazardous wastes or hazardous constituents;

3) The CAMU shall include uncontaminated areas of the facility only if including such areas for the purpose of managing remediation waste is more protective than managing such wastes at contaminated areas of the facility;

4) Areas within the CAMU where wastes remain in place after its closure shall be managed and contained so as to minimize future releases to the extent practicable;

5) The CAMU shall expedite the timing of remedial activity implementation, when appropriate and practicable;

6) The CAMU shall enable the use, when appropriate, of treatment technologies (including innovative technologies) to enhance the long-term effectiveness of remedial actions by reducing the toxicity, mobility, or volume of wastes that will remain in place after closure of the CAMU; and

7) The CAMU shall, to the extent practicable, minimize the land area of the facility upon which wastes will remain in place after closure of the CAMU.

d) The owner or operator shall provide sufficient information to enable the Agency

to designate a CAMU in accordance with the standards of this Section.

e) The Agency shall specify in the permit the requirements applicable to a CAMU, including the following:

1) The areal configuration of the CAMU.

2) Requirements for remediation waste management, including the specification of applicable design, operation, and closure requirements.

3) Requirements for groundwater monitoring that are sufficient to:

A) Continue to detect and to characterize the nature, extent, concentration, direction, and movement of existing releases of hazardous constituents in groundwater from sources located within the CAMU; and

B) Detect and subsequently characterize releases of hazardous constituents to groundwater that may occur from areas of the CAMU in which wastes will remain in place after closure of the CAMU.

4) Closure and post-closure requirements.

A) Closure of a CAMU shall:

i) Minimize the need for further maintenance; and

ii) Control, minimize, or eliminate, to the extent necessary to protect human health and the environment, for areas where wastes remain in place, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated runoff, or hazardous waste decomposition products to the ground, to surface waters, or to the atmosphere.

B) Requirements for closure of a CAMU shall include the following, as appropriate:

i) Requirements for excavation, removal, treatment, or containment of wastes;

ii) For areas in which wastes will remain after closure of the CAMU, requirements for the capping of such areas; and

iii) Requirements for the removal and decontamination of equipment, devices, and structures used in remediation waste management activities within the CAMU.

C) In establishing specific closure requirements for a CAMU under this subsection, the Agency shall consider the following factors:

i) The characteristics of the CAMU;

ii) The volume of wastes that remain in place after closure;

iii) The potential for releases from the CAMU;

iv) The physical and chemical characteristics of the waste;

v) The hydrological and other relevant environmental conditions at the facility that may influence the migration of any potential or actual releases; and

vi) The potential for exposure of humans and environmental receptors if releases were to occur from the CAMU.

D) Post-closure requirements as necessary to protect human health and the environment, including, for areas where wastes will remain in place, monitoring and maintenance activities and the frequency with which such activities shall be performed to ensure the integrity of any cap, final cover, or other containment system.

f) The Agency shall document the rationale for designating the CAMU and shall make such documentation available to the public.

g) Incorporation of a CAMU into an existing permit must be approved by the Agency according to the procedures for Agency-initiated permit modifications under 35 Ill. Adm. Code 703.270 through 703.273 or according to the permit modification procedures of 35 Ill. Adm. Code 703.283.

h) The designation of a CAMU does not change the Agency's existing authority to address clean-up levels, media-specific points of compliance to be applied to remediation at a facility, or other remedy selection decisions.

BOARD NOTE: Derived from 40 CFR 264.552 (1992), as added at 58 Fed. Reg. 8683 (Feb. 16, 1993). U.S. EPA promulgated this provision pursuant to HSWA provisions of RCRA Subtitle C. Since the federal provision became immediately effective in Illinois, and until U.S. EPA authorizes this Illinois provision, an

owner or operator must seek CAMU authorization from U.S. EPA Region V, as well as authorization from the Agency under this provision.

(Source: Added at _____ Ill. Reg. _____, effective _____

Section 724.653 Temporary Units

a) For temporary tanks and container storage areas used for treatment or storage of hazardous remediation wastes, during remedial activities required under Section 724.201 or RCRA section 3008(h), the Agency shall establish alternative requirements pursuant to this Section if it determines that a design, operating, or closure standard applicable to such units may be replaced by alternative requirements that is equally as protective of human health and the environment as would be the standards of this Part or of 35 Ill. Adm. Code 725, if applied.

b) Any temporary unit to which alternative requirements are applied in accordance with subsection (a) shall be:

1) Located within the facility boundary; and

2) Used only for treatment or storage of remediation wastes.

c) In establishing alternative requirements to be applied to a temporary unit, the Agency shall consider the following factors:

1) The length of time such unit will be in operation;

2) The type of unit;

3) The volumes of wastes to be managed;

4) The physical and chemical characteristics of the wastes to be managed in the unit;

5) The potential for releases from the unit;

6) The hydrogeological and other relevant environmental conditions at the facility that may influence the migration of any potential releases; and

7) The potential for exposure of humans and environmental receptors if releases were to occur from the unit.

d) The Agency shall specify in the permit the length of time a temporary unit will be allowed to operate, which shall be no longer than one year. The Agency shall

also specify the design, operating, and closure requirements for the unit.

e) The Agency may extend the operational period of a temporary unit once, for no longer than a period of one year beyond that originally specified in the permit, if the Agency determines that:

1) Continued operation of the unit will not pose a threat to human health and the environment; and

2) Continued operation of the unit is necessary to ensure timely and efficient implementation of remedial actions at the facility.

f) Incorporation of a temporary unit or a time extension for a temporary unit into an existing permit shall be:

1) Approved in accordance with the procedures for Agency-initiated permit modifications under 35 Ill. Adm. Code 703.270 through 703.273; or

2) Requested by the owner/operator as a Class 2 modification according to the procedures under 35 Ill. Adm. Code 703.283.

g) The Agency shall document the rationale for designating a temporary unit and for granting time extensions for temporary units and shall make such documentation available to the public.

BOARD NOTE: Derived from 40 CFR 264.553 (1992), as added at 58 Fed. Reg. 8684 (Feb. 16, 1993). U.S. EPA promulgated this provision pursuant to HSWA provisions of RCRA Subtitle C. Since the federal provision became immediately effective in Illinois, and until U.S. EPA authorizes this Illinois provision, an owner or operator must seek TU authorization from U.S. EPA Region V, as well as authorization from the Agency under this provision.

(Source: Added at _____ Ill. Reg. _____, effective _____

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

PART 725
INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

SUBPART B: GENERAL FACILITY STANDARDS

SUBPART C: PREPAREDNESS AND PREVENTION

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

SUBPART F: GROUNDWATER MONITORING

SUBPART G: CLOSURE AND POST-CLOSURE

SUBPART H: FINANCIAL REQUIREMENTS

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

SUBPART J: TANK SYSTEMS

SUBPART K: SURFACE IMPOUNDMENTS

SUBPART L: WASTE PILES

SUBPART M: LAND TREATMENT

Section

SUBPART N: LANDFILLS

Section

SUBPART O: INCINERATORS

Section

SUBPART P: THERMAL TREATMENT

Section

SUBPART Q: CHEMICAL, PHYSICAL AND BIOLOGICAL TREATMENT

SUBPART R: UNDERGROUND INJECTION

SUBPART W: DRIP PADS

SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

SUBPART DD: CONTAINMENT BUILDINGS

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 27]).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in

R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at _____ Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 725.101 Purpose, Scope and Applicability

a) The purpose of this Part is to establish minimum standards which define the acceptable management of hazardous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

b) The standards in this Part and of 35 Ill. Adm. Code 724.652 and 724.653 apply to owners and operators of facilities which treat, store or dispose of hazardous waste who have fully complied with the requirements for interim status under Section 3005(e) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) and 35 Ill. Adm. Code 703, until either a permit is issued under Section 3005 of the Resource Conservation and Recovery Act or Section 21(f) of the Environmental Protection Act, or until applicable closure and post-closure responsibilities under this Part are fulfilled, and to those owners and operators of facilities in existence on November 19, 1980, who have failed to provide timely notification as required by Section 3010(a) of RCRA, or failed to file Part A of the Permit Application as required by 40 CFR 270.10(e) and (g) or 35 Ill. Adm. Code 703.150 and 703.152. These standards apply to all treatment, storage or disposal of hazardous waste at these facilities after November 19, 1980, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721;

BOARD NOTE: As stated in Section 3005(a) of RCRA, after the effective date of regulations under that Section, i.e., 40 CFR 270 and 124, the treatment, storage or disposal of hazardous waste is prohibited except in accordance with a permit. Section 3005(e) of RCRA provides for the continued operation of an existing facility which meets certain conditions until final administrative disposition of the owner's and operator's permit application is made. 35 Ill. Adm. Code 703.140 et seq. provide that a permit is deemed issued under Section 21(f)(1) of the Environmental Protection Act under conditions similar to federal interim status.

c) The requirements of this Part do not apply to:

1) A person disposing of hazardous waste by means of ocean disposal subject

to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434; 33 U.S.C. 1401);

BOARD NOTE: This Part applies to the treatment or storage of hazardous waste before it is loaded into an ocean vessel for incineration or disposal at sea, as provided in subsection (b) above.

3) The owner or operator of a POTW (publicly owned treatment works) which treats, stores or disposes of hazardous waste;

BOARD NOTE: The owner or operator of a facility under subsections (c)(1) through (c)(3) is subject to the requirements of 35 Ill. Adm. Code 724 to the extent they are included in a permit by rule granted to such a person under 35 Ill. Adm. Code 702 and 703 or are required by 35 Ill. Adm. Code 704.Subpart F.

5) The owner or operator of a facility permitted, licensed or registered by Illinois to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105;

6) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2), ~~and~~through (a)(4) (except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739);

7) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134, except to the extent the requirements are included in 35 Ill. Adm. Code 722.134;

8) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170;

9) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110;

10) The owner or operator of an elementary neutralization unit or a wastewater treatment unit as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.Table D), or corrosive (D002) waste, in order to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 725.117(b);

11) Immediate response:

A) Except as provided in subsection (c)(11)(B), below, a person engaged in treatment or containment activities during immediate response to any of the following situations:

i) A discharge of a hazardous waste;

ii) An imminent and substantial threat of a discharge of a hazardous waste;

iii) A discharge of a material which, when discharged, becomes a hazardous waste.

B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of Subparts C and D.

C) Any person who is covered by subsection (c)(11)(A), above and who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703 and 705 for those activities.

12) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.

13) The addition of absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110), or the addition of waste to the absorbent material in a container, provided that these actions occur at the time waste is first placed in the containers; and Sections 725.117(b), 725.271 and 725.272 are complied with.

d) The following hazardous wastes must not be managed at facilities subject to regulation under this Part: hazardous waste numbers F020, F021, F022, F023, F026 or F027 unless:

1) The wastewater treatment sludge is generated in a surface impoundment as part of the plant's wastewater treatment system;

2) The waste is stored in tanks or containers;

3) The waste is stored or treated in waste piles that meet the requirements of 35 Ill. Adm. Code 724.350(c) as well as all other applicable requirements

of Subpart L;

4) The waste is burned in incinerators that are certified pursuant to the standards and procedures in Section 725.452; or

5) The waste is burned in facilities that thermally treat the waste in a device other than an incinerator and that are certified pursuant to the standards and procedures in Section 725.483.

e) This Part applies to owners and operators of facilities which treat, store or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728, and the 35 Ill. Adm. Code 728 standards are considered material conditions or requirements of the interim status standards of this Part.

f) 35 Ill. Adm. Code 700 contains rules concerning application of other Board regulations.

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

SUBPART H: FINANCIAL REQUIREMENTS

Section 725.243 Financial Assurance for Closure

An owner or operator of each facility shall establish financial assurance for closure of the facility. The owner or operator shall choose from the options as specified in subsections (a) through (e), below.

a) Closure trust fund.

1) An owner or operator may satisfy the requirements of this Section by establishing a closure trust fund which conforms to the requirements of this subsection and submitting an original, signed duplicate of the trust agreement to the Agency. The trustee must be an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a Federal or State agency.

2) The wording of the trust agreement must be as specified in 35 Ill. Adm. Code 724.251 and the trust agreement must be accompanied by a formal certification of acknowledgment as specified in 35 Ill. Adm. Code 724.251. Schedule A of the trust agreement must be updated within 60 days after a change in the amount of the current closure cost estimate covered by the agreement.

3) Payments into the trust fund must be made annually by the owner or operator over the 20 years beginning May 19, 1981, or over the remaining operating life of the facility as estimated in the closure plan, whichever period is shorter; this period is hereafter referred to as the "pay-in period." The payments into the closure trust fund must be made as follows:

A) The first payment must be made before May 19, 1981, except as provided in subsection (a)(5), below. The first payment must be at least equal to the current closure cost estimate, except as provided in subsection (f), below, divided by the number of years in the pay-in period.

B) Subsequent payments must be made no later than 30 days after each anniversary date of the first payment. The amount of each subsequent payment must be determined by this formula:

Next payment = (CE - CV) / Y

where CE is the current closure cost estimate, CV is the current value of the trust fund and Y is the number of years remaining in the pay-in period.

4) The owner or operator may accelerate payments into the trust fund or may deposit the full amount of the current closure cost estimate at the time the fund is established. However, the owner or operator shall maintain the value of the fund at no less than the value that the fund would have if annual payments were made as specified in subsection (a)(3), above.

5) If the owner or operator establishes a closure trust fund after having used one or more alternate mechanisms specified in this Section, the owner or operator's first payment must be in at least the amount that the fund would contain if the trust fund were established initially and annual payments made as specified in subsection (a)(3), above.

6) After the pay-in period is completed, whenever the current closure cost estimate changes, the owner or operator shall compare the new estimate with the trustee's most recent annual valuation of the trust fund. If the value of the fund is less than the amount of the new estimate, the owner or operator, within 60 days after the change in the cost estimate, shall either deposit an amount into the fund so that its value after this deposit at least equals the amount of the current closure cost estimate, or obtain other financial assurance as specified in this Section to cover the difference.

7) If the value of the trust fund is greater than the total amount of the current

closure cost estimate, the owner or operator may submit a written request to the Agency for release of the amount in excess of the current closure cost estimate.

8) If an owner or operator substitutes other financial assurance as specified in this Section for all or part of the trust fund, the owner or operator may submit a written request to the Agency for release of the amount in excess of the current closure cost estimate covered by the trust fund.

9) Within 60 days after receiving a request from the owner or operator for release of funds as specified in subsections (a)(7) or (a)(8), above, the Agency shall instruct the trustee to release to the owner or operator such funds as the Agency specifies in writing.

10) After beginning partial or final closure, an owner or operator or another person authorized to conduct partial or final closure may request reimbursement for closure expenditures by submitting itemized bills to the Agency. The owner or operator may request reimbursement for partial closure only if sufficient funds are remaining in the trust fund to cover the maximum costs of closing the facility over its remaining operating life. Within 60 days after receiving bills for partial or final closure activities, the Agency shall instruct the trustee to make reimbursement in those amounts as the Agency specifies in writing if the Agency determines that the partial or final closure expenditures are in accordance with the approved closure plan, or otherwise justified. If the Agency determines that the maximum cost of closure over the remaining life of the facility will be significantly greater than the value of the trust fund, it shall withhold reimbursement of such amounts as it deems prudent until it determines, in accordance with subsection (h), below, that the owner or operator is no longer required to maintain financial assurance for final closure of the facility. If the Agency does not instruct the trustee to make such reimbursements, the Agency shall provide the owner or operator a detailed written statement of reasons.

11) The Agency shall agree to termination of the trust when:

A) An owner or operator substitutes alternate financial assurance as specified in this Section; or

B) The Agency releases the owner or operator from the requirements of this Section in accordance with subsection (h), below.

b) Surety bond guaranteeing payment into a closure trust fund.

1) An owner or operator may satisfy the requirements of this Section by obtaining a surety bond which conforms to the requirements of this subsection and submitting the bond to the Agency. The surety company issuing the bond must, at a minimum, be among those listed as acceptable sureties on Federal bonds in Circular 570 of the U.S. Department of the Treasury.

2) The wording of the surety bond must be as specified in 35 Ill. Adm. Code 724.251.

3) The owner or operator who uses a surety bond to satisfy the requirements of this Section shall also establish a standby trust fund. Under the terms of the bond, all payments made thereunder will be deposited by the surety directly into the standby trust fund in accordance with instructions from the Agency. This standby trust fund must meet the requirements specified in subsection (a), above except that:

   A) An original, signed duplicate of the trust agreement must be submitted to the Agency with the surety bond; and

   B) Until the standby trust fund is funded pursuant to the requirements of this Section, the following are not required by these regulations:

      i) Payments into the trust fund as specified in subsection (a);

      ii) Updating of Schedule A of the trust agreement (see 40 CFR 264.251(a)) to show current closure cost estimates;

      iii) Annual valuations as required by the trust agreement; and

      iv) Notices of nonpayment as required by the trust agreement.

4) The bond must guarantee that the owner or operator will:

   A) Fund the standby trust fund in an amount equal to the penal sum of the bond before the beginning of final closure of the facility; or

   B) Fund the standby trust fund in an amount equal to the penal sum within 15 days after an order to begin final closure is issued by the Board or a U.S. district court or other court of competent jurisdiction; or

   C) Provide alternate financial assurance as specified in this Section, and obtain the Agency's written approval of the assurance

provided, within 90 days after receipt by both the owner or operator and the Agency of a notice of cancellation of the bond from the surety.

5) Under the terms of the bond, the surety will become liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond.

6) The penal sum of the bond must be in an amount at least equal to the current closure cost estimate, except as provided in subsection (f), below.

7) Whenever the current closure cost estimate increases to an amount greater than the penal sum, the owner or operator, within 60 days after the increase, shall either cause the penal sum to be increased to an amount at least equal to the current closure cost estimate and submit evidence of such increase to the Agency, or obtain other financial assurance as specified in this Section to cover the increase. Whenever the current closure cost estimate decreases, the penal sum may be reduced to the amount of the current closure cost estimate following written approval by the Agency.

8) Under the terms of the bond, the surety may cancel the bond by sending notice of cancellation by certified mail to the owner or operator and to the Agency. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the owner or operator and the Agency, as evidenced by the return receipts.

9) The owner or operator may cancel the bond if the Agency has given prior written consent based on its receipt of evidence of alternate financial assurance as specified in this Section.

c) Closure letter of credit.

1) An owner or operator may satisfy the requirements of this Section by obtaining an irrevocable standby letter of credit which conforms to the requirements of this subsection and submitting the letter to the Agency. The issuing institution must be an entity which has the authority to issue letters of credit and whose letter-of-credit operations are regulated and examined by a Federal or State agency.

2) The wording of the letter of credit must be as specified in 35 Ill. Adm. Code 724.251.

3) An owner or operator who uses a letter of credit to satisfy the

requirements of this Section shall also establish a standby trust fund. Under the terms of the letter of credit, all amounts paid pursuant to a draft by the Agency will be deposited by the issuing institution directly into the standby trust fund in accordance with instructions from the Agency. This standby trust fund must meet the requirements of the trust fund specified in subsection (a), above, except that:

A) An original, signed duplicate of the trust agreement must be submitted to the Agency with the letter of credit; and

B) Unless the standby trust fund is funded pursuant to the requirements of this Section, the following are not required by these regulations.

i) Payments into the trust fund as specified in subsection (a), above;

ii) Updating of Schedule A of the trust agreement (as specified in 35 Ill. Adm. Code 724.251) to show current closure cost estimates;

iii) Annual valuations as required by the trust agreement; and

iv) Notices of nonpayment as required by the trust agreement.

4) The letter of credit must be accompanied by a letter from the owner or operator referring to the letter of credit by number, issuing institution, and date and providing the following information: the EPA Identification Number, name and address of the facility, and the amount of funds assured for closure of the facility by the letter of credit.

5) The letter of credit must be irrevocable and issued for a period of at least 1 year. The letter of credit must provide that the expiration date will be automatically extended for a period of at least 1 year unless, at least 120 days before the current expiration date, the issuing institution notifies both the owner or operator and the Agency by certified mail of a decision not to extend the expiration date. Under the terms of the letter of credit, the 120 days will begin on the date when both the owner or operator and the Agency have received the notice, as evidenced by the return receipts.

6) The letter of credit must be issued in an amount at least equal to the current closure cost estimate, except as provided in subsection (f), below.

7) Whenever the current closure cost estimate increases to an amount greater

than the amount of the credit, the owner or operator, within 60 days after the increase, shall either cause the amount of the credit to be increased so that it at least equals the current closure cost estimate and submit evidence of such increase to the Agency, or obtain other financial assurance as specified in this Section to cover the increase. Whenever the current closure cost estimate decreases, the amount of the credit may be reduced to the amount of the current closure cost estimate following written approval by the Agency.

8) Following a final judicial determination or Board order finding that the owner or operator has failed to perform final closure in accordance with the approved closure plan when required to do so, the Agency may draw on the letter of credit.

9) If the owner or operator does not establish alternate financial assurance as specified in this Section and obtain written approval of such alternate assurance from the Agency within 90 days after receipt by both the owner or operator and the Agency of a notice from issuing institution that it has decided not to extend the letter of credit beyond the current expiration date, the Agency shall draw on the letter of credit. The Agency may delay the drawing if the issuing institution grants an extension of the term of the credit. During the last 30 days of any such extension the Agency shall draw on the letter of credit if the owner or operator has failed to provide alternate financial assurance as specified in this Section and obtain written approval of such assurance from the Agency.

10) The Agency shall return the letter of credit to the issuing institution for termination when:

A) An owner or operator substitutes alternate financial assurance as specified in this Section; or

B) The Agency releases the owner or operator from the requirements of this Section in accordance with subsection (h), below.

d) Closure insurance.

1) An owner or operator may satisfy the requirements of this Section by obtaining closure insurance which conforms to the requirements of this subsection and submitting a certificate of such insurance to the Agency. At a minimum, the insurer must be licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more States.

2) The wording of the certificate of insurance must be as specified in 35 Ill. Adm. Code 724.251.

3) The closure insurance policy must be issued for a face amount at least equal to the current closure cost estimate, except as provided in subsection (f), below. The term "face amount" means the total amount the insurer is obligated to pay under the policy. Actual payments by the insurer will not change the face amount, although the insurer's future liability will be lowered by the amount of the payments.

4) The closure insurance policy must guarantee that funds will be available to close the facility whenever final closure occurs. The policy must also guarantee that, once final closure begins, the insurer will be responsible for paying out funds, up to an amount equal to the face amount of the policy, upon the direction of the Agency to such party or parties as the Agency specifies.

5) After beginning partial or final closure, an owner or operator or any other person authorized to conduct closure may request reimbursement for closure expenditures by submitting itemized bills to the Agency. The owner or operator may request reimbursement for partial closure only if the remaining value of the policy is sufficient to cover the maximum costs of closing the facility over its remaining operating life. Within 60 days after receiving bills for closure activities, the Agency shall instruct the insurer to make reimbursement in such amounts as the Agency specifies in writing if the Agency determines that the partial or final closure expenditures are in accordance with the approved closure plan or otherwise justified. If the Agency determines that the maximum cost of closure over the remaining life of the facility will be significantly greater than the face amount of the policy, it shall withhold reimbursement of such amounts as it deems prudent until it determines, in accordance with subsection (h), below, that the owner or operator is no longer required to maintain financial assurance for final closure of the particular facility. If the Agency does not instruct the insurer to make such reimbursements, the Agency shall provide the owner or operator with a detailed written statement of reasons.

6) The owner or operator shall maintain the policy in full force and effect until the Agency consents to termination of the policy by the owner or operator as specified in subsection (d)(10), below. Failure to pay the premium, without substitution of alternate financial assurance as specified in this Section, will constitute a significant violation of these regulations, warranting such remedy as the Board may impose pursuant to the Environmental Protection Act. Such violation will be deemed to begin

upon receipt by the Agency of a notice of future cancellation, termination or failure to renew due to nonpayment of the premium, rather than upon the date of expiration.

7) Each policy must contain a provision allowing assignment of the policy to a successor owner or operator. Such assignment may be conditional upon consent of the insurer, provided such consent is not unreasonably refused.

8) The policy must provide that the insurer may not cancel, terminate or fail to renew the policy except for failure to pay the premium. The automatic renewal of the policy must, at a minimum, provide the insured with the option of renewal at the face amount of the expiring policy. If there is a failure to pay the premium, the insurer may elect to cancel, terminate or fail to renew the policy by sending notice by certified mail to the owner or operator and the Agency. Cancellation, termination or failure to renew may not occur, however, during the 120 days beginning with the date of receipt of the notice by both the Agency and the owner or operator, as evidenced by the return receipts. Cancellation, termination or failure to renew may not occur and the policy will remain in full force and effect in the event that on or before the date of expiration:

   A) The Agency deems the facility abandoned; or

   B) Interim status is terminated or revoked; or

   C) Closure is ordered by the Board or a U.S. district court or other court of competent jurisdiction; or

   D) The owner or operator is named as debtor in a voluntary or involuntary proceeding under 11 U.S.C. (Bankruptcy); or

   E) The premium due is paid.

9) Whenever the current closure cost estimate increases to an amount greater than the face amount of the policy, the owner or operator, within 60 days after the increase, shall either cause the face amount to be increased to an amount at least equal to the current closure cost estimate and submit evidence of such increase to the Agency, or obtain other financial assurance as specified in this Section to cover the increase. Whenever the current closure cost estimate decreases, the face amount may be reduced to the amount of the current closure cost estimate following written approval by the Agency.

10) The Agency shall give written consent to the owner or operator that the

owner or operator may terminate the insurance policy when:

A) An owner or operator substitutes alternate financial assurance as specified in this Section; or

B) The Agency releases the owner or operator from the requirements of this Section in accordance with subsection (h) below.

e) Financial test and corporate guarantee for closure.

1) An owner or operator may satisfy the requirements of this Section by demonstrating that the owner or operator passes a financial test as specified in this subsection. To pass this test the owner or operator shall meet the criteria of either subsection (e)(1)(A) or (e)(1)(B), below:

A) The owner or operator shall have:

i) Two of the following three ratios: a ratio of total liabilities to net worth less than 2.0; a ratio of the sum of net income plus depreciation, depletion and amortization to total liabilities greater than 0.1; and a ratio of current assets to current liabilities greater than 1.5; and

ii) Net working capital and tangible net worth each at least six times the sum of the current closure and post-closure cost estimates and the current plugging and abandonment cost estimates; and

iii) Tangible net worth of at least $10 million; and

iv) Assests located in the United States amounting to at least 90 percent of total assets or at least six times the sum of the current closure and post-closure cost estimates and the current plugging and abandonment cost estimates.

B) The owner or operator shall have:

i) A current rating for its most recent bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's or Aaa, Aa, A or Baa as issued by Moody's; and

ii) Tangible net worth at least six times the sum of the current closure and post-closure cost estimates and the current plugging and abandonment cost estimates; and

iii) Tangible net worth of at least $10 million; and

iv) Assets located in the United States amounting to at least 90 percent of total assets or at least six times the sum of the current closure and post-closure cost estimates and the current plugging and abandonment cost estimates.

2) The phrase "current closure and post-closure cost estimates" as used in subsection (e)(1), above, refers to the cost estimates required to be shown in subsections 1 through 4 of the letter from the owner's or operator's chief financial officer (40 CFR 264.151(f)) (incorporated by reference in 35 Ill. Adm. Code 724.251). The phrase "current plugging and abandonment cost estimates" as used in subsection (e)(1), above, refers to the cost estimates required to be shown in subsections 1 through 4 of the letter from the owner's or operator's chief financial officer (40 CFR 144.70(f)), incorporated by reference in 35 Ill. Adm. Code 704.240.

3) To demonstrate that the owner or operator meets this test, the owner or operator shall submit the following items to the Agency:

A) A letter signed by the owner's or operator's chief financial officer and worded as specified in 35 Ill. Adm. Code 724.251; and

B) A copy of the independent certified public accountant's report on examination of the owner's or operator's financial statements for the latest completed fiscal year; and

C) A special report from the owner's or operator's independent certified public accountant to the owner or operator stating that:

i) The accountant has compared the data which the letter from the chief financial officer specifies as having been derived from the independently audited, year-end financial statements for the latest fiscal year with the amounts in such financial statements; and

ii) In connection with that procedure, no matters came to the accountant's attention which caused the accountant to believe that the specified data should be adjusted.

5) After the initial submission of items specified in subsection (e)(3), above, the owner or operator shall send updated information to the Agency within 90 days after the close of each succeeding fiscal year. This information

must consist of all three items specified in subsection (e)(3), above.

6) If the owner or operator no longer meets the requirements of subsection (e)(1), above,, the owner or operator shall send notice to the Agency of intent to establish alternate financial assurance as specified in this Section. The notice must be sent by certified mail within 90 days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the requirements. The owner or operator shall provide the alternate financial assurance within 120 days after the end of such fiscal year.

7) The Agency may, based on a reasonable belief that the owner or operator may no longer meet the requirements of subsection (e)(1), above,, require reports or financial condition at any time from the owner or operator in addition to those specified in subsection (e)(3), above. If the Agency finds, on the basis of such reports or other information, that the owner or operator no longer meets the requirements of subsection (e)(1), above, the owner or operator shall provide alternate financial assurance as specified in this Section within 30 days after notification of such a finding.

8) The Agency may disallow use of this test on the basis of qualifications in the opinion expressed by the independent certified public accountant in the accountant's report on examination of the owner's or operator's financial statements (see subsection (e)(3)(B), above). An adverse opinion or a disclaimer of opinion will be cause for disallowance. The Agency shall evaluate other qualifications on an individual basis. The owner or operator shall provide alternate financial assurance as specified in this Section within 30 days after notification of the disallowance.

9) The owner or operator is no longer required to submit the items specified in subsection (e)(3), above, when:

   A) An owner or operator substitutes alternate financial assurance as specified in this Section; or

   B) The Agency releases the owner or operator from the requirements of this Section in accordance with subsection (h), below.

10) An owner or operator may meet the requirements of this Section by obtaining a written guarantee, hereafter referred to as "corporate guarantee." The guarantor shall be the direct or higher-tier parent corporation of the owner or operator, a firm whose parent corporation is also the parent corporation of the owner or opeartor, or a firm with a "substantial business relationship" with the owner or operator. The

guarantor shall meet the requirements for owners or operators in subsections (e)(1) through (e)(8), above, and shall comply with the terms of the corporate guarantee. The wording of the corporate guarantee must be identical to the wording specified in 35 Ill. Adm. Code 724.251. The corporate guarantee must accompany the items sent to the Agency as specified in subsection (e)(3), above. One of these items must be the letter from the guarantor's chief financial officer. If the guarantor's parent corporation is also the parent corporation of the owner or operator, the letter must describe the value received in consideration of the guarantee. If the guarantor is a firm with a "substantial business relationship" with the owner or operator, this letter must describe this substantial business relationship" and the value received in consideration of the guarantee. The terms of the corporate guarantee must provide that:

A) If the owner or operator fails to perform final closure of a facility covered by the corporate guarantee in accordance with the closure plan and other interim status requirements whenever required to do so, the guarantor will do so or establish a trust fund as specified in subsection (a), above, in the name of the owner or operator.

B) The corporate guarantee will remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and to the Agency. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the owner or operator and the Agency, as evidenced by the return receipts.

C) If the owner or operator fails to provide alternate financial assurance as specified in this Section and obtain the written approval of such alternate assurance from the Agency within 90 days after receipt by both the owner or operator and the Agency of a notice of cancellation of the corporate guarantee from the guarantor, the guarantor will provide such alternate financial assurance in the name of the owner or operator.

f) Use of multiple financial mechanisms. An owner or operator may satisfy the requirements of this Section by establishing more than one financial mechanism per facility. These mechanisms are limited to trust funds, surety bonds, letters of credit and insurance. The mechanisms must be as specified in subsections (a) through (d), above, respectively, except that it is the combination of mechanisms, rather than the single mechanism, which must provide financial assurance for an amount at least equal to the current closure cost estimate. If an owner or operator uses a trust fund in combination with a surety bond or a letter of credit, the owner or operator may use the trust fund as the standby trust fund for the other

mechanisms. A single standby trust fund may be established for two or more mechanisms. The Agency may use any or all of the mechanisms to provide for closure of the facility.

g) Use of a financial mechanism for multiple facilities. An owner or operator may use a financial assurance mechanism specified in this Section to meet the requirements of this Section for more than one facility. Evidence of financial assurance submitted to the Agency must include a list showing, for each facility, the EPA Identification Number, name, address and the amount of funds for closure assured by the mechanism. The amount of funds available through the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for each facility. The amount of funds available to the Agency must be sufficient to close all of the owner or operator's facilities. In directing funds available through the mechanism for closure of any of the facilities covered by the mechanism, the Agency may direct only the amount of funds designated for that facility, unless the owner or operator agrees to the use of additional funds available under the mechanism.

h) Release of the owner or operator from the requirements of this Section. Within 60 days after receiving certifications from the owner or operator and an independent registered professional engineer that final closure has been completed in accordance with the approved closure plan, the Agency shall notify the owner or operator in writing that the owner or operator is no longer required by this Section to maintain financial assurance for closure of the facility, unless the Agency determines that closure has not been in accordance with the approved closure plan. The Agency shall provide the owner or operator a detailed written statement of any such determination that closure has not been in accordance with the approved closure plan.

~~j~~i) Appeal. The following Agency actions are deemed to be permit modifications or refusals to modify for purposes of appeal to the Board (35 Ill. Adm. Code 702.184(e)(3)):

1) An increase in, or a refusal to decrease the amount of, a bond, letter of credit or insurance;

2) Requiring alternate assurance upon a finding that an owner or operator, or parent corporation, no longer meets a financial test.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART W: DRIP PADS

Section 725.543 Design and operating requirements

a) Drip pads must:

1) Not be constructed of earthen materials, wood or asphalt, unless the asphalt is structurally supported;

2) Be sloped to free-drain to the associated collection system treated wood drippage, rain, other waters, or solutions of drippage and water or other wastes;

3) Have a curb or berm around the perimeter;

4) In addition, the drip pad must:

A) Have a hydralic conductivity of less than or equal to 1×10^{-7} centimeters per second, e.g., existing concrete drip pads must be sealed, coated, or covered with a surface material with a hydraulic conductivity of less than or equal to 1×10^{-7} centimeters per second such that the entire surface where drippage occurs or may run across is capable of containing such drippage and mixtures of drippage and precipitation, materials or other wastes while being routed to an associated collection system. This surface material must be maintained free of cracks and gaps that could adversely affect its hydraulic conductivity, and the material must be chemically compatible with the preservatives that contact the drip pad. The requirements of this provision apply only to the existing drip pads and those drip pads for which the owner or operator elects to comply with Section 725.542(a) instead of Section 725.542(b).

