

EXEMPT

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2 SUBTITLE G: WASTE DISPOSAL
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS
5

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139 AUTHORITY: Implementing Sections 7.2 and 22.4 and authorized by Section 27 of the
 140 Environmental Protection Act [415 ILCS 5/7.2, 22.4 and 27].
 141

142 SOURCE: Adopted in R85-22 at 10 Ill. Reg. 1162, effective January 2, 1986; amended in R86-1
 143 at 10 Ill. Reg. 14156, effective August 12, 1986; amended in R87-26 at 12 Ill. Reg. 2900,
 144 effective January 15, 1988; amended in R89-1 at 13 Ill. Reg. 18606, effective November 13,
 145 1989; amended in R90-2 at 14 Ill. Reg. 14533, effective August 22, 1990; amended in R90-11 at
 146 15 Ill. Reg. 9727, effective June 17, 1991; amended in R91-13 at 16 Ill. Reg. 9858, effective
 147 June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5865, effective March 26, 1993; amended in
 148 R93-4 at 17 Ill. Reg. 20904, effective November 22, 1993; amended in R94-7 at 18 Ill. Reg.
 149 12500, effective July 29, 1994; amended in R95-6 at 19 Ill. Reg. 10006, effective June 27, 1995;
 150 amended in R95-20 at 20 Ill. Reg. 11263, effective August 1, 1996; amended in R96-10/R97-
 151 3/R97-5 at 22 Ill. Reg. 754, effective December 16, 1997; amended in R97-21/R98-3/R98-5 at
 152 22 Ill. Reg. 18042, effective September 28, 1998; amended in R99-15 at 23 Ill. Reg. 9482,
 153 effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9853, effective June 20, 2000;
 154 amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6667, effective April 22, 2002; amended in
 155 R03-7 at 27 Ill. Reg. 4200, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg.
 156 12916, effective July 17, 2003; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 3700, effective
 157 February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1096, effective December
 158 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. _____, effective _____.
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160 SUBPART G: SPENT LEAD-ACID BATTERIES BEING RECLAIMED
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162 **Section 726.180 Applicability and Requirements**
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- 164 a) Extent of exemption for spent lead-acid batteries from hazardous waste
 165 management requirements. If an owner or operator generates, collects, transports,
 166 stores, or regenerates lead-acid batteries for reclamation purposes, the owner or
 167 operator may be exempt from certain hazardous waste management requirements.
 168 Subsections (a)(1) through (a)(5) of this Section indicate which requirements apply
 169 to the owner or operator. Alternatively, the owner or operator may choose to
 170 manage its spent lead-acid batteries under the "Universal Waste" rule in 35 Ill.
 171 Adm. Code 733.
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- 1) If the batteries will be reclaimed through regeneration (such as by electrolyte replacement), the owner or operator is exempt from 35 Ill. Adm. Code 702, 703, 722 through 726 (except for 35 Ill. Adm. Code 722.111), and 728 and the notification requirements of section 3010 of RCRA, but the owner or operator is subject to 35 Ill. Adm. Code 721 and 722.111.
 - 2) If the batteries will be reclaimed other than through regeneration, and the owner or operator generates, collects, or transports the batteries, the owner or operator is exempt from 35 Ill. Adm. Code 702, 703, and 722 through 726 (except for 35 Ill. Adm. Code 722.111), and the notification requirements of section 3010 of RCRA, but the owner or operator is subject to 35 Ill. Adm. Code 721 and 722.111 and applicable provisions of 35 Ill. Adm. Code 728.
 - 3) If the batteries will be reclaimed other than through regeneration, and the owner or operator stores the batteries, but the owner or operator is not the reclaimer, the owner or operator is exempt from 35 Ill. Adm. Code 702, 703, and 722 through 726 (except for 35 Ill. Adm. Code 722.111), and the notification requirements of section 3010 of RCRA, but the owner or operator is subject to 35 Ill. Adm. Code 721 and 722.111 and applicable provisions of 35 Ill. Adm. Code 728.
 - 4) If the batteries will be reclaimed other than through regeneration, and the owner or operator stores the batteries before the owner or operator reclaims them, the owner or operator must comply with Section 726.180(b) and other requirements described in that subsection, and the owner or operator is subject to 35 Ill. Adm. Code 721 and 722.111 and applicable provisions of 35 Ill. Adm. Code 728.
 - 5) If the batteries will be reclaimed other than through regeneration, and the owner or operator does not store the batteries before the owner or operator reclaims them, the owner or operator is exempt from 35 Ill. Adm. Code 702, 703, and 722 through 726 (except for 35 Ill. Adm. Code 722.111), and the notification requirements of section 3010 of RCRA, and the owner or operator is subject to 35 Ill. Adm. Code 721 and 722.111 and applicable provisions of 35 Ill. Adm. Code 728.
- b) Exemption for spent lead-acid batteries stored before reclamation other than through regeneration. The requirements of this subsection (b) apply to an owner or operator that stores spent lead-acid batteries before it reclaims them, where the owner or operator does not reclaim them through regeneration. The requirements are slightly different depending on the owner's or operator's RCRA permit status.

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- 1) For an interim status facility, the owner or operator must comply with the following requirements:
 - A) The notification requirements under Section 3010 of the Resource Conservation and Recovery Act (RCRA);
 - B) All applicable provisions in Subpart A of 35 Ill. Adm. Code 725;
 - C) All applicable provisions in Subpart B of 35 Ill. Adm. Code 725, except 35 Ill. Adm. Code 725.113 (waste analysis);
 - D) All applicable provisions in Subparts C and D of 35 Ill. Adm. Code 725;
 - E) All applicable provisions in Subpart E of 35 Ill. Adm. Code 725, except 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies);
 - F) All applicable provisions in Subparts F through L of 35 Ill. Adm. Code 725; and
 - G) All applicable provisions in 35 Ill. Adm. Code 702 and 703.
 - 2) For a permitted facility, the following requirements:
 - A) The notification requirements under section 3010 of RCRA;
 - B) All applicable provisions in Subpart A of 35 Ill. Adm. Code 724;
 - C) All applicable provisions in Subpart B of 35 Ill. Adm. Code 724, except 35 Ill. Adm. Code 724.113 (waste analysis);
 - D) All applicable provisions in Subparts C and D of 35 Ill. Adm. Code 724;
 - E) All applicable provisions in Subpart E of 35 Ill. Adm. Code 724, except 35 Ill. Adm. Code 724.171 or 724.172 (dealing with the use of the manifest and manifest discrepancies);
 - F) All applicable provisions in Subparts F through L of 35 Ill. Adm. Code 724; and

G) All applicable provisions in 35 Ill. Adm. Code 702 and 703.

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

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS
AND INDUSTRIAL FURNACES

Section 726.200 Applicability

- a) The regulations of this Subpart H apply to hazardous waste burned or processed in a boiler or industrial furnace (BIF) (as defined in 35 Ill. Adm. Code 720.110) irrespective of the purpose of burning or processing, except as provided by subsections (b), (c), (d), (g), and (h) of this Section. In this Subpart H, the term "burn" means burning for energy recovery or destruction or processing for materials recovery or as an ingredient. The emissions standards of Sections 726.204, 726.205, 726.206, and 726.207 apply to facilities operating under interim status or under a RCRA permit, as specified in Sections 726.202 and 726.203.
- b) Integration of the MACT standards.
 - 1) Except as provided by subsections(b)(2), (b)(3), and (b)(4) of this Section, the standards of this Part do not apply to a new hazardous waste boiler or industrial furnace unit that becomes subject to RCRA permit requirements after October 12, 2005; or no longer apply when an owner or operator of an existing hazardous waste boiler or industrial furnace unit demonstrates compliance with the maximum achievable control technology (MACT) requirements of 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), by conducting a comprehensive performance test and submitting to the Agency a Notification of Compliance, pursuant to 40 CFR 63.1207(j) (What are the performance testing requirements?) and 63.1210(d) (What are the notification requirements?), documenting compliance with the requirements of federal subpart EEE of 40 CFR 63. Nevertheless, even after this demonstration of compliance with the MACT standards, RCRA permit conditions that were based on the standards of this Part will continue to be in effect until they are removed from the permit or the permit is terminated or revoked, unless the permit expressly provides otherwise.
 - 2) The following standards continue to apply:

