

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER 1: POLLUTION CONTROL BOARD
SUBCHAPTER b: PERMITS

PART 703
RCRA PERMIT PROGRAM

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

SOURCE: Adopted in R82-19 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, 1986; 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 ~~Nov-~~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
~~Nov-~~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 ~~Sept-~~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 ~~Nov.~~ November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6898, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12392, effective July 29, 1994; amended in R94-5 at 18 Ill. Reg. 18316, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9920, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11225, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 553, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7632, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17930, effective ~~Sept.~~ September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 2153, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9381, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9765, effective June 20, 2000; amended in R01-21/R01-23 at 25 Ill. Reg. 9313, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6539, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 3496, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg. 12683, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5966, effective April 13, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2845, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 487, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. _____, effective _____.

SUBPART D: APPLICATIONS

Section 703.182 Contents of Part B

Part B information requirements presented in Sections 703.183 et seq. reflect the standards promulgated in 35 Ill. Adm. Code 724. These information requirements are necessary in order for the Agency to determine compliance with the 35 Ill. Adm. Code 724 standards. If an owner or operator of a HWM facility can demonstrate that the information prescribed in Part B cannot be provided to the extent required, the Agency may make allowance for submission of such information on a case by case basis. Information required in Part B must be submitted to the Agency and signed in accordance with the requirements in 35 Ill. Adm. Code 702.126. Certain technical data, such as design drawings and specifications and engineering studies, must be certified by a ~~registered-professional-engineer~~ qualified Professional Engineer. For post-closure care permits, only the information specified in Section 703.214 is required in Part B of the permit application. Part B of the RCRA application includes the following:

- a) General information (Section 703.183);
- b) Facility location information (Section 703.184);
- c) Groundwater protection information (Section 703.185);
- d) Exposure information (Section 703.186); and
- e) Specific information (Section 703.200 et seq.).

BOARD NOTE: Derived from 40 CFR 270.14(a) (~~2002~~)-(2007).

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 703.202 Tank Systems

Except as otherwise provided in 35 Ill. Adm. Code 724.290, the owner or operator of a facility that uses tanks to store or treat hazardous waste must provide the following additional information:

- a) A written assessment that is reviewed and certified by ~~an independent,~~ a qualified, ~~registered professional engineer~~ Professional Engineer as to the structural integrity and suitability for handling hazardous waste of each tank system, as required under 35 Ill. Adm. Code 724.291 and 724.292;
- b) Dimensions and capacity of each tank;
- c) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);
- d) A diagram of piping, instrumentation, and process flow for each tank system;
- e) A description of materials and equipment used to provide external corrosion protection, as required under 35 Ill. Adm. Code 724.292(a)(3)(B);
- f) For new tank systems, a detailed descriptions of how the tank systems will be installed in compliance with 35 Ill. Adm. Code 724.292(b), (c), (d), and (e);
- g) Detailed plans and description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of 35 Ill. Adm. Code 724.293(a), (b), (c), (d), (e), and (f);
- h) For tank systems for which alternative design and operating practices are sought pursuant to 35 Ill. Adm. Code 724.293(g), the following:
 - 1) Detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous waste or hazardous constituents into the groundwater or surface water during the life of the facility,
 - 2) A detailed assessment of the substantial present or potential hazards posed to human health or the environment should a release enter the environment, or
 - 3) A copy of the petition for alternative design and operating practices or, if such have already been granted, a copy of the Board order granting alternative design and operating practices;
- i) Description of controls and practices to prevent spills and overflows, as required under 35 Ill. Adm. Code 724.294(b);
- j) For tank systems in which ignitable, reactive or incompatible wastes are to be stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with the requirements of 35 Ill. Adm. Code 724.298 and 724.299; and
- k) Information on air emission control equipment, as required in Section 703.213.

BOARD NOTE: Derived from 40 CFR 270.16 (~~2002~~-(2007)).

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 703.212 Drip Pads

Except as otherwise provided by 35 Ill. Adm. Code 724.101, the owner or operator of a hazardous waste treatment, storage, or disposal facility that collects, stores, or treats hazardous waste on drip pads must provide the following additional information:

- a) A list of hazardous wastes placed or to be placed on each drip pad.
- b) If an exemption is sought to Subpart F of 35 Ill. Adm. Code 724, as provided by 35 Ill. Adm. Code 724.190, detailed plans and an engineering report describing how the requirements of 35 Ill. Adm. Code 724.190(b)(2) will be met.
- c) Detailed plans and an engineering report describing how the drip pad is or will be designed, constructed, operated, and maintained to meet the requirements of 35 Ill. Adm. Code 724.673, including the as-built drawings and specifications. This submission must address the following items, as specified in 35 Ill. Adm. Code 724.671:
 - 1) The design characteristics of the drip pad;
 - 2) The liner system;
 - 3) The leakage detection system, including the leak detection system and how it is designed to detect the failure of the drip pad or the presence of any releases of hazardous waste or accumulated liquid at the earliest practicable time;
 - 4) Practices designed to maintain drip pads;
 - 5) The associated collection system;
 - 6) Control of run-on to the drip pad;
 - 7) Control of run-off from the drip pad;
 - 8) The interval at which drippage and other materials will be removed from the associated collection system and a statement demonstrating that the interval will be sufficient to prevent overflow onto the drip pad;
 - 9) Cleaning procedures and documentation:
 - A) Procedures for cleaning the drip pad at least once every seven days to ensure the removal of any accumulated residues of waste or other materials, including, but not limited to: rinsing, washing with detergents or other appropriate solvents, or steam cleaning; and
 - B) Provisions for documenting the date, time, and cleaning procedure used each time the pad is cleaned;
 - 10) Operating practices and procedures that will be followed to ensure that tracking of hazardous waste or waste constituents off the drip pad due to activities by personnel or equipment is minimized;