B) The owner or operator must obtain and keep on file at the facility a written assessment of the drip pad, reviewed and certififed by an independant qualified registered professional engineer that attests to the results of the evaluation. The assessment must be reviewed, updated and recertififed annually. The evaluation must document the extent to which the drip pad meets the design and operating standards of this Section, except for in subsection (b) below.

5) Be of sufficient structural strength and thickness to prevent failure due to physical contact, climatic conditions, the stress of installation and the stress of daily operations, e.g., variable and moving loads such as vehicle

traffic, movement of wood, etc.

BOARD NOTE: In judging the structural integrity requirement of this subsection, the Agency should generally consider applicable standards established by professional organizations generally recognized by the industry, including ACI 318 or ASTM C94, incorporated by reference in 35 Ill. Adm. Code 720.111.

b) If an owner or operator elects to comply with subsection 725.542(b) instead of subsection 725.542(a), the drip pad must have:

1) A synthetic liner installed below the drip pad that is designed, constructed and installed to prevent leakage from the drip pad into the adjacent subsurface soil or groundwater or surface water at any time during the active life (including the closure period) of the drip pad. The liner must be constructed of materials that will prevent waste from being absorbed into the liner and to prevent releases into the adjacent subsurface soil or groundwater or surface water during the active life of the facility. The liner must be:

A) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or drip pad leakage to which they are exposed, climatic conditions, the stress of installation and the stress of daily operation (including stresses from vehicular traffic on the drip pad);

B) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression or uplift; and

C) Installed to cover all surrounding earth that could come in contact with the waste or leakage; and

2) A leakage detection system immediately above the liner that is designed, constructed, maintained and operated to detect leakage from the drip pad. The leakage detection system must be:

A) Constructed of materials that are:

i) Chemically resistant to the waste managed in the drip pad and the leakage that might be generated; and

ii) Of sufficient strength and thickness to prevent collapse under the pressures exerted by overlaying materials and by any equipment used at the drip pad; and

B) Designed and operated to function without clogging through the scheduled closure of the drip pad; and

C) Designed so that it will detect the failure of the drip pad or the presence of a release of hazardous waste or accumulated liquid at the earliest practicable time.

3) A leak~~ing~~age collection system immediately above the liner that is designed, constructed, maintained and operated to collect leakage from the drip pad such that it can be removed from below the drip pad. The date, time, and quanity of any leakage collected in this system and removed must be documented in the operating log.

A) The drip pad surface must be cleaned thoroughly in a manner and frequency such that accumulated residues of hazardous waste or other materials are removed, with residues being prop~~o~~erly managed as to allow weekly inspections of the entire drip pad surface without interference o~~f~~r hindrance from accumulated residues of hazardous waste or other materials on the drip pad. The owner or operator must document the date and time of each cleaning and cleaning procedure used in the facility's operating log.

B) The Federal rules do not contain a 40 CFR 265.443(b)(3)(ii). This subsection is added to conform to Illinois Administrative Code requirements.

c) Drip pads must be maintained such that they remain free of cracks, gaps, corrosion or other deterioration that could cause hazardous waste to be released from the drip pad.

BOARD NOTE: See subsection (m) below for remedial action required if deterioration or leakage is detected.

d) The drip pad and associated collection system must be designed and operated to convey, drain and collect liquid resulting from drippage or precipitation in order to prevent run-off.

e) Unless the drip pad is protected by a structure, as described in Section 725.540(b),

the owner or operator shall design, construct, operate and maintain a run-on control system capable of preventing flow onto the drip pad during peak discharge from at least a 24-hour, 25-year storm, unless the system has sufficient excess capacity to contain any run-on that might enter the system.

f) Unless the drip pad is protected by a structure or cover, as described in Section 725.540(b), the owner or operator shall design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm.

g) The drip pad must be evaluated to determine that it meets the requirements of subsections (a) through (f), above. The owner or operator shall obtain a statement from an independent, qualified, registered professional engineer certifying that the drip pad design meets the requirements of this Section.

h) Drippage and accumulated precipitation must be removed from the associated collection system as necessary to prevent overflow onto the drip pad.

i) The drip pad surface must be cleaned thoroughly at least once every seven days such that accumulated residues of hazardous waste or other materials are removed, using an appropriate and effective cleaning technique, including but not limited to, rinsing, washing with detergents or other appropriate solvents, or steam cleaning. The owner or operator shall document, in the facility's operating log, the date and time of each cleaning and the cleaning procedure.

j) Drip pads must be operated and maintained in a manner to minimize tracking of hazardous waste or hazardous waste constituents off the drip pad as a result of activities by personnel or equipment.

k) After being removed from the treatment vessel, treated wood from pressure and non-pressure processes must be held on the drip pad until drippage has ceased. The owner or operator shall maintain records sufficient to document that all treated wood is held on the pad, in accordance with this Section, following treatment.

l) Collection and holding units associated with run-on and run-off control systems must be emptied or otherwise managed as soon as possible after storms to maintain design capacity of the system.

m) Throughout the active life of the drip pad, if the owner or operator detects a condition that may have caused or has caused a release of hazardous waste, the condition must be repaired within a reasonably prompt period of time following discovery, in accordance with the following procedures:

1) Upon detection of a condition that may have caused or has caused a release of hazardous waste (e.g., upon detection of leakage in the leak detection system), the owner or operator shall:

A) Enter a record of the discovery in the facility operating log;

B) Immediately remove from service the portion of the drip pad affected by the condition;

C) Determine what steps must be taken to repair the drip pad, clean up any leakage from below the drip pad, and establish a schedule for accomplishing the clean up and repairs;

D) Within 24 hours after discovery of the condition, notify the Agency of the condition and, within 10 working days, provide written notice to the Agency with a description of the steps that will be taken to repair the drip pad and clean up any leakage, and the schedule for accomplishing this work.

2) The Agency shall: review the information submitted; make a determination regarding whether the pad must be removed from service completely or partially until repairs and clean up are complete; and notify the owner or operator of the determination and the underlying rationale in writing.

3) Upon completing all repairs and clean up, the owner or operator shall notify the Agency in writing and provide a certification, signed by an independent, qualified, registered professional engineer, that the repairs and clean up have been completed according to the written plan submitted in accordance with subsection (m)(1)(D) above.

n) The owner or operator shall maintain, as part of the facility operating log, documentation of past operating and waste handling practices. This must include identification of preservative formulations used in the past, a description of drippage management practices and a description of treated wood storage and handling practices.

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

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

PART 728
LAND DISPOSAL RESTRICTIONS

SUBPART A: GENERAL

SUBPART B: SCHEDULE FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT STANDARDS

SUBPART C: PROHIBITION ON LAND DISPOSAL

SUBPART D: TREATMENT STANDARDS

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 5/27]).

SOURCE: Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16508, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 18 Ill. Reg. 20692, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 728.102 Definitions

When used in this Part the following terms have the meanings given below. All other terms have the meanings given under 35 Ill. Adm. Code 702.110, 720.102 or 721.103.

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"CERCLA" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.)

"Debris" means solid material exceeding a 60 mm particle size that is intended for disposal and that is: A manufactured object; or plant or animal matter; or natural geologic material. However, the following materials are not debris: Any material for which a specific treatment standard is provided in 728.Subpart D; Process residuals such as smelter slag and residues from the treatment of waste, wastewater, sludges, or air emission residues; and intact containers of hazardous waste that are not ruptured and that retain at least 75% of their original volume. A mixture of debris that has not been treated to the standards provided by Section 728.145 of this Part and other material is subject to regulation as debris if the mixture is comprised primarily of debris, by volume, based on visual inspection.

"Halogenated organic compounds" or "HOCs" means those compounds having a carbon-halogen bond which are listed under Section 728.Appendix C.

"Hazardous constituent or constituents" means those constituents listed in 35 Ill. Adm. Code 721.Appendix H.

"Hazardous debris" means debris that contains a hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D, or that exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.

Inorganic Solid Debris are nonfriable inorganic solids that are incapable of passing through a 9.5 mm standard sieve, and that require cutting, or crushing and grinding, in mechanical sizing equipment prior to stabilization, limited to the following inorganic or metal materials:

Metal slags (either dross or scoria).

Glassified slag.

Glass.

Concrete (excluding cementitious or pozzolanic stabilized hazardous

wastes).

Masonry and refractory bricks.

Metal cans, containers, drums or tanks.

Metal nuts, bolts, pipes, pumps, valves, appliances or industrial equipment.

Scrap metal as defined in 35 Ill. Adm. Code 721.101(c)(6).

"Land disposal" means placement in or on the land, except in a corrective action management unit, and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, salt bed formation, underground mine or cave, or placement in a concrete vault or bunker intended for disposal purposes.

"Nonwastewaters" are wastes that do not meet the criteria for "wastewaters" in this Section.

"Polychlorinated biphenyls" or "PCBs" are halogenated organic compounds defined in accordance with 40 CFR 761.3, incorporated by reference in 35 Ill. Adm. Code 720.111

"ppm" means parts per million.

"RCRA corrective action" means corrective action taken under 35 Ill. Adm. Code 724.200 or 725.193, 40 CFR 264.100 or 265.93 (1987), or similar regulations in other States with RCRA programs authorized by U.S. EPA pursuant to 40 CFR 271 (1989).

"Underlying hazardous constituent" means any regulated constituent present at levels above the F039 constituent-specific treatment standard at the point of generation of the hazardous waste.

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

"Wastewaters" are wastes that contain less than 1% by weight total organic carbon (TOC) and less than 1% by weight total suspended solids (TSS), with the following exceptions:

F001, F002, F003, F004, F005 solvent-water mixtures that contain less than 1% by weight TOC or less than 1% by weight total F001, F002,

F003, F004, F005 solvent constituents listed in Table A.

K011, K013, K014 wastewaters (as generated) that contain less than 5% by weight TOC and less than 1% by weight TSS.

K103 and K104 wastewaters that contain less than 4% by weight TOC and less than 1% by weight TSS.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.107 Waste Analysis and Recordkeeping

a) Except as specified in Section 728.132, where a generator's waste is listed in 35 Ill. Adm. Code 721.Subpart D, the generator shall test ~~his~~its waste, or test an extract using the test method described in 35 Ill. Adm. Code 721.Appendix B, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this ~~p~~Part. Except as specified in Section 728.132, if a generator's waste exhibits one or more of the characteristics set out at 35 Ill. Adm. Code 721.Subpart C, the generator ~~must~~shall test an extract using the test method described in ~~40 C.F.R. 268~~Section 728.Appendix I~~X (Extraction Procedure (EP) Toxicity Test Method and Structural Integrity Test (SW-846, Method 1310A)) as incorporated by reference in 35 Ill. Adm. Code 720.111~~, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this ~~p~~Part. If the generator determines that ~~his~~its waste displays the characteristic of ignitability (D001) (and is not in the High TOC Ignitable Liquids Subcategory or is not treated by INCIN, FSUBS, or RORGS of Section 728.Table C of this Part), or the characteristic or corrosivity (D002), and is prohibited under Section 728.137, the generator ~~must~~shall determine what underlying hazardous constituents (as defined in Section 728.102 of this Part), are reasonably expected to be present in the D001 or D002 waste.

1) If a generator determines that the generator is managing a restricted waste under this Part and determines that the waste does not meet the applicable treatment standards set forth in Subpart D of this Part or exceeds the applicable prohibition levels set forth in Section 728.132 or 728.139, with each shipment of waste the generator shall notify the treatment or storage facility in writing of the appropriate treatment standard set forth in Subpart D of this Part and any applicable prohibition levels set forth in Section 728.132 or 728.139. The notice must include the following information:

A) U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~number;

B) The corresponding treatment standards for wastes F001- through

F005, F039, wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139~~, and for underlying hazardous constituents (as defined in Section 728.102 of this Part),in D001 and D002~~. Treatment standards for all other restricted wastes must either be included, or be referenced by including on the notification the applicable wastewater (as defined in Section 728.102(f)) or nonwastewater (as defined in Section 728.102(d)) category, the applicable subcatogory made within a waste code based on waste-specific criteria (such as D003 reactive cyanides), and the Section~~(s)~~ and subsections~~(s)~~ where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.Table C (e.g., INCIN, WETOX) also must be listed on the notification.

C) The manifest number associated with the shipment of waste; and

D) ~~Waste analysis data, where available.~~ For hazardous debris, the contaminants subject to treatment as provided by Section 728.145(b) and the following statement: "This hazardous debris is subject to the alternative treatment standards of 35 Ill. Adm. Code 728.145; and

E) Waste analysis data, where available.

2) If a generator determines that the generator is managing a restricted waste under this Part, and determines that the waste can be land disposed without further treatment, with each shipment of waste the generator shall submit, to the treatment, storage or land disposal facility, a notice and a certification stating that the waste meets the applicable treatment standards set forth in Subpart D and the applicable prohibition levels set forth in Section 728.132 or 728.139. Generators of hazardous debris that is excluded from the definition of hazardous waste under 35 Ill. Adm. Code 721.103(c), 35 Ill. Adm. Code 728.103(f)(2) and 35 Ill. Adm. Code 720.122 (i.e. debris that is delisted), however are not subject to these notification and certififcation requirements.

A) The notice must include the following information:

i) U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~number;

ii) The corresponding treatment standards for wastes F001-

through F005, F039 and wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139. Treatment standards for all other restricted wastes must either be included or referenced ~~as above, or~~ by including on the notification the ~~subcategory of the waste, the treatability group(s) of the waste(s)~~applicable wastewater or nonwastewater (as defined in Section 728.102) category, the applicable subdivisions made within a waste code based on waste-specific criteria (such as D003, reactive cyanides), and the Section and subsection where the applicable treatment standard~~s~~ appears. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.Table C (e.g., INCIN, WETOX) also must be listed on the notification.

iii) The manifest number associated with the shipment of waste;

iv) Waste analysis data, where available

B) The certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35 Ill. Adm. Code 728.Subpart D and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132, 728.139 or Section 3004(d) of the Resource Conservation and Recovery Act. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

3) If a generator's waste is subject to an exemption from a prohibition on the type of land disposal method utilized for the waste (such as, but not limited to, a case-by-case extension under Section 728.105, an exemption under Section 728.106, an extension under Section 728.101(c)(3) or a nationwide capacity variance under 40 CFR 268.Subpart C (1989), with

each shipment of waste, the generator shall submit a notice with the waste to the facility receiving the generator's waste, stating that the waste is not prohibited from land disposal. The notice must include the following information:

A) U.S. EPA hazardous waste number:

B) The corresponding treatment standards for wastes F001- through F005, F039 and wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139. Treatment standards for all other restricted wastes must either be included or be referenced ~~as above, or~~ by including on the notification the ~~subcategory of the waste, the treatability group(s) of the waste(s)~~, and the Section and subsection where the applicable treatment standard~~s~~ appear~~s~~. Where the applicable treatment standards are expressed as specified technologies in Section 728.142, the applicable five-letter treatment code found in Section 728.Table C (e.g., INCIN, WETOX) also must be listed on the notification.

C) The manifest number associated with the shipment of waste;

D) Waste analysis data, where available;

E) For hazardous debris, the contaminenets subject to treatment as provided by Section 728.145(b) and the following statement: "This hazardous debris is subject to the alternative treatment standards of 35 Ill. Adm. Code 728.145"; and

F) The date the waste is subject to the prohibitions.

4) If a generator is managing a prohibited waste in tanks or containers regulated under 35 Ill. Adm. Code 722.134, and is treating such waste in such tanks, containers or containment buildings to meet applicable treatment standards under Subpart D of this Part, the generator shall develop and follow a written waste analysis plan which describes the procedures the generator will carry out to comply with the treatment standards. The plan must be kept on-site in the generator's records, and the following requirements must be met:

A) The waste analysis plan must be based on a detailed chemical and physical analysis of a representative sample of the prohibited waste~~(s)~~ being treated, and contain all information necessary to

treat the waste~~(s)~~ in accordance with the requirements of this Part, including the selected testing frequency.

B) Such plan must be filed with the Agency a minimum of 30 days prior to the treatment activity, with delivery verified.

C) Wastes shipped off-site pursuant to this subsection must comply with the notification requirements of Section 728.107(a)(2).

5) If a generator determines whether the waste is restricted based solely on the generator's knowledge of the waste, the generator shall retain all supporting data used to make this determination on-site in the generator's files. If a generator determines whether the waste is restricted based on testing the waste or an extract developed using the test method described in Section 728.Appendix A, the generator shall retain all waste analysis data on site in the generator's files.

6) If a generator determines, subsequent to the time of generation, that the generator is managing a restricted waste which is excluded from the definition of hazardous or solid waste or exempt from regulation as a RCRA hazardous waste under 35 Ill. Adm. Code 721.102 through 721.106, the generator shall place, in the facility's file, a one-time notice stating such generation, subsequent exclusion from the definition of hazardous or solid waste or exemption from regulation as a RCRA hazardous waste, and the disposition of the waste.

~~6~~7) Generators shall retain on-site a copy of all notices, certifications, demonstrations, waste analysis data and other documentation produced pursuant to this Section for at least five years from the date that the waste that is the subject of such documentation was last sent to on-site or off-site treatment storage or disposal. The five year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Agency. The requirements of this subsection apply to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the waste is excluded from the definition of hazardous or solid waste under 35 Ill. Adm. Code 721.102 through 721.106, or exempted from regulation as a RCRA hazardous waste subsequent to the point of generation.

~~7~~8) If a generator is managing a lab pack that contains wastes identified in Section 728.Appendix D and wishes to use the alternative treatment standard under Section 728.142, with each shipment of waste the generator shall submit a notice to the treatment facility in accordance with subsection (a)(1) above. The generator shall also comply with the

requirements in subsections (a)(5) and (a)(6) above, and shall submit the following certification, which must be signed by an authorized representative:

> I certify under penalty of law that I personally have examined and am familiar with the waste and that the lab pack contains only the wastes specified in 35 Ill. Adm. Code 728.Appendix D or solid wastes not subject to regulation under 35 Ill. Adm. Code 721. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine or imprisonment.

~~8~~9) If a generator is managing a lab pack that contains organic wastes specified in Section 728.Appendix E and wishes to use the alternate treatment standards under Section 728.142, with each shipment of waste the generator shall submit a notice to the treatment facility in accordance with subsection (a)(1) above. The generator also shall comply with the requirements in subsections (a)(5) and (a)(6) above, and shall submit the following certification which must be signed by an authorized representative:

> I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste and that the lab pack contains only organic waste specified in 35 Ill. Adm. Code 728.Appendix E or solid wastes not subject to regulation under 35 Ill. Adm. Code 721. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine or imprisonment.

~~9~~10) Small quantity generators with tolling agreements pursuant to 35 Ill. Adm. Code 722.120(e) shall comply with the applicable notification and certification requirements of subsection (a) above for the initial shipment of the waste subject to the agreement. Such generators shall retain on-site a copy of the notification and certification, together with the tolling agreement, for at least three years after termination or expiration of the agreement. The three-year record retention period is automatically extended following notification pursuant to Section 31(d) of the Environmental Protection Act, until either any subsequent enforcement action is resolved, or the Agency notifies the generator documents need no be retained.

b) Treatment facilities shall test their wastes according to the frequency specified in their waste analysis plans as required by 35 Ill. Adm. Code 724.113 or 725.113. Such testing must be performed as provided in subsections (b)(1), (b)(2) and (b)(3) below.

1) For wastes with treatment standards expressed as concentrations in the waste extract (Section 728.141), the owner or operator of the treatment facility shall test the treatment residues or an extract of such residues developed using the test method described in Section 728.Appendix A to assure that the treatment residues or extract meet the applicable treatment standards.

2) For wastes prohibited under Section 728.132 or 728.139 which are not subject to any treatment standards under Subpart D, the owner or operator of the treatment facility shall test the treatment residues according to the generator testing requirements specified in Section 728.132 to assure that the treatment residues comply with the applicable prohibitions.

3) For wastes with treatment standards expressed as concentrations in the waste (Section 728.143), the owner or operator of the treatment facility shall test the treatment residues (not an extract of such residues) to assure that the treatment residues meet the applicable treatment standards.

4) A notice must be sent with each waste shipment to the land disposal facility which includes the following information, except that debris excluded from the definition of the hazardous waste under Section 728.103(f)(2) (i.e., debris treated by an extraction or destruction technology provided by Section 728.Table F, and debris that is delisted) is subject to the notififcation and certification requirments of subsection (d) below rather than these notification requirments:

   A) U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~number;

   B) The corresponding treatment standards for wastes F001~~-~~ through F005, F039, wastes prohibited pursuant to Section 728.132 or Section 3004(d) of the Resource Conservation and Recovery Act, referenced in Section 728.139, and for underlying hazardous constituents (as defined in Section 728.102 of this Part), in D001 and D002 wastes if those wastes are prohibited under Section 728.137 of this Part. Treatment standards for all other restricted wastes must either be included, or be referenced by including on the notification the applicable wastewater (as defined in Section 728.102(f)) or nonwastewater (as defined in Section 728.102(d)) category, the applicable subdivisions made within a waste code based on waste-specific criteria (such as D003 reactive cyanides), and the Section~~(s)~~ and subsection~~(s)~~ where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in Section

728.142, the applicable five-letter treatment code found in Section 728.Table C (e.g., INCIN, WETOX) also must be listed on the notification.

C) The manifest number associated with the shipment of waste; and

D) Waste analysis data, where available.

5) The treatment facility shall submit a certification with each shipment of waste or treatment residue of a restricted waste to the land disposal facility stating that the waste or treatment residue has been treated in compliance with the treatment standards specified in Subpart D and the applicable prohibitions set forth in Section 728.132 or 728.139. Debris excluded from the definiton of hazardous waste under Section 728.103(f)(2) (i.e., debris treated by an extraction or destruction technology provided by Section 728.Table F, and debris that is delisted), however, is subject to the notififcation and certication requirments of subsection (d) below rather than the certification requirements of subsection (b)(5).

A) For wastes with treatment standards expressed as concentrations in the waste extract or in the waste (Sections 728.141 or 728.143), or for wastes prohibited under Section 728.132 or 728.139 which are not subject to any treatment standards under Subpart D, the certification must be signed by an authorized representative and must state the following:

> I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with the performance levels specified in 35 Ill. Adm. Code 728.Subpart D and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132 or 728.139 or Section 3004(d) of the Resource Conservation and Recovery Act without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

B) For wastes with treatment standards expressed as technologies (Section 728.142), the certification must be signed by an

authorized representative and must state the following:

> I certify under penalty of law that the waste has been treated in accordance with the requirements of 35 Ill. Adm. Code 728.142. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

C) For wastes with treatment standards expressed as concentrations in the waste pursuant to Section 728.143, if compliance with the treatment standards in Subpart D is based in part or in whole on the analytical detection limit alternative specified in Section 728.143(c), the certification also must state the following:

> I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the nonwastewater organic constituents have been treated by incineration in units operated in accordance with 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O, or by combustion in fuel substitution units operating in accordance with applicable technical requirements, and I have been unable to detect the nonwastewater organic constituents despite having used best good faith efforts to analyze for such constituents. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

6) If the waste or treatment residue will be further managed at a different treatment or storage facility, the treatment, storage or disposal facility sending the waste or treatment residue off-site must comply with the notice and certification requirements applicable to generators under this Section.

7) Where the wastes are recyclable materials used in a manner constituting disposal subject to the provisions of 35 Ill. Adm. Code 726.120(b), regarding treatment standards and prohibition levels, the owner or operator of a treatment facility (i.e. the recycler) is not required to notify the receiving facility pursuant to subsection (b)(4) above. With each shipment of such wastes the owner or operator of the recycling facility shall submit a certification described in subsection (b)(5) above, and a

notice which includes the information listed in subsection (b)(4) above (except the manifest number) to the Agency. The recycling facility also shall keep records of the name and location of each entity receiving the hazardous waste-derived product.

c) Except where the owner or operator is disposing of any waste that is a recyclable material used in a manner constituting disposal pursuant to 35 Ill. Adm. Code 726.120(b), the owner or operator of any land disposal facility disposing any waste subject to restrictions under this Part shall:

1) Have copies of the notice and certification specified in subsection (a) or (b) above, and the certification specified in Section 728.108 if applicable.

2) Test the waste, or an extract of the waste or treatment residue developed using the test method described in Section 728.Appendix A or using any methods required by generators under Section 728.132, to assure that the wastes or treatment residues are in compliance with the applicable treatment standards set forth in Subpart D and all applicable prohibitions set forth in Sections 728.132 or 728.139. Such testing must be performed according to the frequency specified in the facility's waste analysis plan as required by 35 Ill. Adm. Code 724.113 or 725.113.

3) Where the owner or operator is disposing of any waste that is subject to the prohibitions under Section 728.133(f) but not subject to the prohibitions set forth in Section 728.132, the owner or operator shall ensure that such waste is the subject of a certification according to the requirements of Section 728.108 prior to disposal in a landfill or surface impoundment unit, and that such disposal is in accordance with the requirements of Section 728.105(h)(2). The same requirement applies to any waste that is subject to the prohibitions under Section 728.133(f) and also is subject to the statutory prohibitions in the codified prohibitions in Section 728.139 or Section 728.132.

4) Where the owner or operator is disposing of any waste that is a recyclable material used in a manner constituting disposal subject to the provisions of 35 Ill. Adm. Code 726.120(b), the owner or operator is not subject to subsections (c)(1) through (3) above with respect to such waste.

d) Generators or treaters who first claim that hazardous debris is excluded from the definition of hazardous waste under 35 Ill. Adm. Code 728.103(f)(2) (i.e., debris treated by an extraction or destruction technology provided by Section 728.Table F, and debris that has been delisted) are subject to the following notification and certification requirements:

1) A one-time notification must be submitted to the Agency including the following information:

   A) The name and address of the RCRA Subtitle D facility receiving the treated debris;

   B) A description of the hazardous debris as initially generated, including the applicable U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~number~~(s)~~; and

   C) For debris excluded under 35 Ill. Adm. Code 728.103(f)(2), the technology from Section 728.Table F, used to treat the debris.

2) The notification must be updated if the debris is shipped to a different facility, and, for debris excluded 35 Ill. Adm. Code 721.2(d)(1), if a different type of debris is treated or if a different technology is used to treat the debris.

3) For debris excluded under 35 Ill. Adm. Code 728.103(f)(2), the owner or operator of the treatment facility ~~must~~shall document and certify compliance with the treatment standards of Section 728.Table F, as follows:

   A) Records must be kept of all inspections, evaluations, and analyses of treated debris that are made to determine compliance with the treatment standards;

   B) Records must be kept of any data or information the treater obtains during treatment of the debris that identifies key operating parameters of the treatment unit; and

   C) For each shipment of treated debris, a certification of compliance with the treatment standards must be signed by an authorized representative and placed in the facility's files. The certification must state the following: "I certify under penalty of law that the debris has been treated in accordance with the requirements of 35 Ill. Adm. Code 728.145. I am aware that there are significant penalties for making a false certification, including the possibility of fine and imprisonment."

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.109 Special Rules for Characteristic Wastes

a) The initial generator of a solid waste shall determine each U.S. EPA hazardous waste number (waste code) applicable to the waste in order to determine the applicable treatment standards under Subpart D of this Part. For purposes of ~~35 Ill. Adm. Code 728~~this Part, the waste ~~will~~must carry ~~a~~the waste code ~~designation~~ for any applicable listing under 35 Ill. Adm. Code 721.Subpart D~~, and also~~. In addition, the waste must carry one or more of the waste code~~s~~ ~~designations~~ under 35 Ill. Adm. Code 721.Subpart C where the waste exhibits the relevant characteristic, except in the case when the treatment standard for the waste code listed in 35 Ill. Adm. Code 721.Subpart D operates in lieu of the standard for the waste code under 35 Ill. Adm. Code 721.Subpart C, as specified in subsection (b) below. If the generator determines that ~~his~~its waste displays the characteristic of ignitability (D001) (and is not in the High TOC Ignitable Liquids Subcategory or is not treated by INCIN, FSUBS, or RORGS of Section 728.Table C of this Part) or the characteristic of corrosivity (D002) and is prohibited under Section 728.137, the generator shall determine what underlying hazardous constituents (as defined in Section 728.102) are reasonably expected to be present in the D001 or D002 waste.

b) Where a prohibited waste is both listed under 35 Ill. Adm. Code 721.Subpart D and exhibits a characteristic under 35 Ill. Adm. Code 721.Subpart C, the treatment standard for the waste code listed in 35 Ill. Adm. Code 721.Subpart D will operate in lieu of the standard for the waste code under 35 Ill. Adm. Code 721.Subpart C, provided that the treatment standard for the listed waste includes a treatment standard for the constituent that causes the waste to exhibit the characteristic. Otherwise, the waste must meet the treatment standards for all applicable listed and characteristic waste codes.

c) In addition to any applicable standards determined from the initial point of generation, no prohibited waste which exhibits a characteristic under 35 Ill. Adm. Code 721.Subpart C shall be land disposed unless the waste complies with the treatment standards under Subpart D of this Part.

d) Wastes that exhibit a characteristic are also subject to Section 728.107 requirements, except that once the waste is no longer hazardous, a one time notification and certification must be placed in the generators or treaters files and sent to the Agency. The notification and certification that is placed in the generators or treaters' files must be updated if the process or opera~~t~~tion generating the waste changes or if the subtitle D facility receiving the waste changes. However, the generator or treater need only notify the Agency on an annual basis if such changes occur. Such notification and certification should be sent to the Agency by the end of the year but no later than December 31.

1) The notification must include the following information:

A) The name and address of the non-hazardous waste facility receiving the waste shipment;

B) A description of the waste as initially generated, including the applicable U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~number~~(s) and treatability group(s)~~, the applicable wastewater or nonwastewater (as defined in Section 728.102) category, and the subdivisions made within a waste code based on waste-specific criteria (such as D003, reactive cyanides);

C) The treatment standards applicable to the waste at the initial point of generation.

2) The certification must be signed by an authorized representative and must state the language found in Section 728.107(b)(5)(A).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART C: PROHIBITION ON LAND DISPOSAL

Section 728.135 Waste Specific Prohibitions--Third Third wastes~~.~~

a) The following wastes are prohibited from land disposal.

1) The wastes specified in 35 Ill. Adm. Code 721.131 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

F002 (1,1,2-trichloroethane)
F005 (benzene)
F005 (2-ethoxyethanol)
F005 (2-nitropropane)
F006 (wastewaters),
F019
F025
F039 (wastewaters);

2) The wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

K002
K003
K004 (wastewaters)

K005 (wastewaters)
K006
K008 (wastewaters)
K011 (wastewaters)
K013 (wastewaters)
K014 (wastewaters)
K015 (nonwastewaters)
K017
K021 (wastewaters)
K022 (wastewaters)
K025 (wastewaters)
K026
K029 (wastewaters)
K031 (wastewaters)
K032
K033
K034
K035
K041
K042
K046 (wastewaters, reactive nonwastewaters)
K048 (wastewaters)
K049 (wastewaters)
K050 (wastewaters)
K051 (wastewaters)
K052 (wastewaters)
K060 (wastewaters)
K061 (wastewaters) and (high zinc subcategory > 15% zinc)
K069 (wastewaters, calcium sulfate nonwastewaters)
K073
K083
K084 (wastewaters)
K085
K095 (wastewaters)
K096 (wastewaters)
K097
K098
K100 (wastewaters)
K101 (wastewaters)
K102 (wastewaters)
K105
K106 (wastewaters)

3) The wastes specified in 35 Ill. Adm. Code 721.133(e) as U.S. EPA

~~H~~hazardous ~~W~~waste ~~N~~numbers:

P001
P002
P003
P004
P005
P006
P007
P008
P009
P010 (wastewaters)
P011 (wastewaters)
P012 (wastewaters)
P014
P015
P016
P017
P018
P020
P022
P023
P024
P026
P027
P028
P031
P033
P034
P036 (wastewaters)
P037
P038 (wastewaters)
P042
P045
P046
P047
P048
P049
P050
P051
P054
P056
P057
P058

P059
P060
P064
P065 (wastewaters)
P066
P067
P068
P069
P070
P072
P073
P075
P076
P077
P078
P081
P082
P084
P088
P092 (wastewaters)
P093
P095
P096
P101
P102
P103
P105
P108
P110
P112
P113
P114
P115
P116
P118
P119
P120
P122
P123

4) The wastes specified in 35 Ill. Adm. Code 721.133(f) as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

U001

U002
U003
U004
U005
U006
U007
U008
U009
U010
U011
U012
U014
U015
U016
U017
U018
U019
U020
U021
U022
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U027
U029
U030
U031
U032
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U122
U123
U124
U125
U126
U127
U128
U129
U130
U131
U132
U133
U134
U135
U136 (wastewaters)
U137
U138
U140
U141
U142
U143
U144
U145
U146
U147

U148
U149
U150
U151 (wastewaters)
U152
U153
U154
U155
U156
U157
U158
U159
U160
U161
U162
U163
U164
U165
U166
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U211
U213
U214
U215
U216
U217
U218
U219
U220
U222
U225
U226
U227
U228
U234
U236
U237
U238
U239
U240
U243
U244
U246
U247
U248
U249

4) The following wastes identified as hazardous based on a characteristic alone:

D001
D002
D003
D004 (wastewaters)
D005
D006
D007
D008 (except for lead materials stored before secondary smelting)
D009 (wastewaters)
D010
D011
D012
D013
D014
D015
D016
D017

b) The following wastes are prohibited from land disposal. The wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

K048 (nonwastewaters)
K049 (nonwastewaters)
K050 (nonwastewaters)
K051 (nonwastewaters)
K052 (nonwastewaters)

c) ~~Effective May 8, 1992, t~~The following wastes are prohibited from land disposal:

1) The wastes specified in 35 Ill. Adm. Code 721.131 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

F039 (nonwastewaters)

2) The wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

K031 (nonwastewaters)
K084 (nonwastewaters)
K101 (nonwastewaters)
K102 (nonwastewaters)
K106 (nonwastewaters)

3) The wastes specified in 35 Ill. Adm. Code 721.133(e) as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

P010 (nonwastewaters)
P011 (nonwastewaters)
P012 (nonwastewaters)
P036 (nonwastewaters)
P038 (nonwastewaters)
P065 (nonwastewaters)
P087
P092 (nonwastewaters)

4) The wastes specified in 35 Ill. Adm. Code 721.133(f) as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers:

U136 (nonwastewaters)
U151 (nonwastewaters)

5) The following wastes identified as hazardous based on a characteristic alone:

D004 (nonwastewaters)
D009 (nonwastewaters);

6) RCRA hazardous wastes that contain naturally occurring radioactive materials.

d) ~~Effective May 8, 1992, h~~Hazardous wastes listed in Sections 728.110, 728.111 or 728.112 that are mixed radioactive/hazardous wastes, and soil or debris contaminated with hazardous wastes listed in Sections 728.110, 728.111 or 728.112 that are mixed radioactive/hazardous wastes, are prohibited from land disposal, except as provided in subsection (e) below.

e) Subject to the applicable prohibitions of Sections 728.130, 728.131, and 728.132, contaminated soil and debris are prohibited from land disposal as follows:

1) Effective May 8, 199~~3~~4, debris that is contaminated with wastes listed in Section~~s 728.110, 728.111 or~~ 728.112 ~~(including such wastes that are mixed radioactive and hazardous wastes),~~ and debris that is contaminated with any characteristic waste for which treatment standards are established in Subpart D of this Part ~~(including such wastes that are mixed radioactive hazardous wastes),~~ are prohibited from land disposal.

