

EXEMPT

JCAR350703-0804915r01

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2 SUBTITLE G: WASTE DISPOSAL
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER b: PERMITS

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703.APPENDIX A Classification of Permit Modifications

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 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 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

173 September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 2153, effective January 19,
 174 1999; amended in R99-15 at 23 Ill. Reg. 9381, effective July 26, 1999; amended in R00-13 at 24
 175 Ill. Reg. 9765, effective June 20, 2000; amended in R01-21/R01-23 at 25 Ill. Reg. 9313, effective
 176 July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6539, effective April 22, 2002;
 177 amended in R03-7 at 27 Ill. Reg. 3496, effective February 14, 2003; amended in R03-18 at 27 Ill.
 178 Reg. 12683, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5966, effective April 13,
 179 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2845, effective February 23, 2006;
 180 amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 487, effective December 20, 2006; amended
 181 in R07-5/R07-14 at 32 Ill. Reg. _____, effective _____.

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 183 **SUBPART D: APPLICATIONS**

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 185 **Section 703.182 Contents of Part B**

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

- 198
 199 a) General information (Section 703.183);
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 201 b) Facility location information (Section 703.184);
 202
 203 c) Groundwater protection information (Section 703.185);
 204
 205 d) Exposure information (Section 703.186); and
 206
 207 e) Specific information (Section 703.200 et seq.).
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209 BOARD NOTE: Derived from 40 CFR 270.14(a) (2007)~~(2002)~~.

210
 211 (Source: Amended at 32 Ill. Reg. _____, effective _____)

212
 213 **Section 703.202 Tank Systems**

214
 215 Except as otherwise provided in 35 Ill. Adm. Code 724.290, the owner or operator of a facility

- 216 that uses tanks to store or treat hazardous waste must provide the following additional
 217 information:
 218
- 219 a) A written assessment that is reviewed and certified by ~~an independent, qualified~~
 220 Professional Engineer, registered professional engineer as to the structural
 221 integrity and suitability for handling hazardous waste of each tank system, as
 222 required under 35 Ill. Adm. Code 724.291 and 724.292;
 223
 - 224 b) Dimensions and capacity of each tank;
 225
 - 226 c) Description of feed systems, safety cutoff, bypass systems, and pressure controls
 227 (e.g., vents);
 228
 - 229 d) A diagram of piping, instrumentation, and process flow for each tank system;
 230
 - 231 e) A description of materials and equipment used to provide external corrosion
 232 protection, as required under 35 Ill. Adm. Code 724.292(a)(3)(B);
 233
 - 234 f) For new tank systems, a detailed descriptions of how the tank systems will be
 235 installed in compliance with 35 Ill. Adm. Code 724.292(b), (c), (d), and (e);
 236
 - 237 g) Detailed plans and description of how the secondary containment system for each
 238 tank system is or will be designed, constructed, and operated to meet the
 239 requirements of 35 Ill. Adm. Code 724.293(a), (b), (c), (d), (e), and (f);
 240
 - 241 h) For tank systems for which alternative design and operating practices are sought
 242 pursuant to 35 Ill. Adm. Code 724.293(g), the following:
 243
 - 244 1) Detailed plans and engineering and hydrogeologic reports, as appropriate,
 245 describing alternate design and operating practices that will, in
 246 conjunction with location aspects, prevent the migration of any hazardous
 247 waste or hazardous constituents into the groundwater or surface water
 248 during the life of the facility,
 249
 - 250 2) A detailed assessment of the substantial present or potential hazards posed
 251 to human health or the environment should a release enter the
 252 environment, or
 253
 - 254 3) A copy of the petition for alternative design and operating practices or, if
 255 such have already been granted, a copy of the Board order granting
 256 alternative design and operating practices;
 257
 - 258 i) Description of controls and practices to prevent spills and overflows, as required

259 under 35 Ill. Adm. Code 724.294(b);

- 260
- 261 j) For tank systems in which ignitable, reactive or incompatible wastes are to be
- 262 stored or treated, a description of how operating procedures and tank system and
- 263 facility design will achieve compliance with the requirements of 35 Ill. Adm.
- 264 Code 724.298 and 724.299; and
- 265
- 266 k) Information on air emission control equipment, as required in Section 703.213.
- 267

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

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

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271

272 **Section 703.212 Drip Pads**

273

274 Except as otherwise provided by 35 Ill. Adm. Code 724.101, the owner or operator of a

275 hazardous waste treatment, storage, or disposal facility that collects, stores, or treats hazardous

276 waste on drip pads must provide the following additional information:

277

- 278 a) A list of hazardous wastes placed or to be placed on each drip pad.
- 279
- 280 b) If an exemption is sought to Subpart F of 35 Ill. Adm. Code 724, as provided by
- 281 35 Ill. Adm. Code 724.190, detailed plans and an engineering report describing
- 282 how the requirements of 35 Ill. Adm. Code 724.190(b)(2) will be met.
- 283
- 284 c) Detailed plans and an engineering report describing how the drip pad is or will be
- 285 designed, constructed, operated, and maintained to meet the requirements of 35
- 286 Ill. Adm. Code 724.673, including the as-built drawings and specifications. This
- 287 submission must address the following items, as specified in 35 Ill. Adm. Code
- 288 724.671:
- 289
- 290 1) The design characteristics of the drip pad;
- 291
- 292 2) The liner system;
- 293
- 294 3) The leakage detection system, including the leak detection system and
- 295 how it is designed to detect the failure of the drip pad or the presence of
- 296 any releases of hazardous waste or accumulated liquid at the earliest
- 297 practicable time;
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- 299 4) Practices designed to maintain drip pads;
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- 301 5) The associated collection system;

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- 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~~ qualified Professional Engineer, registered professional engineer, stating that the drip pad design meets the requirements of 35 Ill. Adm. Code 724.673(a) through (f); and

- 345
346 16) A description of how hazardous waste residues and contaminated
347 materials will be removed from the drip pad at closure, as required under
348 35 Ill. Adm. Code 724.675(a). For any waste not to be removed from the
349 drip pad upon closure, the owner or operator must submit detailed plans
350 and an engineering report describing how 35 Ill. Adm. Code 724.410(a)
351 and (b) will be complied with. This information must be included in the
352 closure plan and, where applicable, the post-closure plan submitted under
353 Section 703.183(m).
354

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

356
357 (Source: Amended at 32 Ill. Reg. _____, effective _____)
358

359 **Section 703.213 Air Emission Controls for Tanks, Surface Impoundments, and Containers**
360

361 Except as otherwise provided in 35 Ill. Adm. Code 724.101, the owner or operator of a tank, a
362 surface impoundment, or a container that uses air emission controls in accordance with the
363 requirements of Subpart CC of 35 Ill. Adm. Code 724 must provide the following additional
364 information:
365

- 366 a) Documentation for each floating roof cover installed on a tank subject to 35 Ill.
367 Adm. Code 724.984(d)(1) or (d)(2) that includes information prepared by the
368 owner or operator or provided by the cover manufacturer or vendor describing the
369 cover design, and certification by the owner or operator that the cover meets the
370 applicable design specifications, as listed in 35 Ill. Adm. Code 725.991(e)(1) or
371 (f)(1).
372
- 373 b) Identification of each container area subject to the requirements of Subpart CC of
374 35 Ill. Adm. Code 724 and certification by the owner or operator that the
375 requirements of this Subpart D are met.
376
- 377 c) Documentation for each enclosure used to control air pollutant emissions from
378 containers in accordance with the requirements of 35 Ill. Adm. Code
379 724.984(d)(5) or 724.986(e)(1)(ii) that includes records for the most recent set of
380 calculations and measurements performed by the owner or operator to verify that
381 the enclosure meets the criteria of a permanent total enclosure, as specified in
382 "Procedure T – Criteria for and Verification of a Permanent or Temporary Total
383 Enclosure" in appendix B to 40 CFR 52.741 (VOM Measurement Techniques for
384 Capture Efficiency), incorporated by reference in 35 Ill. Adm. Code 720.111(b).
385
- 386 d) Documentation for each floating membrane cover installed on a surface
387 impoundment in accordance with the requirements of 35 Ill. Adm. Code

388 724.985(c) that includes information prepared by the owner or operator or
389 provided by the cover manufacturer or vendor describing the cover design, and
390 certification by the owner or operator that the cover meets the specifications listed
391 in 35 Ill. Adm. Code 724.985(c)(1).
392

393 e) Documentation for each closed-vent system and control device installed in
394 accordance with the requirements of 35 Ill. Adm. Code 724.987 that includes
395 design and performance information, as specified in Section 703.124(c) and (d).
396

397 f) An emission monitoring plan for both Method 21 (Determination of Volatile
398 Organic Compound Leaks) in appendix A to 40 CFR 60 (Test Methods),
399 incorporated by reference in 35 Ill. Adm. Code 720.111(b), and control device
400 monitoring methods. This plan must include the following information:
401 monitoring points, monitoring methods for control devices, monitoring frequency,
402 procedures for documenting ~~exceedances~~exceedences, and procedures for
403 mitigating noncompliances.
404

405 g) When an owner or operator of a facility subject to Subpart CC of 35 Ill. Adm.
406 Code 725 cannot comply with Subpart CC of 35 Ill. Adm. Code 724 by the date
407 of permit issuance, the schedule of implementation required under 35 Ill. Adm.
408 Code 725.982.
409