- 11) Procedures for ensuring that, after removal from the treatment vessel, treated wood from pressure and non-pressure processes is held on the drip pad until drippage has ceased, including recordkeeping practices;
- 12) Provisions for ensuring that collection and holding units associated with the run-on and run-off control systems are emptied or otherwise managed as soon as possible after storms to maintain design capacity of the system;
- 13) If treatment is carried out on the drip pad, details of the process equipment used, and the nature and quality of the residuals;
- 14) A description of how each drip pad, including appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of 35 Ill. Adm. Code 724.673. This information must be included in the inspection plan submitted under Section 703.183(e);
- 15) A certification signed by ~~an independent~~ a qualified, ~~registered~~ ~~professional engineer~~ Professional Engineer, stating that the drip pad design meets the requirements of 35 Ill. Adm. Code 724.673(a) through (f); and
- 16) A description of how hazardous waste residues and contaminated materials will be removed from the drip pad at closure, as required under 35 Ill. Adm. Code 724.675(a). For any waste not to be removed from the drip pad upon closure, the owner or operator must submit detailed plans and an engineering report describing how 35 Ill. Adm. Code 724.410(a) and (b) will be complied with. This information must be included in the closure plan and, where applicable, the post-closure plan submitted under Section 703.183(m).

BOARD NOTE: Derived from 40 CFR 270.26 (~~2002~~)-(2007).

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 703.213 Air Emission Controls for Tanks, Surface Impoundments, and Containers

Except as otherwise provided in 35 Ill. Adm. Code 724.101, the owner or operator of a tank, a surface impoundment, or a container that uses air emission controls in accordance with the requirements of Subpart CC of 35 Ill. Adm. Code 724 must provide the following additional information:

- a) Documentation for each floating roof cover installed on a tank subject to 35 Ill. Adm. Code 724.984(d)(1) or (d)(2) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications, as listed in 35 Ill. Adm. Code 725.991(e)(1) or (f)(1).
- b) Identification of each container area subject to the requirements of Subpart CC of 35 Ill. Adm. Code 724 and certification by the owner or operator that the requirements of this Subpart D are met.
- c) Documentation for each enclosure used to control air pollutant emissions from containers in accordance with the requirements of 35 Ill. Adm. Code 724.984(d)(5) or 724.986(e)(1)(ii) that includes records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure, as specified in "Procedure T - Criteria for and Verification of a Permanent or

Temporary Total Enclosure" in appendix B to 40 CFR 52.741 (VOM Measurement Techniques for Capture Efficiency), incorporated by reference in 35 Ill. Adm. Code 720.111(b).

d) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of 35 Ill. Adm. Code 724.985(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in 35 Ill. Adm. Code 724.985(c)(1).

e) Documentation for each closed-vent system and control device installed in accordance with the requirements of 35 Ill. Adm. Code 724.987 that includes design and performance information, as specified in Section 703.124(c) and (d).

f) An emission monitoring plan for both Method 21 (Determination of Volatile Organic Compound Leaks) in appendix A to 40 CFR 60 (Test Methods), incorporated by reference in 35 Ill. Adm. Code 720.111(b), and control device monitoring methods. This plan must include the following information: monitoring points, monitoring methods for control devices, monitoring frequency, procedures for documenting ~~exa~~ ~~s~~ exceedances, and procedures for mitigating noncompliances.

g) When an owner or operator of a facility subject to Subpart CC of 35 Ill. Adm. Code 725 cannot comply with Subpart CC of 35 Ill. Adm. Code 724 by the date of permit issuance, the schedule of implementation required under 35 Ill. Adm. Code 725.982.

BOARD NOTE: Derived from 40 CFR 270.27(a) (~~2005~~-(2007)).

(Source: Amended at 32 Ill. Reg. _____, effective _____)

SUBPART G: CHANGES TO PERMITS

Section 703.280 Permit Modification at the Request of the Permittee

- a) Class 1 modifications. See Section 703.281.
- b) Class 2 modifications. See Section 703.282.
- c) Class 3 modifications. See Section 703.283.
- d) Other modifications.

1) In the case of modifications not explicitly listed in Appendix A of this Part, the permittee may submit a Class 3 modification request to the Agency, or the permittee may request a determination by the Agency that the modification be reviewed and approved as a Class 1 or Class 2 modification. If the permittee requests that the modification be classified as a Class 1 or 2 modification, the permittee must provide the Agency with the necessary information to support the requested classification.

2) The Agency must make the determination described in subsection (d)(1) of this Section as promptly as practicable. In determining the appropriate class for a specific modification, the Agency must consider the similarity of the modification to other modifications codified in Appendix A of this Part and the following criteria:

A) Class 1 modifications apply to minor changes that keep the permit current with routine changes to the facility or its operation. These changes do not substantially alter the permit conditions or reduce the capacity of the facility to adequately protect human health or the environment. In the case of Class 1 modifications, the Agency may require prior approval.

B) Class 2 modifications apply to changes that are necessary to enable a permittee to respond, in a timely manner, to any of the following:

i) Common variations in the types and quantities of the wastes managed under the facility permit;

ii) Technological advances; and

iii) Changes necessary to comply with new regulations, where these changes can be implemented without substantially changing design specifications or management practices in the permit.

C) Class 3 modifications substantially alter the facility or its operation.

e) Temporary authorizations.

1) Upon request of the permittee, the Agency must, without prior public notice and comment, grant the permittee a temporary authorization in accordance with this subsection (e). Temporary authorizations have a term of not more than 180 days.

2) Procedures.

A) The permittee may request a temporary authorization for the following:

i) Any Class 2 modification meeting the criteria in subsection (e)(3)(B) of this Section; and

ii) Any Class 3 modification that meets the criteria in subsection (e)(3)(B)(i) of this Section or that meets the criteria in subsections (e)(3)(B)(iii) through (e)(3)(B)(v) of this Section and provides improved management or treatment of a hazardous waste already listed in the facility permit.

B) The temporary authorization request must include the following:

i) A description of the activities to be conducted under the temporary authorization;

ii) An explanation of why the temporary authorization is necessary; and

iii) Sufficient information to ensure compliance with 35 Ill. Adm. Code 724 standards.