2) Effective May 8, 1994, mixed radioactive hazardous debris that is

contaminated with hazardous wastes listed in Section 728.112 and mixed radioactive hazardous debris that is contaminated with any characteristic waste for which treatment standards are established in Subpart D of this Part are prohibited from land disposal.

3) Subsections (e)(1) and (e)(2) of this Section shall not apply where the generator has failed to make good-faith effort to locate treatment capacity suitable for its waste, has not utilized such capacity as it has found to be available, or has failed to file a report as required by Section 728.105(g) by August 12, 1993 or within 90 days after the waste is generated (whichever is later) describing the generator's efforts to locate treatment capacity. Where subsections (e)(1) and (e)(2) of this Section do not apply, all wastes described in those two subsections are prohibited from land disposal.

BOARD NOTE: This subsection is derived from 40 CFR 268.35(e)(3), as added at 58 Fed. Reg. 28510 (May 14, 1993). This was a HSWA-derived amendment that went into effect as federal law in Illinois, effective May 8, 1993. The August 12, 1993 report was due on that date as a matter of federal law.

~~2~~4) ~~Effective May 8, 1993, h~~Hazardous soil having treatment standards in 728.Subpart D based on incineration, mercury retorting or vitrification, and soils contaminated with hazardous wastes listed in Sections 728.110, 728.111 and 728.112 that are mixed radioactive hazardous wastes, are prohibited from land disposal.

5) When used in subsections (e)(1) and (e)(2) of this Section, debris is defined as follows:

A) Debris as defined in Section 728.102(g); or

B) Nonfriable inorganic solids that are incapable of passing through a 9.5 mm standard sieve that require cutting or crushing and grinding in mechanical sizing equipment prior to stabilization, limited to the following inorganic or metal materials:

i) Metal slag (either dross or scoria);

ii) Glassified slag;

iii) Glass;

iv) Concrete (excluding cementitious or pozzolanic stabilized

hazardous wastes);

v) Masonry and refractory bricks;

vi) Metal cans, containers, drums, or tanks;

vii) Metal nuts, bolts, pipes, pumps, valves, appliances, or industrial equipment; or

viii) Scrap metal as defined in 35 Ill. Adm. Code 721.101(c)(6).

f) This subsection corresponds with 40 CFR 268.35(f), which pertains to an exemption from a land disposal prohibition up until a date long since expired. This statement maintains structural consistency with USEPA rules.

g) This subsection corresponds with 40 CFR 268.35(g), which pertains to an exemption from a land disposal prohibition up until a date long since expired. This statement maintains structural consistency with USEPA rules.

h) ~~Between May 8, 1990, and May 8, 1992, wastes included in subsections (c), (d) and (e), above, shall be disposed of in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in Section 728.105(h)(2)~~This subsection corresponds with 40 CFR 268.35(h), which pertains to landfill and surface impoundment disposal of the wastes listed in subsections (c), (d) and (e) above up until a date long since expired. This statement maintains structural consistency with USEPA rules.

i) The requirements of subsections (a)~~, (b), (c), (d) and~~ through (e), above, do not apply if:

1) The wastes meet the applicable standards specified in Subpart D of this Part;

2) Persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;

3) The wastes meet the applicable alternate standards established pursuant to a petition granted under Section 728.144;

4) Persons have been granted an extension to the effective date of a prohibition pursuant to Section 728.105, with respect to these wastes covered by the extension.

j) To determine whether a hazardous waste listed in Section 728.110, 728.111 or 728.112 exceeds the applicable treatment standards specified in Sections 728.141 and 728.143, the initial generator shall either test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or use knowledge of the waste. If the waste contains constituents in excess of the applicable Subpart D of this Part levels, the waste is prohibited from land disposal, and all requirements of this Part are applicable, except as otherwise specified.

k) ~~Effective May 8, 1993,~~ D008 lead materials stored before secondary smelting are prohibited from land disposal. On or before March 1, 1993, the owner or operator of each secondary lead smelting facility shall have submitted the following to the Agency ~~the following~~: A binding contractual commitment to construct or otherwise provide capacity for storing such D008 wastes prior to smelting which complies with all applicable storage standards; documentation that the capacity to be provided will be sufficient to manage the entire quantity of such D008 wastes; and, a detailed schedule for providing such capacity. Failure by a facility to have submitted such documentation will render such D008 managed by that facility prohibited from land disposal ~~effective March 1, 1993~~. In addition, ~~no later than July 27, 1992,~~ the owner or operator of each facility shall place in the facility record documentation of the manner and location in which such wastes will be managed pending completion of such capacity, demonstrating that such management capacity will be adequate and complies with all applicable requirements of 35 Ill. Adm. Code 720 through 728.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.136 Waste Specific Prohibitions -- Newly Listed Wastes~~.~~

a) ~~Effective November 9, 1992, t~~The wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers K107, K108, K109, K110, K111, K112, K117, K118, K123, K124, K125, K126, K131, K132, and K136; and the wastes specified in 35 Ill. Adm. Code 721.133(f) as U.S. EPA ~~H~~hazardous ~~W~~waste numbers U328, U353, and U359 are prohibited from land disposal.

b) ~~Effective June 30, 1993, t~~The wastes specified in 35 Ill. Adm. Code 721.131 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers F037 and F038 that are not generated from surface impoundment cleanouts or closures are prohibited from land disposal.

c) Effective June 30, 1994, the wastes specified in 35 Ill. Adm. Code 721.131 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers F037 and F038 that are generated from surface impoundment cleanouts or closures are prohibited from land disposal.

d) Effective June 30, 1994, radioactive wastes that are mixed with hazardous wastes specified in 35 Ill. Adm. Code 721.131 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers F037 and F038; the wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers K107, K108, K109, K110, K111, K112, K117, K118, K123, K124, K125, K126 K131, K132, and K136; or the wastes specified in 35 Ill. Adm. Code 721.133(f) as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers U328, U353, and U359 are prohibited from land disposal.

e) Effective June 30, 1994, debris contaminated with hazardous wastes specified in 35 Ill. Adm. Code 721.131 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers F037 and F038; the wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers K107, K108, K109, K110, K111, K112, K117, K118, K123, K124, K125, K126 K131, K132, and K136; or the wastes specified in 35 Ill. Adm. Code 721.133(f) as U.S. EPA ~~H~~hazardous ~~W~~waste ~~N~~numbers U328, U353, and U359; and which is not contaminated with any other waste already subject to a prohibition are prohibited from land disposal.

f) ~~Between June 30, 1992 and June 30, 1993, the wastes included in subsection (b) of this Section may be disposed of in a landfill, only if such unit is in compliance with the requirements specified in subsection 728.105(h)(2), and may be generated in and disposed of in a surface impoundment only if such unit is in compliance with either subsection 728.105(h)(2) or Section 728.114~~This subsection corresponds with 40 CFR 268.36(f), which pertains to landfill disposal of the wastes listed in subsection (b) above up until a date long since expired. This statement maintains structural consistency with USEPA rules.

g) Between June 30, 1992 and June 30, 1994, the wastes included in subsections (d) and (e) of this Section may be disposed of in a landfill only if such unit is in compliance with the requirements specified in subsection 728.105(h)(2), and may be generated in and disposed of in a surface impoundment only if such unit is in compliance with either subsection 728.105(h)(2) or Section 728.114.

h) The requirements of subsections (a)~~, (b), (c), (d), and~~ through (e) above do not apply if:

1) The wastes meet the applicable standards specified in 728.Subpart D;

2) Persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;

3) The wastes meet the applicable alternate standards established pursuant to a petition granted under Section 728.144;

4) Persons have been granted an extension to the effective date of a prohibition pursuant to Section 728.105, with respect to the wastes covered by the extension.

i) To determine whether a hazardous waste identified in this Section exceeds the applicable treatment standards specified in Sections 728.141 and 728.143, the initial generator ~~must~~shall test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable levels in 728.Subpart D, the waste is prohibited from land disposal, and all requirements of Part 728 are applicable, except as otherwise specified.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 728.137 Waste Specific Prohibitions -- Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated

) ~~Effective August 9, 1993, t~~The wastes specified in 35 Ill. Adm. Code 721.121 as D001 (and is not in the High TOC Ignitable Liquids Subcategory), and specified in 35 Ill. Adm. Code 721.122 as D002, that are managed in systems other than those whose discharge is regulated under the Clean Water Act (CWA), or that inject in Class I deep wells regulated under the Safe Drinking Water Act (SDWA), or that are zero dischargers that engage in CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal. CWA-equivalent treatment means biological treatment for organics, alkaline chlorination or ferrous sulfate precipitation for cyanide, precipitation/sedimentation for metals, reduction of hexavalent chromium, or other treatment technology that can be demonstrated to perform equally or greater than these technologies.

b) ~~Effective February 10, 1994, t~~The wastes specified in 35 Ill. Adm. Code 721.121 as D001 (and is not in the High TOC Ignitable Liquids Subcategory), and specified in 35 Ill. Adm. Code 721.122 as D002, that are managed in systems defined in 35 Ill.Adm. Code 704 and 730 as Class V injection wells, that do not engage in CWA-equivalent treatment before injection, are prohibited from land disposal.

(Source: Added at 18 Ill. Reg. _____, effective _____)

SUBPART D: TREATMENT STANDARDS

Section 728.140 Applicability of Treatment Standards

a) A restricted waste identified in Section 728.141 may be land disposed only if an extract of the waste or of the treatment residue of the waste developed using the test method ~~Section 728.Appendix A~~35 Ill. Adm. Code 721.Appendix B does not exceed the value shown in Section 728.Table A for any hazardous constituent listed in Section 728.Table A for that waste, with the following exceptions: D004, D008, K031, K084, K101, K102, P010, P011, P012, P036, P038 and U136. ~~Wastes D004, D008, K031, K084, K101, K102, P010, P011, P012, P036, P038 and U136~~These wastes may be land disposed only if an extract of the waste or of the treatment residue of the waste developed using either the test method in 35 Ill. Adm. Code 721.Appendix ~~A~~B or the test method in ~~35 Ill. Adm. Code~~Section 728.Appendix ~~B~~A does not exceed the value shown in Section 728.Table B for any hazardous constituent listed in Section 728.Table A for that waste.

b) A restricted waste for which a treatment technology is specified under Section 728.142(a) or hazardous debris for which a treatment technology is specified under Section 728.145 may be land disposed after it is treated using that specified technology or an equivalent treatment method approved by the Agency under the procedures set forth in Section 728.142(b). For waste displaying the characteristic of ignitability (D001) and reactivity (D003), that are diluted to meet the deactivation treatment standard in Section 728.Tables C and D (DEACT), the treater ~~must~~shall comply with the precautionary measures specified in 35 Ill. Adm. Code 724.117(b) and 35 Ill. Adm. Code 725.117(b).

c) Except as otherwise specified in Section 728.143(c), a restricted waste identified in Section 728.143 may be land disposed only if the constituent concentrations in the waste or treatment residue of the waste do not exceed the value shown in Section 728.Table B for any hazardous constituent listed in Section 728.Table B for that waste.

d) If a treatment standard has been established in Sections 728.141 through 728.143 for a hazardous waste that is itself subject to those standards rather than the standards for hazardous debris under Section 728.145.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.141 Treatment Standards ~~e~~Expressed as Concentrations in Waste Extract

a) Section 728.Table A identifies the restricted wastes and the concentrations of their associated constituents which may not be exceeded by the extract of a waste or waste treatment residual developed using the test method in Section 728.Appendix A for the allowable land disposal of such wastes. Compliance with these concentrations is required based upon grab samples, unless otherwise noted

in Section 728.Table A.

b) When wastes with differing treatment standards for a constituent of concern are combined for purposes of treatment, the treatment residue must meet the lowest treatment standard for the constituent of concern, except that mixtures of high and low zinc nonwastewater K061 are subject to the treatment standard for high zinc K061.

c) The treatment standards for the constituents in F001- through F005 which are listed in ~~Part~~Section 728.Table A only apply to wastes which contain one, two, or all three of these constituents. If the waste contains any of these three constituents along with any of the other 26 constituents found in F001- through F005, then only the treatments standards in Section 728.~~143~~ Table A are required.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.142 Treatment Standards ~~e~~Expressed as Specified Technologies

a) The following wastes in subsections (a)(1) and (2) below and Sections 728.Table D and 728.Table E must be treated using the technology or technologies specified in subsections (a)(1) and (2) and Section 728.Table C.

1) Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm but less than 500 ppm must be incinerated in accordance with technical requirements at 40 CFR 761.70, incorporated by reference in 35 Ill. Adm. Code 720.111, or burned in high efficiency boilers in accordance with the technical requirements of 40 CFR 761.60. Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 500 ppm must be incinerated in accordance with the technical requirements of 40 CFR 761.70. Thermal treatment in accordance with this Section must be in compliance with applicable regulations in 35 Ill. Adm. Code 724, 725 and 726.

2) Nonliquid hazardous wastes containing halogenated organic compounds (HOCs) in total concentrations greater than or equal to 1000 mg/kg and liquid HOC-containing wastes that are prohibited under Section 728.132(e)(1) must be incinerated in accordance with the requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O. These treatment standards do not apply where the waste is subject to a Subpart C of this Part treatment standard for a specific HOC (such as a hazardous waste chlorinated solvent for which a treatment standard is established under Section 728.141(a)).

3) A mixture consisting of wastewater, the discharge of which is subject to

regulation under 35 Ill. Adm. Code 309 or 310, and de minimis losses of materials from manufacturing operations in which these materials are used as raw materials or are produced as products in the manufacturing process, and that meet the criteria of the D001 ignitable liquids containing greater than 10% total organic constituents (TOC) subcategory, is subject to the DEACT treatment standard described in Table C. For purposes of this subsection, "de minimis losses" include:

A) Those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves or other devices used to transfer materials);

B) Minor leaks from process equipment, storage tanks, or containers;

C) Leaks from well-maintained pump packings and seals;

D) Sample purgings; and

E) Relief device discharges.

b) Any person may submit an application to the Agency demonstrating that an alternative treatment method can achieve a level of performance equivalent to that achievable by methods specified in subsections (a) above~~,~~ and (c) and (d) below for wastes or specififed in of Section 728.Table F for hazardous debris. The applicant shall submit information demonstrating that the applicant's treatment method is in compliance with federal and state requirements, including this Part, 35 Ill. Adm. Code 709, 724, 725, 726 and 729 and Sections 22.6 and 39(h) of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 1112, pars. 1022.6 and 1039(h) [415 ILCS 5/22.6 and 5/39(h)]), and is protective of human health or the environment. On the basis of such information and any other available information, the Agency shall approve the use of the alternative treatment method if the Agency finds that the alternative treatment method provides a measure of performance equivalent to that achieved by methods specified in subsections (a) above~~,~~ and (c) and (d) below~~,~~ and in Section 728.Table F, for hazardous debris. Any approval must be stated in writing and may contain such provisions and conditions as the Agency determines to be appropriate. The person to whom such approval is issued shall comply with all limitations contained in such determination.

c) As an alternative to the otherwise applicable treatment standards of Subpart D of this Part ~~treatment standards~~, lab packs are eligible for land disposal provided the following requirements are met:

1) The lab packs comply with the applicable provisions of 35 Ill. Adm. Code 724.416 and 725.416;

BOARD NOTE: 35 Ill. Adm. Code 729.301 and 729.312 include additional restrictions on the use of lab packs.

2) All hazardous wastes contained in such lab packs are specified in Section 728.Appendix D or Section 728.Appendix E;

3) The lab packs are incinerated in accordance with the requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O; and

4) Any incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010 and D011 are treated in compliance with the applicable treatment standards specified for such wastes in Subpart D.

d) Radioactive hazardous mixed wastes with treatment standards specified in Section 728.Table E are not subject to any treatment standards specified in Section 728.141, Section 728.143 or Section 728.Table D. Radioactive hazardous mixed wastes not subject to treatment standards in Section 728.Table E remain subject to all applicable treatment standards specified in Section 728.141, Section 728.143 and Section 728.Table D. Hazardous debris containing radioactive waste is not subject to the treatment standards specified in Section 728.Table F but is subject to the treatment standards specified in Section 728.145.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.145 Treatment Standards for Hazardous Debris

a) Treatment standards. Hazardous debris must be treated prior to land disposal as follows unless ~~EPA~~the Board has determine~~s~~d, under 35 Ill. Adm. Code 721.103(d)(2), that the debris is no longer contaminated with hazardous waste or the debris is treated to the waste-specific treatment standard provided in this Subpart for the waste contaminating the debris:

1) General. Hazardous debris must be treated for each "contaminant subject to treatment" defined by subsection (b) of this Section using the technology or technologies identified in Section 728.Table F.

2) Characteristic debris. Hazardous debris that exhibits the characteristic of ignitability, corrosivity, or reactivity identified under 35 Ill. Adm. Code 721.121, 721.122, and 721.123, respectively, must be deactivated by treatment using one of the technologies identified in Section 728.Table F.

3) Mixtures of debris types. The treatment standards of Section 728.Table F must be achieved for each type of debris contained in a mixture of debris types. If an immobilization technology is used in a treatment train, it must be the last treatment technology used.

4) Mixtures of contaminant types. Debris that is contaminated with two or more contaminants subject to treatment identified under subsection (b) of this Section must be treated for each contaminant using one or more treatment technologies identified in Section 728.Table F. If an immobilization technology is used in a treatment train, it must be the last treatment technology used.

5) Waste PCBs. Hazardous debris that is also a waste PCB under 40 CFR 761 is subject to the requirements of either 40 CFR 761 or the requirements of this Section, whichever are more stringent.

b) Contaminants subject to treatment. Hazardous debris must be treated for each "contaminant subject to treatment.". The contaminants subject to treatment must be determined as follows:

1) Toxicity characteristic debris. The contaminants subject to treatment for debris that exhibits the Toxicity Characteristic (TC) by 35 Ill. Adm. Code 721.124 are those EP constituents for which the debris exhibits the TC toxicity characteristic.

2) Debris contaminated with listed waste. The contaminants subject to treatment for debris that is contaminated with a prohibited listed hazardous waste are those constituents for which BDAT standards are established for the waste under Sections 728.141 and 728.143.

3) Cyanide reactive debris. Hazardous debris that is reactive because of cyanide must be treated for cyanide.

c) Conditioned exclusion of treated debris. Hazardous debris that has been treated using one of the specified extraction or destruction technologies in Section 728.Table F and that does not exhibit a characteristic of hazardous waste identified under 35 Ill. Adm. Code 721.Subpart C after treatment is not a hazardous waste and need not be managed in a subtitle C facility. Hazardous debris contaminated with a listed waste that is treated by an immobilization technology specified in Section 728.Table ~~1~~F is a hazardous waste and must be managed in a subtitle C facility.

d) Treatment residuals

1) General requirements. Except as provided by subsections (d)(2) and (d)(4) below:

A) Residue from the treatment of hazardous debris must be separated from the treated debris using simple physical or mechanical means; and

B) Residue from the treatment of hazardous debris is subject to the waste-specific treatment standards provided by ~~728.~~Subpart D of this Part for the waste contaminating the debris.

2) Nontoxic debris. Residue from the deactivation of ignitable, corrosive, or reactive characteristic hazardous debris (other than cyanide-reactive) that is not contaminated with a contaminant subject to treatment defined by subsection (b) above, must be deactivated prior to land disposal and is not subject to the waste-specific treatment standards of Subpart D of this Part.

3) Cyanide-reactive debris. Residue from the treatment of debris that is reactive because of cyanide must meet the standards for D003 under Section 728.143.

4) Ignitable nonwastewater residue. Ignitable nonwastewater residue containing equal to or greater than 10% total organic carbon is subject to the technology-based standards for D001: "Ignitable Liquids based on 35 Ill. Adm. Code 721.121(a)(1)" under Section 728.142.

5) Residue from spalling. Layers of debris removed by spalling are hazardous debris that remain subject to the treatment standards of this Section.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 728.146 Alternative Treatment Standards ~~b~~Based on HTMR

Section 728.Table G identifies alternative treatment standards for F006 and K062 nonwastewaters.

(Source: Added at 18 Ill. Reg. _____, effective _____)

SUBPART E: PROHIBITIONS ON STORAGE

Section 728.150 Prohibitions on Storage of Restricted Wastes

a) Except as provided in this Section, the storage of hazardous wastes restricted from land disposal under Subpart C of this Part is prohibited, unless the following conditions are met:

1) A generator stores such wastes in tanks, containers or containment buildings on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal and the generator complies with the requirements in 35 Ill. Adm. Code 722.134 and 35 Ill. Adm. Code 724 and 725. (A generator who is in existence on the effective date of a regulation under this Part and who must store hazardous wastes for longer than 90 days due to the regulations under this Part becomes an owner or operator of a storage facility and must obtain a RCRA permit, as required by 35 Ill. Adm. Code 703. Such a facility may qualify for interim status upon compliance with the regulations governing interim status under 35 Ill. Adm. Code 703.153.)

2) An owner or operator of a hazardous waste treatment, storage or disposal facility stores such wastes in tanks, containers or contaiment buildings solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal and;

A) Each container is clearly marked to identify its contents and the date each period of accumulation begins;

B) Each tank is clearly marked with a description of its contents, the quantity of each hazardous waste received and the date each period of accumulation begins, or such information is recorded and maintained in the operating record at the facility. Regardless of whether the tank itself is marked, the owner and operator shall comply with the operating record requirements of 35 Ill. Adm. Code 724.173 or 725.173.

3) A transporter stores manifested shipments of such wastes at a transfer facility for 10 days or less

b) An owner or operator of a treatment, storage or disposal facility may store such wastes for up to one year unless the Agency can demonstrate that such storage was not solely for the purpose of accumulation of such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.

c) An owner or operator of a treatment, storage or disposal facility may store wastes beyond one year; however, the owner or operator bears the burden of proving that such storage was solely for the purpose of accumulation of such quantities of

hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.

d) If a generator's waste is exempt from a prohibition on the type of land disposal utilized for the waste (for example, because of an approved case-by-case extension under 40 CFR 268.5, incorporated by reference in Section 728.105, an approved Section 728.106 petition or a national capacity variance under 40 CFR 268, Subpart C, the prohibition in subsection (a) does not apply during the period of such exemption.

e) The prohibition in subsection (a) does not apply to hazardous wastes that meet the treatment standards specified under Sections 728.141, 728.142 and 728.143 or the adjusted treatment standards specified under Section 728.144, or, where treatment standards have not been specified, the waste is in compliance with the applicable prohibitions specified in Section 728.132 or 728.139.

f) Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm must be stored at a facility that meets the requirements of 40 CFR 761.65(b), incorporated by reference in 35 Ill. Adm. Code 720.111, and must be removed from stroage and treated or disposed as required by the Part within one year of the date when such wastes are first placed into storage. The provisions of subsection (c) above do not apply to such PCB wastes prohibited under Section 728.132.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.Table A Constituent Concentrations in Waste Extract (CCWE)

D, F and K Listed Wastes

Waste Code	See Also	Regulated Hazardous Constituent	CAS No. for Regulated Hazardous Constituent	Concentration (mg/L) Wastewaters	Concentration (mg/L) Nonwastewaters
D004	Table B	Arsenic	7440-38-2	NA	5.0 #A
D005	Table B	Barium	7440-39-3	NA	100.
D006	Table B	Cadmium	7440-43-9	NA	1.0
D007	Table B	Chromium (Total)	7440-47-32	NA	5.0

D008	Table B	Lead	7439-92-1	NA	5.0 #A
D009 (Low Mercury Subcategory--less than 260 mg/kg Mercury)					
	Tables B & D	Mercury	7439-97-6	NA	0.20
D010	Table B	Selenium	7782-49-2	NA	5.7
D011	Table B	Silver	7440-22-4	NA	5.0
F001-F005 spent solvents					
	Table B	Carbon disulfide	75-15-0	~~1.05~~NA	4.8
		Cyclohexanone	108-94-1	~~0.125~~NA	0.75
		Methanol	67-56-1	~~0.25~~NA	0.75
F006	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Nickel	7440-02-0	NA	0.32
		Silver	7440-22-4	NA	0.072
F007	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Nickel	7440-02-0	NA	0.32
		Silver	7440-22-4	NA	0.072
F008	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Nickel	7440-02-0	NA	0.32
		Silver	7440-22-4	NA	0.072
F009	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Nickel	7440-02-0	NA	0.32
		Silver	7440-22-4	NA	0.072
F011	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Nickel	7440-02-0	NA	0.32

		Silver	7440-22-4	NA	0.072
F012	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Nickel	7440-02-0	NA	0.32
		Silver	7440-22-4	NA	0.072
F019	Table B	Chromium (Total)	7440-47-32	NA	~~0.072~~5.2
F020-F023 and F026-F028 dioxin-containing wastes *					
		HxCDD-All Hexachlorodibenzo-p-dioxins		<1. ppb	<1. ppb
		HxCDF-All Hexachlorodibenzofurans		<1. ppb	<1. ppb
		PeCDD-All Pentachlorodibenzo-p-dioxins		<1. ppb	<1. ppb
		PeCDF-All Pentachlorodibenzofurans		<1. ppb	
		TCDD-All Tetrachlorodibenzo-p-dioxins		<1. ppb	<1. ppb
		TCDF-All Tetrachlorodibenzofurans		<1. ppb	<1. ppb
		2,4,5-Trichlorophenol	95-95-4	<0.05 ppm	<0.05 ppm
		2,4,6-Trichlorophenol	88-06-2	<0.05 ppm	<0.05 ppm
		2,3,4,6-Tetrachlorophenol	58-90-2	<0.05 ppm	<0.05 ppm
		Pentachlorophenol	87-86-5	<0.0~~5~~1 ppm	<0.0~~5~~1 ppm
F024	Table B	Chromium (Total)	7440-47-32	NA	0.073
		Lead	7439-92-1	NA	~~0.021~~Reserved
		Nickel	7440-02-0	NA	0.088
F037	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-0	NA	0.20
F038	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-0	NA	0.20
F039 (and D001 and D002 wastes prohibited under Section 728.137					

	Tables B & D	Antimony	7440-36-0	NA	0.23
		Arsenic	7440-38-2	NA	5.0
		Barium	7440-39-3	NA	52.
		Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
		Mercury	7439-97-6	NA	0.025
		Nickel	7440-02-0	NA	0.32
		Selenium	7782-49-2	NA	5.7
		Silver	7440-22-4	NA	0.072
K001	Table B	Lead	7439-92-1	NA	0.51
K002	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	0.37
K003	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	0.37
K004	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	0.37
K005	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	0.37
K006 (anhydrous)					
	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	0.37
K006 (hydrated)					
	Table B	Chromium (Total)	7440-47-32	NA	5.2
K007	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	0.37
K008	Table B	Chromium (Total)	7440-47-32	NA	0.094
		Lead	7439-92-1	NA	
K015	Table B	Chromium (Total)	7440-47-32	NA	1.7
		~~Lead~~	~~7439-92-1~~	~~NA~~	~~0.2~~
		Nickel	7440-02-0	NA	0.2

K021	Table B	Antimony	7440-36-0	NA	0.23 #A
K022	Table B	Chromium (Total)	7440-47-32	NA	5.2
		Nickel	7440-02-20	NA	0.32
K028	Table B	Chromium (Total)	7440-47-32	NA	0.073
		Lead	7439-92-1	NA	0.021
		Nickel	7440-02-20	NA	0.088
K031	Table B	Arsenic	7440-38-2	NA	5.6 #A
K046	Table B	Lead	7439-92-1	NA	0.18
K048	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-0	NA	0.20
K049	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-0	NA	0.20
K050	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-20	NA	0.20
K051	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-20	NA	0.20
K052	Table B	Chromium (Total)	7440-47-32	NA	1.7
		Nickel	7440-02-20	NA	0.20
K061	Table B	Antimony	7440-36-0	NA	2.1
		Arsenic	7440-38-2	NA	0.055
		Barium	7440-39-3	NA	7.6
		Beryllium	7440-41-7	NA	0.014
		Cadmium	7440-43-9	NA	0.19
		Chromium (Total)	7440-47-32	NA	0.33
		Lead	7439-92-1	NA	0.37
		Mercury	7439-97-6	NA	0.009
		Nickel	7440-02-0	NA	5.
		Selenium	7782-49-2	NA	0.16
		Silver	7440-22-4	NA	0.3
		Thallium		NA	0.078
		Zinc	7440-66-6	NA	5.3
K062	Table B	Chromium (Total)	7440-47-32	NA	0.094

		Lead	7439-92-1	NA	0.37
K069 (Calcium Sulfate Subcategory)					
	Tables B & D	Cadmium	7440-43-9	NA	0.14
		Lead	7439-92-1	NA	0.24
~~K071 (Low Mercury Subcategory--less than 16 mg/kg Mercury)~~					
K071	Table B	Mercury	7439-97-6	NA	0.025
K083	Table B	Nickel	7440-02-~~2~~0	NA	0.088
K084	Table B	Arsenic	7440-38-2	NA	5.6 #A
K086	Table B	Chromium (Total)	7440-47-32	NA	
		Lead	7439-92-1	NA	0.37
K087	Table B	Lead	7439-92-1	NA	0.51
K100	Table B	Cadmium	7440-43-9	NA	0.066
		Chromium (Total)	7440-47-32	NA	5.2
		Lead	7439-92-1	NA	0.51
K101	Table B	Arsenic	7440-38-2	NA	5.6 #A
K102	Table B	Arsenic	7440-38-2	NA	5.6 #A
K106 (Low Mercury Subcategory--less than 260 mg/kg Mercury--residues from RMERC)					
	Tables B & D	Mercury	7439-97-6	NA	0.020
K106 (Low Mercury Subcategory--less than 260 mg/kg Mercury--that are not residues from RMERC)					
	Tables B & D	Mercury	7439-97-6	NA ~~A~~	0.~~20~~025
K115	Table B	Nickel	7440-02-~~2~~0	NA	0.32

~~# - These treatment standards have been based on EP Leachate analysis but this does not preclude the use of TCLP analysis.~~

~~* - These waste codes are not subcategorized into wastewaters and nonwastewaters.~~

~~NA - Not Applicable.~~

P and U Listed Wastes

Waste Code	See Also	Commercial Chemical Name	Regulated Hazardous Constituent	CAS No. for Regulated Hazardous Constituent	Concentration (mg/L) Wastewaters	Concentration (mg/L) Nonwastewaters
P010	Table B	Arsenic acid	Arsenic	7440-38-2	NA	5.6 #A
P011	Table B	Arsenic pentoxide	Arsenic	7440-38-2	NA	5.6 #A
P012	Table B	Arsenic trioxide	Arsenic	7440-38-2	NA	5.6 #A
P013	Table B	Barium cyanide	Barium	7440-39-3	NA	52.
P036	Table B	Dichlorophenylarsine	Arsenic	7440-38-2	NA	5.6 #A
P038	Table B	Diethylarsine	Arsenic	7440-38-2	NA	5.6 #A
P065 (Low Mercury Subcategory--less than 260 mg/kg Mercury--residues from RMERC)						
	Tables B & D	Mercury fulminate	Mercury	7439-97-6	NA	0.20
P065 (Low Mercury Subcategory--less than 260 mg/kg Mercury--incinerator residues (and are not residues from RMERC))						
	Tables B & D	Mercury fulminate	Mercury	7439-97-6	NA	0.025
P073	Table B	Nickel carbonyl	Nickel	7440-02-~~2~~0	NA	0.32
P074	Table B	Nickel cyanide	Nickel	7440-02-~~2~~0	NA	0.32
P092 (Low Mercury Subcategory -- less than 260 mg/kg Mercury residues from RMERC)						

	Tables B & D	Phenyl mercury acetate	Mercury	7439-97-6	NA	0.20

P092 (Low Mercury Subcategory--less than 260 mg/kg Mercury--incinerator residues (and are not residues from RMERC))

	Tables B & D	Phenyl mercury acetate	Mercury	7439-97-6	NA	0.025
P099	Table B	Potassium silver cyanide	Silver	7440-22-4	NA	0.072
P103	Table B	Selenourea	Selenium	7782-49-2	NA	5.7
P104	Table B	Silver cyanide	Silver	7440-22-4	NA	0.072
P110	Table B	Tetraethyl lead	Lead	7439-92-1	NA	0.51
P114	Table B	Thallium selenite	Selenium	7782-49-2	NA	5.7
U032	Table B	Calcium chromate	Chromium (Total)	7440-47-32	NA	0.094
U051	Table B	Creosote	Lead	7439-92-1	NA	0.51
U136	Table B	Cacodylic acid	Arsenic	7440-38-2	NA	5.6
U144	Table B	Lead acetate	Lead	7439-92-1	NA	0.51
U145	Table B	Lead phosphate	Lead	7439-92-1	NA	0.51
U146	Table B	Lead subacetate	Lead	7439-92-1	NA	0.51

U151 (Low Mercury Subcategory--less than 260 mg/kg Mercury--residues from RMERC)

	Tables B & D	Mercury	Mercury	7439-97-6	NA	0.20

U151 (Low Mercury Subcategory--less than 260 mg/kg Mercury--that are not residues from

RMERC)

	Tables B & D	Mercury	Mercury	7439-97-6	NA	
	Table B	Selenium dioxide	Selenium	7782-49-2	NA	5.7
U205	Table B	Selenium sulfide	Selenium	7782-49-2	NA	5.7

#A--These treatment standards have been based on EP Leachate analysis but this does not preclude the use of TCLP analysis.