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

411 (Source: Amended at 32 Ill. Reg. _____, effective _____)
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414 SUBPART G: CHANGES TO PERMITS
415

416 **Section 703.280 Permit Modification at the Request of the Permittee**
417

418 a) Class 1 modifications. See Section 703.281.
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420 b) Class 2 modifications. See Section 703.282.
421

422 c) Class 3 modifications. See Section 703.283.
423

424 d) Other modifications.
425

426 1) In the case of modifications not explicitly listed in Appendix A of this
427 Part, the permittee may submit a Class 3 modification request to the
428 Agency, or the permittee may request a determination by the Agency that
429 the modification be reviewed and approved as a Class 1 or Class 2
430 modification. If the permittee requests that the modification be classified

431 as a Class 1 or 2 modification, the permittee must provide the Agency with
432 the necessary information to support the requested classification.
433

434 2) The Agency must make the determination described in subsection (d)(1)
435 of this Section as promptly as practicable. In determining the appropriate
436 class for a specific modification, the Agency must consider the similarity
437 of the modification to other modifications codified in Appendix A of this
438 Part and the following criteria:
439

440 A) Class 1 modifications apply to minor changes that keep the permit
441 current with routine changes to the facility or its operation. These
442 changes do not substantially alter the permit conditions or reduce
443 the capacity of the facility to adequately protect human health or
444 the environment. In the case of Class 1 modifications, the Agency
445 may require prior approval.
446

447 B) Class 2 modifications apply to changes that are necessary to enable
448 a permittee to respond, in a timely manner, to any of the following:
449

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

452 ii) Technological advances; and

453 iii) Changes necessary to comply with new regulations, where
454 these changes can be implemented without substantially
455 changing design specifications or management practices in
456 the permit.
457
458

459 C) Class 3 modifications substantially alter the facility or its
460 operation.
461
462

463 e) Temporary authorizations.
464

465 1) Upon request of the permittee, the Agency must, without prior public
466 notice and comment, grant the permittee a temporary authorization in
467 accordance with this subsection (e). Temporary authorizations have a
468 term of not more than 180 days.
469

470 2) Procedures.
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472 A) The permittee may request a temporary authorization for the
473 following:

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- 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;

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- 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

560 procedures of 35 Ill. Adm. Code 705.212; however, the permittee may
561 continue to conduct the activities pursuant to the automatic authorization
562 until the Board enters a final order on the appeal notwithstanding the
563 provisions of 35 Ill. Adm. Code 705.204.
564

565 g) Newly regulated wastes and units.
566

- 567 1) The permittee is authorized to continue to manage wastes listed or
568 identified as hazardous pursuant to 35 Ill. Adm. Code 721, or to continue
569 to manage hazardous waste in units newly regulated as hazardous waste
570 management units, if each of the following is true:
571
- 572 A) The unit was in existence as a hazardous waste facility with respect
573 to the newly listed or characterized waste or newly regulated waste
574 management unit on the effective date of the final rule listing or
575 identifying the waste, or regulating the unit;
576
 - 577 B) The permittee submits a Class 1 modification request on or before
578 the date on which the waste becomes subject to the new
579 requirements;
580
 - 581 C) The permittee is in compliance with the applicable standards of 35
582 Ill. Adm. Code 725 and 726;
583
 - 584 D) The permittee also submits a complete class 2 or 3 modification
585 request within 180 days after the effective date of the rule listing or
586 identifying the waste, or subjecting the unit to management
587 standards pursuant to 35 Ill. Adm. Code 724, 725, or 726; and
588
 - 589 E) In the case of land disposal units, the permittee certifies that such
590 unit is in compliance with all applicable requirements of 35 Ill.
591 Adm. Code 725 for groundwater monitoring and financial
592 responsibility requirements on the date 12 months after the
593 effective date of the rule identifying or listing the waste as
594 hazardous, or regulating the unit as a hazardous waste management
595 unit. If the owner or operator fails to certify compliance with all
596 these requirements, the owner or operator loses authority to operate
597 pursuant to this Section.
598
- 599 2) New wastes or units added to a facility's permit pursuant to this subsection
600 (g) do not constitute expansions for the purpose of the 25 percent capacity
601 expansion limit for Class 2 modifications.
602