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- A) If an owner or operator elects to comply with 35 Ill. Adm. Code 703.320(a)(1)(A) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events, Section 726.202(e)(1), requiring operations in accordance with the operating requirements specified in the permit at all times that hazardous waste is in the unit, and Section 726.202(e)(2)(C), requiring compliance with the emission standards and operating requirements, during startup and shutdown if hazardous waste is in the combustion chamber, except for particular hazardous wastes. These provisions apply only during startup, shutdown, and malfunction events;
 - B) The closure requirements of Sections 726.202(e)(11) and 726.203(1);
 - C) The standards for direct transfer of Section 726.211;
 - D) The standards for regulation of residues of Section ~~726.212~~726.312; and
 - E) The applicable requirements of Subparts A through H, BB, and CC of 35 Ill. Adm. Code 724 and 725.
- 3) The owner or operator of a boiler or hydrochloric acid production furnace that is an area source under 40 CFR 63.2, incorporated by reference in 35 Ill. Adm. Code 720.111(b) (as 40 CFR 63), that has not elected to comply with the emission standards of 40 CFR 63.1216, 63.1217, and 63.1218, incorporated by reference in 35 Ill. Adm. Code 720.111(b) (as subpart EEE of 40 CFR 63), for particulate matter, semivolatile and low volatile metals, and total chlorine, also remains subject to the following requirements of this Part:
- A) Section 726.205 (Standards to Control PM);
 - B) Section 726.206 (Standards to Control Metals Emissions); and
 - C) Section 726.207 (Standards to Control HCl and Chlorine Gas Emissions).
- 4) The particulate matter standard of Section 726.205 remains in effect for a boiler that elects to comply with the alternative to the particulate matter standard under 40 CFR 63.1216(e), incorporated by reference in 35 Ill. Adm. Code 720.111(b) (as subpart EEE of 40 CFR 63).

345 BOARD NOTE: Sections 9.1 and 39.5 of the Environmental Protection Act [415
 346 ILCS 5/9.1 and 39.5] make the federal MACT standards directly applicable to
 347 entities in Illinois and authorize the Agency to issue permits based on the federal
 348 standards. In adopting this subsection (b), USEPA stated as follows (at 64 Fed
 349 Reg. 52828, 52975 (September 30, 1999)):

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 351 Under [the approach adopted by USEPA as a] final rule, MACT air
 352 emissions and related operating requirements are to be included in title V
 353 permits; RCRA permits will continue to be required for all other aspects of
 354 the combustion unit and the facility that are governed by RCRA (e.g.,
 355 corrective action, general facility standards, other combustor-specific
 356 concerns such as materials handling, risk-based emissions limits and
 357 operating requirements, as appropriate, and other hazardous waste
 358 management units).

- 359
- 360 c) The following hazardous wastes and facilities are not subject to regulation
 361 pursuant to this Subpart H:
 362
- 363 1) Used oil burned for energy recovery that is also a hazardous waste solely
 364 because it exhibits a characteristic of hazardous waste identified in
 365 Subpart C of 35 Ill. Adm. Code 721. Such used oil is subject to regulation
 366 pursuant to 35 Ill. Adm. Code 739, rather than this Subpart H;
 367
 - 368 2) Gas recovered from hazardous or solid waste landfills, when such gas is
 369 burned for energy recovery;
 370
 - 371 3) Hazardous wastes that are exempt from regulation pursuant to 35 Ill. Adm.
 372 Code 721.104 and 721.106(a)(3)(C) and (a)(3)(D) and hazardous wastes
 373 that are subject to the special requirements for conditionally exempt small
 374 quantity generators pursuant to 35 Ill. Adm. Code 721.105; and
 375
 - 376 4) Coke ovens, if the only hazardous waste burned is USEPA hazardous
 377 waste no. K087 decanter tank tar sludge from coking operations.
 378
- 379 d) Owners and operators of smelting, melting, and refining furnaces (including
 380 pyrometallurgical devices, such as cupolas, sintering machines, roasters, and
 381 foundry furnaces, but not including cement kilns, aggregate kilns, or halogen acid
 382 furnaces burning hazardous waste) that process hazardous waste solely for metal
 383 recovery are conditionally exempt from regulation pursuant to this Subpart H,
 384 except for Sections 726.201 and 726.212.
 385
- 386 1) To be exempt from Sections 726.202 through 726.211, an owner or
 387 operator of a metal recovery furnace or mercury recovery furnace must

388 comply with the following requirements, except that an owner or operator
389 of a lead or a nickel-chromium recovery furnace or a metal recovery
390 furnace that burns baghouse bags used to capture metallic dust emitted by
391 steel manufacturing must comply with the requirements of subsection
392 (d)(3) of this Section, and an owner or operator of a lead recovery furnace
393 that is subject to regulation under the Secondary Lead Smelting NESHAP
394 of federal subpart X of 40 CFR 63 (National Emission Standards for
395 Hazardous Air Pollutants from Secondary Lead Smelting) must comply
396 with the requirements of subsection (h) of this Section:
397

- 398 A) Provide a one-time written notice to the Agency indicating the
399 following:
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401 i) The owner or operator claims exemption pursuant to this
402 subsection (d);
403
404 ii) The hazardous waste is burned solely for metal recovery
405 consistent with the provisions of subsection (d)(2) of this
406 Section;
407
408 iii) The hazardous waste contains recoverable levels of metals;
409 and
410
411 iv) The owner or operator will comply with the sampling and
412 analysis and recordkeeping requirements of this subsection
413 (d);
414
415 B) Sample and analyze the hazardous waste and other feedstocks as
416 necessary to comply with the requirements of this subsection (d)
417 by using appropriate methods; and
418
419 C) Maintain at the facility for at least three years records to document
420 compliance with the provisions of this subsection (d), including
421 limits on levels of toxic organic constituents and Btu value of the
422 waste and levels of recoverable metals in the hazardous waste
423 compared to normal non-hazardous waste feedstocks.
424

425 2) A hazardous waste meeting either of the following criteria is not processed
426 solely for metal recovery:

- 427
428 A) The hazardous waste has a total concentration of organic
429 compounds listed in Appendix H to 35 Ill. Adm. Code 721
430 exceeding 500 ppm by weight, as fired, and so is considered to be

431 burned for destruction. The concentration of organic compounds
 432 in a waste as-generated may be reduced to the 500 ppm limit by
 433 bona fide treatment that removes or destroys organic constituents.
 434 Blending for dilution to meet the 500 ppm limit is prohibited, and
 435 documentation that the waste has not been impermissibly diluted
 436 must be retained in the records required by subsection (d)(1)(C) of
 437 this Section; or

438
 439 B) The hazardous waste has a heating value of 5,000 Btu/lb or more,
 440 as-fired, and is so considered to be burned as fuel. The heating
 441 value of a waste as-generated may be reduced to below the 5,000
 442 Btu/lb limit by bona fide treatment that removes or destroys
 443 organic constituents. Blending for dilution to meet the 5,000
 444 Btu/lb limit is prohibited and documentation that the waste has not
 445 been impermissibly diluted must be retained in the records
 446 required by subsection (d)(1)(C) of this Section.

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 448 3) To be exempt from Sections 726.202 through 726.211, an owner or
 449 operator of a lead, nickel-chromium, or mercury recovery furnace, except
 450 for an owner or operator of a lead recovery furnace that is subject to
 451 regulation pursuant to the Secondary Lead Smelting NESHAP of subpart
 452 X of 40 CFR 63, or a metal recovery furnace that burns baghouse bags
 453 used to capture metallic dusts emitted by steel manufacturing must provide
 454 a one-time written notice to the Agency identifying each hazardous waste
 455 burned and specifying whether the owner or operator claims an exemption
 456 for each waste pursuant to this subsection (d)(3) or subsection (d)(1) of
 457 this Section. The owner or operator must comply with the requirements of
 458 subsection (d)(1) of this Section for those wastes claimed to be exempt
 459 pursuant to that subsection and must comply with the following
 460 requirements for those wastes claimed to be exempt pursuant to this
 461 subsection (d)(3):

462
 463 A) The hazardous wastes listed in Appendices K, L, and M of this Part
 464 and baghouse bags used to capture metallic dusts emitted by steel
 465 manufacturing are exempt from the requirements of subsection
 466 (d)(1) of this Section, provided the following are true:

467
 468 i) A waste listed in Appendix K of this Part must contain
 469 recoverable levels of lead, a waste listed in Appendix L of
 470 this Part must contain recoverable levels of nickel or
 471 chromium, a waste listed in Appendix M of this Part must
 472 contain recoverable levels of mercury and contain less than
 473 500 ppm of Appendix H to 35 Ill. Adm. Code 721 organic

- 474 constituents, and baghouse bags used to capture metallic
 475 dusts emitted by steel manufacturing must contain
 476 recoverable levels of metal;
 477
- 478 ii) The waste does not exhibit the toxicity characteristic of 35
 479 Ill. Adm. Code 721.124 for an organic constituent;
 480
 - 481 iii) The waste is not a hazardous waste listed in Subpart D of
 482 35 Ill. Adm. Code 721 because it is listed for an organic
 483 constituent, as identified in Appendix G of 35 Ill. Adm.
 484 Code 721; and
 485
 - 486 iv) The owner or operator certifies in the one-time notice that
 487 hazardous waste is burned pursuant to the provisions of
 488 subsection (d)(3) of this Section and that sampling and
 489 analysis will be conducted or other information will be
 490 obtained as necessary to ensure continued compliance with
 491 these requirements. Sampling and analysis must be
 492 conducted according to subsection (d)(1)(B) of this Section,
 493 and records to document compliance with subsection (d)(3)
 494 of this Section must be kept for at least three years.
 495
- 496 B) The Agency may decide, on a case-by-case basis, that the toxic
 497 organic constituents in a material listed in Appendix K, Appendix
 498 L, or Appendix M of this Part that contains a total concentration of
 499 more than 500 ppm toxic organic compounds listed in Appendix H
 500 to 35 Ill. Adm. Code 721 may pose a hazard to human health and
 501 the environment when burned in a metal recovery furnace exempt
 502 from the requirements of this Subpart H. Under these
 503 circumstances, after adequate notice and opportunity for comment,
 504 the metal recovery furnace will become subject to the requirements
 505 of this Subpart H when burning that material. In making the
 506 hazard determination, the Agency must consider the following
 507 factors:
 508
- 509 i) The concentration and toxicity of organic constituents in
 510 the material;
 511
 - 512 ii) The level of destruction of toxic organic constituents
 513 provided by the furnace; and
 514
 - 515 iii) Whether the acceptable ambient levels established in
 516 Appendix D or E of this Part will be exceeded for any toxic

517 organic compound that may be emitted based on dispersion
 518 modeling to predict the maximum annual average off-site
 519 ground level concentration.
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521 e) The standards for direct transfer operations pursuant to Section 726.211 apply
 522 only to facilities subject to the permit standards of Section 726.202 or the interim
 523 status standards of Section 726.203.
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525 f) The management standards for residues pursuant to Section 726.212 apply to any
 526 BIF burning hazardous waste.
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528 g) Owners and operators of smelting, melting, and refining furnaces (including
 529 pyrometallurgical devices such as cupolas, sintering machines, roasters, and
 530 foundry furnaces) that process hazardous waste for recovery of economically
 531 significant amounts of the precious metals gold, silver, platinum, palladium,
 532 iridium, osmium, rhodium, ruthenium, or any combination of these metals are
 533 conditionally exempt from regulation pursuant to this Subpart H, except for
 534 Section 726.212. To be exempt from Sections 726.202 through 726.211, an
 535 owner or operator must do the following:
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537 1) Provide a one-time written notice to the Agency indicating the following:
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539 A) The owner or operator claims exemption pursuant to this Section,
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541 B) The hazardous waste is burned for legitimate recovery of precious
 542 metal, and
 543

544 C) The owner or operator will comply with the sampling and analysis
 545 and recordkeeping requirements of this Section;
 546

547 2) Sample and analyze the hazardous waste, as necessary, to document that
 548 the waste is burned for recovery of economically significant amounts of
 549 the metals and that the treatment recovers economically significant
 550 amounts of precious metal; and
 551

552 3) Maintain, at the facility for at least three years, records to document that
 553 all hazardous wastes burned are burned for recovery of economically
 554 significant amounts of precious metal.
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556 h) An owner or operator of a lead recovery furnace that processes hazardous waste
 557 for recovery of lead and which is subject to regulation pursuant to the Secondary
 558 Lead Smelting NESHAP of subpart X of 40 CFR 63, is conditionally exempt
 559 from regulation pursuant to this Subpart H, except for Section 726.201. To

560 become exempt, an owner or operator must provide a one-time notice to the
561 Agency identifying each hazardous waste burned and specifying that the owner or
562 operator claims an exemption pursuant to this subsection (h). The notice also
563 must state that the waste burned has a total concentration of non-metal
564 compounds listed in Appendix H to 35 Ill. Adm. Code 721 of less than 500 ppm
565 by weight, as fired and as provided in subsection (d)(2)(A) of this Section, or is
566 listed in Appendix K to this Part.

- 567
568 i) Abbreviations and definitions. The following definitions and abbreviations are
569 used in this Subpart H:

570
571 "APCS" means air pollution control system.

572
573 "BIF" means boiler or industrial furnace.

574
575 "Carcinogenic metals" means arsenic, beryllium, cadmium, and
576 chromium.

577
578 "CO" means carbon monoxide.

579
580 "Continuous monitor" is a monitor that continuously samples the regulated
581 parameter without interruption, that evaluates the detector response at least
582 once each 15 seconds, and that computes and records the average value at
583 least every 60 seconds.

584 BOARD NOTE: Derived from 40 CFR 266.100(e)(6)(i)(B)(1)(i) and
585 (e)(6)(ii)(B)(1).

586
587 "DRE" means destruction or removal efficiency.

588
589 "cu m" or "m³" means cubic meters.

590
591 "E" means "ten to the power." For example, "XE-Y" means "X times ten
592 to the -Y power."

593
594 "Feed rates" are measured as specified in Section 726.202(e)(6).

595
596 "Good engineering practice stack height" is as defined by federal 40 CFR
597 51.100(ii) (Definitions), incorporated by reference in 35 Ill. Adm. Code
598 720.111(b).

599
600 "HC" means hydrocarbon.

601
602 "HCl" means hydrogen chloride gas.

603
604 "Hourly rolling average" means the arithmetic mean of the 60 most recent
605 one-minute average values recorded by the continuous monitoring system.
606 BOARD NOTE: Derived from 40 CFR 266.100(e)(6)(i)(B)(1)(ii).
607
608 "K" means Kelvin.
609
610 "kVA" means kilovolt amperes.
611
612 "MEI" means maximum exposed individual.
613
614 "MEI location" means the point with the maximum annual average off-site
615 (unless on-site is required) ground level concentration.
616
617 "Noncarcinogenic metals" means antimony, barium, lead, mercury,
618 thallium, and silver.
619
620 "One hour block average" means the arithmetic mean of the one minute
621 averages recorded during the 60-minute period beginning at one minute
622 after the beginning of the preceding clock hour.
623 BOARD NOTE: Derived from 40 CFR 266.100(e)(6)(ii)(B)(2).
624
625 "PIC" means product of incomplete combustion.
626
627 "PM" means particulate matter.
628
629 "POHC" means principal organic hazardous constituent.
630
631 "ppmv" means parts per million by volume.
632
633 "QA/QC" means quality assurance and quality control.
634
635 "Rolling average for the selected averaging period" means the arithmetic
636 mean of one hour block averages for the averaging period.
637 BOARD NOTE: Derived from 40 CFR 266.100(e)(6)(ii)(B)(2).
638
639 "RAC" means reference air concentration, the acceptable ambient level for
640 the noncarcinogenic metals for purposes of this Subpart. RACs are
641 specified in Appendix D of this Part.
642
643 "RSD" means risk-specific dose, the acceptable ambient level for the
644 carcinogenic metals for purposes of this Subpart. RSDs are specified in
645 Appendix E of this Part.