*B--These waste codes are not subcategorized into wastewaters and nonwastewaters.

NA--Not Applicable.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.Table B Constituent Concentrations in Wastes (CCW)

D, F and K Listed Wastes

Waste Code	See Also	Regulated Hazardous Constituent	CAS No. for Regulated Hazardous Constituent	Concentration (mg/L) Wastewaters	Concentration (mg/L) Nonwastewaters
D003 (Reactive cyanides subcategory--based on ~~Cyanides (Amenable)~~ 35 Ill. Adm. Code 721.123(a)(5))					
	NA	Cyanides (Total)	57-12-5	Res.	# 590. C
		Cyanides (Amenable)	57-12-5	0.86	30.
D004	Table A	Arsenic	7440-38-2	5.0	NA
D005	Table A	Barium	7440-39-3	100.	NA
D006	Table A	Cadmium	7440-43-9	1.0	NA
D007	Table A	Chromium (Total)	7440-47-32	5.0	NA
D008	Table A	Lead	7439-92-1	5.0	NA

D009	Table A	Mercury	7439-97-6	0.20	NA
D010	Table A	Selenium	7782-49-2	1.0	NA
D011	Table A	Silver	7440-22-4	5.0	NA
D012	Table D	Endrin	720-20-8	NA	0.13 A
D013	Table D	Lindane	58-89-9	NA	0.066 A
D014	Table D	Methoxychlor	72-43-5	NA	0.18 A
D015	Table D	Toxaphene	8001-35-1	NA	1.3 A
D016	Table D	2,4-D	94-75-7	NA	10.0 A
D017	Table D	2,4,5-TP Silvex	93-76-5	NA	7.9 A

F001-F005 spent solvents

		Acetone	67-64-1	0.28	160.
		Benzene	71-43-2	0.070	
		n-Butyl alcohol	71-36-3	5.6	2.6
		Carbon tetrachloride	56-23-5	0.057	5.6
		Chlorobenzene	108-90-7	0.057	5.7
		Cresol (m- and p-isomers)		0.77	3.2
		o-cresol		0.11	5.6
		o-Dichlorobenzene	95-50-1	0.088	6.2
		Ethyl acetate	141-7-6	0.34	33.
		Ethyl benzene	100-41-4	0.057	6.0
		Ethyl ether	60-29-7	0.12	160.
		Isobutyl alcohol	78-83-1	5.6	170.
		Methylene chloride	75-9-2	0.089	33.
		Methyl ethyl ketone	78-93-3	0.28	36.
		Methyl isobutyl ketone	108-10-1	0.14	33.
		Nitrobenzene	98-95-3	0.068	14.
		Pyridine	110-86-1	0.014	16.
		Tetrachloroethylene	127-18-4	0.056	5.6
		Toluene	108-88-3	0.08	28.
		1,1,1-Trichloroethane	71-55-6	0.054	5.6
		1,1,2-Trichloroethane	79-00-5	0.030	~~a~~ 7.6 A
		Trichloroethylene	79-01-6	0.054	5.6
		1,1,2-Trichloro-1,2,2-trifluoromethane	76-13-1	0.057	28.
		Trichloromono-fluoromethane	75-69-4	0.02	33.
		Xylenes (total)		0.32	28.
F006	Table A	Cyanides (Total)	57-12-5	1.2	590.
		Cyanides (Amenable)	57-12-5	0.86	30.
		Cadmium	7440-43-9	1.6	NA
		Chromium	7440-47-32	0.32	NA
		Lead	7439-92-1	0.040	NA
		Nickel	7440-02-~~2~~0	0.44	NA
F007	Table A	Cyanides (Total)	57-12-5	1.9	590.
		Cyanides (Amenable)	57-12-5	0.1	30.
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA
		Nickel	7440-02-~~2~~0	0.44	NA
F008	Table A	Cyanides (Total)	57-12-5	1.9	590.
		Cyanides (Amenable)	57-12-5	0.13	30.
		Chromium	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA

		Nickel	7440-02-~~2~~0	0.44	NA
F009	Table A	Cyanides (Total)	57-12-5	1.9~~5~~	5~~9~~0.
		Cyanides (Amenable)	57-12-5	0.1	30.
		Chromium	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA
		Nickel	7440-02-~~2~~0	0.44	NA
F010	NA	Cyanides (Total)	57-12-5	1.9	1.5
		Cyanides (Amenable)	57-12-5	0.1	NA
F011	Table A	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.1	9.1
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA
		Nickel	7440-02-~~2~~0	0.44	NA
F012	Table A	Cyanides (Total)	57-12-5	1.9	110.
		Cyanides (Amenable)	57-12-5	0.1	
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA
		Nickel	7440-02-~~2~~0	0.44	NA
F019	Table A	Cyanides (Total)	57-12-5	1.2	~~R~~ 590. C
		Cyanides (Amenable)	57-12-5	0.86	~~R~~ 30. C
		Chromium (Total)	7440-47-32	0.32	NA
F024	(Note: F024 organic standards must be treated via incineration (INCIN))				
	Tables A & D	2-Chloro-1,3-butadiene	126-99-8	~~a~~ 0.28 A	~~a~~ 0.28 A
		3-Chloropropene	107-05-1	~~a~~ 0.28 A	~~a~~ 0.28 A
		1,1-Dichloroethane	75-34-3	~~a~~ 0.014 A	~~a~~ 0.014 A
		1,2-Dichloroethane	107-06-2	~~a~~ 0.014 A	~~a~~ 0.014 A
		1,2-Dichloropropane	78-87-5	~~a~~ 0.014 A	~~a~~ 0.014 A
		cis-1,3-Dichloropropene	10061-01-5	~~a~~ 0.014 A	~~a~~ 0.014 A
		trans-1,3-Dichloropropene	10061-02-6	~~a~~ 0.014 A	~~a~~ 0.014 A
		Bis(2-ethylhexyl)phthalate	117-81-7	~~a~~ 0.036 A	~~a~~ 1.8 A
		Hexachloroethane	67-72-1	~~a~~ 0.036 A	~~a~~ 1.8 A
		Chromium (Total)	7440-47-32	0.35	NA
		Nickel	7440-02-~~2~~0	0.47	NA

F025 (Light ends subcategory)

	NA	Chloroform	67-6~~3~~6-3	~~s~~ 0.046 B	~~a~~ 6.2 A
		1,2-Dichloroethane	107-06-2	~~s~~ 0.21 B	~~a~~ 6.2 A
		1,1-Dichloroethylene	75-35-4	~~s~~ 0.025 B	~~a~~ 6.2 A
		Methylene chloride	75-9-2	~~s~~ 0.089 B	~~a~~ 31. A
		Carbon tetrachloride	56-23-5	~~s~~ 0.057 B	~~a~~ 6.2 A
		1,1,2-Trichloroethane	79-00-5	~~s~~ 0.054 B	~~a~~ 6.2 A
		Trichloroethylene	79-01-6	~~s~~ 0.054 B	~~s~~ 5.6 A
		Vinyl chloride	75-01-4	~~s~~ 0.27 B	~~a~~ 33. A
F025 (Spent filters~~/~~ or aids and desiccants subcategory)					
	NA	Chloroform	67-66-3	~~s~~ 0.046 B	~~a~~ 6.2 A
		Methylene chloride	75-9-2	~~s~~ 0.089 B	~~a~~ 31. A
		Carbon tetrachloride	56-23-5	~~s~~ 0.057 B	~~a~~ 6.2 A
		1,1,2-Trichloroethane	79-00-5	~~s~~ 0.054 B	~~a~~ 6.2 A
		Trichloroethylene	79-01-6	~~s~~ 0.054 B	~~s~~ 5.6 A
		Vinyl chloride	75-01-4	~~s~~ 0.27 B	~~a~~ 33. A
		Hexachlorobenzene	118-74-1	~~s~~ 0.055 B	~~a~~ 37. A
		Hexachlorobutadiene	87-68-3	~~s~~ 0.055 B	~~a~~ 28. A
		Hexachloroethane	67-72-1	~~s~~ 0.055 B	~~a~~ 30. A
F037	Table A	Acenaphthene	208-96-8	~~s~~ 0.059 B	NA
		Anthracene	120-12-7	~~s~~ 0.059 B	~~a~~ 28. A
		Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 14. A
		Benzo(a)anthracene	50-32-8	~~s~~ 0.059 B	~~a~~ 20. A
		Benzo(a)pyrene	117-81-7	~~s~~ 0.061 B	~~a~~ 12. A
		Bis(2-ethylhexyl) phthalate	75-15-0	~~s~~ 0.28 B	~~a~~ 7.3 A
		Chrysene	218-01-9	~~s~~ 0.059 B	~~a~~ 15. A
		Di-n-butyl phthalate	105-67-9	~~s~~ 0.057 B	~~a~~ 3.6 A
		Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 14. A
		Fluorene	86-73-7	~~s~~ 0.059 B	NA
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 42. A
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 34. A
		Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 3.6 A
		Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 36. A
		Toluene	108-88-3	~~s~~ 0.08 B	~~a~~ 14. A
		Xylene(s)		~~s~~ 0.32 B	~~a~~ 22. A
		Cyanides (Total)	57-12-5	~~a~~ 0.028 A	
		Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
F038	Table A	Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 14. A
		Benzo(a)pyrene	50-32-8	~~s~~ 0.061 B	~~a~~ 12. A
		Bis(2-ethylhexyl) phthalate	117-81-7	~~s~~ 0.28 B	~~a~~ 7.3 A
		Chrysene	218-01-9	~~s~~ 0.059 B	~~a~~ 15. A

	Di-n-butyl phthalate	84-74-2	~~s~~ 0.057 B	~~a~~ 3.6 A
	Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 14. A
	Fluorene	86-73-7	~~s~~ 0.059 B	NA
	Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 42. A
	Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 34. A
	Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 3.6 A
	Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 36. A
	Toluene	108-88-3	~~s~~ 0.080 B	~~a~~ 14. A
	Xylene(s)		~~s~~ 0.32 B	~~a~~ 22. A
	Cyanides (Total)	57-12-5	~~a~~ 0.028 A	~~a~~ 1.8 A
	Chromium (Total)	7440-47-32	0.2	NA
	Lead	7439-92-1	0.037	NA
F039 (and D001 and D002 wastes prohibited under Section 728.137)				
Tables A & D	Acetone	67-64-1	~~s~~ 0.28 B	~~a~~ 160. A
	Acenaphthalene	208-96-8	~~s~~ 0.059 B	~~a~~ 3.4 A
	Acenaphthene	83-32-9	~~s~~ 0.059 B	~~a~~ 4.0 A
	Acetonitrile	75-05-8	~~s~~ 0.17 B	NA
	Acetophenone	96-86-2	~~s~~ 0.010 B	~~a~~ 9.7 A
	2-Acetylaminofluorene	53-96-3	~~s~~ 0.059 B	~~a~~ 140. A
	Acrylonitrile	107-13-1	~~s~~ 0.24 B	~~a~~ 84. A
	Acrolien	107-02-8	0.29 B	NA
	Aldrin	309-00-2	~~s~~ 0.021 B	~~a~~ 0.068 A
	4-Aminobiphenyl	92-67-1	~~s~~ 0.13 B	NA
	Aniline	62-53-3	~~s~~ 0.81 B	~~a~~ 14. A
	Anthracene	120-12-7	~~s~~ 0.059 B	~~a~~ 4.0 A
	Aramite	140-57-8	0.36 B	NA
	Aroclor 1016	12674-11-2	~~s~~ 0.013 B	~~a~~ 0.92 A
	Aroclor 1221	11104-28-2	~~s~~ 0.014 B	~~a~~ 0.92 A
	Aroclor 1232	11141-16-5	~~s~~ 0.013 B	~~a~~ 0.92 A
	Aroclor 1242	53469-21-9	~~s~~ 0.017 B	~~a~~ 0.92 A
	Aroclor 1248	12672-29-6	~~s~~ 0.013 B	~~a~~ 0.92 A
	Aroclor 1254	11097-69-1	~~s~~ 0.014 B	~~a~~ 1.8 A
	Aroclor 1260	11096-82-5	~~s~~ 0.014 B	~~a~~ 1.8 A
	alpha-BHC	319-84-6	~~s~~ 0.00014 B	~~a~~ 0.066 A
	beta-BHC	319-85-7	~~s~~ 0.00014 B	~~a~~ 0.066 A
	delta-BHC	319-86-8	~~s~~ 0.023 B	~~a~~ 0.066 A
	gamma-BHC	58-89-9	~~s~~ 0.0017 B	~~a~~ 0.066 A
	Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 36. A
	Benzo(a)anthracene	56-55-3	~~s~~ 0.059 B	~~a~~ 8.2 A
	Benzo(b)fluoranthene	205-99-2	~~s~~ 0.055 B	~~a~~ 3.4 A
	Benzo(k)fluoranthene	207-08-9	~~s~~ 0.059 B	~~a~~ 3.4 A
	Benzo(g,h,i)perylene	191-24-2	~~s~~ 0.0055 B	~~a~~ 1.5 A

Benzo(a)pyrene	50-32-8	~~s~~ 0.061 B	~~a~~ 8.2 A
Bromodichloromethane	75-27-4	~~s~~ 0.35 B	~~a~~ 15. A
Bromoform (Tribromomethane)	75-25-2	~~s~~ 0.63 B	~~a~~ 15. A
Bromomethane (methyl bromide)	74-63-9	~~s~~ 0.11 B	~~a~~ 15. A
4-Bromophenyl phenyl ether	101-55-3	~~s~~ 0.055 B	~~a~~ 15. A
n-Butyl alcohol	71-36-3	~~s~~ 5.6 B	
Butyl benzyl phthalate	85-68-7	~~s~~ 0.017 B	~~a~~ 7.9 A
2-sec-Butyl-4,6-dinitrophenol	88-85-7	~~s~~ 0.066 B	~~a~~ 2.5 A
Carbon tetrachloride	56-23-5	~~s~~ 0.057 B	~~a~~ 5.6 A
Carbon disulfide	75-15-0	~~s~~ 0.014 B	NA
Chlordane	57-74-9	~~s~~ 0.0033 B	~~a~~ 0.13 A
p-Chloroaniline	106-47-8	~~s~~ 0.46 B	~~a~~ 16. A
Chlorobenzene	108-90-7	~~s~~ 0.057 B	~~a~~ 5.7 A
Chlorobenzilate	510-15-6	~~s~~ 0.10 B	NA
2-Chloro-1,3-butadiene	126-99-8	0.057 B	NA
Chlorodibromomethane	124-48-1	~~s~~ 0.057 B	~~a~~ 16. A
Chloroethane	75-00-3	~~s~~ 0.27 B	~~a~~ 6.0 A
bis(2-Chloroethoxy)methane	111-91-1	~~s~~ 0.036 B	~~a~~ 7.2 A
bis(2-Chloroethyl) ether	111-44-4	~~s~~ 0.033 B	~~a~~ 7.2 A
~~2-Chloroethyl vinyl ether~~		~~0.057~~	~~NA~~
Chloroform	67-66-3	~~s~~ 0.046 B	~~a~~ 5.6 A
bis(2-Chloroisopropyl) ether	39638-32-9	~~s~~ 0.055 B	~~a~~ 7.2 A
p-Chloro-m-cresol	59-50-7	~~s~~ 0.018 B	~~a~~ 14. A
Chloromethane (Methyl chloride)	74-87-3	~~s~~ 0.19 B	~~a~~ 33. A
2-Chloronaphthalene	91-8-7	~~s~~ 0.055 B	~~a~~ 5.6 A
2-Chlorophenol	95-57-8	~~s~~ 0.044 B	~~a~~ 5.7 A
3-Chloropropene	107-05-1	~~s~~ 0.036 B	~~a~~ 28. A
Chrysene	218-01-9	~~s~~ 0.059 B	~~a~~ 8.2 A
o-Cresol	95-48-7	~~s~~ 0.11 B	~~a~~ 5.6 A
Cresol (m- and p-isomers)		~~s~~ 0.77 B	~~a~~ 3.2 A
Cyclohexanone	108-94-1	~~s~~ 0.36 B	NA
1,2-Dibromo-3-chloropropane	96-12-8	~~s~~ 0.11 B	~~a~~ 15. A
1,2-Dibromoethane (Ethylene dibromide)	106-93-4	~~s~~ 0.028 B	~~a~~ 15. A
Dibromomethane	74-95-3	~~s~~ 0.11 B	~~a~~ 15. A
2,4-Dichlorophenoxyacetic acid (2,4-D)	94-75-7	~~s~~ 0.72 B	~~a~~ 10. A
o,p'-DDD	53-19-0	~~s~~ 0.023 B	~~a~~ 0.087 A
p,p'-DDD	72-54-8	~~s~~ 0.023 B	~~a~~ 0.087 A
o,p'-DDE	3424-82-6	~~s~~ 0.031 B	~~a~~ 0.087 A
p,p'-DDE	72-55-9	~~s~~ 0.031 B	~~a~~ 0.087 A
o,p'-DDT	789-02-6	~~s~~ 0.0039 B	~~a~~ 0.087 A

p,p'-DDT	50-29-3	~~s~~ 0.0039 B	~~a~~ 0.087 A
Dibenzo(a,h)anthracene	53-70-3	~~s~~ 0.055 B	~~a~~ 8.2 A
Dibenzo(a,e)pyrene	192-65-4	0.061 A	NA
m-Dichlorobenzene	541-73-1	~~s~~ 0.036 B	~~a~~ 6.2 A
o-Dichlorobenzene	95-50-1	~~s~~ 0.088 B	~~a~~ 6.2 A
p-Dichlorobenzene	106-46-7	~~s~~ 0.090 B	~~a~~ 6.2 A
Dichlorodifluoromethane	75-71-8	~~s~~ 0.23 B	~~a~~ 7.2 A
1,1-Dichloroethane	75-34-3	~~s~~ 0.059 B	~~a~~ 7.2 A
1,2-Dichloroethane	107-06-2	~~s~~ 0.21 B	~~a~~ 7.2 A
1,1-Dichloroethylene	75-35-4	~~s~~ 0.025 B	~~a~~ 33. A
trans-1,2-Dichloroethylene		~~s~~ 0.054 B	~~a~~ 33. A
2,4-Dichlorophenol	120-83-2	~~s~~ 0.044 B	~~a~~ 14. A
2,6-Dichlorophenol	87-65-0	~~s~~ 0.044 B	~~a~~ 14. A
1,2-Dichloropropane	78-87-5	~~s~~ 0.85 B	~~a~~ 18. A
cis-1,3-Dichloropropene	10061-01-5	~~s~~ 0.036 B	~~a~~ 18. A
trans-1,3-Dichloropropene	10061-02-6	~~s~~ 0.036 B	~~a~~ 18. A
Dieldrin	60-57-1	~~s~~ 0.017 B	~~a~~ 0.13 A
Diethyl phthalate	84-66-2	~~s~~ 0.20 B	~~a~~ 28. A
~~p-Dimethylaminoazobenzene~~	~~60-11-3~~	~~s 0.13~~	~~NA~~
2,4-Dimethyl phenol	105-67-9	~~s~~ 0.036 B	~~a~~ 14. A
Dimethyl phthalate	131-11-3	~~s~~ 0.047 B	~~a~~ 28. A
Di-n-butyl phthalate	84-74-2	~~s~~ 0.057 B	
1,4-Dinitrobenzene	100-25-4	~~s~~ 0.32 B	~~a~~ 2.3 A
4,6-Dinitro-o-cresol	534-52-1	~~s~~ 0.28 B	~~a~~ 160. A
2,4-Dinitrophenol	51-28-5	~~s~~ 0.12 B	~~a~~ 160. A
2,4-Dinitrotoluene	121-14-2	~~s~~ 0.32 B	~~a~~ 140. A
2,6-Dinitrotoluene	606-20-2	~~s~~ 0.55 B	~~a~~ 28. A
Di-n-octyl phthalate	117-84-0	~~s~~ 0.017 B	~~a~~ 28. A
Di-n-propylnitrosoamine	621-64-7	~~s~~ 0.40 B	~~a~~ 14. A
Diphenylamine	122-39-4	0.52 B	NA
1,2-Diphenyl hydrazine	122-66-7	~~s~~ 0.087 B	NA
Diphenylnitrosoamine	621-64-7	0.40 B	NA
1,4-Dioxane	123-91-1	~~s~~ 0.12 B	~~a~~ 170. A
Disulfoton	298-04-4	~~s~~ 0.017 B	~~a~~ 6.2 A
Endosulfan I	939-98-8	~~s~~ 0.023 B	~~a~~ 0.066 A
Endosulfan II	33213-6-5	~~s~~ 0.029 B	~~a~~ 0.13 A
Endosulfan sulfate	1031-07-8	~~s~~ 0.029 B	~~a~~ 0.13 A
Endrin	72-20-8	~~s~~ 0.0028 B	~~a~~ 0.13 A
Endrin aldehyde	7421-93-4	~~s~~ 0.025 B	~~a~~ 0.13 A
Ethyl acetate	141-78-6	~~s~~ 0.34 B	~~a~~ 33. A
Ethyl cyanide	107-12-0	~~s~~ 0.24 B	360. ~~N~~A
Ethyl benzene	100-41-4	~~s~~ 0.057 B	~~a~~ 6.0 A
Ethyl ether	60-29-7	~~s~~ 0.12 B	~~a~~ 160. A

bis(2-Ethylhexyl) phthalate	117-81-7	~~s~~ 0.28 B	~~a~~ 28. A
Ethyl methacrylate	97-63-2	~~s~~ 0.14 B	~~a~~ 160. A
Ethylene oxide	75-21-8	~~s~~ 0.12 B	NA
Famphur	52-85-7	~~s~~ 0.017 B	~~a~~ 15. A
Fluoranthene	206-44-0	~~s~~ 0.068 B	~~a~~ 8.2 A
Fluorene	86-73-7	~~s~~ 0.059 B	~~a~~ 4.0 A
Fluorotrichloromethane	75-69-4	~~s~~ 0.020 B	~~a~~ 33. A
Heptachlor	76-44-8	~~s~~ 0.0012 B	~~a~~ 0.066 A
Heptachlor epoxide	1024-57-3	~~s~~ 0.016 B	~~a~~ 0.066 A
Hexachlorobenzene	118-74-1	~~s~~ 0.055 B	~~a~~ 37. A
Hexachlorobutadiene	87-68-3	~~s~~ 0.055 B	~~a~~ 28. A
Hexachlorocyclopentadiene	77-47-4	~~s~~ 0.057 B	~~a~~ 3.6 A
Hexachlorodibenzofurans		~~s~~ 0.000063 B	~~a~~ 0.001 A
Hexachlorodibenzo-p-dioxins		~~s~~ 0.000063 B	~~a~~ 0.001 A
Hexachloroethane	67-72-1	~~s~~ 0.055 B	~~a~~ 28. A
Hexachloropropene	1888-71-7	~~s~~ 0.035 B	~~a~~ 28. A
Indeno(1,2,3,-c,d)pyrene	193-39-5	~~s~~ 0.0055 B	~~a~~ 8.2 A
Iodomethane	74-88-4	~~s~~ 0.019 B	~~a~~ 65. A
Isobutanol	78-83-1	~~s~~ 5.6 B	~~a~~ 170. A
Isodrin	465-73-6	~~s~~ 0.021 B	~~a~~ 0.066 A
Isosafrole	120-58-1	~~s~~ 0.081 B	~~a~~ 2.6 A
Kepone	143-50-8	~~s~~ 0.0011 B	~~a~~ 0.13 A
Methacrylonitrile	126-98-7	~~s~~ 0.24 B	~~a~~ 84. A
Methapyrilene	91-80-5	~~s~~ 0.081 B	~~a~~ 1.5 A
Methanol	67-56-1	5.6 B	NA
Methoxychlor	72-43-5	~~s~~ 0.25 B	~~a~~ 0.18 A
3-Methylcholanthrene	56-49-5	~~s~~ 0.0055 B	~~a~~ 15. A
4,4-Methylene-bis-(2-chloroaniline)	101-14-4	~~s~~ 0.50 B	~~a~~ 35. A
Methylene chloride	75-09-2	~~s~~ 0.089 B	~~a~~ 33. A
Methyl ethyl ketone	78-93-3	~~s~~ 0.28 B	~~a~~ 36. A
Methyl isobutyl ketone	108-10-1	~~s~~ 0.14 B	~~a~~ 33. A
Methyl methacrylate	80-62-6	~~s~~ 0.14 B	~~a~~ 160. A
Methyl methansulfonate	66-27-3	~~s~~ 0.018 B	NA
Methyl parathion	298-00-1	~~s~~ 0.014 B	~~s~~ 4.6 B
Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 3.1 A
2-Naphthylamine	91-59-8	~~s~~ 0.52 B	NA
p-Nitroaniline	100-01-6	~~s~~ 0.028 B	
Nitrobenzene	98-95-3	~~s~~ 0.068 B	~~a~~ 14. A
5-Nitro-o-toluidine	99-55-8	~~s~~ 0.32 B	~~a~~ 28. A
4-Nitrophenol	100-02-7	~~s~~ 0.12 B	~~a~~ 29. A
N-Nitrosodiethylamine	55-18-5	~~s~~ 0.40 B	~~a~~ 28. A
N-Nitrosodimethylamine	62-75-9	~~s~~ 0.40 B	NA
N-Nitroso-di-n-butylamine	924-16-3	~~s~~ 0.40 B	~~a~~ 17. A

N-Nitrosomethylethylamine	105-95-6	~~s~~ 0.40 B	~~a~~ 2.3 A
N-Nitrosomorpholine	59-89-2	~~s~~ 0.40 B	~~a~~ 2.3 A
N-Nitrosopiperidine	100-75-4	~~s~~ 0.013 B	~~a~~ 35. A
N-Nitrosopyrrolidine	930-55-2	~~s~~ 0.013 B	~~a~~ 35. A
Parathion	56-38-2	~~s~~ 0.017~~4~~ B	~~a~~ 4.6 A
Pentachlorobenzene	608-93-5	~~s~~ 0.055 B	~~a~~ 37. A
Pentachlorodibenzo-furans		~~s~~ 0.0000635 B	~~a~~ 0.001 A
Pentachlorodibenzo-p-dioxins		~~s~~ 0.000063 B	~~a~~ 0.001 A
Pentachloronitrobenzene	82-68-8	~~s~~ 0.055 B	~~a~~ 4.8 A
Pentachlorophenol	87-86-5	~~s~~ 0.089 B	~~a~~ 7.4 A
Phenacetin	62-44-2	~~s~~ 0.081 B	~~a~~ 16. A
Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 3.1 A
Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 6.2 A
Phorate	298-02-2	~~s~~ 0.021 B	~~a~~ 4.6 A
~~Propanenitrile (ethyl cyanide)~~	~~107-12-0~~	~~s 0.24~~	~~a 360.~~
Phthalic anhydride	85-44-9	0.69 B	NA
Pronamide	23950-58-5	~~s~~ 0.093 B	~~a~~ 1.5 A
Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 8.2 A
Pyridine	110-86-1	~~s~~ 0.014 B	~~a~~ 16. A
Safrole	94-59-7	~~s~~ 0.081 B	~~a~~ 22. A
Silvex (2,4,5-TP)	93-72-1	~~s~~ 0.72 B	~~a~~ 7.9 A
2,4,5-T	93-76-5	~~s~~ 0.72 B	~~a~~ 7.9 A
1,2,4,5-Tetrachlorobenzene	95-94-3	~~s~~ 0.055 B	~~a~~ 19. A
Tetrachlorodibenzofurans		~~s~~ 0.000063 B	~~a~~ 0.001 A
Tetrachlorodibenzo-p-dioxins		~~s~~ 0.000063 B	~~a~~ 0.001 A
~~2,3,7,8-Tetrachlorodibenzo-p-dioxin~~		~~s 0.000063~~	~~NA~~
1,1,1,2-Tetrachloroethane	630-20-6	~~s~~ 0.057 B	~~a~~ 42. A
1,1,2,2-Tetrachloroethane	79-34-6	~~s~~ 0.057 B	~~a~~ 42. A
Tetrachloroethylene	127-18-4	~~s~~ 0.056 B	~~a~~ 5.6 A
2,3,4,6-Tetrachlorophenol	58-90-2	~~s~~ 0.030 B	~~a~~ 37. A
Toluene	108-88-3	~~s~~ 0.080 B	~~a~~ 28. A
Toxaphene	8001-35-1	~~s~~ 0.0095 B	~~a~~ 1.3 A
1,2,4-Trichlorobenzene	120-82-1	~~s~~ 0.055 B	~~a~~ 19. A
1,1,1-Trichloroethane	71-55-6	~~s~~ 0.054 B	~~a~~ 5.6 A
1,1,2-Trichloroethane	79-00-5	~~s~~ 0.054 B	~~a~~ 5.6 A
Trichloroethylene	79-01-6	~~s~~ 0.054 B	~~a~~ 5.6 A
2,4,5-Trichlorophenol	95-95-4	~~s~~ 0.18 B	~~a~~ 37. A
2,4,6-Trichlorophenol	88-06-2	~~s~~ 0.035 B	~~a~~ 37. A
1,2,3-Trichloropropane	96-18-4	~~s~~ 0.85 B	~~a~~ 28. A
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	~~s~~ 0.057 B	~~a~~ 28. A
Tris(2,3-dibromopropyl)phosphate	126-72-7	0.11 B	NA

		Vinyl chloride	75-01-4	~~s~~ 0.27 B	~~a~~ 33. A
		Xylene(s)		~~s~~ 0.32 B	~~a~~ 28. A
		Cyanides (Total)	57-12-5	~~s~~ 1.2 B	~~a~~ 1.8 A
		~~Cyanides (Amenable)~~	~~57-12-5~~	~~s 0.86~~	~~NA~~
		Fluoride	16964-48-8	~~s~~ 35. B	NA
		Sulfide	8496-25-8	~~s~~ 14. B	
		Antimony	7440-36-0	~~s~~ 1.9 B	NA
		Arsenic	7440-38-2	~~s 5~~1.~~04~~ B	NA
		Barium	7440-39-3	~~s~~ 1.2 B	NA
		Beryllium	7440-41-7	~~s~~ 0.82 B	NA
		Cadmium	7440-43-9	~~s~~ 0.20 B	NA
		Chromium (Total)	7440-47-32	~~s~~ 0.37 B	NA
		Copper	7440-50-8	~~s~~ 1.3 B	NA
		Lead	7439-92-1	~~s~~ 0.28 B	NA
		Mercury	7439-97-6	~~s~~ 0.15 B	NA
		Nickel	7440-02-2	~~s~~ 0.55 B	NA
		Selenium	7782-49-2	~~s~~ 0.82 B	NA
		Silver	7440-22-4	~~s~~ 0.29 B	NA
		Thallium	7440-28-0	1.4 B	NA
		Vanadium	7440-62-2	~~s~~ 0.042 B	NA
		Zinc	7440-66-0	1.0 B	NA
K001	Table A	Naphthalene	91-20-3	~~a~~ 0.031 A	~~a~~ 1.5 A
		Pentachlorophenol	87-86-5	~~a~~ 0.031 A	~~a~~ 1.5 A
		Phenanthrene	85-01-8	~~a~~ 0.~~03~~18 A	~~a 1~~7.~~5~~4 A
		Pyrene	129-00-0	~~a~~ 0.028 A	~~a~~ 1.5 A
		Toluene	10~~6~~8-88-3	~~a~~ 0.028 A	~~a~~ 28. A
		Xylenes (Total)		~~a~~ 0.032 A	~~a~~ 33. A
		Lead	7439-92-1	~~a~~ 0.037 A	NA
K002	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA
		Lead	7439-92-1	~~s~~ 3.4 B	NA
K003	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA
		Lead	7439-92-1	~~s~~ 3.4 B	NA
K004	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA
		Lead	7439-92-1	~~s~~ 3.4 B	NA
K005	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA
		Lead	7439-92-1	~~s~~ 3.4 B	NA
		Cyanides (Total)	57-12-5	~~s~~ 0.74 B	~~R~~ D
K006	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA

		Lead	7439-92-1	~~s~~ 3.4 B	NA
K007	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA
		Lead	7439-92-1	~~s~~ 3.4 B	~~R~~ NA D
		Cyanides (Total)	57-12-5	~~s~~ 0.74 B	
K008	Table A	Chromium (Total)	7440-47-32	~~s 2~~0.9 B	NA
		Lead	7439-92-1	~~s~~ 3.4 B	NA
K009	NA	Chloroform	67-66-3	0.1	~~a~~ 6.0 A
K010	NA	Chloroform	67-66-3	0.1	6.0
K011	NA	Acetonitrile	75-05-8	38.	1.8
		Acrylonitrile	107-13-1	0.06	1.4
		Acrylamide	79-06-1	19.	23.
		Benzene	71-43-2	0.02	0.03
		Cyanide (Total)	57-12-5	21.	57.
K013	NA	Acetonitrile	75-05-8	38.	~~a~~ 1.8 A
		Acrylonitrile	107-13-1	0.06	~~a~~ 1.4 A
		Acrylamide	79-06-1	19.	~~a~~ 23. A
		Benzene	71-43-2	0.02	~~a~~ 0.03 A
		Cyanide (Total)	57-12-5	21.	
K014	NA	Acetonitrile	75-05-8	38.	~~a~~ 1.8 A
		Acrylonitrile	107-13-1	0.06	~~a~~ 1.4 A
		Acrylamide	79-06-1	19.	~~a~~ 23. A
		Benzene	71-43-2	0.02	~~a~~ 0.03 A
		Cyanide (Total)	57-12-5	21.	57.
K015	Table A	Anthracene	120-12-7	0.059	~~a~~ 3.4 A
		Benzal Chloride	98-87-3	0.28	~~a~~ 6.2 A
		Sum of Benzo(b)fluoranthene and Benzo(k)fluoranthene	207-08-9	0.055	3.4
		Phenanthrene	85-01-8	0.059	~~a~~ 3.4 A
		Toluene	108-88-3	0.08	~~a~~ 6.0 A
		Chromium (Total)	7440-47-32	0.32	NA
		Nickel	7440-02-0	0.44	NA
K016	NA	Hexachlorobenzene	118-74-1	0.055	~~a~~ 28. A
		Hexachlorobutadiene	87-68-3	0.055	~~a~~ 5.6 A