- 603 h) Military hazardous waste munitions treatment and disposal. The permittee is
 604 authorized to continue to accept waste military munitions notwithstanding any
 605 permit conditions barring the permittee from accepting off-site wastes, if each of
 606 the following is true:
 607
- 608 1) The facility was in existence as a hazardous waste facility and the facility
 609 was already permitted to handle the waste military munitions on the date
 610 when the waste military munitions became subject to hazardous waste
 611 regulatory requirements;
 612
 - 613 2) On or before the date when the waste military munitions become subject
 614 to hazardous waste regulatory requirements, the permittee submits a Class
 615 1 modification request to remove or amend the permit provision restricting
 616 the receipt of off-site waste munitions; and
 617
 - 618 3) The permittee submits a complete Class 2 modification request within 180
 619 days after the date when the waste military munitions became subject to
 620 hazardous waste regulatory requirements.
 621
- 622 i) Permit modification list. The Agency must maintain a list of all approved permit
 623 modifications and must publish a notice once a year in a State-wide newspaper
 624 that an updated list is available for review.
 625
- 626 j) Combustion facility changes to meet federal 40 CFR 63 MACT standards. The
 627 following procedures apply to hazardous waste combustion facility permit
 628 modifications requested pursuant to Appendix A, paragraph L(9) of this Part.
 629
- 630 1) A facility owner or operator must have complied with the federal
 631 notification of intent to comply (NIC) requirements of 40 CFR 63.1210
 632 that was in effect prior to October 11, 2000, (see subpart EEE of 40 CFR
 633 63 (2000), incorporated by reference in 35 Ill. Adm. Code 720.111(b)) in
 634 order to request a permit modification pursuant to this Section for the
 635 purpose of technology changes needed to meet the standards of 40 CFR
 636 63.1203, 63.1204, and 63.1205, incorporated by reference in 35 Ill. Adm.
 637 Code 720.111(b).
 638
 - 639 2) If the Agency does not act to either approve or deny the request within 90
 640 days of receiving it, the request must be deemed approved. The Agency
 641 may, at its discretion, extend this 90-day deadline one time for up to 30
 642 days by notifying the facility owner or operator in writing before the 90
 643 days has expired. A facility owner or operator must comply with the NIC
 644 requirements of 40 CFR 63.1210(b) and 63.1212(a) before a permit
 645 modification can be requested under this Section for the purpose of

646 technology changes needed to meet the 40 CFR 63.1215, 63.1216,
 647 63.1217, 63.1218, 63.1219, 63.1220, and 63.1221 standards as added on
 648 October 12, 2005, incorporated by reference in 35 Ill. Adm. Code
 649 720.111(b).

650
 651 k) Waiver of RCRA permit conditions in support of transition to the federal 40 CFR
 652 63 MACT standards.

653
 654 1) The facility owner or operator may request to have specific RCRA
 655 operating and emissions limits waived by submitting a Class 1 permit
 656 modification request under Appendix A of this Part, paragraph L.10. The
 657 owner or operator must provide the information described in subsections
 658 (k)(1)(A) through (k)(1)(C) of this Section, with Agency review subject to
 659 the conditions of subsection (k)(1)(D) of this Section:

660
 661 A) It must identify the specific RCRA permit operating and emissions
 662 limits that the owner or operator is requesting to waive;

663
 664 B) It must provide an explanation of why the changes are necessary in
 665 order to minimize or eliminate conflicts between the RCRA permit
 666 and MACT compliance; and

667
 668 C) It must discuss how the revised provisions will be sufficiently
 669 protective.

670
 671 D) The Agency must approve or deny the request within 30 days after
 672 receipt of the request. The Agency may, at its discretion, extend
 673 this 30-day deadline one time for up to 30 days by notifying the
 674 facility owner or operator in writing.

675
 676 2) To request this modification in conjunction with MACT performance
 677 testing, where permit limits may only be waived during actual test events
 678 and pretesting, as defined under 40 CFR 63.1207(h)(2)(i) and (h)(2)(ii),
 679 incorporated by reference in 35 Ill. Adm. Code 720.111(b), for an
 680 aggregate time not to exceed 720 hours of operation (renewable at the
 681 discretion of the Agency) the owner or operator must fulfill the conditions
 682 of subsection (k)(2)(A) of this Section, subject to the conditions of
 683 subsection (k)(2)(B) of this Section:

684
 685 A) It must submit its modification request to the Agency at the same
 686 time it submits its test plans to the Agency.

687
 688 B) The Agency may elect to approve or deny the request contingent

upon approval of the test plans.