C) The permittee must send a notice about the temporary authorization request to all persons on the facility mailing list maintained by the Agency and to appropriate units of State and local governments, as specified in 35 Ill. Adm. Code 705.163(a)(5). This notification must be made within seven days after submission of the authorization request.

3) The Agency must approve or deny the temporary authorization as quickly as practical. To issue a temporary authorization, the Agency must find as follows:

A) That the authorized activities are in compliance with the standards of 35 Ill. Adm. Code 724.

B) That the temporary authorization is necessary to achieve one of the following objectives before action is likely to be taken on a modification request:

i) To facilitate timely implementation of closure or corrective action activities;

ii) To allow treatment or storage in tanks, containers, or containment buildings, in accordance with 35 Ill. Adm. Code 728;

iii) To prevent disruption of ongoing waste management activities;

iv) To enable the permittee to respond to sudden changes in the types or quantities of the wastes managed under the facility permit; or

v) To facilitate other changes to adequately protect human health and the environment.

4) A temporary authorization must be reissued for one additional term of up to 180 days, provided that the permittee has requested a Class 2 or 3 permit modification for the activity covered in the temporary authorization, and either of the following is true:

A) The reissued temporary authorization constitutes the Agency's decision on a Class 2 permit modification in accordance with Section 703.282(f)(1)(D) or (f)(2)(D); or

B) The Agency determines that the reissued temporary authorization involving a Class 3 permit modification request is warranted to allow the authorized activities to continue while the modification procedures of 35 Ill. Adm. Code 703.283 are conducted.

f) Public notice and appeals of permit modification decisions.

1) The Agency must notify persons on the facility mailing list and appropriate units of State and local government within 10 days after any decision to grant or deny a Class 2 or 3 permit modification request. The Agency must also notify such persons within 10 days after an automatic authorization for a Class 2 modification goes into effect pursuant to Section 703.282(f)(3) or (f)(5).

2) The Agency's decision to grant or deny a Class 2 or 3 permit modification request may be appealed under the permit appeal procedures of 35 Ill. Adm. Code 705.212.

3) An automatic authorization that goes into effect pursuant to Section 703.282(f)(3) or (f)(5) may be appealed under the permit appeal procedures of 35 Ill. Adm. Code 705.212; however, the permittee may continue to conduct the activities pursuant to the automatic authorization until the Board enters a final order on the appeal notwithstanding the provisions of 35 Ill. Adm. Code 705.204.

g) Newly regulated wastes and units.

1) The permittee is authorized to continue to manage wastes listed or identified as hazardous pursuant to 35 Ill. Adm. Code 721, or to continue to manage hazardous waste in units newly regulated as hazardous waste management units, if each of the following is true:

A) The unit was in existence as a hazardous waste facility with respect to the newly listed or characterized waste or newly regulated waste management unit on the effective date of the final rule listing or identifying the waste, or regulating the unit;

B) The permittee submits a Class 1 modification request on or before the date on which the waste becomes subject to the new requirements;

C) The permittee is in compliance with the applicable standards of 35 Ill. Adm. Code 725 and 726;

D) The permittee also submits a complete class 2 or 3 modification request within 180 days after the effective date of the rule listing or identifying the waste, or subjecting the unit to management standards pursuant to 35 Ill. Adm. Code 724, 725, or 726; and

E) In the case of land disposal units, the permittee certifies that such unit is in compliance with all applicable requirements of 35 Ill. Adm. Code 725 for groundwater monitoring and financial responsibility requirements on the date 12 months after the effective date of the rule identifying or listing the waste as hazardous, or regulating the unit as a hazardous waste management unit. If the owner or operator fails to certify compliance with all these requirements, the owner or operator loses authority to operate pursuant to this Section.

2) New wastes or units added to a facility's permit pursuant to this subsection (g) do not constitute expansions for the purpose of the 25 percent capacity expansion limit for Class 2 modifications.

h) Military hazardous waste munitions treatment and disposal. The permittee is authorized to continue to accept waste military munitions notwithstanding any permit conditions barring the permittee from accepting off-site wastes, if each of the following is true:

1) The facility was in existence as a hazardous waste facility and the facility was already permitted to handle the waste military munitions on the date when the waste military munitions became subject to hazardous waste regulatory requirements;

2) On or before the date when the waste military munitions become subject to hazardous waste regulatory requirements, the permittee submits a Class 1 modification request to remove or amend the permit provision restricting the receipt of off-site waste munitions; and

3) The permittee submits a complete Class 2 modification request within 180 days after the date when the waste military munitions became subject to hazardous waste regulatory requirements.

i) Permit modification list. The Agency must maintain a list of all approved permit modifications and must publish a notice once a year in a State-wide newspaper that an updated list is available for review.

j) Combustion facility changes to meet federal 40 CFR 63 MACT standards. The following procedures apply to hazardous waste combustion facility permit modifications requested pursuant to Appendix A, paragraph L(9) of this Part.

1) A facility owner or operator must have complied with the federal notification of intent to comply (NIC) requirements of 40 CFR 63.1210 that was in effect prior to October 11, 2000, (see subpart EEE of 40 CFR 63 (2000), incorporated by reference in 35 Ill. Adm. Code 720.111(b)) in order to request a permit modification pursuant to this Section for the purpose of technology changes needed to meet the standards of 40 CFR 63.1203, 63.1204, and 63.1205, incorporated by reference in 35 Ill. Adm. Code 720.111(b).

2) If the Agency does not act to either approve or deny the request within 90 days of receiving it, the request must be deemed approved. The Agency may, at its discretion, extend this 90-day deadline one time for up to 30 days by notifying the facility owner or operator in writing before the 90 days has expired. A facility owner or operator must comply with the NIC requirements of 40 CFR 63.1210(b) and 63.1212(a) before a permit modification can be requested under this Section for the purpose of technology changes needed to meet the 40 CFR 63.1215, 63.1216, 63.1217, 63.1218, 63.1219, 63.1220, and 63.1221 standards as added on October 12, 2005, incorporated by reference in 35 Ill. Adm. Code 720.111(b).

k) Waiver of RCRA permit conditions in support of transition to the federal 40 CFR 63 MACT standards.