646
647 "SSU" means "Saybolt Seconds Universal," a unit of viscosity measured
648 by ASTM D 88-87 (Standard Test Method for Saybolt Viscosity) or D
649 2161-87 (Standard Practice for Conversion of Kinematic Viscosity to
650 Saybolt Universal or to Saybolt Furol Viscosity), each incorporated by
651 reference in 35 Ill. Adm. Code 720.111(a).
652
653 "TCLP test" means Method 1311 (Toxicity Characteristic Leaching
654 Procedure) in "Test Methods for Evaluating Solid Waste,
655 Physical/Chemical Methods," USEPA publication number EPA-530/SW-
656 846, incorporated by reference in 35 Ill. Adm. Code 720.111(a), as used
657 for the purposes of 35 Ill. Adm. Code 721.124.
658
659 "TESH" means terrain-adjusted effective stack height (in meters).
660
661 "Tier I." See Section 726.206(b).
662
663 "Tier II." See Section 726.206(c).
664
665 "Tier III." See Section 726.206(d).
666
667 "Toxicity equivalence" is estimated, pursuant to Section 726.204(e), using
668 section 4.0 (Procedures for Estimating the Toxicity Equivalence of
669 Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners) in appendix
670 IX to 40 CFR 266 (Methods Manual for Compliance with the BIF
671 Regulations), incorporated by reference in 35 Ill. Adm. Code 720.111(b)
672 (see Appendix I of this Part).
673
674 "mg" means microgram.

675
676 (Source: Amended at 32 Ill. Reg. _____, effective _____)
677

678 **Section 726.202 Permit Standards for Burners**

- 679
680 a) Applicability.
- 681
682 1) General. An owner or operator of a BIF that burns hazardous waste and
683 which does not operate under interim status must comply with the
684 requirements of this Section and 35 Ill. Adm. Code 703.208 and 703.232,
685 unless exempt pursuant to the small quantity burner exemption of Section
686 726.208.
 - 687
688 2) Applicability of 35 Ill. Adm. Code 724 standards. An owner or operator

689 of a BIF that burns hazardous waste is subject to the following provisions
 690 of 35 Ill. Adm. Code 724, except as provided otherwise by this Subpart H:

- 691
- 692 A) In Subpart A (General), 35 Ill. Adm. Code 724.104;
- 693
- 694 B) In Subpart B (General facility standards), 35 Ill. Adm. Code
- 695 724.111 through 724.118;
- 696
- 697 C) In Subpart C (Preparedness and prevention), 35 Ill. Adm. Code
- 698 724.131 through 724.137;
- 699
- 700 D) In Subpart D (Contingency plan and emergency procedures), 35
- 701 Ill. Adm. Code 724.151 through 724.156;
- 702
- 703 E) In Subpart E (Manifest system, recordkeeping and reporting), the
- 704 applicable provisions of 35 Ill. Adm. Code 724.171 through
- 705 724.177;
- 706
- 707 F) In Subpart F (Releases from Solid Waste Management
- 708 Units)(~~Corrective Action~~), 35 Ill. Adm. Code 724.190 and
- 709 724.201;
- 710
- 711 G) In Subpart G (Closure and post-closure), 35 Ill. Adm. Code
- 712 724.211 through 724.215;
- 713
- 714 H) In Subpart H (Financial requirements), 35 Ill. Adm. Code 724.241,
- 715 724.242, 724.243, and 724.247 through 724.251, except that the
- 716 State of Illinois and the federal government are exempt from the
- 717 requirements of Subpart H of 35 Ill. Adm. Code 724; and
- 718
- 719 I) Subpart BB (Air emission standards for equipment leaks), except
- 720 35 Ill. Adm. Code 724.950(a).
- 721

722 b) Hazardous waste analysis.

- 723
- 724 1) The owner or operator must provide an analysis of the hazardous waste
- 725 that quantifies the concentration of any constituent identified in Appendix
- 726 H of 35 Ill. Adm. Code 721 that is reasonably expected to be in the waste.
- 727 Such constituents must be identified and quantified if present, at levels
- 728 detectable by using appropriate analytical methods. The constituents
- 729 listed in Appendix H of 35 Ill. Adm. Code 721 that are excluded from this
- 730 analysis must be identified and the basis for their exclusion explained.
- 731 This analysis must provide all information required by this Subpart H and

- 732 35 Ill. Adm. Code 703.208 and 703.232 and must enable the Agency to
 733 prescribe such permit conditions as are necessary to adequately protect
 734 human health and the environment. Such analysis must be included as a
 735 portion of the Part B permit application, or, for facilities operating under
 736 the interim status standards of this Subpart H, as a portion of the trial burn
 737 plan that may be submitted before the Part B application pursuant to
 738 provisions of 35 Ill. Adm. Code 703.232(g), as well as any other analysis
 739 required by the Agency. The owner or operator of a BIF not operating
 740 under the interim status standards must provide the information required
 741 by 35 Ill. Adm. Code 703.208 and 703.232 in the Part B application to the
 742 greatest extent possible.
 743
- 744 2) Throughout normal operation, the owner or operator must conduct
 745 sampling and analysis as necessary to ensure that the hazardous waste,
 746 other fuels, and industrial furnace feedstocks fired into the BIF are within
 747 the physical and chemical composition limits specified in the permit.
 748
- 749 c) Emissions standards. An owner or operator must comply with emissions
 750 standards provided by Sections 726.204 through 726.207.
 751
- 752 d) Permits.
 753
- 754 1) The owner or operator must burn only hazardous wastes specified in the
 755 facility permit and only under the operating conditions specified pursuant
 756 to subsection (e) of this Section, except in approved trial burns under the
 757 conditions specified in 35 Ill. Adm. Code 703.232.
 758
- 759 2) Hazardous wastes not specified in the permit must not be burned until
 760 operating conditions have been specified under a new permit or permit
 761 modification, as applicable. Operating requirements for new wastes must
 762 be based on either trial burn results or alternative data included with Part
 763 B of a permit application pursuant to 35 Ill. Adm. Code 703.208.
 764
- 765 3) BIFs operating under the interim status standards of Section 726.203 are
 766 permitted pursuant to procedures provided by 35 Ill. Adm. Code
 767 703.232(g).
 768
- 769 4) A permit for a new BIF (those BIFs not operating under the interim status
 770 standards) must establish appropriate conditions for each of the applicable
 771 requirements of this Section, including but not limited to allowable
 772 hazardous waste firing rates and operating conditions necessary to meet
 773 the requirements of subsection (e) of this Section, in order to comply with
 774 the following standards:

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- A) For the period beginning with initial introduction of hazardous waste and ending with initiation of the trial burn, and only for the minimum time required to bring the device to a point of operational readiness to conduct a trial burn, not to exceed a duration of 720 hours operating time when burning hazardous waste, the operating requirements must be those most likely to ensure compliance with the emission standards of Sections 726.204 through 726.207, based on the Agency's engineering judgment. If the applicant is seeking a waiver from a trial burn to demonstrate conformance with a particular emission standard, the operating requirements during this initial period of operation must include those specified by the applicable provisions of Section 726.204, Section 726.205, Section 726.206, or Section 726.207. The Agency must extend the duration of this period for up to 720 additional hours when good cause for the extension is demonstrated by the applicant.
 - B) For the duration of the trial burn, the operating requirements must be sufficient to demonstrate compliance with the emissions standards of Sections 726.204 through 726.207 and must be in accordance with the approved trial burn plan;
 - C) For the period immediately following completion of the trial burn, and only for the minimum period sufficient to allow sample analysis, data computation, submission of the trial burn results by the applicant, review of the trial burn results, and modification of the facility permit by the Agency to reflect the trial burn results, the operating requirements must be those most likely to ensure compliance with the emission standards Sections 726.204 through 726.207 based on the Agency's engineering judgment.
 - D) For the remaining duration of the permit, the operating requirements must be those demonstrated in a trial burn or by alternative data specified in 35 Ill. Adm. Code 703.208, as sufficient to ensure compliance with the emissions standards of Sections 726.204 through 726.207.
- e) Operating requirements.
- 1) General. A BIF burning hazardous waste must be operated in accordance with the operating requirements specified in the permit at all times when there is hazardous waste in the unit.