- 689
690
691 l) Performance Track member facilities. The following procedures apply to the
692 owners and operators of a Performance Track member facility that requests a
693 permit modification under paragraph O.1. in Appendix A to this Part.
694
695 1) The owner or operator of a Performance Track member facility must have
696 complied with the requirements of 35 Ill. Adm. Code 724.115(b)(5) in
697 order to request a permit modification under this Section.
698
699 2) The owner or operator of the Performance Track member facility should
700 consider the request for permit modification approved if the Agency does
701 not, in writing, within 60 days after receiving an application, either deny
702 the request for permit modification or notify the owner or operator of the
703 Performance Track member facility that the Agency has extended the 60-
704 day deadline. During an extension of the 60-day deadline, the owner or
705 operator of the Performance Track member facility must adhere to the
706 revised inspection schedule outlined in its request for permit modification,
707 and it must maintain a copy of the application in the facility's operating
708 record.
709

710 BOARD NOTE: Derived from 40 CFR 270.42(d) through (l) (2007)~~(k)~~ (2005), as
711 amended at 70 Fed. Reg. 59402 (Oct. 12, 2005).
712

713 (Source: Amended at 32 Ill. Reg. _____, effective _____)
714

715 SUBPART J: RCRA STANDARDIZED PERMITS
716 FOR STORAGE AND TREATMENT UNITS
717

718 **Section 703.350 General Information About RCRA Standardized Permits**
719

- 720 a) RCRA standardized permit. A RCRA standardized permit (RCRA) is a special
721 type of permit that authorizes the owner or operator of a facility to manage
722 hazardous waste. A RCRA standardized permit is issued pursuant to Subpart G of
723 35 Ill. Adm. Code 705 and this Subpart J.
724

725 BOARD NOTE: Subsection (a) of this Section is derived from 40 CFR 270.250
726 (2007), as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).
727

- 728 b) Eligibility for a RCRA standardized permit.
729
730 1) The facility owner or operator may be eligible for a RCRA standardized
731 permit if the following conditions are fulfilled:

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745
- 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.

- 746
747
748
749
- 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.

750 BOARD NOTE: Subsection (b) of this Section is derived from 40 CFR 270.255
751 (2007), as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

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- 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 703.160, ~~703.159~~, 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.

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- 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.

791 BOARD NOTE: Subsection (c) of this Section is derived from 40 CFR 270.260
792 (2007), as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).
793

794 (Source: Amended at 32 Ill. Reg. _____, effective _____)
795

796 **Section 703.352 Information That Must Be Kept at the Facility**
797

- 798 a) General types of information to be maintained at the facility. The facility owner
799 or operator must keep the following information at its facility:
800
- 801 1) A general description of the facility;
 - 802
803 2) Results of chemical and physical analyses of the hazardous waste and
804 hazardous debris handled at the facility. At a minimum, these results of
805 analyses must contain all the information that the owner or operator must
806 know to treat or store the wastes properly pursuant to 35 Ill. Adm. Code
807 727;
808
 - 809 3) A copy of the waste analysis plan required by 35 Ill. Adm. Code
810 727.110(d)(2);
811
 - 812 4) A description of the security procedures and equipment required by 35 Ill.
813 Adm. Code 727.110(e);
814
 - 815 5) A copy of the general inspection schedule required by 35 Ill. Adm. Code
816 727.110(f)(2). The owner or operator must include in the inspection

- 817 schedule applicable requirements of 35 Ill. Adm. Code 724.933, 724.952,
818 724.953, 724.958, 724.988, 727.270(e), and 727.290(d) and (f);
819
- 820 6) A justification of any modification of the preparedness and prevention
821 requirements of 35 Ill. Adm. Code 727.130(a) through (f);
822
- 823 7) A copy of the contingency plan required by 35 Ill. Adm. Code 727.150;
824
- 825 8) A description of procedures, structures, or equipment used at the facility to
826 accomplish each of the following:
827
- 828 A) Prevent hazards in unloading operations (for example, use ramps,
829 special forklifts);
830
- 831 B) Prevent runoff from hazardous waste handling areas to other areas
832 of the facility or environment, or to prevent flooding (for example,
833 with berms, dikes, trenches, etc.);
834
- 835 C) Prevent contamination of water supplies;
836
- 837 D) Mitigate effects of equipment failure and power outages;
838
- 839 E) Prevent undue exposure of personnel to hazardous waste (for
840 example, requiring protective clothing); and
841
- 842 F) Prevent releases to atmosphere;
843
- 844 9) A description of precautions to prevent accidental ignition or reaction of
845 ignitable, reactive, or incompatible wastes as required by 35 Ill. Adm.
846 Code 727.110(h);
847
- 848 10) The traffic pattern, estimated volume (number, types of vehicles) and
849 control (for example, show turns across traffic lanes, and stacking lanes;
850 describe access road surfacing and load bearing capacity; show traffic
851 control signals, etc.);
852
- 853 11) This subsection (a)(11) corresponds with 40 CFR 270.290(k), which
854 USEPA has marked "Reserved." This statement maintains structural
855 consistency with the corresponding federal rules;
856
- 857 12) An outline of both the introductory and continuing training programs that
858 the owner or operator will use to prepare employees to operate or maintain
859 its facility safely as required by 35 Ill. Adm. Code 727.110(g). A brief