1) The facility owner or operator may request to have specific RCRA operating and emissions limits waived by submitting a Class 1 permit modification request under Appendix A of this Part, paragraph L.10. The owner or operator must provide the information described in subsections (k)(1)(A) through (k)(1)(C) of this Section, with Agency review subject to the conditions of subsection (k)(1)(D) of this Section:

A) It must identify the specific RCRA permit operating and emissions limits that the owner or operator is requesting to waive;

B) It must provide an explanation of why the changes are necessary in order to minimize or eliminate conflicts between the RCRA permit and MACT compliance; and

C) It must discuss how the revised provisions will be sufficiently protective.

D) The Agency must approve or deny the request within 30 days after receipt of the request. The Agency may, at its discretion, extend this 30-day deadline one time for up to 30 days by notifying the facility owner or operator in writing.

2) To request this modification in conjunction with MACT performance testing, where permit limits may only be waived during actual test events and pretesting, as defined under 40 CFR 63.1207(h)(2)(i) and (h)(2)(ii), incorporated by reference in 35 Ill. Adm. Code 720.111(b), for an aggregate time not to exceed 720 hours of operation (renewable at the discretion of the Agency) the owner or

operator must fulfill the conditions of subsection (k)(2)(A) of this Section, subject to the conditions of subsection (k)(2)(B) of this Section:

A) It must submit its modification request to the Agency at the same time it submits its test plans to the Agency.

B) The Agency may elect to approve or deny the request contingent upon approval of the test plans.

1) Performance Track member facilities. The following procedures apply to the owners and operators of a Performance Track member facility that requests a permit modification under paragraph O.1. in Appendix A to this Part.

1) The owner or operator of a Performance Track member facility must have complied with the requirements of 35 Ill. Adm. Code 724.115(b)(5) in order to request a permit modification under this Section.

2) The owner or operator of the Performance Track member facility should consider the request for permit modification approved if the Agency does not, in writing, within 60 days after receiving an application, either deny the request for permit modification or notify the owner or operator of the Performance Track member facility that the Agency has extended the 60-day deadline. During an extension of the 60-day deadline, the owner or operator of the Performance Track member facility must adhere to the revised inspection schedule outlined in its request for permit modification, and it must maintain a copy of the application in the facility's operating record.

BOARD NOTE: Derived from 40 CFR 270.42(d) through (k) ~~(2005), as amended at 70 Fed. Reg. 59402 (Oct. 12, 2005)~~ (l) (2007).

{Source: Amended at 32 Ill. Reg. _____, effective _____}

SUBPART J: RCRA STANDARDIZED PERMITS FOR STORAGE AND TREATMENT UNITS

Section 703.350 General Information About RCRA Standardized Permits

a) RCRA standardized permit. A RCRA standardized permit (RCRA) is a special type of permit that authorizes the owner or operator of a facility to manage hazardous waste. A RCRA standardized permit is issued pursuant to Subpart G of 35 Ill. Adm. Code 705 and this Subpart J.

BOARD NOTE: Subsection (a) of this Section is derived from 40 CFR ~~270.250, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007)~~ 270.250 (2007).

b) Eligibility for a RCRA standardized permit.

1) The facility owner or operator may be eligible for a RCRA standardized permit if the following conditions are fulfilled:

A) The facility generates hazardous waste and then stores or non-thermally treats the hazardous waste on-site in containers, tanks, or containment buildings; or

B) The facility receives hazardous waste generated off-site by a generator under the same ownership as the receiving facility, and the facility stores or

non-thermally treats the hazardous waste in containers, tanks, or containment buildings.

C) The Agency must inform the facility owner or operator of its eligibility for a RCRA standardized permit when the Agency makes a decision on its permit application.

2) This subsection (b)(2) corresponds with 40 CFR 270.255(b), which USEPA has marked "Reserved." This statement maintains structural consistency with the corresponding federal rules.

BOARD NOTE: Subsection (b) of this Section is derived from 40 CFR ~~270.255, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007)~~-270.255 (2007).

c) Permit requirements applicable to a RCRA standardized permit. The following provisions of this Part and 35 Ill. Adm. Code 702 apply to a RCRA standardized permit:

1) General Information: All provisions derived from subpart A of 40 CFR 270 apply: Sections 703.110, 703.121 through 703.124, 703.158 through ~~703.159,~~ 703.160, and 703.161(a) and 35 Ill. Adm. Code 702.104, 702.110, 702.181, and 720.111.

2) Permit Application: All provisions derived from 40 CFR 270.10, 270.11, 270.12, 270.13, and 270.29 in subpart B of 40 CFR 270 apply: Sections 703.125, 703.126, 703.150 through 703.152, 703.157, 703.181, 703.186, 703.188, and 703.240 and 35 Ill. Adm. Code 702.103, 702.120 through 702.124, and 702.126.

3) Permit Conditions: All provisions derived from subpart C of 40 CFR 270 apply: Sections 703.241 through 703.248 and 35 Ill. Adm. Code 702.140 through 702.152, 702.160, and 702.162 through 702.164.

4) Changes to Permit: All provisions derived from 40 CFR 270.40, 270.41, and 270.43 in subpart D of 40 CFR 270 apply: Sections 703.260 and 703.270 through 703.273 and 35 Ill. Adm. Code 702.186.

5) Expiration and Continuation of Permits: All provisions derived from subpart E of 40 CFR 270 apply: 35 Ill. Adm. Code 702.125 and 702.161.

6) Special Forms of Permits: The provision derived from 40 CFR 270.67 in subpart F of 40 CFR 270 apply: Section 703.238.

7) Interim Status: All provisions derived from subpart G of 40 CFR 270 apply: Sections 703.153 through 703.157.

8) Remedial Action Plans: No provisions derived from subpart H of 40 CFR 270 apply: no provisions of Subpart H of 35 Ill. Adm. Code 703 apply.