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- 2) Requirements to ensure compliance with the organic emissions standards.
 - A) DRE (destruction or removal efficiency) standard. Operating conditions must be specified in either of the following ways: on a case-by-case basis for each hazardous waste burned, which conditions must be demonstrated (in a trial burn or by alternative data, as specified in 35 Ill. Adm. Code 703.208) to be sufficient to comply with the DRE performance standard of Section 726.204(a), or as special operating requirements provided by Section 726.204(a)(4) for the waiver of the DRE trial burn. When the DRE trial burn is not waived pursuant to Section 726.204(a)(4), each set of operating requirements must specify the composition of the hazardous waste (including acceptable variations in the physical and chemical properties of the hazardous waste that will not affect compliance with the DRE performance standard) to which the operating requirements apply. For each such hazardous waste, the permit must specify acceptable operating limits including, but not limited to, the following conditions, as appropriate:
 - i) Feed rate of hazardous waste and other fuels measured and specified as prescribed in subsection (e)(6) of this Section;
 - ii) Minimum and maximum device production rate when producing normal product expressed in appropriate units, measured and specified as prescribed in subsection (e)(6) of this Section;
 - iii) Appropriate controls of the hazardous waste firing system;
 - iv) Allowable variation in BIF system design or operating procedures;
 - v) Minimum combustion gas temperature measured at a location indicative of combustion chamber temperature, measured, and specified as prescribed in subsection (e)(6) of this Section;
 - vi) An appropriate indicator of combustion gas velocity, measured and specified as prescribed in subsection (e)(6) of this Section, unless documentation is provided pursuant to 35 Ill. Adm. Code 703.232 demonstrating adequate combustion gas residence time; and

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- vii) Such other operating requirements as are necessary to ensure that the DRE performance standard of Section 726.204(a) is met.

- B) CO and hydrocarbon (HC) standards. The permit must incorporate a CO limit and, as appropriate, a HC limit as provided by Section 726.204(b), (c), (d), (e), and (f). The permit limits must be specified as follows:
 - i) When complying with the CO standard of Section 726.204(b)(1), the permit limit is 100 ppmv;

 - ii) When complying with the alternative CO standard pursuant to Section 726.204(c), the permit limit for CO is based on the trial burn and is established as the average over all valid runs of the highest hourly rolling average CO level of each run; and, the permit limit for HC is 20 ppmv (as defined in Section 726.204(c)(1)), except as provided in Section 726.204(f); or

 - iii) When complying with the alternative HC limit for industrial furnaces pursuant to Section 726.204(f), the permit limit for HC and CO is the baseline level when hazardous waste is not burned as specified by that subsection.

- C) Start-up and shut-down. During start-up and shut-down of the BIF, hazardous waste (except waste fed solely as an ingredient under the Tier I (or adjusted Tier I) feed rate screening limits for metals and chloride/chlorine, and except low risk waste exempt from the trial burn requirements pursuant to Sections 726.204(a)(5), 726.205, 726.206, and 726.207) must not be fed into the device, unless the device is operating within the conditions of operation specified in the permit.

- 3) Requirements to ensure conformance with the particulate matter (PM) standard.
 - A) Except as provided in subsections (e)(3)(B) and (e)(3)(C) of this Section, the permit must specify the following operating requirements to ensure conformance with the PM standard specified in Section 726.205:

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- i) Total ash feed rate to the device from hazardous waste, other fuels, and industrial furnace feedstocks, measured and specified as prescribed in subsection (e)(6) of this Section;
 - ii) Maximum device production rate when producing normal product expressed in appropriate units, and measured and specified as prescribed in subsection (e)(6) of this Section;
 - iii) Appropriate controls on operation and maintenance of the hazardous waste firing system and any air pollution control system (APCS);
 - iv) Allowable variation in BIF system design including any APCS or operating procedures; and
 - v) Such other operating requirements as are necessary to ensure that the PM standard in Section 726.205(a)726.211(b) is met.
- B) Permit conditions to ensure conformance with the PM standard must not be provided for facilities exempt from the PM standard pursuant to Section 726.205(b);
- C) For cement kilns and light-weight aggregate kilns, permit conditions to ensure compliance with the PM standard must not limit the ash content of hazardous waste or other feed materials.
- 4) Requirements to ensure conformance with the metals emissions standard.
- A) For conformance with the Tier I (or adjusted Tier I) metals feed rate screening limits of Section 726.206(b) or (e), the permit must specify the following operating requirements:
 - i) Total feed rate of each metal in hazardous waste, other fuels and industrial furnace feedstocks measured and specified pursuant to provisions of subsection (e)(6) of this Section;
 - ii) Total feed rate of hazardous waste measured and specified as prescribed in subsection (e)(6) of this Section; and
 - iii) A sampling and metals analysis program for the hazardous

- 947 waste, other fuels and industrial furnace feedstocks;
 948
 949 B) For conformance with the Tier II metals emission rate screening
 950 limits pursuant to Section 726.206(c) and the Tier III metals
 951 controls pursuant to Section 726.206(d), the permit must specify
 952 the following operating requirements:
 953
 954 i) Maximum emission rate for each metal specified as the
 955 average emission rate during the trial burn;
 956
 957 ii) Feed rate of total hazardous waste and pumpable hazardous
 958 waste, each measured and specified as prescribed in
 959 subsection (e)(6)(A) of this Section;
 960
 961 iii) Feed rate of each metal in the following feedstreams,
 962 measured and specified as prescribed in subsections (e)(6)
 963 of this Section: total feed streams; total hazardous waste
 964 feed; and total pumpable hazardous waste feed;
 965
 966 iv) Total feed rate of chlorine and chloride in total feed streams
 967 measured and specified as prescribed in subsection (e)(6) of
 968 this Section;
 969
 970 v) Maximum combustion gas temperature measured at a
 971 location indicative of combustion chamber temperature,
 972 and measured and specified as prescribed in subsection
 973 (e)(6) of this Section;
 974
 975 vi) Maximum flue gas temperature at the inlet to the PM APCS
 976 measured and specified as prescribed in subsection (e)(6) of
 977 this Section;
 978
 979 vii) Maximum device production rate when producing normal
 980 product expressed in appropriate units and measured and
 981 specified as prescribed in subsection (e)(6) of this Section;
 982
 983 viii) Appropriate controls on operation and maintenance of the
 984 hazardous waste firing system and any APCS;
 985
 986 ix) Allowable variation in BIF system design including any
 987 APCS or operating procedures; and
 988
 989 x) Such other operating requirements as are necessary to

- 990 ensure that the metals standards pursuant to Section
 991 726.206(c) or (d) are met.
 992
- 993 C) For conformance with an alternative implementation approach
 994 approved by the Agency pursuant to Section 726.206(f), the permit
 995 must specify the following operating requirements:
 996
- 997 i) Maximum emission rate for each metal specified as the
 998 average emission rate during the trial burn;
 999
 - 1000 ii) Feed rate of total hazardous waste and pumpable hazardous
 1001 waste, each measured and specified as prescribed in
 1002 subsection (e)(6)(A) of this Section;
 1003
 - 1004 iii) Feed rate of each metal in the following feedstreams,
 1005 measured and specified as prescribed in subsection (e)(6) of
 1006 this Section: total hazardous waste feed; and total
 1007 pumpable hazardous waste feed;
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 - 1009 iv) Total feed rate of chlorine and chloride in total feed streams
 1010 measured and specified prescribed in subsection (e)(6) of
 1011 this Section;
 1012
 - 1013 v) Maximum combustion gas temperature measured at a
 1014 location indicative of combustion chamber temperature,
 1015 and measured and specified as prescribed in subsection
 1016 (e)(6) of this Section;
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 - 1018 vi) Maximum flue gas temperature at the inlet to the PM APCS
 1019 measured and specified as prescribed in subsection (e)(6) of
 1020 this Section;
 1021
 - 1022 vii) Maximum device production rate when producing normal
 1023 product expressed in appropriate units and measured and
 1024 specified as prescribed in subsection (e)(6) of this Section;
 1025
 - 1026 viii) Appropriate controls on operation and maintenance of the
 1027 hazardous waste firing system and any APCS;
 1028
 - 1029 ix) Allowable variation in BIF system design including any
 1030 APCS or operating procedures; and
 1031
 - 1032 x) Such other operating requirements as are necessary to

ensure that the metals standards pursuant to Section 726.206(c) or (d) are met.

5) Requirements to ensure conformance with the HCl and chlorine gas standards.