		Hexachlorocyclopentadiene	77-47-4	0.057	~~a~~ 5.6 A
		Hexachloroethane	67-72-1	0.055	~~a~~ 28. A
		Tetrachloroethene	127-18-4	0.056	~~a~~ 6.0 A
K017	NA	1,2-Dichloropropane	78-87-5	~~s a~~ 0.85 A B	~~a 2~~18. A
		1,2,3-Trichloropropane	96-18-4	~~s a~~ 0.85 A B	~~a~~ 28. A
		Bis(2-chloroethyl)ether	111-44-4	~~s a~~ 0.033 A B	~~a~~ 7.2 A
K018	NA	Chloroethane	76-00-3	0.27	~~a~~ 6.0 A
		Chloromethane	74-87-3	0.19	NA
		1,1-Dichloroethane	75-34-3	0.059	~~a~~ 6.0 A
		1,2-Dichloroethane	107-06-2	0.21	~~a~~ 6.0 A
		Hexachlorobenzene	118-74-1	0.055	~~a~~ 28. A
		Hexachlorobutadiene	87-68-3	0.055	~~a~~ 5.6 A
		Pentachloroethane	76-01-7	NA	5.6
		1,1,1-Trichloroethane	71-55-6	0.054	6.0
		Hexachloroethane	67-72-1	0.055	~~a~~ 28. A
K019	NA	Bis(2-chloroethyl) ether	111-44-4	0.033	~~a~~ 5.6 A
		Chlorobenzene	108-90-7	0.057	~~a~~ 6.0 A
		Chloroform	67-66-3	0.046	~~a~~ 6.0 A
		p-Dichlorobenzene	106-46-7	0.09	NA
		1,2-Dichloroethane	107-06-2	0.21	~~a~~ 6.0 A
		Fluorene	86-73-7	0.059	NA
		Hexachloroethane	67-72-1	0.055	~~a~~ 28. A
		Naphthalene	91-20-3	0.059	~~a~~ 5.6 A
		Phenanthrene	85-01-8	0.059	~~a~~ 5.6 A
		1,2,4,5- Tetrachlorobenzene	95-94-3	0.055	NA
		Tetrachloroethene	127-18-4	0.056	~~a~~ 6.0 A
		1,2,4-Trichlorobenzene	120-82-1	0.055	~~a~~ 19. A
		1,1,1-Trichloroethane	71-55-6	0.054	~~a~~ 6.0 A
K020	NA	1,2-Dichloroethane	106-93-4	0.21	~~a~~ 6.0 A
		1,1,2,2-Tetrachloroethane	79-34-6	0.057	~~a~~ 5.6 A
		Tetrachloroethene	127-18-4	0.056	~~a~~ 6.0 A
K021	Table A	Chloroform	67-66-3	~~s~~ 0.046 B	~~a~~ 6.2 A
		Carbon tetrachloride	58-23-5	~~s~~ 0.057 B	~~a~~ 6.2 A
		Antimony	~~58-23-~~ ~~5~~7440-36-0	~~s~~ 0.6057 B	~~a~~ 6.2 A
K022	Table A	Toluene	108-88-3	~~s~~ 0.0680 B	
		Acetophenone	96-86-2	0.010	~~a~~ 19. A
		Diphenylamine	22-39-4	~~s~~ 0.52 B	NA

		Diphenylnitrosamine	86-30-6	~~s~~ 0.40 B	NA
		Sum of Diphenylamine and Diphenylnitrosamine		NA	~~a~~ 13. A
		Phenol	108-95-2	0.039	~~a~~ 12. A
		Chromium (Total)	7440-47-32	0.35	NA
		Nickel	7440-02-0	0.47	NA
K023	NA	Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.069	~~a~~ 28. A
K024	NA	Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.069	~~a~~ 28. A
K028	Table A	1,1-Dichloroethane trans-1,2-	75-34-3	0.059	~~a~~ 6.0 A
		Dichloroethane		0.054	~~a~~ 6.0 A
		Hexachlorobutadiene	87-68-3	0.055	~~a~~ 5.6 A
		Hexachloroethane	67-72-1	0.055	~~a~~ 28. A
		Pentachloroethane	76-01-7	NA	~~a~~ 5.6 A
		1,1,1,2-Tetrachloroethane	630-20-6	0.057	~~a~~ 5.6 A
		1,1,2,2-Tetrachloroethane	79-34-6	0.057	~~a~~ 5.6 A
		1,1,1,-Trichloroethane	71-55-6	0.054	~~a~~ 6.0 A
		1,1,2-Trichloroethane	79-00-5	0.054	~~a~~ 6.0 A
		Tetrachloroethylene	127-18-4	0.056	~~a~~ 6.0 A
		Cadmium	7440-43-9	6.4	NA
		Chromium (Total)	7440-47-32	0.35	NA
		Lead	7439-92-1	0.037	NA
		Nickel	7440-02-0	0.47	NA
K029	NA	Chloroform	67-66-3	0.46	~~a~~ 6.0 A
		1,2-Dichloroethane	107-06-2	0.21	~~a~~ 6.0 A
		1,1-Dichloroethylene	75-35-4	0.025	~~a~~ 6.0 A
		1,1,1-Trichloroethane	71-55-6	0.054	~~a~~ 6.0 A
		Vinyl chloride	75-01-4	0.27	~~a~~ 6.0 A
K030	NA	o-Dichlorobenzene	95-50-1	0.088	NA
		p-Dichlorobenzene	106-46-7	0.09	NA
		Hexachlorobutadiene	87-68-3	0.055	~~a~~ 5.6 A
		Hexachloroethane	67-72-1	0.055	~~a~~ 28. A
		Hexachloropropene	1888-71-7	NA	~~a~~ 19. A
		Pentachlorobenzene	608-93-5	NA	~~a~~ 28. A
		Pentachloroethane	76-01-7	NA	~~a~~ 5.6 A
		1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	~~a~~ 14. A
		Tetrachloroethene	127-18-4	0.056	~~a~~ 6.0 A
		1,2,4-Trichlorobenzene	120-82-1	0.055	~~a~~ 19. A

K031	Table A	Arsenic	7440-38-2	0.79	NA
K032	NA	Hexachlorocyclopentadiene	77-47-4	~~s~~ 0.057 B	~~a~~ 24. A
		Chlordane	57-74-9	~~s~~ 0.0033 B	~~a~~ 0.26 A
		Heptachlor	76-44-8	~~s~~ 0.0012 B	~~a~~ 0.066 A
		Heptachlor epoxide	1024-57-3	~~s~~ 0.016 B	~~a~~ 0.066 A
K033	NA	Hexachlorocyclopentadiene	77-47-4	~~s~~ 0.057 B	~~a~~ 2.4 A
K034	NA	Hexachlorocyclopentadiene	77-47-4	~~s~~ 0.057 B	~~a~~ 2.4 A
K035	NA	Acenaphthene	83-32-9	NA	
		Anthracene	120-12-7	NA	~~a~~ 3.4 A
		Benz(a)anthracene	56-55-3	~~s~~ 0.59 B	~~a~~ 3.4 A
		Benzo(a)pyrene	50-32-8	NA	~~a~~ 3.4 A
		Chrysene	218-01-9	~~s~~ 0.059 B	~~a~~ 3.4 A
		Dibenz(a,h)anthracene	53-70-3	NA	~~a~~ 3.4 A
		Fluoranthene	206-44-0	~~s~~ 0.068 B	~~a~~ 3.4 A
		Fluorene	86-73-7	NA	~~a~~ 3.4 A
		Indeno(1,2,3-cd)pyrene	193-39-5	NA	~~a~~ 3.4 A
		Cresols (m- and p-isomers)		~~s~~ 0.77 B	NA
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 3.4 A
		o-Cresol	95-48-7	~~s~~ 0.11 B	NA
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 3.4 A
		Phenol	108-95-2	0.039	NA
		Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 8.2 A
K036	NA	Disulfoton	298-04-4	~~s~~ 0.025 B	~~a~~ 0.1 A
K037	NA	Disulfoton	298-04-4	~~s~~ 0.025 B	~~a~~ 0.1 A
		Toluene	108-88-3	~~s~~ 0.080 B	~~a~~ 28. A
K038	NA	Phorate	298-02-2	0.025	~~a~~ 0.1 A
K040	NA	Phorate	298-02-2	0.025	~~a~~ 0.1 A
K041	NA	Toxaphene	8001-35-1	~~s~~ 0.0095 B	~~a~~ 2.6 A
K042	NA	1,2,4,5-Tetrachlorobenzene	95-94-3	~~s~~ 0.055 B	~~a~~ 4.4 A
		o-Dichlorobenzene	95-50-1	~~s~~ 0.088 B	~~a~~ 4.4 A
		p-Dichlorobenzene	106-46-7	~~s~~ 0.090 B	~~a~~ 4.4 A
		Pentachlorobenzene	~~8~~608-93-5	~~s~~ 0.055 B	~~a~~ 4.4 A

		1,2,4-Trichlorobenzene	120-82-1	~~s~~ 0.055 B	~~a~~ 4.4 A
K043	NA	2,4-Dichlorophenol	120-83-2	0.044	~~a~~ 0.38 A
		2,6-Dichloropheno	187-65-0	0.044	~~a~~ 0.34 A
		2,4,5-Trichlorophenol	95-95-4	0.18	~~a~~ 8.2 A
		2,4,6-Trichlorophenol	88-06-2	0.035	~~a~~ 7.6 A
		Tetrachlorophenols (Total)		NA	~~a~~ 0.68 A
		Pentachlorophenol	87-86-5	0.089	~~a~~ 1.9 A
		Tetrachloroethene	79-01-6	0.056	~~a~~ 1.7 A
		Hexachlorodibenzo-p-dioxins		0.0000 63	~~a~~ 0.001 A
		Hexachlorodibenzofurans		0.0000 63	~~a~~ 0.001 A
		Pentachlorodibenzo-p-dioxins		0.0000 63	~~a~~ 0.001 A
		Pentachlorodibenzo furans		0.0000 63	~~a~~ 0.001 A
		Tetrachlorodibenzo-p-dioxins		0.0000 63	~~a~~ 0.001 A
		Tetrachlorodibenzo furans		0.0000 63	~~a~~ 0.001 A
K046	Table A	Lead	7439-92-1	0.037	NA
K048	Table A	Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 14. A
		Benzo(a)pyrene	50-32-8	~~s~~ 0.061 B	~~a~~ 12. A
		Bis(2-ethylhexyl) phthalate	117-81-7	~~s~~ 0.28 B	~~a~~ 7.3 A
		Chrysene	218-01-9	~~s~~ 0.059 B	~~a~~ 15. A
		Di-n-butylphthalate	84-74-2	~~s~~ 0.057 B	~~a~~ 3.6 A
		Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 14. A
		Fluorene	86-73-7	~~s~~ 0.059 B	NA
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 42. A
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 34. A
		Phenol	108-95-2	~~s~~ 0.039 B	
		Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 36. A
		Toluene	108-88-3	~~s~~ 0.080 B	~~a~~ 14. A
		Xylene(s)		~~s~~ 0.32 B	~~a~~ 22. A
		Cyanides (Total)	57-12-5	~~a~~ 0.028 A	~~a~~ 1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
K049	Table A	Anthracene	120-12-7	~~s~~ 0.059 B	~~a~~ 28. A
		Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 14. A
		Benzo(a)pyrene	117-81-7	~~s~~ 0.061 B	~~a~~ 12. A

		Bis(2-ethylhexyl) phthalate	75-150-0	~~s~~ 0.28 B	~~a~~ 7.3 A
		Carbon disulfide	75-15-0	~~s~~ 0.014 B	NA
		Chrysene	2218-01-9	~~s~~ 0.059 B	~~a~~ 15. A
		2,4-Dimethyl phenol	105-67-9	~~s~~ 0.036 B	NA
		Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 14. A
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 42. A
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 34. A
		Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 3.6 A
		Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 36. A
		Toluene	108-88-3	~~s~~ 0.08 B	~~a~~ 14. A
		Xylene(s)		~~s~~ 0.32 B	~~a~~ 22. A
		Cyanides (Total)	56-12-5	~~a~~ 0.028 A	~~a~~ 1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
K050	Table A	Lead	7439-92-1	0.037	NA
		Benzo(a)pyrene	50-32-8	~~s~~ 0.061 B	~~a~~ 12. A
		Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 3.6 A
		Cyanides (Total)	57-12-5	~~a~~ 0.028 A	~~a~~ 1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-29-1	0.037	NA
K051	Table A	Acenaphthene	~~83-32-9~~208-96-8	~~s~~ 0.059 B	NA
		Anthracene	120-12-7	~~s~~ 0.059 B	~~a~~ 28. A
		Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 14. A
		Benzo(a) anthracene	~~50-32-8~~117-81-7	~~s~~ 0.059 B	~~a~~ 20. A
		Benzo(a)pyrene	117-81-7	~~s~~ 0.061 B	~~a~~ 12. A
		Bis(2-ethylhexyl) phthalate	75-15-0	~~s~~ 0.28 B	~~a~~ 7.3 A
		Chrysene	2218-01-9	~~s~~ 0.059 B	~~a~~ 15. A
		Di-n-butyl phthalate	105-67-9	~~s~~ 0.057 B	~~a~~ 3.6 A
		Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 14. A
		Fluorene	86-73-7	~~s~~ 0.059 B	NA
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 42. A
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 34. A
		Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 3.6 A
		Pyrene	129-00-0	~~s~~ 0.067 B	~~a~~ 36. A
		Toluene	108-88-3	~~s~~ 0.08 B	~~a~~ 14. A
		Xylene(s)		~~s~~ 0.32 B	~~a~~ 22. A
		Cyandides (Total)	57-12-5	~~a~~ 0.028 A	~~a~~ 1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-29-1	0.037	NA
		Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 14. A

		Benzo(a)pyrene	50-32-8	~~s~~ 0.061 B	~~a~~ 12. A
K052	Table A	o-Cresol	95-48-7	~~s~~ 0.11 B	~~a~~ 6.2 A
		p-Cresol	106-44-5	~~s~~ 0.77 B	~~a~~ 6.2 A
		2,4-Dimethylphenol	105-67-9	~~s~~ 0.036 B	NA
		Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 14. A
		Naphthalene	91-20-3	~~s~~ 0.059 B	
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 34. A
		Phenol	108-95-2	~~s~~ 0.039 B	~~a~~ 3.6 A
		Toluene	108-88-3	~~s~~ 0.08 B	~~a~~ 14. A
		Xylenes		~~s~~ 0.32 B	~~a~~ 22. A
		Cyanides (Total)	56-12-5	~~a~~ 0.028 A	~~a~~ 1.8 A
		Chromium (Total)	7440-47-32	0.2	NA
		Lead	7439-92-1	0.037	NA
K060	NA	Benzene	71-43-2	~~s~~ 0.17 B	~~a~~ 0.071 A
		Benzo(a)pyrene	50-32-8	~~s~~ 0.035 B	~~a~~ 3.6 A
		Naphthalene	91-20-3	~~s~~ 0.028 B	~~a~~ 3.4 A
		Phenol	108-95-2	~~s~~ 0.042 B	~~a~~ 3.4 A
		Cyanides (Total)	57-12-5	1.9	1.2
K061	Table~~s~~ A ~~& D~~	Cadmium	7440-43-9	1.61	NA
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.51	NA
		Nickel	7440-02-~~2~~0	0.44	NA
K062	Table A	Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.04	NA
		Nickel	7440-02-~~2~~0	0.44	NA
K069	Tables A & D	Cadmium	7440-43-9	1.6	NA
		Lead	7439-92-1	0.51	NA
K071	Table A	Mercury	7439-97-6	0.030	NA
K073	NA	Carbon tetrachloride	58-23-5	~~s~~ 0.057 B	~~a~~ 6.2 A
		Chloroform	67-66-3	~~s~~ 0.046 B	~~a~~ 6.2 A
		Hexachloroethane	67-72-1	~~s~~ 0.055 B	~~a~~ 30. A
		Tetrachloroethene	127-18-4	~~s~~ 0.056 B	~~a~~ 6.2 A
		1,1,1-Trichloroethane	71-55-6	~~s~~ 0.054 B	~~a~~ 6.2 A
K083	Table A	Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 6.6 A

		Aniline	62-53-3	~~s~~ 0.81 B	~~a~~ 14. A
		Diphenylamine	22-39-4	~~s~~ 0.52 B	NA
		Diphenylnitrosamine	86-30-6	~~s~~ 0.40 B	NA
		Sum of Diphenylamine and Diphenylnitrosamine		NA	~~a~~ 14. A
		Nitrobenzene	98-95-3	~~s~~ 0.068 B	~~a~~ 14. A
		Phenol	108-95-2	0.039	~~a~~ 5.6 A
		Cyclohexanone	108-94-1	0.36	~~a~~ 30. A
		Nickel	7440-02-~~2~~0	0.47	NA
K084	NA	Arsenic	7440-38-2	0.79	NA
K085	NA	Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 4.4 A
		Chlorobenzene	108-90-7	~~s~~ 0.057 B	~~a~~ 4.4 A
		o-Dichlorobenzene	95-50-1	~~s~~ 0.088 B	~~a~~ 4.4 A
		m-Dichlorobenzene	541-73-1	~~s~~ 0.036 B	~~a~~ 4.4 A
		p-Dichlorobenzene	106-46-7	~~s~~ 0.090 B	~~a~~ 4.4 A
		1,2,4-Trichlorobenzene	120-82-1	~~s~~ 0.055 B	~~a~~ 4.4 A
		1,2,4,5-Tetrachlorobenzene	95-94-3	~~s~~ 0.055 B	~~a~~ 4.4 A
		Pentachlorobenzene	608-93-5	0.055	~~a~~ 4.4 A
		Hexachlorobenzene	118-74-1	~~s~~ 0.055 B	~~a~~ 4.4 A
		Aroclor 1016	12674-11-2	~~s~~ 0.013 B	~~a~~ 0.9 A
		Aroclor 1221	11104-28-2	~~s~~ 0.014 B	~~a~~ 0.92 A
		Aroclor 1232	11141-16-5	~~s~~ 0.013 B	~~a~~ 0.92 A
		Aroclor 1242	53469-21-9	~~s~~ 0.017 B	
		Aroclor 1248	12672-29-6	~~s~~ 0.013 B	~~a~~ 0.92 A
		Aroclor 1254	11097-69-1	~~s~~ 0.014 B	~~a~~ 1.8 A
		Aroclor 1260	11096-82-5	~~s~~ 0.014 B	~~a~~ 1.8 A
K086	Table A	Acetone	67-64-1	0.28	~~a~~ 160. A
		Acetophenone	96-86-2	0.010	~~a~~ 9.7 A
		Bis(2-ethylhexyl)phthalate	117-81-7	~~s~~ 0.28 B	~~a~~ 28. A
		n-Butyl alcohol	71-36-3	5.6	~~a~~ 2.6 A
		Butylbenzylphthalate	85-68-7	~~s~~ 0.017 B	~~a~~ 7.9 A
		cyclohexanone	108-94-1	0.36	NA
		1,2-Dichlorobenzene	95-50-1	0.088	~~a~~ 6.0 A
		Diethyl phthalate	84-66-2	~~s~~ 0.20 B	~~a~~ 28. A
		Dimethyl phthalate	131-11-3	~~s~~ 0.047 B	~~a~~ 28. A
		Di-n-butyl phthalate	84-74-2	~~s~~ 0.057 B	~~a~~ 28. A
		Di-n-octyl phthalate	117-84-0	~~s~~ 0.017 B	~~a~~ 28. A
		Ethyl acetate	141-78-6	~~s~~ 0.34 B	~~a~~ 33. A
		Ethylbenzene	100-41-4	~~s~~ 0.057 B	~~a~~ 6.0 A
		Methanol	67-56-1	~~s~~ 5.6 B	NA
		Methyl isobutyl ketone	108-10-1	0.14	~~a~~ 33. A

		Methyl ethyl ketone	78-93-3	0.28	~~a~~ 36. A
		Methylene chloride	75-09-2	~~s~~ 0.089 B	~~a~~ 33. A
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 3.1 A
		Nitrobenzene	98-95-3	~~s~~ 0.068 B	~~a~~ 14. A
		Toluene	108-88-3	~~s~~ 0.080 B	~~a~~ 28. A
		1,1,1-Trichloroethane	71-55-6	~~s~~ 0.054 B	~~a~~ 5.6 A
		Trichloroethylene	79-01-6	~~s~~ 0.054 B	~~a~~ 5.6 A
		Xylene(s) (Total)	~~(Total)~~	~~s~~ 0.32 B	~~a~~ 28. A
		Cyanides (Total)	57-12-5	1.9	1.5
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.037	NA
K087	Table A	Acenaphthalene	208-96-8	~~s~~ 0.059 B	3.4
		Benzene	71-43-2	~~s~~ 0.14 B	~~a~~ 0.071 A
		Chrysene	218-01-9	~~s~~ 0.059 B	~~a~~ 3.4 A
		Fluoranthene	206-44-0	~~s~~ 0.068 B	~~a~~ 3.4 A
		Indeno (1,2,3-cd) pyrene	193-39-5	~~s~~ 0.0055 B	~~a~~ 3.4 A
		Naphthalene	91-20-3	~~s~~ 0.059 B	~~a~~ 3.4 A
		Phenanthrene	85-01-8	~~s~~ 0.059 B	~~a~~ 3.4 A
		Toluene	108-88-3	~~s~~ 0.08 B	~~a~~ 0.65 A
		Xylenes		~~s~~ 0.32 B	~~a~~ 0.07 A
		Lead	7439-92-1	0.037	NA
K093	NA	Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.069	~~a~~ 28. A
K094	NA	Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.069	~~a~~ 28. A
K095	NA	1,1,1,2-Tetrachloroethane	630-20-6	0.057	~~a~~ 5.6 A
		1,1,2,2-Tetrachloroethane	79-34-6	0.057	~~a~~ 5.6 A
		Tetrachloroethene	127-18-4	0.056	~~a~~ 6.0 A
		1,1,2-Trichloroethane	79-00-5	0.054	~~a~~ 6.0 A
		Trichloroethylene	79-01-6	0.054	~~a~~ 5.6 A
		Hexachloroethane	67-72-1	0.055	~~a~~ 28. A
		Pentachloroethane	76-01-7	0.055	~~a~~ 5.6 A
K096	NA	1,1,1,2-Tetrachloroethane	630-20-6	0.057	~~a~~ 5.6 A
		1,1,2,2-Tetrachloroethane	79-34-6	0.057	~~a~~ 5.6 A
		Tetrachloroethene	127-18-4	0.056	~~a~~ 6.0 A
		1,1,2-Trichloroethane	79-00-5	0.054	
		Trichloroethene (Trichloroethylene)	79-01-6	0.054	~~a~~ 5.6 A
		1,3-Dichlorobenzene	541-73-1	0.036	~~a~~ 5.6 A

		Pentachloroethane	76-01-7	0.055	~~a~~ 5.6 A
		1,2,4-Trichlorobenzene	120-82-1	0.055	~~a~~ 19. A
K097	NA	Hexachlorocyclopentadiene	77-47-4	~~s~~ 0.057 B	2.4
		Chlordane	57-74-9	~~s~~ 0.0033 B	~~a~~ 0.26 A
		Heptachlor	76-44-8	~~s~~ 0.0012 B	~~a~~ 0.066 A
		Heptachlor epoxide	1024-57-3	~~s~~ 0.016 B	~~a~~ 0.066 A
K098	NA	Toxaphene	8001-35-1	~~s~~ 0.0095 B	~~a~~ 2.6 A
K099	NA	2,4-Dichlorophenoxyacetic acid	94-75-7	~~a~~ 1.0 A	~~a~~ 1.0 A
		Hexachlorodibenzo-p-dioxins		~~a~~ 0.001 A	~~a~~ 0.001 A
		Hexachlorodibenzofurans		~~a~~ 0.001 A	~~a~~ 0.001 A
		Pentachlorodibenzo-p-dioxins		~~a~~ 0.001 A	~~a~~ 0.001 A
		Pentachlorodibenzofurans		~~a~~ 0.001 A	~~a~~ 0.001 A
		Tetrachlorodibenzo-p-dioxins		~~a~~ 0.001 A	~~a~~ 0.001 A
		Tetrachlorodibenzofurans		~~a~~ 0.001 A	~~a~~ 0.001 A
K100	Table A	Cadmium	7440-43-9	1.6	NA
		Chromium (Total)	7440-47-32	0.32	NA
		Lead	7439-92-1	0.51	NA
K101	NA	o-Nitroaniline		~~a~~ 0.27 A	~~a~~ 14. A
		Arsenic	7440-38-2	0.79	NA
		Cadmium	7440-43-9	0.24	NA
		Lead	7439-92-1	0.17	NA
		Mercury	7439-97-6	0.082	NA
K102	Table A	o-Nitrophenol		~~a~~ 0.028 A	~~a~~ 13. A
		Arsenic	7440-38-2	0.79	NA
		Cadmium	7440-43-9	0.24	NA
		Lead	7439-92-1	0.17	NA
		Mercury	7439-97-6	0.082	NA
K103	NA	Aniline	62-53-3	~~a~~ 4.5 A	5.6
		Benzene	71-43-2	~~a~~ 0.15 A	~~a~~ 6.0 A
		2,4-Dinitrophenol	51-28-5	~~a~~ 0.61 A	~~a~~ 5.6 A
		Nitrobenzene	98-95-3	~~a~~ 0.073 A	~~a~~ 5.6 A
		Phenol	108-95-2	~~a~~ 1.4 A	~~a~~ 5.6 A
K104	NA	Aniline	62-53-3	~~a~~ 4.5 A	~~a~~ 5.6 A
		Benzene	71-43-2	~~a~~ 0.15 A	~~a~~ 6.0 A
		2,4-Dinitrophenol	51-28-5	~~a~~ 0.61 A	~~a~~ 5.6 A
		Nitrobenzene	98-95-3	~~a~~ 0.073 A	~~a~~ 5.6 A

		Phenol	108-95-2	~~a~~ 1.4 A	~~a~~ 5.6 A
		Cyanides (Total)	57-12-5	2.7	~~a~~ 1.8 A
K105	NA	Benzene	71-43-2	0.14	~~a~~ 4.4 A
		Chlorobenzene	108-90-7	0.057	~~a~~ 4.4 A
		o-Dichlorobenzene	95-50-1	0.088	~~a~~ 4.4 A
		p-Dichlorobenzene	106-46-7	0.090	~~a~~ 4.4 A
		2,4,5-Trichlorophenol	95-95-4	0.18	~~a~~ 4.4 A
		2,4,6-Trichlorophenol	88-06-2	0.035	~~a~~ 4.4 A
		2-Chlorophenol	95-57-8	0.044	~~a~~ 4.4 A
		Phenol	108-95-2	0.039	
	Tables A & D	Mercury	7439-97-6	0.030	NA
K115	Table A	Nickel	7440-02-~~2~~0	0.47	NA
K111	NA	2,4-Dinitrotoluene	121-14-2	0.32	~~a~~ 140. A
		2,6-Dinitrotoluene	606-20-2	0.55	~~a~~ 28. A
K117	NA	Ethylene dibromide	106-93-4	0.028	~~a~~ 15. A
		Methyl bromide	74-83-9	0.11	~~a~~ 15. A
		Chloroform	67-66-3	0.046	~~a~~ 5.6 A
K118	NA	Ethylene dibromide	106-93-4	0.028	~~a~~ 15. A
		Methyl bromide	74-83-9	0.11	~~a~~ 15. A
		Chloroform	67-66-3	0.046	~~a~~ 5.6 A
K131	NA	Methyl bromide	74-83-9	0.11	~~a~~ 15. A
K132	NA	Methyl bromide	74-83-9	0.11	~~a~~ 15. A
K136	NA	Ethylene dibromide	106-93-4	0.028	~~a~~ 15. A
		Methyl bromide	74-83-9	0.11	~~a~~ 15. A
		Chloroform	67-66-3	0.046	~~a~~ 5.6 A

~~a Treatment standards for this organic constituent were established based upon incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may certify compliance with these treatment standards according to provisions in Section 728.107.~~

~~s Based on analysis of composite samples.~~

~~R As analyzed using SW-846 Method 9010; sample size: 0.5-10; distillation time: one hour to one hour and fifteen minutes.~~

~~NA Not Applicable.~~

TABLE B (CCW): P AND U LISTED WASTES

Waste Code	Commercial Chemical Name	See Also	Regulated Hazardous Constituent	CAS No. for Regulated Hazardous Constituent	Concentration (mg/L) Wastewaters	Concentration (mg/L) Nonwastewaters
P004	Aldrin	NA	Aldrin	309-00-2	0.21 B	0.066 A
P010	Arsenic acid	Table A	Arsenic	7440-38-2	0.79	NA
P011	Arsenic pentoxide	Table A	Arsenic	7440-38-2	0.79	NA
P012	Arsenic trioxide	Table A	Arsenic	7440-38-2	0.79	NA
P013	Barium cyanide	Table A	Cyanides (Total)	57-12-5	1.9	110.
			Cyanides (Amenable)	57-12-5	0.1	
	2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	NA	2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	* 2.5 A
P021	Calcium cyanide	NA	Cyanides (Total)	57-12-5	1.9	110.
			Cyanides (Amenable)	57-12-5	0.1	9.1
P022	Carbon disulfide	Table D	Carbon disulfide	75-15-0	0.014	NA
P024	p-Chloroaniline	NA	p-Chloroaniline	106-47-8	0.46	* 16. A
P029	Copper	NA	Cyanides (Total)	57-12-5	1.9	110.

	cyanide		Cyanides (Amenable)	57-12-5		0.1		9.1
P030	Cyanides (soluble salts and complexes)	NA	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.1		9.1
P036	Dichlorophenylarsine	Table A	Arsenic	7440-38-2		0.79		NA
P037	Dieldrin	NA	Dieldrin	60-57-1	*	0.017 B	*	0.13 A
P038	Diethylarsine	Table A	Arsenic	7440-38-2		0.79		NA
P039	Disulfoton	NA	Disulfoton	298-04-4		0.017	*	0.1 A
P047	4,6-Dinitro-o-cresol	NA	4,6-Dinitro-o-cresol	534-52-4	*	0.28 B	*	160. A
P048	2,4-Dinitrophenol	NA	2,4-Dinitrophenol	51-28-5	*	0.12 B	*	160. A
P050	Endosulfan	NA	Endosulfan I	939-98-8	*	0.023 B	*	0.066 A
			Endosulfan II	33213-6-5	*	0.029 B	*	0.13 A
			Endosulfan sulfate	1031-07-8	*	0.029 B	*	0.13 A
P051	Endrin	NA	Endrin	72-20-8	*	0.0028 B	*	0.13 A
			Endrin aldehyde	7421-93-4	*	0.025 B	*	0.13 A
P056	Fluoride	Table D	Fluoride	18694-48-8		35.		NA
P059	Heptachlor	NA	Heptachlor	76-44-8	*	0.0012 B	*	0.066 A
			Heptachlor epoxide	1024-57-3	*	0.016 B	*	0.066 A
P060	Isodrin	NA	Isodrin	465-73-6	*	0.021 B		

*

P063	Hydrogen cyanide	NA	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.10		9.1
P065	Mercury fulminate	Tables A & D	Mercury	7439-97-6		0.030		NA
P071	Methyl parathion	NA	Methyl parathion	298-00-0		0.025	*	0.1 A
P073	Nickel carbonyl	Table A	Nickel	7440-02-~~2~~0		0.~~44~~32		NA
P074	Nickel cyanide	Table A	Cyanides (T~~able~~otal)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.10		9.1
			Nickel	7440-02-~~2~~0		0.44		NA
P077	p-Nitroaniline	NA	p-Nitroaniline	100-01-6	*	0.028 B	*	28. A
P082	N-Nitrosodimethylamine	Table D	N-Nitrosodimethylamine	62-75-9	*	0.40 B		NA
P089	Parathion	NA	Parathion	56-38-2		0.025	*	0.1 A
P092	Phenylmercury acetate	Tables A & D	Mercury	7439-97-6		0.030		NA
P094	Phorate	NA	Phorate	298-02-2		0.025	*	0.1 A
P097	Famphur	NA	Famphur	52-85-7		0.025	*	0.1 A
P098	Potassium cyanide	NA	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.10		9.1
P099	Potassium silver cyanide	Table A	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.1		9.1

			Silver	7440-22-4		0.29		NA
P101	Ethyl cyanide (Propanenitrile)	NA	Ethyl cyanide (Propanenitrile)	107-12-0	*	0.24 B	*	360. A
P103	Selenourea	Table A	Selenium	7782-49-2	*	1.0 B		NA
P104	Silver cyanide	Table A	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.10		9.1
			Silver	7440-22-4		0.29		
P106	Sodium cyanide	NA	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.10		9.1
P110	Tetraethyl lead	Tables A & D	Lead	7439-92-1		0.040		NA
P113	Thallic oxide	Table D	Thallium	7440-28-0	*	0.14 B		NA
P114	Thallium selenite	Table A	Selenium	7782-49-2		1.0		NA
P115	Thallium(I) sulfate	Table D	Thallium	7440-28-0	*	0.14 B		NA
P119	Ammonia vanadate	Table D	Vanadium	7440-62-2	*	28. B		NA
P120	Vanadium pentoxide	Table D	Vanadium	7440-62-2	*	28. B		NA
P121	Zinc cyanide	NA	Cyanides (Total)	57-12-5		1.9		110.
			Cyanides (Amenable)	57-12-5		0.10		9.1
P123	Toxaphene	NA	Toxaphene	8001-35-1	*	0.0095 B	*	1.3 A
U002	Acetone	NA	Acetone	67-64-1		0.28	*	160. A