9) RCRA Standardized Permits: All provisions derived from subpart J of 40 CFR 270 apply: this Subpart J.

BOARD NOTE: Subsection (c) of this Section is derived from 40 CFR ~~270.260, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007)~~-270.260 (2007).

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 703.352 Information That Must Be Kept at the Facility

a) General types of information to be maintained at the facility. The facility owner or operator must keep the following information at its facility:

1) A general description of the facility;

2) Results of chemical and physical analyses of the hazardous waste and hazardous debris handled at the facility. At a minimum, these results of analyses must contain all the information that the owner or operator must know to treat or store the wastes properly pursuant to 35 Ill. Adm. Code 727;

3) A copy of the waste analysis plan required by 35 Ill. Adm. Code 727.110(d)(2);

4) A description of the security procedures and equipment required by 35 Ill. Adm. Code 727.110(e);

5) A copy of the general inspection schedule required by 35 Ill. Adm. Code 727.110(f)(2). The owner or operator must include in the inspection schedule applicable requirements of 35 Ill. Adm. Code 724.933, 724.952, 724.953, 724.958, 724.988, 727.270(e), and 727.290(d) and (f);

6) A justification of any modification of the preparedness and prevention requirements of 35 Ill. Adm. Code 727.130(a) through (f);

7) A copy of the contingency plan required by 35 Ill. Adm. Code 727.150;

8) A description of procedures, structures, or equipment used at the facility to accomplish each of the following:

A) Prevent hazards in unloading operations (for example, use ramps, special forklifts);

B) Prevent runoff from hazardous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, with berms, dikes, trenches, etc.);

C) Prevent contamination of water supplies;

D) Mitigate effects of equipment failure and power outages;

E) Prevent undue exposure of personnel to hazardous waste (for example, requiring protective clothing); and

F) Prevent releases to atmosphere;

9) A description of precautions to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes as required by 35 Ill. Adm. Code 727.110(h);

10) The traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes; describe access road surfacing and load bearing capacity; show traffic control signals, etc.);

11) This subsection (a)(11) corresponds with 40 CFR 270.290(k), which USEPA has marked "Reserved." This statement maintains structural consistency with the corresponding federal rules;

12) An outline of both the introductory and continuing training programs that the owner or operator will use to prepare employees to operate or maintain its facility safely as required by 35 Ill. Adm. Code 727.110(g). A brief description of how training will be designed to meet actual job tasks pursuant to 35 Ill. Adm. Code 727.110(g)(1)(B) requirements;

13) A copy of the closure plan required by 35 Ill. Adm. Code 727.210(c). Include, where applicable, as part of the plans, specific requirements in 35 Ill. Adm. Code 727.270(g), 727.290(l), and 727.900(i);

14) This subsection (a)(14) corresponds with 40 CFR 270.290(n), which USEPA has marked "Reserved." This statement maintains structural consistency with the corresponding federal rules;

15) The most recent closure cost estimate for the facility prepared pursuant to 35 Ill. Adm. Code 727.240(c) and a copy of the documentation required to demonstrate financial assurance pursuant to 35 Ill. Adm. Code 727.240(d). For a new facility, the owner or operator may gather the required documentation 60 days before the initial receipt of hazardous wastes;

16) This subsection (a)(16) corresponds with 40 CFR 270.290(p), which USEPA has marked "Reserved." This statement maintains structural consistency with the corresponding federal rules;

17) Where applicable, a copy of the insurance policy or other documentation that complies with the liability requirements of 35 Ill. Adm. Code 727.240(h). For a new facility, documentation showing the amount of insurance meeting the specification of 35 Ill. Adm. Code 727.240(h)(1) that the owner or operator plans to have in effect before initial receipt of hazardous waste for treatment or storage;

18) Where appropriate, proof of coverage by a State financial mechanism, as required by 35 Ill. Adm. Code 727.240(j) or 727.240(k);

19) A topographic map showing a distance of 1,000 feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). The map must show elevation contours. The contour interval must show the pattern of surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). If the facility is in a mountainous area, the owner or operator should use large contour intervals to adequately show topographic profiles of the facility. The map must clearly show each of the following:

A) The map scale and date;

B) Any 100-year flood plain area;

C) All surface waters including intermittent streams;

D) The surrounding land uses (residential, commercial, agricultural, recreational, etc.);

- E) A wind rose (i.e., prevailing windspeed and direction);
- F) The orientation of the map (north arrow);
- G) Legal boundaries of the facility site;
- H) Facility access control (fences, gates);
- I) All injection and withdrawal wells both on-site and off-site;
- J) All buildings; treatment, storage, or disposal operations; and other structures (recreation areas, runoff control systems, access and internal roads, storm, sanitary, and process sewerage systems, loading and unloading areas, fire control facilities, etc.);
- K) Barriers for drainage or flood control; and
- L) The location of operational units within the facility where hazardous waste is (or will be) treated or stored (including equipment cleanup areas).

BOARD NOTE: Subsection (a) of this Section is derived from 40 CFR 270.290, ~~as added at 70 Fed. Reg. 53426 (Sep. 8, 2005) (2007)~~ 270.290 (2007).

b) Container information to be maintained at the facility. If the facility owner or operator stores or treats hazardous waste in containers, it must keep the following information at its facility:

1) A description of the containment system to demonstrate compliance with the container storage area provisions of 35 Ill. Adm. Code 727.270(d). This description must show the following information:

- A) The basic design parameters, dimensions, and materials of construction;
- B) How the design promotes drainage or how containers are kept from contact with standing liquids in the containment system;
- C) The capacity of the containment system relative to the number and volume of containers to be stored;
- D) The provisions for preventing or managing run-on; and
- E) How accumulated liquids can be analyzed and removed to prevent overflow;

2) For storage areas that store containers holding wastes that do not contain free liquids, a demonstration of compliance with 35 Ill. Adm. Code 727.270(d)(3), including the following:

A) Test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

B) A description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids;

3) Sketches, drawings, or data demonstrating compliance with 35 Ill. Adm. Code 727.270(e) (location of buffer zone (15m or 50ft) and containers holding

ignitable or reactive wastes) and 35 Ill. Adm. Code 727.270(f)(3) (location of incompatible wastes in relation to each other), where applicable;

4) Where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with 35 Ill. Adm. Code 727.270(f)(1) and (f)(2), and 35 Ill. Adm. Code 727.110(h)(2) and (h)(3); and

5) Information on air emission control equipment as required by Section 703.352(e).