A) For conformance with the Tier I total chlorine and chloride feed rate screening limits of Section 726.207(b)(1), the permit must specify the following operating requirements:

- i) Feed rate of total chlorine and chloride in hazardous waste, other fuels and industrial furnace feedstocks measured and specified as prescribed in subsection (e)(6) of this Section;
- ii) Feed rate of total hazardous waste measured and specified as prescribed in subsection (e)(6) of this Section; and
- iii) A sampling and analysis program for total chlorine and chloride for the hazardous waste, other fuels and industrial furnace feedstocks;

B) For conformance with the Tier II HCl and chlorine gas emission rate screening limits pursuant to Section 726.207(b)(2) and the Tier III HCl and chlorine gas controls pursuant to Section 726.207(c), the permit must specify the following operating requirements:

- i) Maximum emission rate for HCl and for chlorine gas specified as the average emission rate during the trial burn;
- ii) Feed rate of total hazardous waste measured and specified as prescribed in subsection (e)(6) of this Section;
- iii) Total feed rate of chlorine and chloride in total feed streams, measured and specified as prescribed in subsection (e)(6) of this Section;
- iv) Maximum device production rate when producing normal product expressed in appropriate units, measured and specified as prescribed in subsection (e)(6) of this Section;
- v) Appropriate controls on operation and maintenance of the hazardous waste firing system and any APCS;

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- vi) Allowable variation in BIF system design including any APCS or operating procedures; and
 - vii) Such other operating requirements as are necessary to ensure that the HCl and chlorine gas standards pursuant to Section 726.207(b)(2) or (c) are met.
- 6) Measuring parameters and establishing limits based on trial burn data.
- A) General requirements. As specified in subsections (e)(2) through (e)(5) of this Section, each operating parameter must be measured, and permit limits on the parameter must be established, according to either of the following procedures:
 - i) Instantaneous limits. A parameter is measured and recorded on an instantaneous basis (i.e., the value that occurs at any time) and the permit limit specified as the time-weighted average during all valid runs of the trial burn; or
 - ii) Hourly rolling average. The limit for a parameter must be established and continuously monitored on an hourly rolling average basis, as defined in Section 726.200(i). The permit limit for the parameter must be established based on trial burn data as the average over all valid test runs of the highest hourly rolling average value for each run.
- BOARD NOTE: The Board has combined the text of 40 CFR 266.100(e)(6)(i)(B)(1) and (e)(6)(i)(B)(2) into this subsection (e)(6)(A)(ii) and moved the text of 40 CFR 266.100(e)(6)(i)(B)(1)(i) and (e)(6)(i)(B)(1)(ii) to appear as definitions of "continuous monitor" and "hourly rolling average," respectively, in Section 726.200(i) to comport with Illinois Administrative Code codification requirements.
- B) Rolling average limits for carcinogenic metals and lead. Feed rate limits for the carcinogenic metals (as defined in Section 726.200(i)) and lead must be established either on an hourly rolling average basis, as prescribed by subsection (e)(6)(A) of this Section, or on (up to) a 24 hour rolling average basis. If the owner or operator elects to use an average period from 2 to 24 hours, the following requirements apply:

- i) The feed rate of each metal must be limited at any time to ten times the feed rate that would be allowed on an hourly rolling average basis;
- ii) The continuous monitor must meet the specifications of "continuous monitor," "rolling average for the selected averaging period," and "one hour block average" Terms are as defined in Section 726.200(i); and

BOARD NOTE: The Board has moved the text of 40 CFR 266.100(e)(6)(ii)(B)(1) and (e)(6)(ii)(B)(2) to appear as definitions in Section 726.200(i) to comport with Illinois Administrative Code codification requirements.

- iii) The permit limit for the feed rate of each metal must be established based on trial burn data as the average over all valid test runs of the highest hourly rolling average feed rate for each run.

C) Feed rate limits for metals, total chlorine and chloride, and ash. Feed rate limits for metals, total chlorine and chloride, and ash are established and monitored by knowing the concentration of the substance (i.e., metals, chloride/chlorine and ash) in each feedstream and the flow rate of the feedstream. To monitor the feed rate of these substances, the flow rate of each feedstream must be monitored pursuant to the continuous monitoring requirements of subsections (e)(6)(A) and (e)(6)(B) of this Section.

D) Conduct of trial burn testing.

- i) If compliance with all applicable emissions standards of Sections 726.204 through 726.207 is not demonstrated simultaneously during a set of test runs, the operating conditions of additional test runs required to demonstrate compliance with remaining emissions standards must be as close as possible to the original operating conditions.
- ii) Prior to obtaining test data for purposes of demonstrating compliance with the emissions standards of Sections 726.204 through 726.207 or establishing limits on operating parameters pursuant to this Section, the unit must operate under trial burn conditions for a sufficient period to

1162 reach steady-state operations. However, industrial furnaces
1163 that recycle collected PM back into the furnace and that
1164 comply with an alternative implementation approach for
1165 metals pursuant to Section 726.206(f) need not reach steady
1166 state conditions with respect to the flow of metals in the
1167 system prior to beginning compliance testing for metals
1168 emissions.
1169

- 1170 iii) Trial burn data on the level of an operating parameter for
1171 which a limit must be established in the permit must be
1172 obtained during emissions sampling for the pollutants (i.e.,
1173 metals, PM, HCl/chlorine gas, organic compounds) for
1174 which the parameter must be established as specified by
1175 this subsection (e).
1176

1177 7) General requirements.
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1179 A) Fugitive emissions. Fugitive emissions must be controlled in one
1180 of the following ways:
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- 1182 i) By keeping the combustion zone totally sealed against
1183 fugitive emissions;
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- 1185 ii) By maintaining the combustion zone pressure lower than
1186 atmospheric pressure; or
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- 1188 iii) By an alternative means of control demonstrated (with Part
1189 B of the permit application) to provide fugitive emissions
1190 control equivalent to maintenance of combustion zone
1191 pressure lower than atmospheric pressure.
1192

1193 B) Automatic waste feed cutoff. A BIF must be operated with a
1194 functioning system that automatically cuts off the hazardous waste
1195 feed when operating conditions deviate from those established
1196 pursuant to this Section. In addition, the following requirements
1197 apply:
1198

- 1199 i) The permit limit for (the indicator of) minimum
1200 combustion chamber temperature must be maintained while
1201 hazardous waste or hazardous waste residues remain in the
1202 combustion chamber;
1203
- 1204 ii) Exhaust gases must be ducted to the APCS operated in

- 1205 accordance with the permit requirements while hazardous
1206 waste or hazardous waste residues remain in the
1207 combustion chamber; and
1208
- 1209 iii) Operating parameters for which permit limits are
1210 established must continue to be monitored during the
1211 cutoff, and the hazardous waste feed must not be restarted
1212 until the levels of those parameters comply with the permit
1213 limits. For parameters that are monitored on an
1214 instantaneous basis, the Agency must establish a minimum
1215 period of time after a waste feed cutoff during which the
1216 parameter must not exceed the permit limit before the
1217 hazardous waste feed is restarted.
1218
- 1219 C) Changes. A BIF must cease burning hazardous waste when
1220 combustion properties or feed rates of the hazardous waste, other
1221 fuels or industrial furnace feedstocks, or the BIF design or
1222 operating conditions deviate from the limits as specified in the
1223 permit.
1224
- 1225 8) Monitoring and Inspections.
1226
- 1227 A) The owner or operator must monitor and record the following, at a
1228 minimum, while burning hazardous waste:
1229
- 1230 i) If specified by the permit, feed rates and composition of
1231 hazardous waste, other fuels, and industrial furnace
1232 feedstocks and feed rates of ash, metals, and total chlorine
1233 and chloride;
1234
- 1235 ii) If specified by the permit, CO, HCs, and oxygen on a
1236 continuous basis at a common point in the BIF downstream
1237 of the combustion zone and prior to release of stack gases
1238 to the atmosphere in accordance with operating
1239 requirements specified in subsection (e)(2)(B) of this
1240 Section. CO, HC, and oxygen monitors must be installed,
1241 operated, and maintained in accordance with methods
1242 specified in Appendix I of this Part; and
1243
- 1244 iii) Upon the request of the Agency, sampling and analysis of
1245 the hazardous waste (and other fuels and industrial furnace
1246 feedstocks as appropriate), residues, and exhaust emissions
1247 must be conducted to verify that the operating requirements

established in the permit achieve the applicable standards of Sections 726.204, 726.205, 726.206, and 726.207.

- B) All monitors must record data in units corresponding to the permit limit unless otherwise specified in the permit.
- C) The BIF and associated equipment (pumps, valves, pipes, fuel storage tanks, etc.) must be subjected to thorough visual inspection when it contains hazardous waste, at least daily for leaks, spills, fugitive emissions, and signs of tampering.
- D) The automatic hazardous waste feed cutoff system and associated alarms must be tested at least once every seven days when hazardous waste is burned to verify operability, unless the applicant demonstrates to the Agency that weekly inspections will unduly restrict or upset operations and that less frequent inspections will be adequate. At a minimum, operational testing must be conducted at least once every 30 days.
- E) These monitoring and inspection data must be recorded and the records must be placed in the operating record required by 35 Ill. Adm. Code 724.173.