U003	Acetonitrile	Table D	Acetonitrile	75-05-8		0.17	~~NA~~		0.17
U004	Acetophenone	NA	Acetophenone	98-86-2	*	0.010 A	*	9.7	A
U005	2-Acetylaminofluorene	NA	2-Acetylaminofluorene	53-96-3	*	0.059 B	*	140.	A
U009	Acrylonitrile	NA	Acrylonitrile	107-13-1	*	0.24 A	*	84.	A
U012	Aniline	NA	Aniline	62-53-3		0.81	*	14.	A
U018	Benz(a)anthracene	NA	Benz(a)anthracene	56-55-3	*	0.059 B	*	8.2	A
U019	Benzene	NA	Benzene	71-43-2	*	0.14 B	*	36.	A
U022	Benzo(a)pyrene	NA	Benzo(a)pyrene	50-32-8	*	0.061 B	*	8.2	A
U024	Bis(2-chloroethoxy) methane	NA	Bis(2-chloroethoxy)methane	111-91-1		0.036	*	7.2	A
U025	Bis(2-chloroethyl) ether	NA	Bis(2-chloroethyl) ether	111-44-4		0.033			
*	Bis(2-chloroisopropyl) ether	NA	Bis(2-chloroisopropyl) ether	39638-32-9	*	0.055	*	7.2	A
U028	Bis(2-ethylhexyl)phthalate	NA	Bis(2-ethylhexyl)phthalate	117-81-7		0.28 A	~~X~~A	28.	
U029	Bromomethane (Methyl bromide)	NA	Bromomethane (Methyl bromide)	74-83-9	*	0.11 A	*	15.	A
U030	4-Bromophenyl phenyl ether	NA	4-Bromophenyl phenyl ether	101-55-3	*	0.055 A	*	15.	A

U031	n-Butyl alcohol	NA	n-Butyl alcohol	71-36-3		5.6	*	2.6 A
U032	Calcium chromate	Table A	Chromium (Total)	7440-47-32		0.32		NA
U036	Chlordane (alpha and gamma)	NA	Chlordane (alpha and gamma)	57-74-9	*	0.00033 B	*	0.13 A
U037	Chlorobenzene	NA	Chlorobenzene	108-90-7	*	0.057 B	*	5.7 A
U038	Chlorobenzilate	Table D	Chlorobenzilate	510-15-6	*	0.10 B		NA
U039	p-Chloro-m-cresol	NA	p-Chloro-m-cresol	59-50-7	*	0.018 B	*	14. A
U043	Vinyl chloride	NA	Vinyl chloride	75-01-4	*	0.27 B	*	33. A
U044	Chloroform	NA	Chloroform	67-66-3	*	0.046 B	*	5.6 A
U045	Chloromethane (Methyl chloride)	NA	Chloromethane (Methyl chloride)	74-87-3	*	0.19 B	*	33. A
U047	2-Chloronaphthalene	NA	2-Chloronaphthalene	91-58-7	*	0.055 B B	*	5.6 A
U048	2-Chlorophenol	NA	2-Chlorophenol	95-57-8	*	0.044 B	*	5.7 A
U050	Chrysene	NA	Chrysene	218-01-9	*	0.059 B	*	8.2 A
U051	Creosote	Table A	Naphthalene	91-20-3	*	0.031	*	1.5 A
			Pentachlorophenol	87-86-5	*	0.18	*	7.4 A
			Phenanthrene	85-01-8	*	0.031	*	1.5 A
			Pyrene	129-00-0	*	0.028	*	28. A
			Toluene	108-88-3	*	0.028	*	33. A
			Xylenes (Total)		*	0.032		NA

			Lead	7439-92-1	*	0.037		
U052	Cresols (Cresylic acid)	NA	o-Cresol	95-48-7	*	0.11 B	*	5.6 A
			Cresols (m- and p-isomers)		*	0.77 B	*	3.2 A
U057	Cyclohexanone	Table D	Cyclohexanone	108-94-1		0.36		NA
U060	DDD	NA	o,p'-DDD	53-19-0		0.023 B	*	0.087 A
			p,p'-DDD	72-54-8		0.023 B	*	0.087 A
U061	DDT	NA	o,p'-DDT	789-02-6	*	0.0039 B	*	0.087 A
			p,p'-DDT	50-29-3	*	0.0039 B	*	0.087 A
			o,p'-DDD	53-19-0		0.023 B	*	0.087 A
			p,p'-DDD	72-54-8		0.023 B	*	0.087 A
			o,p'-DDE	3424-82-6	*	0.031 B	*	0.087 A
			p,p'-DDE	72-55-9	*	0.031 B	*	0.087 A
U063	Dibenzo(a, h)anthracene	NA	Dibenzo(a,h)anthracene	53-70-3	*	0.055 B	*	8.2 A
U066	1,2-Dibromo-3-chloropropane	NA	1,2-Dibromo-3-chloropropane	96-12-8	*	0.11 B	*	15. A
U067	1,2-Dibromoethane (Ethylene dibromide)	NA	1,2-Dibromoethane (Ethylene dibromide)	106-93-4	*	0.028 B	*	15. A
U068	Dibromoethane	NA	Dibromoethane	74-95-3	*	0.11 B		15. A
U069	Di-n-butyl phthalate	NA	Di-n-butyl phthalate	84-74-2	A	0.057	X	28. A
U070	o-Dichlorobenzene	NA	o-Dichlorobenzene	95-50-1	*	0.088 B	*	6.2 A

U071	m-Dichlorobenzene	NA	m-Dichlorobenzene	541-73-1		0.036		6.2 A
U072	p-Dichlorobenzene	NA	p-Dichlorobenzene	104-46-7	*	0.090 B	*	6.2 A
U075	Dichlorodifluoromethane	NA	Dichlorodifluoromethane	75-71-8	*	0.23 B	*	7.2 A
U076	1,1-Dichloroethane	NA	1,1-Dichloroethane	75-34-3	*	0.059 B		7.2 A
U077	1,2-Dichloroethane	NA	1,2-Dichloroethane	107-06-2	*	0.21 B		
*	1,1-Dichloroethylene	NA	1,1-Dichloroethylene	75-35-4	*	0.025 B	*	33. A
U079	1,2-Dichloroethylene	NA	trans-1,2-Dichloroethylene	156-60-5	*	0.054 B		33. ~~X~~A
U080	Methylene chloride	NA	Methylene chloride	75-08-2		0.089 ~~Y~~B		33. ~~X~~A
U081	2,4-Dichlorophenol	NA	2,4-Dichlorophenol	120-83-2		0.044 ~~Y~~B		14. ~~X~~A
U082	2,6-Dichlorophenol	NA	2,6-Dichlorophenol	87-65-0		0.044 ~~Y~~B		14. ~~X~~A
U083	1,2-Dichloropropane	NA	1,2-Dichloropropane	78-87-5		0.85 ~~Y~~B		18. ~~X~~A
U084	1,3-Dichloroprope	NA	cis-1,3-Dichloropropyle	10061-01-5		0.036 ~~Y~~B		18. ~~X~~A

	ne		ne trans-1,3-Dichloropropylene	10061-02-6	0.036 ~~Y~~B	18. ~~X~~A
U088	Diethyl phthalate	NA	Diethyl phthalate	84-66-2	0.2	28. ~~X~~A
U093	p-Dimethylaminoazobenzene	Table D	p-Dimethylaminoazobenzene	60-11-7	0.13 ~~Y~~B	NA
U101	2,4-Dimethylphenol	NA	2,4-Dimethylphenol	105-67-9	0.036 ~~Y~~B	14. ~~X~~A
U102	Dimethyl phthalate	NA	Dimethyl phthalate	131-11-3	0.047	28. ~~X~~A
U105	2,4-Dinitrotoluene	NA	2,4-Dinitrotoluene	121-14-2	0.32 ~~Y~~B	140. ~~X~~A
U106	2,6-Dinitrotoluene	NA	2,6-Dinitrotoluene	606-20-2	0.55 ~~Y~~B	28. ~~X~~A
U107	Di-n-octyl phthalate	NA	Di-n-octyl phthalate	117-84-0	0.017	28. ~~X~~A
U108	1,4-Dioxane	NA	1,4-Dioxane	123-91-1	0.12 ~~Y~~B	170. ~~X~~A
U111	Di-n-propylnitrosoamine	NA	Di-n-propylnitrosoamine	621-64-7	0.40 ~~Y~~B	
	Ethyl acetate	NA	Ethyl acetate	141-78-6	0.34 ~~Y~~B	33. ~~X~~A
U117	Ethyl ether	NA	Ethyl ether	60-29-7	0.12 ~~Y~~B	160. ~~X~~A
U118	Ethyl methacrylate	NA	Ethyl methacrylate	97-63-2	0.14 ~~Y~~B	160. ~~X~~A
U120	Fluoranthene	NA	Fluoranthene	206-44-0	0.068 ~~Y~~B	8.2 ~~X~~A
U121	Trichloromon	NA	Trichloromonofl	75-69-4	0.020 ~~Y~~B	33. ~~X~~A

	ofluoromethane		uoromethane			
U127	Hexachlorobenzene	NA	Hexachlorobenzene	118-74-1	0.055 ~~Y~~B	37. ~~X~~A
U128	Hexachlorobutadiene	NA	Hexachlorobutadiene	87-68-3	0.055 ~~Y~~B	28. ~~X~~A
U129	Lindane	NA	alpha-BHC beta-BHC Delta-BHC gamma-BHC (Lindane)	319-84-6 319-85-7 319-86-8 58-89-9	0.00014 ~~Y~~B 0.00014 B 0.023 B 0.0017 B	0.~~0~~66 ~~X~~A 0.~~0~~66 ~~X~~A 0.~~0~~66 ~~X~~A 0.~~0~~66 ~~X~~A
U130	Hexachlorocyclopentadiene	NA	Hexachlorocyclopentadiene	77-47-7	0.057 ~~Y~~B	3.6 ~~X~~A
U131	Hexachloroethane	NA	Hexachloroethane	67-72-1	0.055 ~~Y~~B	28. ~~X~~A
U134	Hydrogen fluoride	Table D	Fluoride	16964-48-8	35.	NA
U136	Cacodylic acid	Table A	Arsenic	7440-38-2	0.79	NA
U137	Indeno(1,2,3-c,d)pyrene	NA	Indeno(1,2,3-c,d)pyrene	193-39-5	0.0055 ~~Y~~B	8.2 ~~X~~A
U138	Iodomethane	NA	Iodomethane	74-88-4	0.19 ~~Y~~B	65. ~~X~~A
U140	Isobutyl alcohol	NA	Isobutyl alcohol	78-83-1	5.6	170. ~~X~~A
U141	Isosafrole	NA	Isosafrole	120-58-1	0.081	2.6 ~~X~~A
U142	Kepone	NA	Kepone	143-50-8	0.0011	0.13 ~~X~~A
U144	Lead acetate	Table A	Lead	7439-92-1	0.040	NA
U145	Lead phosphate	Table A	Lead	7439-92-1	0.040	NA

U146	Lead subacetate	Table A	Lead	7439-92-1	0.040	
	Mercury	Tables A & D	Mercury	7439-97-6	0.030	NA
U152	Methacrylonitrile	NA	Methacrylonitrile	126-98-7	0.24 ~~Y~~B	84. ~~X~~A
U154	Methanol	NA	Methanol	67-56-1	5.6	NA
U155	Methapyrilene	NA	Methapyrilene	91-80-5	0.081	1.5 ~~X~~A
U157	3-Methylcholanthrene	NA	3-Methylcholanthrene	56-49-5	0.0055 ~~Y~~B	15. ~~X~~A
U158	4,4'-Methylenebis(2-chloro~~-4'-~~aniline)	NA	Methylenebis(2-chloroaniline)	101-14-4	0.50 ~~Y~~B	35. ~~X~~A
U159	Methyl ethyl ketone	NA	Methyl ethyl ketone	78-93-3	0.28	36. ~~X~~A
U161	Methyl isobutyl ketone	NA	Methyl isobutyl ketone	108-10-1	0.14	33. ~~X~~A
U162	Methyl methacrylate	NA	Methyl methacrylate	80-62-6	0.14	160. ~~X~~A
U165	Naphthalene	NA	Naphthalene	91-20-3	0.059 ~~Y~~B	3.1 ~~X~~A
U168	2-Naphthylamine	Table D	2-Naphthylamine	91-59-8	0.52 ~~Y~~B	NA
U169	Nitrobenzene	NA	Nitrobenzene	98-95-3	0.068 ~~Y~~B	14. ~~X~~A
U170	4-Nitrophenol	NA	4-Nitrophenol	100-02-7	0.12 ~~Y~~B	29. ~~X~~A
U172	N-Nitrosodi-n-butylamine	NA	N-Nitrosodi-n-butylamine	924-16-3	0.40 ~~Y~~B	17. ~~X~~A

U174	N-Nitrosodiethylamine	NA	N-Nitrosodiethylamine	55-18-5	0.40 ~~Y~~B	28. ~~X~~A
U179	N-Nitrosopiperidine	NA	N-Nitrosopiperidine	100-75-4	0.013 ~~Y~~B	35. ~~X~~A
U180	N-Nitrosopyrrolidine	NA	N-Nitrosopyrrolidine	930-55-2	0.013 ~~Y~~B	35. ~~X~~A
U181	5-Nitro-o-toluidine	NA	5-Nitro-o-toluidine	99-55-8	0.32 ~~Y~~B	28. ~~X~~A
U183	Pentachlorobenzene	NA	Pentachlorobenzene	608-93-5	0.055 ~~Y~~B	
	Pentachloronitrobenzene	NA	Pentachloronitrobenzene	82-68-8	0.055 ~~Y~~B	4.8 ~~X~~A
U187	Phenacetin	NA	Phenacetin	62-44-2	0.081	16. ~~X~~A
U188	Phenol	NA	Phenol	108-95-2	0.039	6.2 ~~X~~A
U190	Phthalic anhydride (measured as Phthalic acid)	NA	Phthalic anhydride (measured as Phthalic acid)	85-44-9	0.069	28. ~~X~~A
U192	Pronamide	NA	Pronamide	23950-58-5	0.093	1.5 ~~X~~A
U196	Pyridine	NA	Pyridine	110-86-1	0.014 ~~Y~~B	16. ~~X~~A
U203	Safrole	NA	Safrole	94-59-7	0.0~~6~~81	22. ~~X~~A
U204	Selenium dioxide	Table A	Selenium	7782-49-2	1.0	NA
U205	Selenium sulfide	Table A	Selenium	7782-49-2	1.0	NA
U207	1,2,4,5-	NA	1,2,4,5-	95-94-3	0.055 ~~Y~~B	19. ~~X~~A

	Tetrachlorobenzene		Tetrachlorobenzene			
U208	1,1,1,2-Tetrachloroethane	NA	1,1,1,2-Tetrachloroethane	630-20-6	0.057	42. ~~X~~A
U209	1,1,2,2-Tetrachloroethane	NA	1,1,2,2-Tetrachloroethane	79-34-5	0.057 ~~Y~~B	42. ~~X~~A
U210	Tetrachloroethylene	NA	Tetrachloroethylene	127-18-4	0.056 ~~Y~~B	5.6 ~~X~~A
U211	Carbon tetrachloride	NA	Carbon tetrachloride	56-~~5~~2 3-5	0.057 ~~Y~~B	5.6 ~~X~~A
U214	Tallium(I) acetate	Table D	Thallium	7440-28-0	0.14 ~~Y~~B	NA
U215	Thallium(I) carbonate	Table D	Thallium	7440-28-0	0.14 ~~Y~~B	NA
U216	Thallium(I) chloride	Table D	Thallium	7440-28-0	0.14 ~~Y~~B	NA
U217	Thallium(I) nitrate	Table D	Thallium	7440-28-0	0.14 ~~Y~~B	NA
U220	Toluene	NA	Toluene	108-88-3	0.080 ~~Y~~B	28. ~~X~~A
U225	Tribromomethane (Bromoform)	NA	Tribromomethane (Bromoform)	75-25-2	0.63 ~~Y~~B	
	1,1,1-Trichloroethane	NA	1,1,1-Trichloroethane	71-55-6	0.054 ~~Y~~B	5.6 ~~X~~A
U227	1,1,2-Trichloroethane	NA	1,1,2-Trichloroethane	79-00-5	0.054 ~~Y~~B	5.6 ~~X~~A
U228	Trichloroethyl	NA	Trichloroethylen	79-01-6	0.054 ~~Y~~B	5.6 ~~X~~A

	ene		e			
U235	tris-(2,3-Dibromopropyl)-phosphate	NA	tris-(2,3-Dibromopropyl)-phosphate	126-72-7	0.025	0.10 ~~X~~A
U239	Xylenes	NA	Xylene		~~s~~ 0.32 ~~Y~~B B	28. ~~X~~A
U240	2,4-Dichlorophenoxyacetic acid	NA	2,4-Dichlorophenoxyacetic acid	94-75-7	0.72	10. ~~X~~A
U243	Hexachloropropene	NA	Hexachloropropene	1~~9~~88-71-7	0.0~~9~~35 ~~Y~~B	28.
U247	Methoxychlor	NA	Methoxychlor	72-43-5	0.25 ~~Y~~B	0.18 ~~X~~A

~~X~~A Treatment standards for this organic constituent were established based upon incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart ~~0~~Q or 725.Subpart ~~0~~Q, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may certify compliance with these treatment standards according to provisions in Section 728.107.

~~Y~~B Based on analysis of composite samples.

~~Z~~C As analyzed using SW-846 Method 9010 or 9012; sample size: ~~0.5~~ 10g; distillation time: ~~one hour to~~ one hour and fifteen minutes.

R Reserved.

NA Not Applicable.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.Table D Technology-Based Standards by RCRA Waste Code

Waste Codes	See Also	CAS No.	Technology Code, Wastewaters	Technology Code, Nonwastewaters	Waste Descriptions and/or Treatment Subcategory
D001	Tables A & B	NA	DEACT, and meet F039;	DEACT, and meet F039;	

			or FSUBS; RORGS; or INCIN	or FSUBS; RORGS; or INCIN	
All descriptions based on 35 Ill. Adm. Code 721.121, except for the Section 721.121(a)(1) High TOC subcategory, managed in non-CWA/non-CWA-equivalent/non-Class I SDWA systemsD001	NA	NA	DEACT	DEACT	All descriptions based on 35 Ill. Adm. Code 721.121, except for the Section 261.121(a)(1) High TOC subcategory, managed in CWA, CWA-equivalent, or Class I SDWA systems
D001	NA	NA	NA	FSUBS; RORGS; or INCIN	All descriptions based on 35 Ill. Adm. Code 721.121(a)(1)-High TOC Ignitable Liquids Subcategory--Greater than or equal to 10% total organic

					carbon
D002	Tables A & B	NA	DEACT and meet F039	DEACT and meet F039	Acid, alkaline, and other subcategory based on 35 Ill. Adm. Code 721.122 managed in non-CWA/non-CWA-equivalent/non-Class I SDWA systems
D002	NA	NA	DEACT	DEACT	Acid, alkaline, and other subcategory based on 35 Ill. Adm. Code 721.122 managed in CWA, CWA-equivalent, or Class I SDWA systems
D003	NA	NA	DEACT (~~may not be diluted~~but not including dilution as a substitute for adequate treatment)	DEACT (~~may not be diluted~~but not including dilution as a substitute for adequate treatment)	Reactive sulfides based on 35 Ill. Adm. Code 721.123(a)(5)
D003	NA	NA	DEACT	DEACT	Explosives based on 35 Ill. Adm. Code 721.123(a)(6), (7) and (8)
D003	NA	NA	NA	DEACT	Water reactives based on 35 Ill. Adm. Code 721.123(a)(2), (3) and (4)
D003	NA	NA	DEACT	DEACT	Other reactives based on 35 Ill. Adm. Code 721.123(a)(1)
D006	NA	7440-43-9	NA	RTHERM	
Cadmium-containing batteriesD00	NA	7439-8~~9~~2-1	NA	RLEAD	Lead acid batteries (Note: This standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from

8					regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180).)
D009	Tables A & B	7439-~~8~~9<u>7</u>-6	NA	IMERC; or RMERC	Mercury: (High Mercury Subcategory--greater than or equal to 260 mg/kg total Mercury--contains mercury and organics (and are not incinerator residues))
D009	Tables A & B	7439-~~8~~9<u>7</u>-6	NA	RMERC	Mercury: (High Mercury Subcategory--greater than or equal to 260 mg/kg total Mercury--inorganics (including incinerator residues and residues from RMERC))
D012	Table B	72-20-8	BIODG; or INCIN	NA	Endrin
D013	Table B	58-89-9	CARBN; or INCIN	NA	Lindane
D014	Table B	72-43-~~6~~5<u></u>	WETOX; or INCIN	NA	Methoxychlor
D015	Table B	8001-35-1	BIODG; or INCIN	NA	Toxaphene
D016	Table B	94-75-7	CHOXD; BIODG; or INCIN	NA	2,4-D
D017	Table B	93-72-1	CHOXD; or INCIN	NA	2,4,5-TP
F005	Tables A & B	79-46-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Nitropropane

F005	Tables A & B	110-80-5	BIODG; or INCIN	INCIN	2-Ethoxyethanol
F024	Tables A & B	NA	INCIN	INCIN	
----------K025	NA	NA	LLEXT fb SSTRIP fb CARBN; or INCIN	INCIN	Distillation bottoms from the production of nitrobenzene by the nitration of benzene
K026	NA	NA	INCIN	INCIN	Stripping still tails from the production of methyl ethyl pyridines
K027	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Centrifuge and distillation residues from toluene diisocyanate production
K039	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Filter cake from the filtration of diethylphosphorodithioc acid in the production of phorate
K044	NA	NA	DEACT	DEACT	Wastewater treatment sludges from the manufacturing and processing of explosives
K045	NA	NA	DEACT	DEACT	Spent carbon from the treatment of wastewater containing explosives
K047	NA	NA	DEACT	DEACT	Pink/red water from TNT operations
~~K061~~	~~Table B~~	~~NA~~	~~NA~~	~~NLDBR~~	~~Emission control dust/sludge from the primary production of steel in electric furnaces (High Zinc Subcategory -- greater than or equal to 15% total Zinc)~~

K069	Tables A & B	NA	NA	RLEAD	Emission control dust/sludge from secondary lead smelting: Non-Calcium Sulfate Subcategory
K106	Tables A & B	NA	NA	RMERC	Wastewater treatment sludge from the mercury cell process in chlorine production: (High Mercury Subcategory-greater than or equal to 260 mg/kg total mercury)
K107	NA	NA	INCIN; or CHOXD fb, CARBN; or BIODG fb CARBN	INCIN.	
Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazidesK108	NA	NA	INCIN; or CHOXD fb, CARBN; or BIODG fb CARBN	INCIN.	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides

K109	NA	NA	INCIN; or CHOXD fb, CARBN; or BIODG fb CARBN	INCIN.	Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides
K110	NA	NA	INCIN; or CHOXD fb, CARBN; or BIODG fb CARBN	INCIN.	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides
K112	NA	NA	INCIN; or CHOXD fb, CARBN; or BIODG fb CARBN	INCIN.	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene
K113	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene
K114	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene
K115	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	
Heavy ends from the purific	NA	NA	CARBN; or INCIN	FSUBS; or INCIN	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of

ation of toluenediamine via hydrogenation of dinitrotolueneK116					toluenediamine
K123	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts
K124	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts
K125	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts
K126	NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN.	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylene bisdithiocarbamic acid and its salts
P001	NA	81-81-2	(WETOX or	FSUBS; or	Warfarin (>0.3%)

			CHOXD) fb CARBN; or INCIN	INCIN	
P002	NA	591-08-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Acetyl-2-thiourea
P003	NA	107-02-8	~~(WETOX or CHOXD) fb CARBN; or INCIN~~NA	FSUBS; or INCIN	Acrolein
P005	NA	107-18-6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Allyl alcohol
P006	NA	20859-73-8	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	
Aluminum phosphideP007	NA	2763-96-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	5-Aminoethyl 3-isoxazolol
P008	NA	504-24-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4-Aminopyridine
P009	NA	131-74-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Ammonium picrate
P014	NA	108-95-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiophenol (Benzene thiol)

P015	NA	7440-41-7	~~NA~~RMETL or RTHRM	RMETL; or RTHRM	Beryllium dust
P016	NA	542-88-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Bis(chloromethyl)ether
P017	NA	598-31-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Bromoacetone
P018	NA	357-57-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Brucine
P022	Table B	75-15-0	NA	INCIN	Carbon disulfide
P023	NA	107-20-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chloroacetaldehyde
P026	NA	5344-82-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-(o-Chlorophenyl)thiourea
P027	NA	542-76-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3-Chloropropionitrile
P028	NA	100-44-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
Benzyl chloride P031	NA	460-19-5	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen

P033	NA	506-77-4	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen chloride
P034	NA	131-89-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Cyclohexyl-4,6-dinitrophenol
P040	NA	297-97-2	CARBN; or INCIN	FSUBS; or INCIN	O,O-Diethyl O-pyrazinyl phosphorothioate
P041	NA	311-45-5	CARBN; or INCIN	FSUBS; or INCIN	Diethyl-p-nitrophenyl phosphate
P042	NA	51-43-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Epinephrine
P043	NA	55-91-4	CARBN; or INCIN	FSUBS; or INCIN	Diisopropylfluorophosphate (DFP)
P044	NA	60-51-5	CARBN; or INCIN	FSUBS; or INCIN	Dimethoate
P045	NA	39196-18-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiofanox
P046	NA	122-09-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	alpha,alpha-Dimethylphenethylamine
P047	NA	534-52-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4,6-Dinitro-o-cresol salts
P049	NA	541-53-7	(WETOX or CHOXD) fb	INCIN	2,4-Dithiobiuret

			CARBN; or INCIN		
P054	NA	151-56-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Aziridine
P056	Table B	7782-41-4	NA	ADGAS fb NEUTR	Fluorine
P057	NA	640-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
Fluoroacetamide P058	NA	62-74-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Fluoroacetic acid, sodium salt
P062	NA	757-58-4	CARBN; or INCIN	FSUBS or INCIN	Hexaethyltetraphosphate
P064	NA	624-83-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Isocyanic acid, ethyl ester
P065	Tables A & B	628-86-4	NA	RMERC	Mercury fulminate: (High Mercury Subcategory--greater than or equal to 260 mg/kg total Mercury--either incinerator residues or residues from RMERC)
P065	Tables A & B	628-86-4	NA	IMERC	Mercury fulminate: (All nonwastewaters that are not incinerator residues or are not residues from RMERC; regardless of Mercury Content)
P066	NA	16752-77-5	(WETOX or	INCIN	Methomyl

			CHOXD) fb CARBN; or INCIN		
P067	NA	75-55-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2-Methylaziridine
P068	NA	60-34-4	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; OR INCIN	Methyl hydrazine
P069	NA	75-86-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methyllactonitrile
P070	NA	116-06-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Aldicarb
P072	NA	86-88-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
1-Naphthyl-2-thioureaP075	NA	54-11-5*	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Nicotine and salts
P076	NA	10102-43-9	ADGAS	ADGAS	Nitric oxide
P078	NA	10102-44-0	ADGAS	ADGAS	Nitrogen dioxide
P081	NA	55-63-0	CHOXD; CHRED; CARBN; BIODG; or	FSUBS; CHOXD; CHRED; or INCIN	Nitroglycerin

			INCIN		
P082	Table B	6~~5~~2-75-9	NA	INCIN	N-Nitrosodimethylamine
P084	NA	4549-40-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitrosomethylvinylamine
P085	NA	152-16-9	CARBN; or INCIN	FSUBS; or INCIN	Octamethylpyrophosphoramide
P087	NA	20816-12-0	~~NA~~RMETL; or RTHEM	RMETL; or RTHRM	Osmium tetroxide
P088	NA	145-73-3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Endothall
P092	Tables A & B	62-38-4	NA	RMERC	Phenyl mercury acetate: (High Mercury Subcategory--greater than or equal to 260 mg/kg total Mercury--either incinerator residues or residues from RMERC)
P092	Tables A & B	62-38-4	NA	IMERC; or RMERC	Phenyl mercury acetate: (All nonwastewaters that are not incinerator residues and are not residues from RMERC: regardless of Mercury Content)
P093	NA	103-85-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Phenylthiourea
P095	NA	75-44-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	

PhosgeneP096	NA	7803-51-2	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Phosphine
P102	NA	107-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Propargyl alcohol
P105	NA	26628-22-8	CHOXD; CHRED; CARBN BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Sodium azide
P108	NA	57-24-9* A	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Strychnine and salts
P109	NA	3689-24-5	CARBN; or INCIN	FSUBS; or INCIN	Tetraethyldithiopyrophosphate
P112	NA	509-14-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Tetranitromethane
P113	Table B	1314-32-5	NA	RTHRM; or STABL	Thallic oxide
P115	Table B	7446-18-6	NA	RTHRM; or STABL	Thallium (I) sulfate
P116	NA	79-19-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiosemicarbazide
P118	NA	75-70-7	(WETOX or CHOXD) fb CARBN; or	INCIN	Trichloromethanethiol

			INCIN		
P119	Table B	7803-55-6	NA	STABL	Ammonium vanadate
P120	Table B	1314-62-1	NA	STABL	Vanadium pentoxide
P122	NA	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Zinc Phosphide (≤10%)
U001	NA	75-07-0	(WETOX or CHOXD) fb CARBN; or INCIN	~~FSUBS; or~~ INCIN	Acetaldehyde
U003	Table B	75-05-8	NA	INCIN	
Acetonitrile U006	NA	75-36-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acetyl chloride
U007	NA	79-06-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Acrylamide
U008	NA	79-10-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Acrylic acid
U010	NA	50-07-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Mitomycin C
U011	NA	61-82-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Amitrole
U014	NA	492-80-8	(WETOX or CHOXD) fb	INCIN	Auramine

			CARBN; or INCIN		
U015	NA	115-02-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Azaserine
U016	NA	225-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Benz(c)acridine
U017	NA	98-87-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzal chloride
U020	NA	98-09-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzenesulfonyl chloride
U021	NA	92-87-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Benzidine
U023	NA	98-07-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	
Benzotrichlorideu026	NA	494-03-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chlornaphazin
U033	NA	353-50-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Carbonyl fluoride

U034	NA	75-87-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trichloroacetaldehyde (Chloral)
U035	NA	305-03-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chlorambucil
U038	Table B	510-15-6	NA	INCIN	Chlorobenzilate
U041	NA	106-89-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Chloro-2,3-epoxypropane (Epichlorohydrin)
U042	Table B	110-75-8	NA	INCIN	2-Chloroethyl vinyl ether
U046	NA	107-30-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Chloromethyl methyl ether
U049	NA	3165-93-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	4-Chloro-o-toluidine hydrochloride
U053	NA	4170-30-3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Crotonaldehyde
U055	NA	98-82-8	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Cumene
U056	NA	110-82-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Cyclohexane

U057	Table B	108-94-1	NA	FSUBS; or INCIN	Cyclohexanone
U058	NA	50-18-0	CARBN; or INCIN	FSUBS; or INCIN	
Cyclophosphamide U059	NA	20830-81-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Daunomycin
U062	NA	2303-16-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Diallate
U064	NA	189-55-9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,2,7,8-Dibenzopyrene
U073	NA	91-94-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Dichlorobenzidine
U074	NA	1476-11-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	cis-1,4-Dichloro-2-butene; trans-1,4-Dichloro-2-butene
U085	NA	1464-53-5	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,2:3,4-Diepoxybutane
U086	NA	1615-80-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	N,N-Diethylhydrazine
U087	NA	3288-58-2	CARBN; or INCIN	FSUBS; or INCIN	O,O-Diethyl S-methyldithiophosphate

U089	NA	56-53-1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Diethyl stilbestrol
U090	NA	94-58-6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Dihydrosafrole
U091	NA	119-90-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Dimethoxybenzidine
U092	NA	124-40-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Dimethylamine
U093	Table B	621-90-9	NA	INCIN	
p-Dimethylaminoazobenzene U094	NA	57-97-6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	7,12-Dimethylbenz(a)anthracene
U095	NA	119-93-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	3,3'-Dimethylbenzidine
U096	NA	80-15-9	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	alpha,alpha-Dimethyl-benzyl hydroperoxide
U097	NA	79-44-7	(WETOX or CHOXD) fb CARBN; or	INCIN	Dimethylcarbamoyl chloride

			INCIN		
U098	NA	57-14-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	1,1-Dimethylhydrazine
U099	NA	540-73-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	1,2-Dimethylhydrazine
U103	NA	77-78-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Dimethyl sulfate
U109	NA	122-66-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	1,2-Diphenylhydrazine
U110	NA	142-84-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Dipropylamine
U113	NA	140-88-5	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Ethyl acrylate
U114	NA	111-54-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
Ethyle nebisdi thiocar	NA	75-21-8	(WETOX or CHOXD) fb CARBN; or	CHOXD; or INCIN	Ethylene oxide

bamic acidU115			INCIN		
U116	NA	96-45-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Ethylene thiourea
U119	NA	62-50-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Ethyl methanesulfonate
U122	NA	50-00-0	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Formaldehyde
U123	NA	64-18-6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Formic acid
U124	NA	110-00-9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Furan
U125	NA	98-01-1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Furfural
U126	NA	765-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Glycidaldehyde
U132	NA	70-30-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Hexachlorophene

U133	NA	302-01-2	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Hydrazine
U134	Table B	7664-39-3	NA	ADGAS fb NEUTR; or NEUTR	Hydrogen Fluoride
U135	NA	7783-06-4	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	
Hydrogen Sulfide U143	NA	303-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Lasiocarpine
U147	NA	108-31-6	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Maleic anhydride
U148	NA	123-33-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Maleic hydrazide
U149	NA	109-77-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Malononitrile
U150	NA	148-82-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Melphalan
U151	Tables A & B	7439-97-6	NA	RMERC	Mercury: (High Mercury Subcategory--greater than or equal to 260 mg/kg total Mercury)

U153	NA	74-93-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methanethiol
U154	NA	67-56-1	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Methanol
U156	NA	79-22-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Methyl chlorocarbonate
U160	NA	1338-23-4	CHOXD; CHRED; CARBN; BIODG; or INCIN	FSUBS; CHOXD; CHRED; or INCIN	Methyl ethyl ketone peroxide
U163	NA	70-25-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Methyl-N'-nitro-N-Nitrosoguanidine
U164	NA	56-04-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
Methyl thiouracilU166	NA	130-15-4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,4-Naphthoquinone
U167	NA	134-32-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1-Naphthylamine
U168	Table B	91-59-8	NA	INCIN	2-Naphthylamine
U171	NA	79-46-9	(WETOX or	INCIN	2-Nitropropane

			CHOXD) fb CARBN; or INCIN		
U173	NA	1116-54-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-diethanolamine
U176	NA	759-73-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N-ethylurea
U177	NA	684-93-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N-methylurea
U178	NA	615-53-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	N-Nitroso-N-methylurethane
U182	NA	123-63-7	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Paraldehyde
U184	NA	76-01-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Pentachloroethane
U186	NA	504-60-9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	1,3-Pentadiene
U189	NA	1314-80-3	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Phosphorus sulfide
U191	NA	109-06-8	(WETOX or	INCIN	

			CHOXD) fb CARBN; or INCIN		
2-Picolin eU193	NA	1120-71-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	1,3-Propane sultone
U194	NA	107-10-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	n-Propylamine
U197	NA	106-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	p-Benzoquinone
U200	NA	50-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Reserpine
U201	NA	108-46-3	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Resorcinol
U202	NA	81-07-2* A	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Saccharin and salts
U206	NA	18883-66-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Streptozatocin
U213	NA	109-99-9	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Tetrahydrofuran

U214	Table B	563-68-8	NA	RTHRM; or STABL	Thallium (I) acetate
U215	Table B	6533-73-9	NA	RTHRM; or STABL	Thallium (I) carbonate
U216	Table B	7791-12-0	NA	RTHRM; or STABL	Thallium (I) chloride
U217	Table B	10102-45-1	NA	RTHRM; or STABL	Thallium (I) nitrate
U218	NA	62-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thioacetamide
U219	NA	62-56-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
ThioureaU221	NA	25376-45-8	CARBN; or INCIN	FSUBS; or INCIN	Toluenediamine
U222	NA	636-21-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	o-Toluidine hydrochloride
U223	NA	26471-62-5	CARBN; or INCIN	FSUBS; or INCIN	Toluene diisocyanate
U234	NA	99-35-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	sym-Trinitrobenzene
U236	NA	72-57-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Trypan Blue

U237	NA	66-75-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Uracil mustard
U238	NA	51-79-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Ethyl carbamate
U240	NA	94-75-7*	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	2,4-Dichlorophenoxyacetic acid (salts and esters)
U244	NA	137-26-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	Thiram
U246	NA	506-68-3	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN	Cyanogen bromide
U248	NA	81-81-2	(WETOX or CHOXD) fb CARBN; or INCIN	FSUBS; or INCIN	Warfarin (~~greater than or equal to~~ 0.3% or less)
U249	NA	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	Zinc Phosphide (<10%)
U328	NA	95-53-4	INCIN; or CHOXD fb, (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destruction.	
o-toluidineU353	NA	106-49-0	INCIN; or CHOXD fb, (BIODG or CARBN); or	INCIN; or Thermal Destruction.	p-toluidine

			BIODG fb CARBN		
U359	NA	110-80-5	INCIN; or CHOXD fb, (BIODG or CARBN); or BIODG fb CARBN	INCIN; or FSUBS.	2-ethoxy-ethanol

*A CAS Number given for parent compound only.