BOARD NOTE: Subsection (b) of this Section is derived from 40 CFR 270.300, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007), 270.300 (2007).

c) Tank information to be maintained at the facility. If the facility owner or operator uses tanks to store or treat hazardous waste, it must keep the following information at its facility:

1) A written assessment that is reviewed and certified by an independent, qualified, registered professional engineer on the structural integrity and suitability for handling hazardous waste of each tank system, as required pursuant to 35 Ill. Adm. Code 727.290(b) and (c);

2) The dimensions and capacity of each tank;

3) A description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);

4) A diagram of piping, instrumentation, and process flow for each tank system;

5) A description of materials and equipment used to provide external corrosion protection, as required pursuant to 35 Ill. Adm. Code 727.290(b);

6) For new tank systems, a detailed description of how the tank systems will be installed in compliance with 35 Ill. Adm. Code 727.290(c) and (e);

7) Detailed plans and description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of 35 Ill. Adm. Code 727.290(f) and (g);

8) This subsection (c)(8) corresponds with 40 CFR 270.305(h), which USEPA has marked "Reserved." This statement maintains structural consistency with the corresponding federal rules;

9) A description of controls and practices to prevent spills and overflows, as required pursuant to 35 Ill. Adm. Code 727.290(i);

10) For tank systems in which ignitable, reactive, or incompatible wastes are to be stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with 35 Ill. Adm. Code 727.290(m) and (n); and

11) Information on air emission control equipment, as required by Section 703.352(e).

BOARD NOTE: Subsection (c) of this Section is derived from 40 CFR 270.305, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007), 270.305 (2007).

d) Equipment information to be maintained at the facility. If the facility has equipment to which Subpart BB of 35 Ill. Adm. Code 724 applies, the facility owner or operator must keep the following information at its facility:

1) For each piece of equipment to which Subpart BB of 35 Ill. Adm. Code 724 applies, the following:

A) The equipment identification number and hazardous waste management unit identification;

B) The approximate locations within the facility (e.g., identify the hazardous waste management unit on a facility plot plan);

C) The type of equipment (e.g., a pump or a pipeline valve);

D) The percent by weight of total organics in the hazardous waste stream at the equipment;

E) The phase of the hazardous waste at the equipment (e.g., gas or vapor or liquid); and

F) The method of compliance with the standard (e.g., monthly leak detection and repair, or equipped with dual mechanical seals);

2) For a facility that cannot install a closed-vent system and control device to comply with Subpart BB of 35 Ill. Adm. Code 724 on the effective date that the facility becomes subject to the Subpart BB provisions, an implementation schedule as specified in 35 Ill. Adm. Code 724.933(a)(2);

3) Documentation that demonstrates compliance with the equipment standards in 35 Ill. Adm. Code 724.952 and 724.959. This documentation must contain the records required pursuant to 35 Ill. Adm. Code 724.964; and

4) Documentation to demonstrate compliance with 35 Ill. Adm. Code 724.960, which must include the following information:

A) A list of all information references and sources used in preparing the documentation;

B) Records, including the dates, of each compliance test required by 35 Ill. Adm. Code 724.933(j);

C) A design analysis, specifications, drawings, schematics, and piping and instrumentation diagrams based on the appropriate sections of "APTI Course 415: Control of Gaseous Emissions," USEPA publication number EPA-450/2-81-005, incorporated by reference in 35 Ill. Adm. Code 720.111(a) or other engineering texts acceptable to the Agency that present basic control device design information. The design analysis must address the vent stream characteristics and control device operation parameters, as specified in 35 Ill. Adm. Code 724.935(b)(4)(iii);

D) A statement signed and dated by the facility owner or operator that certifies that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonable expected to occur; and

E) A statement signed and dated by the facility owner or operator that certifies that the control device is designed to operate at an efficiency of 95 weight percent or greater.

BOARD NOTE: Subsection (d) of this Section is derived from 40 CFR ~~270.310, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007)~~ 270.310 (2007).

e) Air emissions control information to be maintained at the facility. If the facility owner or operator has air emission control equipment subject to Subpart CC of 35 Ill. Adm. Code 724, it must keep the following information at its facility:

1) Documentation for each Floating roof cover installed on a tank subject to 35 Ill. Adm. Code 724.984(d)(1) or (d)(2) that includes information that the owner or operator prepared or the cover manufacturer or vendor provided describing the cover design, and the owner's or operator's certification that the cover meets applicable design specifications listed in 35 Ill. Adm. Code 724.984(e)(1) or (f)(1);

2) Identification of each container area subject to Subpart CC of 35 Ill. Adm. Code 724 and the owner's or operator's certification that the requirements of this Subpart J are met;

3) Documentation for each enclosure used to control air pollutant emissions from tanks or containers pursuant to requirements of 35 Ill. Adm. Code 724.984(d)(5) or 724.986(e)(1)(B). The owner or operator must include records for the most recent set of calculations and measurements that it performed to verify that the enclosure meets the criteria of a permanent total enclosure as specified in appendix B to 40 CFR 52.741 (Procedure T - Criteria for and Verification of a Permanent or Temporary Total Enclosure), incorporated by reference in 35 Ill. Adm. Code 720.111(b);

4) This subsection (e)(4) corresponds with 40 CFR 270.315(d), which USEPA has marked "Reserved." This statement maintains structural consistency with the corresponding federal rules;

5) Documentation for each closed-vent system and control device installed pursuant to 35 Ill. Adm. Code 724.987 that includes design and performance information, as specified in Section 703.210(c) and (d); and

6) An emission monitoring plan for both Method 21 in appendix A to 40 CFR 60 (Determination of Volatile Organic Compound Leaks), incorporated by reference in 35 Ill. Adm. Code 720.111(b), and control device monitoring methods. This plan must include the following information: monitoring points, monitoring methods for control devices, monitoring frequency, procedures for documenting ~~exceedences~~ exceedances, and procedures for mitigating noncompliances.