- 9) Direct transfer to the burner. If hazardous waste is directly transferred from a transport vehicle to a BIF without the use of a storage unit, the owner and operator must comply with Section 726.211.
- 10) Recordkeeping. The owner or operator must ~~maintain~~keep in the operating record of the facility all information and data required by this Section ~~for five years until closure of the facility.~~
- 11) Closure. At closure, the owner or operator must remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters, and scrubber sludges) from the BIF.

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

Section 726.203 Interim Status Standards for Burners

- a) Purpose, scope, and applicability.
 - 1) General.

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- A) The purpose of this Section is to establish minimum national standards for owners and operators of "existing" BIFs that burn hazardous waste where such standards define the acceptable management of hazardous waste during the period of interim status. The standards of this Section apply to owners and operators of existing facilities until either a permit is issued under Section 726.202(d) or until closure responsibilities identified in this Section are fulfilled.
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- B) "Existing" or "in existence" means a BIF for which the owner or operator filed a certification of precompliance with USEPA pursuant to federal 40 CFR 266.103(b); provided, however, that USEPA has not determined that the certification is invalid.
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- C) If a BIF is located at a facility that already has a RCRA permit or interim status, then the owner or operator must comply with the applicable regulations dealing with permit modifications in 35 Ill. Adm. Code 703.280 or changes in interim status in 35 Ill. Adm. Code 703.155.
- 1311 2) Exemptions. The requirements of this Section do not apply to hazardous waste and facilities exempt under Section 726.200(b) or 726.208.
- 1312
1313
- 1314 3) Prohibition on burning dioxin-listed wastes. The following hazardous waste listed for dioxin and hazardous waste derived from any of these wastes must not be burned in a BIF operating under interim status:
- 1315 USEPA hazardous waste numbers F020, F021, F022, F023, F026, and
- 1316 F027.
- 1317
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1319
- 1320 4) Applicability of 35 Ill. Adm. Code 725 standards. An owner or operator of a BIF that burns hazardous waste and which is operating under interim status is subject to the following provisions of 35 Ill. Adm. Code 725, except as provided otherwise by this Section:
- 1321
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- 1324 A) In Subpart A of 35 Ill. Adm. Code 725 (General), 35 Ill. Adm. Code 725.104;
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- 1328 B) In Subpart B of 35 Ill. Adm. Code 725 (General facility standards), 35 Ill. Adm. Code 725.111 through 725.117;
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- 1331 C) In Subpart C of 35 Ill. Adm. Code 725 (Preparedness and prevention), 35 Ill. Adm. Code 725.131 through 725.137;
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- D) In Subpart D of 35 Ill. Adm. Code 725 (Contingency plan and emergency procedures), 35 Ill. Adm. Code 725.151 through 725.156;
 - E) In Subpart E of 35 Ill. Adm. Code 725 (Manifest system, recordkeeping and reporting), 35 Ill. Adm. Code 725.171 through 725.177, except that 35 Ill. Adm. Code 725.171, 725.172 and 725.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources;
 - F) In Subpart G of 35 Ill. Adm. Code 725 (Closure and post-closure), 35 Ill. Adm. Code 725.211 through 725.215;
 - G) In Subpart H of 35 Ill. Adm. Code 725 (Financial requirements), 35 Ill. Adm. Code 725.241, 725.242, 725.243, and 725.247 through ~~725.250~~725.254, except that the State of Illinois and the federal government are exempt from the requirements of Subpart H of 35 Ill. Adm. Code 725; and
 - H) In Subpart BB of 35 Ill. Adm. Code 725 (Air emission standards for equipment leaks), except 35 Ill. Adm. Code 725.950(a).
- 5) Special requirements for furnaces. The following controls apply during interim status to industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see subsection (a)(5)(B) of this Section) at any location other than the hot end where products are normally discharged or where fuels are normally fired:
- A) Controls.
 - i) The hazardous waste must be fed at a location where combustion gas temperature is at least 1800°F;
 - ii) The owner or operator must determine that adequate oxygen is present in combustion gases to combust organic constituents in the waste and retain documentation of such determination in the facility record;
 - iii) For cement kiln systems, the hazardous waste must be fed into the kiln; and
 - iv) The HC controls of Section 726.204(f) or subsection (c)(5) of this Section apply upon certification of compliance

1377 under subsection (c) of this Section, irrespective of the CO
1378 level achieved during the compliance test.
1379

1380 B) Burning hazardous waste solely as an ingredient. A hazardous
1381 waste is burned for a purpose other than "solely as an ingredient" if
1382 it meets either of the following criteria:
1383

1384 i) The hazardous waste has a total concentration of nonmetal
1385 compounds listed in Appendix H of 35 Ill. Adm. Code 721,
1386 exceeding 500 ppm by weight, as fired and so is considered
1387 to be burned for destruction. The concentration of
1388 nonmetal compounds in a waste as-generated may be
1389 reduced to the 500 ppm limit by bona fide treatment that
1390 removes or destroys nonmetal constituents. Blending for
1391 dilution to meet the 500 ppm limit is prohibited and
1392 documentation that the waste has not been impermissibly
1393 diluted must be retained in the facility record; or
1394

1395 ii) The hazardous waste has a heating value of 5,000 Btu/lb or
1396 more, as fired, and so is considered to be burned as fuel.
1397 The heating value of a waste as-generated may be reduced
1398 to below the 5,000 Btu/lb limit by bona fide treatment that
1399 removes or destroys organic constituents. The heating
1400 value of a waste as-generated may be reduced to below the
1401 5,000 Btu/lb limit by bona fide treatment that removes or
1402 destroys organic constituents. Blending to augment the
1403 heating value to meet the 5,000 Btu/lb limit is prohibited
1404 and documentation that the waste has not been
1405 impermissibly blended must be retained in the facility
1406 record.
1407

1408 6) Restrictions on burning hazardous waste that is not a fuel. Prior to
1409 certification of compliance under subsection (c) of this Section, an owner
1410 or operator must not feed hazardous waste that has a heating value less
1411 than 5000 Btu/lb, as generated, (except that the heating value of a waste
1412 as-generated may be increased to above the 5,000 Btu/lb limit by bona
1413 fide treatment; however blending to augment the heating value to meet the
1414 5,000 Btu/lb limit is prohibited and records must be kept to document that
1415 impermissible blending has not occurred) in a BIF, except that the
1416 following may occur:
1417

1418 A) Hazardous waste may be burned solely as an ingredient;
1419

- 1420 B) Hazardous waste may be burned for purposes of compliance
1421 testing (or testing prior to compliance testing) for a total period of
1422 time not to exceed 720 hours;
1423
- 1424 C) Such waste may be burned if the Agency has documentation to
1425 show that the following was true prior to August 21, 1991:
1426
- 1427 i) The BIF was operating under the interim status standards
1428 for incinerators or thermal treatment units, Subparts O or P
1429 of 35 Ill. Adm. Code 725;
1430
- 1431 ii) The BIF met the interim status eligibility requirements
1432 under 35 Ill. Adm. Code 703.153 for Subparts O or P of 35
1433 Ill. Adm. Code 725; and
1434
- 1435 iii) Hazardous waste with a heating value less than 5,000
1436 Btu/lb was burned prior to that date; or
1437
- 1438 D) Such waste may be burned in a halogen acid furnace if the waste
1439 was burned as an excluded ingredient under 35 Ill. Adm. Code
1440 721.102(e) prior to February 21, 1991, and documentation is kept
1441 on file supporting this claim.
1442
- 1443 7) Direct transfer to the burner. If hazardous waste is directly transferred
1444 from a transport vehicle to a BIF without the use of a storage unit, the
1445 owner or operator must comply with Section 726.211.
1446
- 1447 b) Certification of precompliance. This subsection corresponds with 40 CFR
1448 266.103(b), under which USEPA required certain owners and operators to file a
1449 certification of precompliance by August 21, 1991. No similar filing with the
1450 Agency was required, so the Board did not incorporate the federal filing
1451 requirement into the Illinois regulations. This statement maintains structural
1452 parity with the federal regulations.
1453
- 1454 c) Certification of compliance. The owner or operator must conduct emissions
1455 testing to document compliance with the emissions standards of Sections
1456 726.204(b) through (e), 726.205, 726.206, and 726.207 and subsection
1457 (a)(5)(A)(iv) of this Section under the procedures prescribed by this subsection
1458 (c), except under extensions of time provided by subsection (c)(7) of this Section.
1459 Based on the compliance test, the owner or operator must submit to the Agency,
1460 on or before August 21, 1992, a complete and accurate "certification of
1461 compliance" (under subsection (c)(4) of this Section) with those emission
1462 standards establishing limits on the operating parameters specified in subsection

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(c)(1) of this Section.