**B This waste code exists in gaseous form and is not categorized as wastewater or nonwastewater forms.

NA Not Applicable.

BOARD NOTE: When a combination of these technologies (i.e., a treatment train) is specified as a single treatment standard, the order of application is specified in this Table by indicating the five letter technology code that must be applied first, then the designation "fb" (an abbreviation for "Followed by"), then the five letter technology code for the technology that must be applied next, and so on. When more than one technology (or treatment train) are specified a alternative treatment standards, the five letter technology codes (or the treatment trains) are separated by a semicolon (;) with the last technology preceded by the word "or". This indicates that any one of these BDAT technologies or treatment trains can be used for compliance with the standard. See Section 728.Table C for a listing of the technology codes and technology-based treatment standards. Derived from 40 CFR 268.42, Table 2 (1992), as ~~adopted~~amended at 5~~4~~7 Fed. Reg. ~~22694, June 1, 1990~~37273 (Aug. 18, 1992).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 728.Table F Alternative Treatment Standards For Hazardous Debris

a) Hazardous debris must be treated by either the standards indicated in this Table or by the waste-specific treatment standards for the waste contaminating the debris. The treatment standards must be met for each type of debris contained in a mixture of debris types, unless the debris is converted into treatment residue as a result of the treatment process. Debris treatment residuals are subject to the waste-specific treatment standards for the waste contaminating the debris.

b) Definitions. For the purposes of this Table, the following terms are defined as follows:

"Clean debris surface" means the surface, when viewed without

magnification, shall be free of all visible contaminated soil and hazardous waste except that residual staining from soil and waste consisting of light shadows, slight streaks, or minor discolorations, and soil and waste in cracks, crevices, and pits may be present provided that such staining and waste and soil in cracks, crevices, and pits shall be limited to no more than 5% of each square inch of surface area.

"Contaminant restriction" means that the technology is not BDAT for that contaminant. If debris containing a restricted contaminant is treated by the technology, the contaminant must be subsequently treated by a technology for which it is not restricted in order to be land disposed (and excluded from Subtitle C regulation).

"Dioxin-listed wastes" means wastes having any of U.S. EPA Hhazardous ~~W~~waste numbers FO20, FO21, FO22, FO23, FO26, or FO27.

c) Notes. In the Table, the following text is to be read in conjunction with the tabulated text where the appropriate notations appear:

[1] Acids, solvents, and chemical reagents may react with some debris and contaminants to form hazardous compounds. For example, acid washing of cyanide-contaminated debris could result in the formation of hydrogen cyanide. Some acids may also react violently with some debris and contaminants, depending on the concentration of the acid and the type of debris and contaminants. Debris treaters should refer to the safety precautions specified in Material Safety Data Sheets for various acids to avoid applying an incompatible acid to a particular debris/contaminant combination. For example, concentrated sulfuric acid may react violently with certain organic compounds, such as acrylonitrile.

[2] If reducing the particle size of debris to meet the treatment standards results in material that no longer meets the 60 mm minimum particle size limit for debris, such material is subject to the waste-specific treatment standards for the waste contaminating the material, unless the debris has been cleaned and separated from contaminated soil and waste prior to size reduction. At a minimum, simple physical or mechanical means must be used to provide such cleaning and separation of nondebris materials to ensure that the debris surface is free of caked soil, waste, or other nondebris material.

[3] Thermal desorption is distinguished from thermal destruction in that the primary purpose of thermal desorption is to volatilize contaminants and to remove them from the treatment chamber for subsequent destruction or other treatment.

[4] The demonstration of "equivalent technology" under Section 728.142(b) must document that the technology treats contaminants subject to treatment to a level equivalent to that required by the performance and design and operating standards for other technologies in this table such that residual levels of hazardous contaminants will not pose a hazard to human health and the environment absent management controls.

[5] Any soil, waste, and other nondebris material that remains on the debris surface (or remains mixed with the debris) after treatment is considered a treatment residual that must B be separated from the debris using, at a minimum, simple physical or mechanical means. Examples of simple physical or mechanical means are vibratory or trommel screening or water washing. The debris surface need not be cleaned to a "clean debris surface" as defined in subsection (b) above when separating treated debris from residue; rather, the surface must be free of caked soil, waste, or other nondebris material. Treatment residuals are subject to the waste-specific treatment standards for the waste contaminating the debris.

Technology description	Performance or design and operating standard	Contaminant restrictions
A. Extraction Technologies:		
1. Physical Extraction		
a. Abrasive Blasting: Removal of contaminated debris surface layers using water and/or air pressure to propel a solid media (e.g., steel shot, aluminum oxide grit, plastic beads).	Glass, Metal, Plastic, Rubber: Treatment to a clean debris surface. Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Removal of at least 0.6 cm of the surface layer; treatment to a clean debris surface.	All Debris: None.
b. Scarification, Grinding, and Planing: Process utilizing striking piston heads, saws, or rotating grinding wheels such that contaminated debris surface layers are removed.	Same as above	Same as above
c. Spalling: Drilling or chipping holes at appropriate	Same as above	Same as above

locations and depth in the contaminated debris surface and applying a tool which exerts a force on the sides of those holes such that the surface layer is removed. The surface layer removed remains hazardous debris subject to the debris treatment standards.		
d. Vibratory Finishing: Process utilizing scrubbing media, flushing fluid, and oscillating energy such that hazardous contaminants or contaminated debris surface layers are removed.[1]	Same as above	
Same as abovee. High Pressure Steam and Water Sprays: Application of water or steam sprays of sufficient temperature, pressure, residence time, agitation, surfactants, and detergents to remove hazardous contaminants from debris surfaces or to remove contaminated debris surface layers	Same as above	Same as above.
2. Chemical Extraction		
a. Water Washing and Spraying: Application of water sprays or water baths of sufficient temperature, pressure, residence time, agitation, surfactants, acids, bases, and detergents to remove hazardous contaminants from debris surfaces and surface pores or to remove contaminated debris	All Debris: Treatment to a clean debris surface; Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Debris must be no more than 1.2 cm (2 inch) in one dimension (i.e., thickness limit,[2] except that this thickness limit may be waived under an "Equivalent Technology" approval under	Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Contaminant must be soluble to at least 5% by weight in water solution or 5% by weight in emulsion; if debris is contaminated with a dioxin-listed waste,[3] an "Equivalent Technology" approval under 35 Ill. Adm. Code 728.142(b) must be obtained.[4]

surface layers.	35 Ill. Adm. Code 728.142(b);[4] debris surfaces must be in contact with water solution for at least 15 minutes	
b. Liquid Phase Solvent Extraction: Removal of hazardous contaminants from debris surfaces and surface pores by applying a nonaqueous liquid or liquid solution which causes the hazardous contaminants to enter the liquid phase and be flushed away from the debris along with the liquid or liquid solution while using appropriate agitation, temperature, and residence time.[1]	Same as above	Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Same as above, except that contaminant must be soluble to at least 5% by weight in the solvent.
c. Vapor Phase Solvent Extraction: Application of an organic vapor using sufficient agitation, residence time, and temperature to cause hazardous contaminants on contaminated debris surfaces and surface pores to enter the vapor phase and be flushed away with the organic vapor.[1]	Same as above, except that brick, cloth, concrete, paper, pavement, rock and wood surfaces must be in contact with the organic vapor for at least 60 minutes.	
Same as above.3. Thermal Extraction		
a. High Temperature Metals Recovery: Application of sufficient heat, residence time, mixing, fluxing agents, and/or carbon in a smelting, melting, or refining furnace to separate metals from debris.	For refining furnaces, treated debris must be separated from treatment residuals using simple physical or mechanical means,[5] and, prior to further treatment, such residuals must meet the waste-specific treatment standards for organic compounds in the waste	Debris contaminated with a dioxin-listed waste:[2] Obtain an "Equivalent Technology" approval under 35 Ill. Adm. Code 728.142(b).[4]

	contaminating the debris.	
b. Thermal Desorption: Heating in an enclosed chamber under either oxidizing or nonoxidizing atmospheres at sufficient temperature and residence time to vaporize hazardous contaminants from contaminated surfaces and surface pores and to remove the contaminants from the heating chamber in a gaseous exhaust gas.[3]	All Debris: Obtain an "Equivalent Technology" approval under 35 Ill. Adm. Code 728.142(b);[4] treated debris must be separated from treatment residuals using simple physical or mechanical means,[5] and, prior to further treatment, such residue must meet the waste-specific treatment standards for organic compounds in the waste contaminating the debris. Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Debris must be no more than 10 cm (4 inches) in one dimension (i.e., thickness limit),[2] except that this thickness limit may be waived under the "Equivalent Technology" approval	All Debris: Metals other than mercury.
B. Destruction Technologies:		
1. Biological Destruction (Biodegradation): Removal of hazardous contaminants from debris surfaces and surface pores in an aqueous solution and biodegration of organic or nonmetallic inorganic compounds (i.e., inorganics that contain phosphorus, nitrogen, or sulfur) in units operated under either aerobic or anaerobic conditions.	All Debris: Obtain an "Equivalent Technology" approval under 35 Ill. Adm. Code 728.142(b);[4] treated debris must be separated from treatment residuals using simple physical or mechanical means,[5] and, prior to further treatment, such residue must meet the waste-specific treatment standards for organic compounds in the waste contaminating the debris. Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Debris must be no more than 1.2 cm (2 inch) in one	All Debris: Metal contaminants.

	dimension (i.e., thickness limit),[2] except that this thickness limit may be waived under the "Equivalent Technology" approval	
2. Chemical Destruction		
a. Chemical Oxidation: Chemical or electolytic oxidation utilizing the following oxidation reagents (or waste reagents) or combination of reagents-(1) hypochlorite (e.g., bleach); (2) chlorine; (3) chlorine dioxide; (4) ozone or UV (ultraviolet light) assisted ozone; (5) peroxides; (6) persulfates; (7) perchlorates; (8) permanganates; and/or (9) other oxidizing reagents of equivalent destruction efficiency.[1] Chemical oxidation specifically includes what is referred to as alkaline chlorination.	All Debris: Obtain an "Equivalent Technology" approval under 35 Ill. Adm. Code.142(b);[4] treated debris must be separated from treatment residuals using simple physical or mechanical means,[5] and, prior to further treatment, such residue must meet the waste-specific treatment standards for organic compounds in the waste contaminating the debris. Brick, Cloth, Concrete, Paper, Pavement, Rock, Wood: Debris must be no more than 1.2 cm (2 inch) in one dimension (i.e., thickness limit),[2] except that this thickness limit may be waived under the "Equivalent Technology" approval	
All Debris: Metal contaminants.b. Chemical Reduction: Chemical reaction utilizing the following reducing reagents (or waste reagents) or combination of reagents: (1) sulfur dioxide; (2) sodium, potassium, or alkali salts of sulfites, bisulfites, and metabisulfites, and polyethylene glycols (e.g., NaPEG and KPEG); (3) sodium hydrosulfide; (4)	Same as above	Same as above.

ferrous salts; and/or (5) other reducing reagents of equivalent efficiency.[1]		
3. Thermal Destruction: Treatment in an incinerator operating in accordance with 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O; a boiler or industrial furnace operating in accordance with 35 Ill. Adm. Code 726.Subpart H, or other thermal treatment unit operated in accordance with 35 Ill. Adm. Code 724.Subpart X, or 35 Ill. Adm. Code 725.Subpart P, but excluding for purposes of these debris treatment standards Thermal Desorption units.	Treated debris must be separated from treatment residuals using simple physical or mechanical means,[5] and, prior to further treatment, such residue must meet the waste-specific treatment standards for organic compounds in the waste contaminating the debris.	Brick, Concrete, Glass, Metal, Pavement, Rock, Metal: Metals other than mercury, except that there are no metal restrictions for vitrification. Debris contaminated with a dioxin-listed waste.[3] Obtain an "Equivalent Technology" approval under 35 Ill. Adm. Code 728.142(b),[4] except that this requirement does not apply to vitrification.
C. Immobilization Technologies:		
1. Macroencapsulation: Application of surface coating materials such as polymeric organics (e.g., resins and plastics) or use of a jacket of inert inorganic materials to substantially reduce surface exposure to potential leaching media.	Encapsulating material must completely encapsulate debris and be resistant to degradation by the debris and its contaminants and materials into which it may come into contact after placement (leachate, other waste, microbes).	
None.2. Microencapsulation: Stabilization of the debris with the following reagents (or waste reagents) such that the leachability of the hazardous contaminants is reduced: (1) Portland cement; or (2) lime/ pozzolans (e.g., fly ash and cement kiln dust). _Reagents	Leachability of the hazardous contaminants must be reduced.	None.

(e.g., iron salts, silicates, and clays) may be added to enhance the set/cure time and/or compressive strength, or to reduce the leachability of the hazardous constituents.[2]		
3. Sealing: Application of an appropriate material which adheres tightly to the debris surface to avoid exposure of the surface to potential leaching media. When necessary to effectively seal the surface, sealing entails pretreatment of the debris surface to remove foreign matter and to clean and roughen the surface. Sealing materials include epoxy, silicone, and urethane compounds, but paint may not be used as a sealant	Sealing must avoid exposure of the debris surface to potential leaching media and sealant must be resistent to degradation by the debris and its contaminants and materials into which it may come into contact after placement (leachate, other waste, microbes).	None.

(Source: Added at 18 Ill. Reg. _____, effective _____)

Section 728.Appendix B Treatment Standards (As concentrations in the Treatment Residual Extract)

The Board incorporates by reference 40 CFR 268, Appendix II (1991~~1~~2), as amended at 57 Fed. Reg. 37281 (Aug. 18, 1992). This incorporation includes no future editions or amendments.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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

PART 739
STANDARDS FOR THE MANAGEMENT OF USED OIL

SUBPART A: DEFINITIONS

Section

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1112, pars. 1022.4 and 1027 [415 ILCS 5/22.4 and 5/27]).

SOURCE: Adopted in R93-4 at 17 Ill. Reg. 20954, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS

Section 739.100 Definitions

Terms that are defined in 35 Ill. Adm. Code 720.110, 721.101, and 731.112 have the same

meanings when used in this Part.

"Aboveground tank" means a tank used to store or process used oil that is not an underground storage tank as defined in 35 Ill. Adm. Code 280.12.
BOARD NOTE: This definition is different from the definition for "Aboveground tank" given in 35 Ill. Adm. Code 720.110. Although the meanings are similar, the main distinction is that the definition for this Part limits the tanks to those used to store or process used oil, whereas the 720.110 definition contemplates tanks which contain hazardous wastes. The above definition is limited to this Part only.

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

"Do-it-yourselfer used oil collection center" means any site or facility that accepts or aggregates and stores used oil collected only from household do-it-yourselfers.

"Existing tank" means a tank that is used for the storage or processing of used oil and that is in operation, or for which installation has commenced on or prior to the effective date of the authorized used oil program for the State in which the tank is located. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin installation of the tank and if either:

A continuous on-site installation program has begun, or

The owner or operator has entered into contractual obligations-which cannot be canceled or modified without substantial loss-for installation of the tank to be completed within a reasonable time.
BOARD NOTE: This definition is similar to the definition for "Existing tank system" in 35 Ill. Adm. Code 720.110. Although the meanings are similar, the definition given above for "existing tank" in this Part limits the tanks to those used to store or process used oil, whereas the 720.110 definition contemplates tanks systems which contain hazardous wastes. The above definition is limited to this Part only.

"Household `do-it-yourselfer' used oil" means oil that is derived from households, such as used oil generated by individuals who generate used oil through the maintenance of their personal vehicles.
BOARD NOTE: Household `do-it-yourselfer' used oil is not subject to the State's special waste hauling permit requirements under Part 809.

"Household `do-it-yourselfer' used oil generator" means an individual who generates household "do-it-yourselfer" used oil.

"New tank" means a tank that will be used to store or process used oil and for which installation has commenced after the effective date of the authorized used oil program for the State in which the tank is located.
BOARD NOTE: This definition is similar to the definition given for "New tank system" given in 35 Ill. Adm. Code 720.110. Although the meanings are similar, the definition given above for "new tank" in this Part limits the tanks to those used to store or process used oil, whereas the 720.110 definition contemplates new tanks systems which contain hazardous wastes. The above definition is limited to this Part only.

"Processing" means chemical or physical operations designed to produce from used oil, or to make used oil more amenable for production of, fuel oils, lubricants, or other used oil-derived product. Processing includes, but is not limited to: blending used oil with virgin petroleum products, blending used oils to meet the fuel specification, filtration, simple distillation, chemical or physical separation and re-refining.

"Re-refining distillation bottoms" means the heavy fraction produced by vacuum distillation of filtered and dehydrated used oil. The composition of still bottoms varies with column operation and feedstock.

"Tank" means any stationary device, designed to contain an accumulation of used oil which is constructed primarily of non-earthen materials, (e.g., wood, concrete, steel, plastic) which provides structural support.

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

"Used oil aggregation point" means any site or facility that accepts, aggregates, or stores used oil collected only from other used oil generation sites owned or operated by the owner or operator of the aggregation point, from which used oil is transported to the aggregation point in shipments of no more than 55 gallons. Used oil aggregation points may also accept used oil from household do-it-yourselfers.

"Used oil burner" means a facility where used oil not meeting the specification requirements in Section 739.111 is burned for energy recovery in devices identified in Section 739.161(a).
"Used oil collection center" means any site or facility that is registered by the Agency to manage used oil and accepts or aggregates and stores used oil collected from used oil generators regulated under Subpart C of this Part ~~who~~that bring used oil to the collection center in shipments of no more than 55 gallons under the

provisions of Section 739.124. Used oil collection centers may also accept used oil from household do-it-yourselfers.

"Used oil fuel marketer" means any person ~~who~~that conducts either of the following activities:

Directs a shipment of off-specification used oil from their facility to a used oil burner; or

First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 739.111.

"Used oil generator" means any person, by site, whose act or process produces used oil or whose act first causes used oil to become subject to regulation.

"Used oil processor" means a facility that processes used oil.

"Used oil transfer facility" means any transportation related facility including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under Subpart F of this Part.

"Used oil transporter" means any person ~~who~~that transports used oil, any person ~~who~~that collects used oil from more than one generator and transports the collected oil, and owners and operators of used oil transfer facilities. Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation but, with the following exception, may not process used oil. Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil derived products or used oil fuel.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART B: APPLICABILITY

Section 739.110 Applicability

This Section identifies those materials which are subject to regulation as used oil under this Part. This Section also identifies some materials that are not subject to regulation as used oil under this Part, and indicates whether these materials may be subject to regulation as hazardous waste under Parts 702, 703, 720 through 726 and 728.

a) Used oil. U.S. EPA presumes that used oil is to be recycled unless a used oil handler disposes of used oil, or sends used oil for disposal. Except as provided in Section 739.111, the regulations of this Part apply to used oil, and to materials identified in this Section as being subject to regulation as used oil, whether or not the used oil or material exhibits any characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.

b) Mixtures of used oil and hazardous waste.

1) Listed hazardous waste.

A) ~~M~~A mixture~~s~~ of used oil and hazardous waste that is listed in 35 Ill. Adm. Code 721.Subpart D ~~are~~is subject to regulation as hazardous waste under 35 Ill. Adm. Code 703, 720 through 726 and 728, rather than as used oil under this Part.

B) Rebuttable presumption for used oil. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, Edition III, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 35 Ill. Adm. Code 721.Appendix H). U.S. EPA Publication SW-846, Third Edition, is available for the cost of $110.00 from the Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, (202) 783-3238 (document number 955-001-00000-1).

i) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement as described in Section 739.124(c), to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils or fluids are recycled in any other manner, or disposed.

ii) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed

with used oil from sources other than refrigeration units.

2) Characteristic hazardous waste. ~~M~~A mixture~~s~~ of used oil and hazardous waste that exhibits a hazardous waste characteristic identified in 35 Ill. Adm. Code 721.Subpart C and a mixture of used oil and hazardous waste that is listed in Subpart D of this Part solely because it exhibits one or more of the characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C ~~are~~is subject to:

A) Except as provided in subsection (b)(2)(C) of this Section, regulation as hazardous waste under 35 Ill. Adm. Code 703, 720 through 726 and 728 rather than as used oil under this Part, if the resultant mixture exhibits any characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C; or

B) Except as provided in subsection (b)(2)(C) of this Section, r~~R~~egulation as used oil under this Part, if the resultant mixture does not exhibit any characteristics of hazardous waste identified under 35 Ill. Adm. Code 721.Subpart C.

C) Regulation as used oil under this Part, if the mixture is of used oil and a waste which is hazardous solely because i~~f~~t exhibits the characteristic of ignitability and is not listed in 35 Ill. Adm. Code 721.Subpart D (e.g., mineral spirits), provided that the mixture does not exhibit the characteristic of ignitability under 35 Ill. Adm. Code 721.121.

3) Conditionally exempt small quantity generator hazardous waste. ~~M~~A mixture~~s~~ of used oil and conditionally exempt small quantity generator hazardous waste regulated under 35 Ill. Adm. Code 721.105 ~~are~~is subject to regulation as used oil under this Part.

c) ~~Mixtures of~~Materials containing or otherwise contaminated with used oil ~~with non-hazardous solid wastes. Mixtures of used oil and non-hazardous solid waste are subject to regulation as used oil under this Part~~.

1) Except as provided in subsection (c)(2) of this Section, a material containing or otherwise contaminated with used oil from which the used oil has been properly drained or removed to the extent possible such that no visible signs of free-flowing oil remain in or on the material:

A) Is not used oil, and thus, it is not subject to this Part, and

B) If applicable, is subject to the hazardous waste regulations of 35

Ill. Adm. Code 703, 705, 720 through 726, and 728.

2) A material containing or otherwise contaminated with used oil that is burned for energy recovery is subject to regulation as used oil under this Part.

3) Used oil drained or removed from materials containing or otherwise contaminated with used oil is subject to regulation as used oil under this Part.

d) Mixtures of used oil with products.

1) Except as provided in subsection (d)(2) below, mixtures of used oil and fuels or other fuel products are subject to regulation as used oil under this Part.

2) Mixtures of used oil and diesel fuel mixed on-site by the generator of the used oil for use in the generator's own vehicles are not subject to this Part once the used oil and diesel fuel have been mixed. Prior to mixing, the used oil is subject to the requirements of Subpart C of this Part.

e) Materials derived from used oil.

1) Materials that are reclaimed from used oil that are used beneficially and are not burned for energy recovery or used in a manner constituting disposal (e.g., re-refined lubricants) are:

A) Not used oil and thus are not subject to this Part, and

B) Not solid wastes and are thus not subject to the hazardous waste regulations of Parts 35 Ill. Adm. Code 703, 720 through 726 and 728 as provided in 35 Ill. Adm. Code 721.103(c)(2)(A).

2) Materials produced from used oil that are burned for energy recovery (e.g., used oil fuels) are subject to regulation as used oil under this Part.

3) Except as provided in subsection (e)(4) below, materials derived from used oil that are disposed of or used in a manner constituting disposal are:

A) Not used oil and thus are not subject to this Part, and

B) Are solid wastes and thus are subject to the hazardous waste regulations of 35 Ill. Adm. Code 703, 720 through 726 and 728 if the materials are listed or identified as hazardous waste.

4) ~~R~~Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products are ~~:~~

~~A) N~~not subject to this Part ~~at this time, and~~

~~B) Not subject to the hazardous waste regulations of 35 Ill. Adm. Code 703, 720 through 726 and 728 at this time~~.

f) Wastewater. Wastewater, the discharge of which is subject to regulation under either Section 402 or Section 307(b) of the Clean Water Act (including wastewaters at facilities which have eliminated the discharge of wastewater), contaminated with de minimis quantities of used oil are not subject to the requirements of this Part. For purposes of this subsection, "de minimis" quantities of used oils are defined as small spills, leaks, or drippings from pumps, machinery, pipes, and other similar equipment during normal operations or small amounts of oil lost to the wastewater treatment system during washing or draining operations. This exception will not apply if the used oil is discarded as a result of abnormal manufacturing operations resulting in substantial leaks, spills, or other releases, or to used oil recovered from wastewaters.

g) Used oil introduced into crude oil or natural gas pipelines. Used oil that is placed directly into a crude oil or natural gas pipeline is subject to the management standards of this Part only prior to the point of introduction to the pipeline. Once the used oil is introduced to the pipeline, the material is exempt from the requirements of this Part.

h) Used oil on vessels. Used oil produced on vessels from normal shipboard operations is not subject to this Part until it is transported ashore.

~~A) PCB contaminated used oil. PCB-containing used oil regulated 35 Ill. Adm. Code 761 is exempt from regulation under this Part.~~

~~B) This Section is adopted to maintain correlation with the Federal regulations.~~

i) Used oil containing PCBs. In addition to the requirements of this Part, a marketer or burner of used oil that markets used oil containing any quantifiable level of PCBs is subject to the requirements of 40 CFR 761.20(e).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.111 Used oil specifications

Used oil burned for energy recovery, and any fuel produced from used oil by processing,

blending, or other treatment, is subject to regulation under this Part unless it is shown not to exceed any of the allowable levels of the constituents and properties in the specification shown in Table 1. Once used oil that is to be burned for energy recovery has been shown not to exceed any specification and the person making that showing complies with Sections 739.172, 739.173, and 739.174(b), the used oil is no longer subject to this Part.

Table 1-Used Oil Not exceeding Any Specification Level Is Not Subject to this Part When Burned for Energy Recovery[1]

Constituent/property	Allowable level
Arsenic	5 ppm maximum.
Cadmium	2 ppm maximum.
Chromium	10 ppm maximum.
Lead	100 ppm maximum.
Flash point	100 F minimum.
Total halogens	4,000 ppm maximum[2].

FOOTNOTE: [1] The specification does not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste (see Section 739.110(b)).

FOOTNOTE: [2] Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under Section 739.110(b)(1). Such used oil is subject to 35 Ill. Adm. Code 726.Subpart H rather than this Part when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

NOTE: Applicable standards for the burning of used oil containing PCBs are imposed by 40 CFR 761.20(e).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.112 Prohibitions

a) Surface impoundment prohibition. Used oil shall not be managed in surface impoundments or waste piles unless the units are subject to regulation under 35 Ill. Adm. Code 724 or 725.

b) Use as a dust suppressant. The use of used oil as a dust suppressant is prohibited, except when such activity takes place in one of the states listed in Section 739.182(c).

c) Burning in particular units. Off-specification used oil fuel may be burned for energy recovery in only the following devices:

1) Industrial furnaces identified in 35 Ill. Adm. Code 720.110;

2) Boilers, as defined in 35 Ill. Adm. Code 720.110, that are identified as follows:

A) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes;

B) Utility boilers used to produce electric power, steam, heated or cooled air, or other gases or fluids for sale; or

C) Used oil-fired space heaters provided that the burner meets the provisions of Section 739.123.

3) Hazardous waste incinerators subject to regulation under 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART C: STANDARDS FOR USED OIL GENERATORS

Section 739.121 Hazardous waste mixing

a) ~~Generators shall not mix hazardous waste with~~Mixtures of used oil and hazardous waste must be managed~~except as provided~~ in accordance with Section 739.110(b)~~(2)(B) and (C)~~.

b) The rebuttable presumption for used oil of Section 739.110(b)(1)(B) applies to used oil managed by generators. Under the rebuttable presumption for used oil of Section 739.110(b)(1)(B), used oil containing greater than 1,000 ppm total halogens is presumed to be a hazardous waste and thus must be managed as hazardous waste and not as used oil unless the presumption is rebutted. However, the rebuttable presumption does not apply to certain metalworking oils and fluids and certain used oils removed from refrigeration units.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.122 Used oil storage

~~As specified in Section 739.110(f), wastewaters containing "de minimis" quantities of used oil are not subject to the requirements of this Part, including the prohibition on storage in units other than tanks or containers.~~ Used oil generators are subject to all applicable federal Spill Prevention, Control and Countermeasures (40 CFR 112) in addition to the requirements of this

Subpart. Used oil generators are also subject to the Underground Storage Tank (35 Ill. Adm. Code 731) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this ~~s~~Subpart.

a) Storage units. Used oil generators shall not store used oil in units other than tanks, containers, or units subject to regulation under 35 Ill. Adm. Code 724 or 725.

b) Condition of units. Containers and aboveground tanks used to store used oil at generator facilities must be:

1) In good condition (no severe rusting, apparent structural defects or deterioration); and

2) Not leaking (no visible leaks).

c) Labels.

1) Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

2) Fill pipes used to transfer used oil into underground storage tanks at generator facilities must be labeled or marked clearly with the words "Used Oil."

d) Response to releases. Upon detection of a release of used oil to the environment not subject to the requirements of Part 280, Subpart F which has occurred after the effective date of the authorized used oil program for the State in which the release is located, a generator ~~must~~shall perform the following cleanup steps:

1) Stop the release;

2) Contain the released used oil;

3) Clean up and manage properly the released used oil and other materials; and

4) If necessary to prevent future releases, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.123 On-site burning in space heaters

~~a)~~ Generators may burn used oil in used oil-fired space heaters provided that:

~~1~~a) The heater burns only used oil that the owner or operator generates or used oil received from household do-it-yourself used oil generators;

~~2~~b) The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour; and

~~3~~c) The combustion gases from the heater are vented to the ambient air.

~~b) This Section is adopted to maintain correlation with Federal regulations.~~

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.124 Off-site shipments

Except as provided in subsections (a) through (c) of this Section, generators ~~must~~shall ensure that their used oil is transported only by transporters ~~who~~that have obtained a U.S. EPA identification number and an Illinois special waste identification numbers pursuant to 35 Ill. Adm. Code ~~Part~~ 809.

BOARD NOTE: A generator ~~who~~that qualifies for an exemption under Section 739.124(a) through (c) may still be subject to the State's special waste hauling permit requirements under ~~Part~~35 Ill. Adm. Code 809.

a) Self-transportation of small amounts to registered collection centers. Generators may transport, without a U.S. EPA identification number and an Illinois special waste identification number, used oil that is generated at the generator's site and used oil collected from household do-it-yourselfers to a used oil collection center provided that:

1) The generator transports the used oil in a vehicle owned by the generator or owned by an employee of the generator;

2) The generator transports no more than 55 gallons of used oil at any time; and

3) The generator transports the used oil to a used oil collection center that has registered by written notification with the Agency to manage used oil. This notification shall include information sufficient for the Agency to identify, locate and communicate with the facility. The notification shall be submitted on forms provided by the Agency.

b) Self-transportation of small amounts to aggregation points owned by the generator. Generators may transport, without a~~n~~ U.S. EPA identification number

and an Illinois special waste identification number, used oil that is generated at the generator's site to an aggregation point provided that:

1) The generator transports the used oil in a vehicle owned by the generator or owned by an employee of the generator;

2) The generator transports no more than 55 gallons of used oil at any time; and

3) The generator transports the used oil to an aggregation point that is owned or operated by the same generator.

c) Tolling arrangements. Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA identification number and an Illinois special waste identification number if the used oil is reclaimed under a contractual agreement pursuant to which reclaimed oil is returned by the processor to the generator for use as a lubricant, cutting oil, or coolant. The contract (known as a "tolling arrangement") must indicate:

1) The type of used oil and the frequency of shipments;

2) That the vehicle used to transport the used oil to the processing facility and to deliver recycled used oil back to the generator is owned and operated by the used oil processor; and

3) That reclaimed oil will be returned to the generator.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART E: STANDARDS FOR USED OIL TRANSPORTER AND TRANSFER FACILITIES

Section 739.140 Applicability

a) General. Except as provided in subsections (a)(1) through (a)(4) of this Section, this Subpart applies to all used oil transporters. Used oil transporters are persons ~~who~~that transport used oil, persons ~~who~~that collect used oil from more than one generator and transport the collected oil, and owners and operators of used oil transfer facilities.