- 860 description of how training will be designed to meet actual job tasks
 861 pursuant to 35 Ill. Adm. Code 727.110(g)(1)(B) requirements;
 862
- 863 13) A copy of the closure plan required by 35 Ill. Adm. Code 727.210(c).
 864 Include, where applicable, as part of the plans, specific requirements in 35
 865 Ill. Adm. Code 727.270(g), 727.290(l), and 727.900(i);
 866
- 867 14) This subsection (a)(14) corresponds with 40 CFR 270.290(n), which
 868 USEPA has marked "Reserved." This statement maintains structural
 869 consistency with the corresponding federal rules;
 870
- 871 15) The most recent closure cost estimate for the facility prepared pursuant to
 872 35 Ill. Adm. Code 727.240(c) and a copy of the documentation required to
 873 demonstrate financial assurance pursuant to 35 Ill. Adm. Code 727.240(d).
 874 For a new facility, the owner or operator may gather the required
 875 documentation 60 days before the initial receipt of hazardous wastes;
 876
- 877 16) This subsection (a)(16) corresponds with 40 CFR 270.290(p), which
 878 USEPA has marked "Reserved." This statement maintains structural
 879 consistency with the corresponding federal rules;
 880
- 881 17) Where applicable, a copy of the insurance policy or other documentation
 882 that complies with the liability requirements of 35 Ill. Adm. Code
 883 727.240(h). For a new facility, documentation showing the amount of
 884 insurance meeting the specification of 35 Ill. Adm. Code 727.240(h)(1)
 885 that the owner or operator plans to have in effect before initial receipt of
 886 hazardous waste for treatment or storage;
 887
- 888 18) Where appropriate, proof of coverage by a State financial mechanism, as
 889 required by 35 Ill. Adm. Code 727.240(j) or 727.240(k);
 890
- 891 19) A topographic map showing a distance of 1,000 feet around the facility at
 892 a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200
 893 feet). The map must show elevation contours. The contour interval must
 894 show the pattern of surface water flow in the vicinity of and from each
 895 operational unit of the facility. For example, contours with an interval of
 896 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an
 897 interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). If
 898 the facility is in a mountainous area, the owner or operator should use
 899 large contour intervals to adequately show topographic profiles of the
 900 facility. The map must clearly show each of the following:
 901
 902 A) The map scale and date;

- 903
- 904 B) Any 100-year flood plain area;
- 905
- 906 C) All surface waters including intermittent streams;
- 907
- 908 D) The surrounding land uses (residential, commercial, agricultural,
- 909 recreational, etc.);
- 910
- 911 E) A wind rose (i.e., prevailing windspeed and direction);
- 912
- 913 F) The orientation of the map (north arrow);
- 914
- 915 G) Legal boundaries of the facility site;
- 916
- 917 H) Facility access control (fences, gates);
- 918
- 919 I) All injection and withdrawal wells both on-site and off-site;
- 920
- 921 J) All buildings; treatment, storage, or disposal operations; and other
- 922 structures (recreation areas, runoff control systems, access and
- 923 internal roads, storm, sanitary, and process sewerage systems,
- 924 loading and unloading areas, fire control facilities, etc.);
- 925
- 926 K) Barriers for drainage or flood control; and
- 927
- 928 L) The location of operational units within the facility where
- 929 hazardous waste is (or will be) treated or stored (including
- 930 equipment cleanup areas).
- 931

932 BOARD NOTE: Subsection (a) of this Section is derived from 40 CFR 270.290
933 (2007), as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

- 934
- 935 b) Container information to be maintained at the facility. If the facility owner or
- 936 operator stores or treats hazardous waste in containers, it must keep the following
- 937 information at its facility:
- 938
- 939 1) A description of the containment system to demonstrate compliance with
- 940 the container storage area provisions of 35 Ill. Adm. Code 727.270(d).
- 941 This description must show the following information:
- 942
- 943 A) The basic design parameters, dimensions, and materials of
- 944 construction;
- 945

- 946 B) How the design promotes drainage or how containers are kept from
947 contact with standing liquids in the containment system;
948
949 C) The capacity of the containment system relative to the number and
950 volume of containers to be stored;
951
952 D) The provisions for preventing or managing run-on; and
953
954 E) How accumulated liquids can be analyzed and removed to prevent
955 overflow;

956
957 2) For storage areas that store containers holding wastes that do not contain
958 free liquids, a demonstration of compliance with 35 Ill. Adm. Code
959 727.270(d)(3), including the following:

- 960
961 A) Test procedures and results or other documentation or information
962 to show that the wastes do not contain free liquids; and
963
964 B) A description of how the storage area is designed or operated to
965 drain and remove liquids or how containers are kept from contact
966 with standing liquids;

967
968 3) Sketches, drawings, or data demonstrating compliance with 35 Ill. Adm.
969 Code 727.270(e) (location of buffer zone (15m or 50ft) and containers
970 holding ignitable or reactive wastes) and 35 Ill. Adm. Code 727.270(f)(3)
971 (location of incompatible wastes in relation to each other), where
972 applicable;

973
974 4) Where incompatible wastes are stored or otherwise managed in containers,
975 a description of the procedures used to ensure compliance with 35 Ill.
976 Adm. Code 727.270(f)(1) and (f)(2), and 35 Ill. Adm. Code 727.110(h)(2)
977 and (h)(3); and

978
979 5) Information on air emission control equipment as required by Section
980 703.352(e).