BOARD NOTE: Subsection (e) of this Section is derived from 40 CFR ~~270.315, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005) (2007)~~ 270.315 (2007).

(Source: Amended at 32 Ill. Reg. _____, effective _____)

Section 703. ~~Appendix~~ APPENDIX A Classification of Permit Modifications

ClassModificationsA. General Permit Provisions11. Administrative and informational changes.12. Correction of typographical errors.13.

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:1a. To provide for more frequent monitoring, reporting, or maintenance.2b. Other changes.5. Schedule of compliance:1*a. Changes in interim compliance dates, with prior approval of the Agency.3b. 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.1*8. Changes to remove permit conditions that are no longer applicable (i.e., because the standards upon which they are based are no longer applicable to the facility).B. General Facility Standards1. Changes to waste sampling or analysis methods:1a. 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.2d. Other changes.2. Changes to analytical quality assurance or quality control plan:1a. To conform with agency guidance or regulations.2b. Other changes.13. Changes in procedures for maintaining the operating record.24. Changes in frequency or content of inspection schedules.5. Changes in the training plan:2a. That affect the type or decrease the amount of training given to employees.1b. Other changes.6. Contingency plan:2a. Changes in emergency procedures (i.e., spill or release response procedures).1b. Replacement with functionally equivalent equipment, upgrade, or relocate emergency equipment listed.2c. Removal of equipment from emergency equipment list.1d. 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:1a. Changes that the CQA officer certifies in the operating record will provide equivalent or better certainty that the unit components meet the design specifications.2b. 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 must be reviewed under the same procedures as a permit modification.C. Groundwater Protection1. Changes to wells:2a. Changes in the number, location, depth, or design of upgradient or downgradient wells of permitted groundwater monitoring system.1b. 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*24. Changes in point of compliance.5. Changes in indicator parameters, hazardous constituents, or concentration limits (including ACLs (Alternate Concentration Limits)):3a. As specified in the groundwater protection standard.2b. As specified in the detection monitoring program.26. Changes to a detection monitoring program as required by 35 Ill. Adm. Code 724.198(j) ~~724.198(h)~~, unless otherwise specified in this Appendix.7. Compliance monitoring program:3a. Addition of compliance monitoring program as required by 35 Ill. Adm. Code 724.198(h) ~~(4)~~ ~~724.198(g)~~ (4) and 724.199.2b. Changes to a compliance monitoring program as required by 35 Ill. Adm. Code 724.199(h) ~~724.199(j)~~, unless otherwise specified in this Appendix.8. Corrective action program:3a. Addition of a corrective action program as required by 35 Ill. Adm. Code 724.199(i) (2) and 724.200.2b. Changes to a corrective action program as required by 35 Ill. Adm. Code 724.200(h),

unless otherwise specified in this Appendix.D. Closure1. 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.2e. Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, unless otherwise specified in this Appendix.2f. 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).32. Creation of a new landfill unit as part of closure.3. Addition of the following new units to be used temporarily for closure activities:3a. Surface impoundments.3b. Incinerators.3c. Waste piles that do not comply with 35 Ill. Adm. Code 724.350(c).2d. Waste piles that comply with 35 Ill. Adm. Code 724.350(c).2e. Tanks or containers (other than specified in paragraph D(3)(f) below).1*f. Tanks used for neutralization, dewatering, phase separation, or component separation, with prior approval of the Agency.2g. Staging piles.E. Post-Closure11. Changes in name, address, or phone number of contact in post-closure plan.22. Extension of post-closure care period.33. Reduction in the post-closure care period.14. Changes to the expected year of final closure, where other permit conditions are not changed.25. Changes in post-closure plan necessitated by events occurring during the active life of the facility, including partial and final closure.F. Containers1. Modification or addition of container units:3a. Resulting in greater than 25 percent increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a).2b. Resulting in up to 25 percent increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a).1c. Modification or addition of container units or treatment processes necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards, 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:2a. Modification of a container unit without increasing the capacity of the unit.1b. 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):3a. That require additional or different management practices from those authorized in the permit.2b. 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:22*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. 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. Tanks1. Modification of a tank unit, secondary containment system, or treatment process that increases tank capacity, adds a new tank, or alters treatment, specified as

follows:3a. Modification or addition of tank units resulting in greater than 25 percent increase in the facility's tank capacity, except as provided in paragraphs G(1)(c), G(1)(d), and G(1)(e).2b. Modification or addition of tank units resulting in up to 25 percent increase in the facility's tank capacity, except as provided in paragraphs G(1)(d) and G(1)(e).2c. 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, 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).22. Modification of a tank unit or secondary containment system without increasing the capacity of the unit.13. Replacement of a tank with a tank that meets the same design standards and has a capacity within ± 10 percent 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, andc. The replacement tank meets the same conditions in the permit.24. Modification of a tank management practice.5. Management of different wastes in tanks:3a. 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).2b. That do not require additional or different management practices or 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. The modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027, and F028).1d. 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 Impoundments31. Modification or addition of surface impoundment units that result in increasing the facility's surface impoundment storage or treatment capacity.32. Replacement of a surface impoundment unit.23. 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.24. Modification of a surface impoundment management practice.5. Treatment, storage, or disposal of different wastes in surface impoundments:3a. That require additional or different management practices or different design of the liner or leak detection system than authorized in the permit.2b. 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.1c. That are wastes restricted from land disposal that meet the applicable treatment standards. This modification is not

applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027, and F028).1d. 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) (Procedures for Case-by-Case Extensions to an Effective Date), incorporated by reference in 35 Ill. Adm. Code 720.111(b), 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:3a. Increase in action leakage rate.3b. Change in a specific response reducing its frequency or effectiveness.2c. 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:3a. Resulting in greater than 25 percent increase in the facility's waste pile storage or treatment capacity.2b. Resulting in up to 25 percent increase in the facility's waste pile storage or treatment capacity.22. Modification of waste pile unit without increasing the capacity of the unit.13. 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.24. Modification of a waste pile management practice.5. Storage or treatment of different wastes in waste piles:3a. That require additional or different management practices or different design of the unit.2b. 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.26. 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 Piles31. Modification or addition of landfill units that result in increasing the facility's disposal capacity.32. Replacement of a landfill.33. Addition or modification of a liner, leachate collection system, leachate detection system, runoff control, or final cover system.24. Modification of a landfill unit without changing a liner, leachate collection system, leachate detection system, runoff control, or final cover system.25. Modification of a landfill management practice.6. Landfill different wastes:3a. That require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system.2b. 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.lc. That are wastes restricted from land disposal that meet the applicable treatment standards. This modification is not applicable to dioxin-containing wastes (F020, F021, F022, F023, F026, F027, and F028).1d. 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) (Procedures for Case-by-Case Extensions to an Effective Date), incorporated by reference in 35 Ill. Adm. Code 720.111(b), 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:3a. Increase in action leakage rate.3b. Change in a specific response reducing its frequency or effectiveness.2c. 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 Treatment31. Lateral expansion of or other modification of a land treatment unit to increase area extent.22. Modification of runoff control system.33. Modify runoff control system.24. Other modification of land treatment unit component specifications or standards required in permit.5. Management of different wastes in land treatment units:3a. That require a change in permit operating conditions or unit design specifications.2b. 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:3a. Increase rate or change method of waste application.1b. Decrease rate of waste application.27. Modification of a land treatment unit management practice to change measures of pH or moisture content or to enhance microbial or chemical reactions.38. 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.39. Modification of operating practice due to detection of releases from the land treatment unit pursuant to 35 Ill. Adm. Code 724.378(g)(2).310. Changes in the unsaturated zone monitoring system that result in a change to the location, depth, or number of sampling points or which replace unsaturated zone monitoring devices or components of devices with devices or components that have specifications different from permit requirements.211. Changes in the unsaturated zone monitoring system that do not result in a change to the location, depth, or number of sampling points or which replace unsaturated zone monitoring devices or components of devices with devices or components having specifications different from permit requirements.212. Changes in background values for hazardous constituents in soil and soil-pore liquid.213. Changes in sampling, analysis, or statistical procedure.214. 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.317. 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.218. Changes in vegetative cover requirements for closure.L. Incinerators, Boilers and Industrial Furnaces31. Changes to increase by more than 25 percent 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 must require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means.22. Changes to increase by up to 25 percent 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 must require a new trial burn

to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means.³³ 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/Cl₂, 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 must require a new trial burn to substantiate compliance with the regulatory performance standards, unless this demonstration can be made through other means.²⁴ 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:^{3a} 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 must require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means.^{3b} 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.^{2c} Modification of any other operating condition or any inspection or recordkeeping requirement specified in the permit.⁶ Burning different wastes:^{3a} 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 must require a new trial burn to substantiate compliance with the regulatory performance standards, unless this demonstration can be made through other means.^{2b} 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. 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:^{2a} 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.¹⁸ Substitution of an alternative type of non-hazardous waste fuel that is not specified in the permit.^{1*9} Technology changes needed to meet standards under federal subpart EEE of 40 CFR 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors), incorporated by reference in 35 Ill. Adm. Code 720.111(b), provided the procedures of Section 703.280(j) are followed.^{1*10} Changes to RCRA Permit provisions needed to support transition to federal subpart EEE of 40 CFR 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors), incorporated by reference in 35 Ill. Adm. Code 720.111(b),

provided the procedures of Section 703.280(k) are followed.M. Containment Buildings1. Modification or addition of containment building units:3a. Resulting in greater than 25 percent increase in the facility's containment building storage or treatment capacity.2b. Resulting in up to 25 percent increase in the facility's containment building storage or treatment capacity.22. 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:1a. The unit capacity is not increased.1b. The replacement containment building meets the same conditions in the permit.24. Modification of a containment building management practice.5. Storage or treatment of different wastes in containment buildings:3a. That require additional or different management practices.2b. That do not require additional or different management practices.N. Corrective Action31. Approval of a corrective action management unit pursuant to 35 Ill. Adm. Code 724.652.22. Approval of a temporary unit or time extension pursuant to 35 Ill. Adm. Code 724.653.23. Approval of a staging pile or staging pile operating term extension pursuant to 35 Ill. Adm. Code 724.654.O. Burden Reduction1. Approval of reduced inspection frequency for a Performance Track member facility for one of the following:1a. A tank system pursuant to 35 Ill. Adm. Code 724.295.1b. A container pursuant to 35 Ill. Adm. Code 724.274.1c. A containment building pursuant to 35 Ill. Adm. Code 724.1101(c)(4).1d. An area subject to spills pursuant to 35 Ill. Adm. Code 724.115(b)(4).12. Development of one contingency plan based on Integrated Contingency Plan Guidance pursuant to 35 Ill. Adm. Code 724.152(b).13. A change to recordkeeping and reporting requirements pursuant to any of the following: 35 Ill. Adm. Code 724.156(i), 724.443(a)(2), 724.961(b)(1), and (d), 724.962(a)(2), 724.296(f), 724.200(g), or 724.213(e)(5).14. A change to inspection frequency for a tank system pursuant to 35 Ill. Adm. Code 724.295(b).15. A change to a detection and compliance monitoring program pursuant to 35 Ill. Adm. Code 724.198(d), (g)(2), or (g)(3), or 724.199(f) or (g).Note: * indicates modifications requiring prior Agency approval.

BOARD NOTE: Derived from appendix I to 40 CFR 270.42 (2005)-(2007).

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