1) This Subpart does not apply to on-site transportation.

2) This Subpart does not apply to generators ~~who~~that transport shipments of used oil totalling 55 gallons or less from the generator to a used oil

collection center as specified in Section 739.124(a).

3) This Subpart does not apply to generators ~~who~~that transport shipments of used oil totalling 55 gallons or less from the generator to a used oil aggregation point owned or operated by the same generator as specified in Section 739.124(b).

4) This Subpart does not apply to transportation of used oil ~~generated by~~from household do-it-yourselfers ~~from the initial generator~~ to a regulated used oil generator, collection center, aggregation point, processor, or burner subject to the requirements of this Part. Except as provided in subsections (a)(1) through (a)(3) of this Section, this Subpart does, however, apply to transportation of collected household do-it-yourselfer used oil from regulated used oil generators, collection centers, aggregation points, or other facilities where household do-it-yourselfer used oil is collected. BOARD NOTE: A generator ~~who~~that qualifies for an exemption under Section 739.124 may still be subject to the State's special waste hauling permit requirements under Part 809.

b) Imports and exports. Transporters ~~who~~that import used oil from abroad or export used oil outside of the United States are subject to the requirements of this Subpart from the time the used oil enters and until the time it exits the United States.

c) Trucks used to transport hazardous waste. Unless trucks previously used to transport hazardous waste are emptied as described in 35 Ill. Adm. Code 721.107 prior to transporting used oil, the used oil is considered to have been mixed with the hazardous waste and must be managed as hazardous waste unless, under the provisions of Section 739.110(b), the hazardous waste and used oil mixture is determined not to be hazardous waste.

d) Other applicable provisions. Used oil transporters ~~who~~that conduct the following activities are also subject to other applicable provisions of this Part as indicated in subsections (d)(1) through (5) of this Section:

1) Transporters ~~who~~that generate used oil ~~must~~shall also comply with Subpart C of this Part;

2) Transporters ~~who~~that process or re-refine used oil, except as provided in Section 739.141, ~~must~~shall also comply with Subpart F of this Part;

3) Transporters ~~who~~that burn off-specification used oil for energy recovery ~~must~~shall also comply with Subpart G of this Part;

4) Transporters ~~who~~that direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 739.111 ~~must~~shall also comply with Subpart H of this ~~p~~Part; and

5) Transporters ~~who~~that dispose of used oil, including the use of used oil as a dust suppressant, ~~must~~shall also comply with Subpart I of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.141 Restrictions on transporters ~~who~~that are not also processors

a) Used oil transporters may consolidate or aggregate loads of used oil for purposes of transportation. However, except as provided in subsection (b) of this Section, used oil transporters may not process used oil unless they also comply with the requirements for processors in Subpart F of this Part.

b) Transporters may conduct incidental processing operations that occur in the normal course of used oil transportation (e.g., settling and water separation), but that are not designed to produce (or make more amenable for production of) used oil derived products unless they also comply with the processor requirements in Subpart F of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.142 Notification

a) Identification numbers. ~~U~~A used oil transporter~~s~~ ~~who~~that ha~~ve~~s not previously complied with the notification requirements of RCRA Section 3010 ~~must~~shall comply with these requirements and obtain a U.S. EPA identification number pursuant to RCRA Section 3010 and an Illinois special waste identification number.

b) Mechanics of notification.

1) A used oil transporter that has not received a U.S. EPA identification number may obtain one by notifying U.S. EPA Region V of its used oil activity by submitting either:

A) A completed U.S. EPA Form 8700-12 (To obtain ordering information for U.S. EPA Form 8700-12 call the RCRA/Superfund Hotline at 1-800-424-9346 or 703-920-9810); or

B) A letter requesting a U.S. EPA identification number. (Call the RCRA/Superfund Hotline to determine where to send a letter requesting a U.S. EPA identification number.) The letter should include the following information:

i) The transporter company name;

ii) The owner of the transporter company;

iii) The mailing address for the transporter;

iv) The name and telephone number for the transporter point of contact;

v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);

vi) The location of all transfer facilities at which used oil is stored;

vii) The name and telephone number for a contact at each transfer facility.

2) A used oil transporter ~~who~~that has not received an Illinois special waste identification number may obtain one pursuant to 35 Ill. Adm. Code ~~Part~~ 809 by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.143 Used oil transportation

a) Deliveries. A used oil transporter ~~must~~shall deliver all used oil received to:

1) Another used oil transporter, provided that the transporter has obtained a U.S. EPA identification number and an Illinois special waste identification number;

2) A used oil processing facility ~~who~~that has obtained a U.S. EPA identification number and an Illinois special waste identification number;

3) An off-specification used oil burner facility ~~who~~that has obtained a U.S. EPA identification number and an Illinois special waste identification number; or

4) An on-specification used oil burner facility.

b) ~~Shipping~~U.S. DOT requirements. ~~U~~A used oil transporter~~s~~ ~~must~~shall comply with all applicable ~~packaging, labeling, and placarding~~ requirements ~~of~~under the U.S. Department of Transportation ~~under~~in 49 CFR parts 17~~3~~,1 ~~178 and 179~~through 180. ~~U~~A person transporting used oil that meets the definition of ~~combustible liquid (flash point below 200° F but at or greater than 100° F) or flammable liquid (flash point below 100° F)~~a hazardous material in 49 CFR 171.8 ~~is subject to~~shall comply with all applicable U.S. Department of Transportation Hazardous Materials Regulations ~~at~~in 49 CFR Parts 1~~00~~71 through 1~~77~~80.

c) Used oil discharges.

1) In the event of a discharge of used oil during transportation, the transporter ~~must~~shall take appropriate immediate action to protect human health and the environment (e.g., notify local authorities, dike the discharge area).

2) If a discharge of used oil occurs during transportation and an official (State or local government or a Federal Agency) acting within the scope of official responsibilities determines that immediate removal of the used oil is necessary to protect human health or the environment, that official may authorize the removal of the used oil by a transporter~~s~~ ~~who~~that does not have a U.S. EPA identification number and an Illinois special waste identification number~~s~~.

3) An air, rail, highway, or water transporter ~~who~~that has discharged used oil ~~must~~shall:

A) Give notice, if required by 49 CFR 171.15 to the National Response Center (800-424-8802 or 202-426-2675); and

B) Report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590.

4) A water transporter ~~who~~that has discharged used oil ~~must~~shall give notice as required by 33 CFR 153.203.

5) A transporter ~~must~~shall clean up any used oil discharged that occurs during transportation or take such action as may be required or approved by federal, state, or local officials so that the used oil discharge no longer

presents a hazard to human health or the environment.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.145 Used oil storage at transfer facilities

~~As specified in Section 739.110(f), wastewaters containing "de minimis" quantities of used oil are not subject to the requirements of this Part, including the prohibition on storage in units other than tanks or containers. U~~A used oil transporter~~s are~~is subject to all applicable Spill Prevention, Control and Countermeasures (40 CFR 112) in addition to the requirements of this Subpart. ~~U~~A used oil ~~generators~~transporter ~~are~~is also subject to the Underground Storage Tank (35 Ill. Adm. Code 731) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this Subpart.

a) Applicability. This Section applies to used oil transfer facilities. Used oil transfer facilities are transportation related facilities including loading docks, parking areas, storage areas, and other areas where shipments of used oil are held for more than 24 hours during the normal course of transportation and not longer than 35 days. Transfer facilities that store used oil for more than 35 days are subject to regulation under Subpart F.

b) Storage units. Owners or operators of used oil transfer facilities may not store used oil in units other than tanks, containers, or units subject to regulation under 35 Ill. Adm. Code 724 or 725.

c) Condition of units. Containers and aboveground tanks used to store used oil at transfer facilities must be:

1) In good condition (no severe rusting, apparent structural defects or deterioration); and
2) Not leaking (no visible leaks).

d) Secondary containment for containers. Containers used to store used oil at transfer facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dikes, berms, or retaining walls~~.~~; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floors, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

e) Secondary containment for existing aboveground tanks. Existing aboveground tanks used to store used oil at transfer facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall except areas where existing portions of the tank meet the ground; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floors, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

f) Secondary containment for new aboveground tanks. New aboveground tanks used to store used oil at transfer facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floors, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

g) Labels.

1) Containers and aboveground tanks used to store used oil at transfer

facilities must be labeled or marked clearly with the words "Used Oil."

2) Fill pipes used to transfer used oil into underground storage tanks at transfer facilities must be labeled or marked clearly with the words "Used Oil."

h) Response to releases. Upon detection of a release of used oil to the environment not subject to the requirements of 35 Ill. Adm. Code 731.Subpart F which has occurred after the effective date of the authorized used oil program for the State in which the release is located, a owner or operator of a transfer facility ~~must~~shall perform the following cleanup steps:

1) Stop the release;

2) Contain the released used oil;

3) Clean up and manage properly the released used oil and other materials; and

4) If necessary to prevent future releases, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.146 Tracking

a) Acceptance. Used oil transporters ~~must~~shall keep a record of each used oil shipment accepted for transport. Records for each shipment must include:

1) The name and address of the generator, transporter, or processor ~~who~~that provided the used oil for transport;

2) The U.S. EPA identification number and Illinois special waste identification number (if applicable) of the generator, transporter, or processor ~~who~~that provided the used oil for transport;

3) The quantity of used oil accepted;

4) The date of acceptance; and

5) The signature, dated upon receipt of the used oil, of a representative of the generator, transporter, or processor ~~who~~that provided the used oil for transport.

b) Deliveries. Used oil transporters ~~must~~shall keep a record of each shipment of used oil that is delivered to another used oil transporter, or to a used oil burner, processor, or disposal facility. Records of each delivery must include:

1) The name and address of the receiving facility or transporter;

2) The U.S. EPA identification number and Illinois special waste identification number of the receiving facility or transporter;

3) The quantity of used oil delivered;

4) The date of delivery;

5) The signature, dated upon receipt of the used oil, of a representative of the receiving facility or transporter.

c) Exports of used oil. Used oil transporters ~~must~~shall maintain the records described in subsections (b)(1) through (b)(4) of this Section for each shipment of used oil exported to any foreign country.

d) Record retention. The records described in subsections (a), (b), and (c) of this Section must be maintained for at least three years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

SUBPART F: STANDARDS FOR USED OIL PROCESSORS

Section 739.151 Notification

a) Identification numbers. ~~U~~A used oil processor~~s~~ ~~and~~or re-refiner~~s~~ ~~who~~that ha~~ve~~s not previously complied with the notification requirements of RCRA Section 3010 ~~must~~shall and obtain a U.S. EPA identification number pursuant to RCRA Section 3010 and an Illinois special waste identification number.

b) Mechanics of notification.

1) A used oil processor or re-refiner ~~who~~that has not received ~~an Illinois special waste identification number may obtain one pursuant to 35 Ill. Adm. Code Part 809.~~a U.S. EPA identification number may obtain one by notifying U.S. EPA Region V of its used oil activity by submitting either:

A) A completed U.S. EPA Form 8700-12 (To obtain ordering information for U.S. EPA Form 8700-12 call the RCRA/Superfund

Hotline at 1-800-424-9346 or 703-920-9810); or

B) A letter requesting a U.S. EPA identification number. (Call the RCRA/Superfund Hotline to determine where to send a letter requesting a U.S. EPA identification number.) The letter should include the following information:

i) The processor or re-refiner company name;

ii) The owner of the processor or re-refiner company;

iii) The mailing address for the processor or re-refiner;

iv) The name and telephone number for the processor or re-refiner point of contact;

v) The type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);

vi) The location of all transfer facilities at which used oil is stored;

vii) The name and telephone number for a contact at each transfer facility.

2) ~~A letter requesting a U.S. EPA identification number. Call the RCRA/Superfund Hotline to determine where to send a letter requesting a U.S. EPA identification number. The letter should include the following information:~~A used oil processor or re-refiner that has not received an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761).

~~A) Processor or re-refiner company name;~~

~~B) Owner of the processor or re-refiner company;~~

~~C) Mailing address for the processor or re-refiner;~~

~~D) Name and telephone number for the processor or re-refiner point of contact;~~

~~E) Type of transport activity (i.e., transport only, transport and transfer facility, or transfer facility only);~~

~~F) Location of the processor or re-refiner facility.~~

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.152 General facility standards

a) Preparedness and prevention. Owners and operators of used oil processors and re-refiners facilities ~~must~~shall comply with the following requirements:

1) Maintenance and operation of facility. Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water which could threaten human health or the environment.

2) Required equipment. All facilities must be equipped with the following, unless none of the hazards posed by used oil handled at the facility could require a particular kind of equipment specified in subsections (a)(2)(A) through (a)(2)(D) of this Section:

A) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;

B) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;

C) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment and decontamination equipment; and

D) Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems.

3) Testing and maintenance of equipment. All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency.

4) Access to communications or alarm system.

A) Whenever used oil is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation must have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee, unless such a device is not required in subsection (a)(2) of this Section.

B) If there is ever just one employee on the premises while the facility is operating, the employee must have immediate access to a device, such as a telephone (immediately available at the scene of operation) or a hand-held two-way radio, capable of summoning external emergency assistance, unless such a device is not required in subsection (a)(2) of this Section.

5) Required aisle space. The owner or operator ~~must~~shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

6) Arrangements with local authorities.

A) The owner or operator ~~must~~shall attempt to make the following arrangements, as appropriate for the type of used oil handled at the facility and the potential need for the services of these organizations:

i) Arrangements to familiarize police, fire departments, and emergency response teams with the layout of the facility, properties of used oil handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to roads inside the facility, and possible evacuation routes;

ii) Where more than one police and fire department might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority;

iii) Agreements with State emergency response teams, emergency response contractors, and equipment suppliers; and

iv) Arrangements to familiarize local hospitals with the properties of used oil handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

B) Where State or local authorities decline to enter into such arrangements, the owner or operator ~~must~~shall document the refusal in the operating record.

b) Contingency plan and emergency procedures. Owners and operators of used oil processors and re-refiners facilities ~~must~~shall comply with the following requirements:

1) Purpose and implementation of contingency plan.

A) Each owner or operator ~~must~~shall have a contingency plan for the facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water.

B) The provisions of the plan must be carried out immediately whenever there is a fire, explosion, or release or used oil which could threaten human health or the environment.

2) Content of contingency plan.

A) The contingency plan must describe the actions facility personnel must take to comply with subsections (b)(1) and (b)(6) of this Section in response to fires, explosions, or any unplanned sudden or non-sudden release of used oil to air, soil, or surface water at the facility.

B) If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR 112, or 40 CFR 1510, or some other emergency or contingency plan, the owner or operator need only amend that plan to incorporate used oil management provisions that are sufficient to comply with the requirements of this Part.

C) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services,

pursuant to subsection (a)(6) of this Section.

D) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see subsection (b)(5) of this Section), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.

E) The plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.

F) The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of used oil or fires).

3) Copies of contingency plan. A copy of the contingency plan and all revisions to the plan must be:

A) Maintained at the facility; and

B) Submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services.

4) Amendment of contingency plan. The contingency plan must be reviewed, and immediately amended, if necessary, whenever:

A) Applicable regulations are revised;

B) The plan fails in an emergency;

C) The facility changes-in its design, construction, operation, maintenance, or other circumstances-in a way that materially increases the potential for fires, explosions, or releases of used oil, or changes the response necessary in an emergency;

D) The list of emergency coordinators changes; or

E) The list of emergency equipment changes.

5) Emergency coordinator. At all times, there must be at least one employee either on the facility premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures. This emergency coordinator ~~must~~shall be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristic of used oil handled, the location of all records within the facility, and facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.

BOARD NOTE: U.S. EPA cited the following as guidance: The emergency coordinator's responsibilities are more fully spelled out in subsection (b)(6) below. Applicable responsibilities for the emergency coordinator vary, depending on factors such as type and variety of used oil handled by the facility, and type and complexity of the facility.

6) Emergency procedures.

A) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or the designee when the emergency coordinator is on call) ~~must~~shall immediately:

i) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

ii) Notify appropriate State or local agencies with designated response roles if their help is needed.

B) Whenever there is a release, fire, or explosion, the emergency coordinator ~~must~~shall immediately identify the character, exact source, amount, and a real extent of any released materials. He may do this by observation or review of facility records of manifests and, if necessary, by chemical analysts.

C) Concurrently, the emergency coordinator ~~must~~shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment must consider both direct and indirect effects of the release, fire, or explosion (e.g., the

effects of any toxic, irritating, or asphyxiating gases that are generated, or the effects of any hazardous surface water run-offs from water of chemical agents used to control fire and heat-induced explosions).

D) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, he ~~must~~shall report his findings as follows:

i) If his assessment indicated that evacuation of local areas may be advisable, he ~~must~~shall immediately notify appropriate local authorities. He ~~must~~shall be available to help appropriate officials decide whether local areas should be evacuated; and

ii) He ~~must~~shall immediately notify either the government official designated as the on-scene coordinator for the geographical area (in the applicable regional contingency plan under 40 CFR 1510), or the National Response Center (using their 24-hour toll free number (800) 424-8802). The report must include: Name and telephone number of reporter; Name and address of facility; Time and type of incident (e.g., release, fire); Name and quantity of material(s) involved, to the extent known; The extent of injuries, if any; and The possible hazards to human health, or the environment, outside the facility.

E) During an emergency, the emergency coordinator ~~must~~shall take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other used oil or hazardous waste at the facility. These measures must include, where applicable, stopping processes and operation, collecting and containing released used oil, and removing or isolating containers.

F) If the facility stops operation in response to a fire, explosion, or release, the emergency coordinator ~~must~~shall monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.

G) Immediately after an emergency, the emergency coordinator ~~must~~shall provide for recycling, storing, or disposing of recovered used oil, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

H) The emergency coordinator ~~must~~shall ensure that, in the affected area(s) of the facility:

i) No waste or used oil that may be incompatible with the released material is recycled, treated, stored, or disposed of until cleanup procedures are completed; and

ii) A~~a~~ll emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

iii) The owner or operator ~~must~~shall notify the ~~Regional Administrator~~the Agency, and all other appropriate State and local authorities that the facility is in compliance with subsections (~~h~~b)(6)(H)(i) and (b)(6)(H)(ii) of this Section before operations are resumed in the affected area(s) of the facility.

I) The owner or operator ~~must~~shall note in the operating record the time, date and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, he ~~must~~shall submit a written report on the incident to the Regional Administrator. The report must include:

i) The n~~N~~ame, address, and telephone number of the owner or operator;

ii) The n~~N~~ame, address, and telephone number of the facility;

iii) The d~~D~~ate, time, and type of incident (e.g., fire, explosion);

iv) The n~~N~~ame and quantity of material(s) involved;

v) The extent of injuries, if any;

vi) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and

vii) The e~~E~~stimated quantity and disposition of recovered material that resulted from the incident.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.154 Used oil management

~~As specified in Section 739.110(f), wastewaters containing "de minimis" quantities of used oil are not subject to the requirements of this Part, including the prohibition on storage in units other than tanks or containers. U~~A used oil processor~~s are~~is subject to all applicable Spill Prevention, Control and Countermeasures (40 CFR 112) in addition to the requirements of this Subpart. ~~U~~A used oil ~~generators~~processor or re-refiner ~~are~~is also subject to the Underground Storage Tank (35 Ill. Adm. Code 731) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this Subpart.

a) Management units. Used oil processors shall not store ~~or process~~ used oil in units other than tanks, containers, or units subject to regulation under 35 Ill. Adm. Code 724 or 725.

b) Condition of units. Containers and aboveground tanks used to store or process used oil at processing facilities must be:

1) In good condition (no severe rusting, apparent structural defects or deterioration); and

2) Not leaking (no visible leaks).

c) Secondary containment for containers. Containers used to store or process used oil at processing and re-refining facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

d) Secondary containment for existing aboveground tanks. Existing aboveground tanks used to store or process used oil at processing and re-refining facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall except areas where existing portions of the tank meet the ground; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

e) Secondary containment for new aboveground tanks. New aboveground tanks used to store or process used oil at processing and re-refining facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

f) Labels.

1) Containers and aboveground tanks used to store used oil at processing facilities must be labeled or marked clearly with the words "Used Oil."

2) Fill pipes used to transfer used oil into underground storage tanks at processing facilities must be labeled or marked clearly with the words "Used Oil."

g) Response to releases. Upon detection of a release of used oil to the environment not subject to the requirements of 35 Ill. Adm. Code 731.Subpart F which has

occurred after the effective date of the authorized used oil program for the State in which the release is located, a processor ~~must~~shall perform the following cleanup steps:

1) Stop the release;

2) Contain the released used oil;

3) Clean up and manage properly the released used oil and other materials; and

4) If necessary to prevent future releases, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

h) Closure.

1) Aboveground tanks. Owners and operators ~~who~~that store or process used oil in aboveground tanks ~~must~~shall comply with the following requirements:

A) At closure of a tank system, the owner or operator ~~must~~shall remove or decontaminate used oil residues in tanks, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the materials are not hazardous waste under this chapter.

B) If the owner or operator demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in subsection (h)(1)(A) above, then the owner or operator ~~must~~shall close the tank system and perform post-closure care in accordance with the closure and post-closure care requirements that apply to hazardous waste landfills (35 Ill. Adm. Code 725.410).

2) Containers. Owners and operators ~~who~~that store used oil in containers ~~must~~shall comply with the following requirements:

A) At closure, containers holding used oils or residues of used oil must be removed from the site;

B) The owner or operator ~~must~~shall remove or decontaminate used oil residues, contaminated containment system components, contaminated soils, and structures and equipment contaminated with used oil, and manage them as hazardous waste, unless the

materials are not hazardous waste 35 Ill. Adm. Code 721.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.156 Tracking

a) Acceptance. Used oil processors ~~must~~shall keep a record of each used oil shipment accepted for processing. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

1) The name and address of the transporter ~~who~~that delivered the used oil to the processor;

2) The name and address of the generator or processor from whom the used oil was sent for processing;

3) The U.S. EPA identification number and Illinois special waste identification number of the transporter ~~who~~that delivered the used oil to the processor;

4) The U.S. EPA identification number and Illinois special waste identification number (if applicable) of the generator or processor from whom the used oil was sent for processing;

5) The quantity of used oil accepted; and

6) The date of acceptance.

b) Deliveries. Used oil processors ~~must~~shall keep a record of each shipment of used oil that is delivered to another used oil burner, processor, or disposal facility. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records of each delivery must include the following information:

1) The name and address of the transporter ~~who~~that delivers the used oil to the burner, processor or disposal facility;

2) The name and address of the burner, processor or disposal facility ~~who~~that will receive the used oil;

3) The U.S. EPA identification number and Illinois special waste identification number of the transporter ~~who~~that delivers the used oil to the burner, processor or disposal facility;

4) The U.S. EPA identification number and Illinois special waste identification number of the burner, processor, or disposal facility ~~who~~that will receive the used oil;

5) The quantity of used oil shipped;

6) The date of shipment.

c) Record retention. The records described in subsections (a) and (b) above must be maintained for at least three years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.157 Operating record and reporting

a) Operating record.

1) The owner or operator ~~must~~shall keep a written operating record at the facility.

2) The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility;

A) Records and results of used oil analyses performed as described in the analysis plan required under Section 739.155; and

B) Summary reports and details of all incidents that require implementation of the contingency plan an specified in Section 739.152(b).

b) Reporting. A used oil processor ~~must~~shall report to the Regional Administrator, in the form of a letter, on a biennial basis (by March 1 of each even numbered year), the following information concerning used oil activities during the previous calendar year;

1) The U.S. EPA identification number and Illinois special waste identification number, name, and address of the processor;

2) The calendar year covered by the report; and

3) The quantities of used oil accepted for processing and the manner in which the used oil is processed, including the specific processes employed.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.158 Off-site shipments of used oil

Used oil processors ~~who~~that initiate shipments of used oil off-site ~~must~~shall ship the used oil using a used oil transporter ~~who~~that has obtained an U.S. EPA identification number and Illinois special waste identification number.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

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

Section 739.160 Applicability

a) General. The requirements of this Subpart apply to used oil burners except as specified in subsections (a)(1) and (a)2) of this Section. A used oil burner is a facility where used oil not meeting the specification requirements in Section 739.111 is burned for energy recovery in devices identified in Section 739.161(a). Facilities burning used oil for energy recovery under the following conditions are not subject to this Subpart:

1) The used oil is burned by the generator in an on-site space heater under the provisions of Section 739.123; or

2) The used oil is burned by a processor for purposes of processing used oil, which is considered burning incidentally to used oil processing.

b) Other applicable provisions. Used oil burners ~~who~~that conduct the following activities are also subject to the requirements of other applicable provisions of this Part as indicated below.

1) Burners ~~who~~that generate used oil ~~must~~shall also comply ~~this~~with Subpart C of this Part;

2) Burners ~~who~~that transport used oil ~~must~~shall also comply with Subpart E of this Part;

3) Except as provided in Section 739.161(b), burners ~~who~~that process or re-refine used oil ~~must~~shall also comply with Subpart F of this Part;

4) Burners ~~who~~that direct shipments of off-specification used oil from their facility to a used oil burner or first claim that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in

Section 739.111 ~~must~~shall also comply with Subpart H of this Part; and

5) Burners ~~who~~that dispose of used oil, including the use of used oil as a dust suppressant, ~~must~~shall comply with Subpart I of this Part.

c) Specification fuel. This Subpart does not apply to persons burning used oil that meets the used oil fuel specification of Section 739.111, provided that the burner complies with the requirements of Subpart H of this Part.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.162 Notification

a) Identification numbers. A u~~U~~sed oil burner~~s~~ ~~who~~that ha~~ve~~s not previously complied with the notification requirements of RCRA Section 3010 ~~and~~ ~~must~~shall comply with these requirements and obtain a U.S. EPA identification number pursuant to RCRA Section 3010 and an Illinois special waste identification number.

b) Mechanics of notification. A used oil burner ~~who~~that has not received a~~n~~ U.S. EPA identification number may obtain one by notifying the Regional Administrator of their used oil activity by submitting either:

1) A completed EPA Form 8700-12 (To obtain EPA Form 8700-12 call RCRA/Superfund Hotline at 1-800-424-9346 or 703-920-9810); or

2) A letter requesting an EPA identification number. Call the RCRA/Superfund Hotline to determine where to send a letter requesting an EPA identification number. The letter should include the following information:

A) ~~B~~The burner company name;

B) ~~O~~The owner of the burner company;

C) ~~M~~The mailing address for the burner;

D) ~~N~~The name and telephone number for the burner point of contact;

E) ~~T~~The type of used oil activity; and

F) ~~L~~The location of the burner facility.

c) A used oil burner that has not previously obtained an Illinois special waste

identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.164 Used oil storage

~~As specified in Section 739.110(f), wastewaters containing "de minimis" quantities of used oil are not subject to the requirements of this Part, including the prohibition on storage in units other than tanks or containers. U~~A used oil burners ~~are~~is subject to all applicable Spill Prevention, Control and Countermeasures (40 CFR 112) in addition to the requirements of this Subpart. ~~U~~A used oil ~~generators~~burner ~~are~~is also subject to the Underground Storage Tank (35 Ill. Adm. Code 731) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this Subpart.

a) Storage units. Used oil burners may not store used oil in units other than tanks, containers, or units subject to regulation under 35 Ill. Adm. Code 724 or 725.

b) Condition of units. Containers and aboveground tanks used to store oil at burner facilities must be:

1) In good condition (no severe rusting, apparent structural defects or deterioration); and

2) Not leaking (no visible leaks).

c) Secondary containment for containers. Containers used to store used oil at burner facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall.

2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

d) Secondary containment for existing aboveground tanks. Existing aboveground tanks used to store used oil at burner facilities must be equipped with a secondary

containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall except areas where existing portions of the tank meet the ground; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

e) Secondary containment for existing aboveground tanks. New aboveground tanks used to store used oil at burner facilities must be equipped with a secondary containment system.

1) The secondary containment system must consist of, at a minimum:

A) Dikes, berms or retaining walls; and

B) A floor. The floor must cover the entire area within the dike, berm, or retaining wall; or

C) An equivalent secondary containment system.

2) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water.

f) Labels.

1) Containers and aboveground tanks used to store used oil at burner facilities must be labeled or marked clearly with the words "Used Oil."

2) Fill pipes used to transfer used oil into underground storage tanks at burner facilities must be labeled or marked clearly with the words "Used Oil."

g) Response to releases. Upon detection of a release of used oil to the environment not subject to the requirements of 35 Ill. Adm. Code 731.Subpart F which has occurred after the effective date of the authorized used oil program for the State in which the release is located, a burner ~~must~~shall perform the following cleanup steps:

1) Stop the release;

2) Contain the released used oil;

3) Clean up and manage properly the released used oil and other materials; and

4) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.165 Tracking

a) Acceptance. Used oil burners ~~must~~shall keep a record of each used oil shipment accepted for burning. These records may take the form of a log, invoice, manifest, bill of lading, or other shipping documents. Records for each shipment must include the following information:

1) The name and address of the transporter ~~who~~that delivered the used oil to the burner;

2) The name and address of the generator or processor from whom the used oil was sent to the burner;

3) The U.S. EPA identification number and Illinois special waste identification number of the transporter ~~who~~that delivered the used oil to the burner;

4) The U.S. EPA identification number and Illinois special waste identification number (if applicable) of the generator or processor from whom the used oil was sent to the burner;

5) The quantity of used oil accepted; and

6) The date of acceptance.

b) Record retention. The records described in subsection (a) of this Section must be

maintained for at least three years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Subpart H: STANDARDS FOR USED OIL FUEL MARKETERS

Section 739.170 Applicability

a) Any person ~~who~~that conducts either of the following activities is subject to the requirements of this ~~Section~~Subpart:

1) Directs a shipment of off-specification used oil from their facility to a used oil burner; or

2) First claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in Section 739.111.

b) The following persons are not marketers subject to this Subpart:

1) Used oil generators, and transporters ~~who~~that transport used oil received only from generators, unless the generator or transporter directs a shipment of off-specification used oil from their facility to a used oil burner. However, processors ~~who~~that burn some used oil fuel for purposes of processing are considered to be burning incidentally to processing. Thus, generators and transporters ~~who~~that direct shipments of off-specification used oil to processors ~~who~~that incidently burn used oil are not marketers subject to this Subpart;

2) Persons ~~who~~that direct shipments of on-specification used oil and ~~who~~that are not the first person to claim the oil meets the used oil fuel specifications of Section 739.111.

c) Any person subject to the requirements of this Subpart ~~must~~shall also comply with one of the following:

1) Subpart C of this Part - Standards for Used Oil Generators;

2) Subpart E of this Part - Standards for Used Oil Transporters and Transfer Facilities;

3) Subpart F of this Part - Standards for Used Oil Processors and Re-refiners; or

4) Subpart G of this Part - Standards for Used Oil Burners ~~who~~that Burn Off-Specification Used Oil for Energy Recovery.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.171 Prohibitions

A used oil fuel marketer may initiate a shipment of off-specification used oil only to a used oil burner ~~who~~that:

a) Has an U.S. EPA identification number and Illinois special waste identification number; and

b) Burns the used oil in an industrial furnace or boiler identified in Section 739.161(a).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.172 On-specification used oil fuel

a) Analysis of used oil fuel. A generator, transporter, processor, or burner may determine that used oil that is to be burned for energy recovery meets the fuel specifications of Section 739.111 by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications. ~~Such used oil that is to be burned for energy recovery is not subject to further regulation under this Part.~~

b) Record retention. A generator, transporter, processor, or burner ~~who~~that first claims that used oil that is to be burned for energy recovery meets the specifications for used oil fuel under this Part ~~must~~shall keep copies of analyses of the used oil (or other information used to make the determination) for three years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.173 Notification

a) A used oil fuel marketer subject to the requirements of this Section ~~who~~that has not previously complied with the notification requirements of RCRA Section 3010 ~~must~~shall comply with these requirements and obtain a U.S. EPA identification number pursuant to RCRA Section 3010 and an Illinois special waste identification number.

b) A used oil marketer ~~who~~that has not received a~~n~~ U.S. EPA identification number

may obtain one by notifying the Regional Administrator of ~~their~~its used oil activity by submitting either:

1) A completed EPA Form 8700-12; or

2) A letter requesting an EPA identification number. The letter should include the following information:

A) ~~M~~The marketer company name;

B) ~~O~~The owner of the marketer;

C) ~~M~~The mailing address for the marketer;

D) ~~N~~The name and telephone number for the marketer point of contact; and

E) The type of used oil activity (i.e., generator directing shipments of off-specification used oil to a burner).

c) A used oil burner that has not previously obtained an Illinois special waste identification number may obtain one by contacting the Agency at the following address: Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761).

(Source: Amended at 18 Ill. Reg. _____, effective _____)

Section 739.174 Tracking

a) Off-specification used oil delivery. Any used oil ~~generator~~fuel marketer ~~who~~that directs a shipment of off-specification used oil to a burner ~~must~~shall keep a record of each shipment of used oil to a used oil burner. These records may take the form of a log, invoice, manifest, bill of lading or other shipping documents. Records for each shipment must include the following information:

1) The name and address of the transporter ~~who~~that delivers the used oil to the burner;

2) The name and address of the burner ~~who~~that will receive the used oil;

3) The U.S. EPA identification number and Illinois special waste identification number of the transporter ~~who~~that delivers the used oil to the burner;

4) The U.S. EPA identification number and Illinois special waste identification number of the burner;

5) The quantity of used oil shipped; and

6) The date of shipment.

b) On-specification used oil delivery. A generator, transporter, processor, or burner ~~who~~that first claims that used oil that is to be burned for energy recovery meets the fuel specifications under Section 739.111 ~~must~~shall keep a record of each shipment of used oil to an on-specification used oil burner. Records for each shipment must include the following information:

1) The name and address of the facility receiving the shipment;

2) The quantity of used oil fuel delivered;

3) The date of shipment or delivery; and

4) A cross-reference to the record of used oil analysis or other information used to make the determination that the oil meets the specification as required under Section 739.172(a).

c) Record retention. The records described in subsections (a) and (b) above must be maintained for at least three years.

(Source: Amended at 18 Ill. Reg. _____, effective _____)