981
982 BOARD NOTE: Subsection (b) of this Section is derived from 40 CFR 270.300
983 (2007), as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

- 984
985 c) Tank information to be maintained at the facility. If the facility owner or operator
986 uses tanks to store or treat hazardous waste, it must keep the following
987 information at its facility:
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- 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).

1028 BOARD NOTE: Subsection (c) of this Section is derived from 40 CFR 270.305
1029 (2007), as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).
1030

- 1031 d) Equipment information to be maintained at the facility. If the facility has
 1032 equipment to which Subpart BB of 35 Ill. Adm. Code 724 applies, the facility
 1033 owner or operator must keep the following information at its facility:
 1034
- 1035 1) For each piece of equipment to which Subpart BB of 35 Ill. Adm. Code
 1036 724 applies, the following:
 - 1037
 - 1038 A) The equipment identification number and hazardous waste
 1039 management unit identification;
 - 1040
 - 1041 B) The approximate locations within the facility (e.g., identify the
 1042 hazardous waste management unit on a facility plot plan);
 - 1043
 - 1044 C) The type of equipment (e.g., a pump or a pipeline valve);
 1045
 - 1046 D) The percent by weight of total organics in the hazardous waste
 1047 stream at the equipment;
 - 1048
 - 1049 E) The phase of the hazardous waste at the equipment (e.g., gas or
 1050 vapor or liquid); and
 - 1051
 - 1052 F) The method of compliance with the standard (e.g., monthly leak
 1053 detection and repair, or equipped with dual mechanical seals);
 1054
 - 1055 2) For a facility that cannot install a closed-vent system and control device to
 1056 comply with Subpart BB of 35 Ill. Adm. Code 724 on the effective date
 1057 that the facility becomes subject to the Subpart BB provisions, an
 1058 implementation schedule as specified in 35 Ill. Adm. Code 724.933(a)(2);
 1059
 - 1060 3) Documentation that demonstrates compliance with the equipment
 1061 standards in 35 Ill. Adm. Code 724.952 and 724.959. This documentation
 1062 must contain the records required pursuant to 35 Ill. Adm. Code 724.964;
 1063 and
 1064
 - 1065 4) Documentation to demonstrate compliance with 35 Ill. Adm. Code
 1066 724.960, which must include the following information:
 - 1067
 - 1068 A) A list of all information references and sources used in preparing
 1069 the documentation;
 - 1070
 - 1071 B) Records, including the dates, of each compliance test required by
 1072 35 Ill. Adm. Code 724.933(j);
 1073

- 1074 C) A design analysis, specifications, drawings, schematics, and piping
1075 and instrumentation diagrams based on the appropriate sections of
1076 "APTI Course 415: Control of Gaseous Emissions," USEPA
1077 publication number EPA-450/2-81-005, incorporated by reference
1078 in 35 Ill. Adm. Code 720.111(a) or other engineering texts
1079 acceptable to the Agency that present basic control device design
1080 information. The design analysis must address the vent stream
1081 characteristics and control device operation parameters, as
1082 specified in 35 Ill. Adm. Code 724.935(b)(4)(iii);
1083
- 1084 D) A statement signed and dated by the facility owner or operator that
1085 certifies that the operating parameters used in the design analysis
1086 reasonably represent the conditions that exist when the hazardous
1087 waste management unit is operating at the highest load or capacity
1088 level reasonable expected to occur; and
1089
- 1090 E) A statement signed and dated by the facility owner or operator that
1091 certifies that the control device is designed to operate at an
1092 efficiency of 95 weight percent or greater.
1093

1094 BOARD NOTE: Subsection (d) of this Section is derived from 40 CFR 270.310
1095 (2007), ~~as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).~~

- 1096
- 1097 e) Air emissions control information to be maintained at the facility. If the facility
1098 owner or operator has air emission control equipment subject to Subpart CC of 35
1099 Ill. Adm. Code 724, it must keep the following information at its facility:
1100
- 1101 1) Documentation for each floating roof cover installed on a tank subject to
1102 35 Ill. Adm. Code 724.984(d)(1) or (d)(2) that includes information that
1103 the owner or operator prepared or the cover manufacturer or vendor
1104 provided describing the cover design, and the owner's or operator's
1105 certification that the cover meets applicable design specifications listed in
1106 35 Ill. Adm. Code 724.984(e)(1) or (f)(1);
1107
- 1108 2) Identification of each container area subject to Subpart CC of 35 Ill. Adm.
1109 Code 724 and the owner's or operator's certification that the requirements
1110 of this Subpart J are met;
1111
- 1112 3) Documentation for each enclosure used to control air pollutant emissions
1113 from tanks or containers pursuant to requirements of 35 Ill. Adm. Code
1114 724.984(d)(5) or 724.986(e)(1)(B). The owner or operator must include
1115 records for the most recent set of calculations and measurements that it
1116 performed to verify that the enclosure meets the criteria of a permanent

1117 total enclosure as specified in appendix B to 40 CFR 52.741 (Procedure T
1118 – Criteria for and Verification of a Permanent or Temporary Total
1119 Enclosure), incorporated by reference in 35 Ill. Adm. Code 720.111(b);

- 1120
- 1121 4) This subsection (e)(4) corresponds with 40 CFR 270.315(d), which
1122 USEPA has marked "Reserved." This statement maintains structural
1123 consistency with the corresponding federal rules;
- 1124
- 1125 5) Documentation for each closed-vent system and control device installed
1126 pursuant to 35 Ill. Adm. Code 724.987 that includes design and
1127 performance information, as specified in Section 703.210(c) and (d); and
- 1128
- 1129 6) An emission monitoring plan for both Method 21 in appendix A to 40
1130 CFR 60 (Determination of Volatile Organic Compound Leaks),
1131 incorporated by reference in 35 Ill. Adm. Code 720.111(b), and control
1132 device monitoring methods. This plan must include the following
1133 information: monitoring points, monitoring methods for control devices,
1134 monitoring frequency, procedures for documenting
1135 ~~exceedances~~ ~~exceedences~~, and procedures for mitigating noncompliances.

1136

1137 BOARD NOTE: Subsection (e) of this Section is derived from 40 CFR 270.315
1138 ~~(2007)~~, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

1139

1140 (Source: Amended at 32 Ill. Reg. _____, effective _____)

1141 **Section 703.APPENDIX A Classification of Permit Modifications**
 1142

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.
 - 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.
- 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 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 d. Other changes.
- 2. Changes to analytical quality assurance or quality 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 must 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.
- 22* 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(h)~~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(g)(4)~~724.198(h)(4)~~ and 724.199.
- 2 b. Changes to a compliance monitoring program as required by 35 Ill. Adm. Code 724.199(j)~~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 in paragraph D(3)(f) below).
 - 1* f. Tanks used for neutralization, dewatering, phase separation, or component separation, with prior approval of the Agency.
 - 2 g. Staging piles.

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 percent 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 percent increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a).
 - 1 c. 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:

- 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*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. 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. 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:
 - 3 a. 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).
 - 2 b. 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).
 - 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, 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 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, 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 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).
- 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).
- 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.
- 3 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. 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) (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:
 - 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 percent increase in the facility's waste pile storage or treatment capacity.
 - 2 b. Resulting in up to 25 percent increase in the facility's waste pile storage or treatment capacity.
- 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, runoff control, or final cover system.

- 2 4. Modification of a landfill unit without changing a liner, leachate collection system, leachate detection system, runoff 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. 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) (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:

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 runoff control system.

3 3. Modify runoff 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 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.
- 2 11. 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.
- 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 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.
- 2 2. 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.
- 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/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.

- 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 must 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 must 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.

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 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 Buildings

1. Modification or addition of containment building units:
 - 3 a. Resulting in greater than 25 percent increase in the facility's containment building storage or treatment capacity.
 - 2 b. Resulting in up to 25 percent 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 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 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.
- 2 3. Approval of a staging pile or staging pile operating term extension pursuant to 35 Ill. Adm. Code 724.654.

O. Burden Reduction

1. Approval of reduced inspection frequency for a Performance Track member facility for one of the following:
 - 1 a. A tank system pursuant to 35 Ill. Adm. Code 724.295.
 - 1 b. A container pursuant to 35 Ill. Adm. Code 724.274.
 - 1 c. A containment building pursuant to 35 Ill. Adm. Code 724.1101(c)(4).
 - 1 d. An area subject to spills pursuant to 35 Ill. Adm. Code 724.115(b)(4).
- 1 2. Development of one contingency plan based on Integrated Contingency Plan Guidance pursuant to 35 Ill. Adm. Code 724.152(b).
- 1 3. 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).
- 1 4. A change to inspection frequency for a tank system pursuant to 35 Ill. Adm. Code 724.295(b).
- 1 5. 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.

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

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