1) Limits on operating conditions. The owner or operator must establish limits on the following parameters based on operations during the compliance test (under procedures prescribed in subsection (c)(4)(D) of this Section) or as otherwise specified and include these limits with the certification of compliance. The BIF must be operated in accordance with these operating limits and the applicable emissions standards of Sections 726.204(b) through (e), 726.205, 726.206, and 726.207 and subsection (a)(5)(A)(iv) of this Section at all times when there is hazardous waste in the unit.

A) Feed rate of total hazardous waste and (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)), pumpable hazardous waste;

B) Feed rate of each metal in the following feedstreams:

i) Total feedstreams, except that industrial furnaces which must comply with the alternative metals implementation approach under subsection (c)(3)(B) of this Section must specify limits on the concentration of each metal in collected PM in lieu of feed rate limits for total feedstreams; and facilities that comply with Tier I or Adjusted Tier I metals feed rate screening limits may set their operating limits at the metal feed rate screening limits determined under subsection 726.206(b) or (e) of this Section;

BOARD NOTE: Federal subsections 266.103(c)(1)(ii)(A)(1) and (c)(1)(ii)(A)(2) are condensed into subsection (c)(1)(B)(i).

ii) Total hazardous waste feed (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)); and

iii) Total pumpable hazardous waste feed (unless complying with Tier I or Adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));

C) Total feed rate of total chlorine and chloride in total feed streams, except that facilities that comply with Tier I or Adjusted Tier I feed

- 1506 rate screening limits may set their operating limits at the total
 1507 chlorine and chloride feed rate screening limits determined under
 1508 Section 726.207(b)(1) or (e);
 1509
- 1510 D) Total feed rate of ash in total feed streams, except that the ash feed
 1511 rate for cement kilns and light-weight aggregate kilns is not
 1512 limited;
 1513
- 1514 E) CO concentration, and where required, HC concentration in stack
 1515 gas. When complying with the CO controls of Section 726.204(b),
 1516 the CO limit is 100 ppmv, and when complying with the HC
 1517 controls of Section 726.204(c), the HC limit is 20 ppmv. When
 1518 complying with the CO controls of Section 726.204(c), the CO
 1519 limit is established based on the compliance test;
 1520
- 1521 F) Maximum production rate of the device in appropriate units when
 1522 producing normal product unless complying with Tier I or
 1523 Adjusted Tier I feed rate screening limits for chlorine under
 1524 Section 726.207(b)(1) or (e) and for all metals under Section
 1525 726.207(b) or (e), and the uncontrolled particulate emissions do
 1526 not exceed the standard under Section 726.205;
 1527
- 1528 G) Maximum combustion chamber temperature where the temperature
 1529 measurement is as close to the combustion zone as possible and is
 1530 upstream of any quench water injection, (unless complying with
 1531 the Tier I adjusted Tier I metals feed rate screening limits under
 1532 Section 726.206(b) or (e));
 1533
- 1534 H) Maximum flue gas temperature entering a PM control device
 1535 (unless complying with Tier I or adjusted Tier I metals feed rate
 1536 screening limits under Section 726.206(b) or (e));
 1537
- 1538 I) For systems using wet scrubbers, including wet ionizing scrubbers
 1539 (unless complying with the Tier I or adjusted Tier I metals feed
 1540 rate screening limits under Section 726.206(b) or (e) and the total
 1541 chlorine and chloride feed rate screening limits under Section
 1542 726.207(b)(1) or (e)):
- 1543
- 1544 i) Minimum liquid to flue gas ratio;
 1545
- 1546 ii) Minimum scrubber blowdown from the system or
 1547 maximum suspended solids content of scrubber water; and
 1548

- 1549 iii) Minimum pH level of the scrubber water;
 1550
 1551 J) For systems using venturi scrubbers, the minimum differential gas
 1552 pressure across the venturi (unless complying the Tier I or adjusted
 1553 Tier I metals feed rate screening limits under Section 726.206(b) or
 1554 (e) and the total chlorine and chloride feed rate screening limits
 1555 under Section 726.207(b)(1) or (e));
 1556
 1557 K) For systems using dry scrubbers (unless complying with the Tier I
 1558 or adjusted Tier I metals feed rate screening limits under Section
 1559 726.206(b) or (e) and the total chlorine and chloride feed rate
 1560 screening limits under Section 726.207(b)(1) or (e));
 1561
 1562 i) Minimum caustic feed rate; and
 1563
 1564 ii) Maximum flue gas flow rate;
 1565
 1566 L) For systems using wet ionizing scrubbers or electrostatic
 1567 precipitators (unless complying with the Tier I or adjusted Tier I
 1568 metals feed rate screening limits under Section 726.206(b) or (e)
 1569 and the total chlorine and chloride feed rate screening limits under
 1570 Section 726.207(b)(1) or (e));
 1571
 1572 i) Minimum electrical power in kVA to the precipitator
 1573 plates; and
 1574
 1575 ii) Maximum flue gas flow rate;
 1576
 1577 M) For systems using fabric filters (baghouses), the minimum pressure
 1578 drop (unless complying with the Tier I or adjusted Tier I metals
 1579 feed rate screening limits under Section 726.206(b) or (e) and the
 1580 total chlorine and chloride feed rate screening limits under Section
 1581 726.207(b)(1) or (e)).
 1582
 1583 2) Prior notice of compliance testing. At least 30 days prior to the
 1584 compliance testing required by subsection (c)(3) of this Section, the owner
 1585 or operator must notify the Agency and submit the following information:
 1586
 1587 A) General facility information including:
 1588
 1589 i) USEPA facility ID number;
 1590
 1591 ii) Facility name, contact person, telephone number, and

- 1592 address;
- 1593
- 1594 iii) Person responsible for conducting compliance test,
- 1595 including company name, address, and telephone number,
- 1596 and a statement of qualifications;
- 1597
- 1598 iv) Planned date of the compliance test;
- 1599
- 1600 B) Specific information on each device to be tested, including the
- 1601 following:
- 1602
- 1603 i) A Description of BIF;
- 1604
- 1605 ii) A scaled plot plan showing the entire facility and location
- 1606 of the BIF;
- 1607
- 1608 iii) A description of the APCS;
- 1609
- 1610 iv) Identification of the continuous emission monitors that are
- 1611 installed, including the following: CO monitor; Oxygen
- 1612 monitor; HC monitor, specifying the minimum temperature
- 1613 of the system, and, if the temperature is less than 150° C, an
- 1614 explanation of why a heated system is not used (see
- 1615 subsection (c)(5) of this Section) and a brief description of
- 1616 the sample gas conditioning system;
- 1617
- 1618 v) Indication of whether the stack is shared with another
- 1619 device that will be in operation during the compliance test;
- 1620 and
- 1621
- 1622 vi) Other information useful to an understanding of the system
- 1623 design or operation; and
- 1624
- 1625 C) Information on the testing planned, including a complete copy of
- 1626 the test protocol and QA/QC plan, and a summary description for
- 1627 each test providing the following information at a minimum:
- 1628
- 1629 i) Purpose of the test (e.g., demonstrate compliance with
- 1630 emissions of PM); and
- 1631
- 1632 ii) Planned operating conditions, including levels for each
- 1633 pertinent parameter specified in subsection (c)(1) of this
- 1634 Section.

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- 3) Compliance testing.
 - A) General. Compliance testing must be conducted under conditions for which the owner or operator has submitted a certification of precompliance under subsection (b) of this Section and under conditions established in the notification of compliance testing required by subsection (c)(2) of this Section. The owner or operator may seek approval on a case-by-case basis to use compliance test data from one unit in lieu of testing a similar on-site unit. To support the request, the owner or operator must provide a comparison of the hazardous waste burned and other feedstreams, and the design, operation, and maintenance of both the tested unit and the similar unit. The Agency must provide a written approval to use compliance test data in lieu of testing a similar unit if the Agency finds that the hazardous wastes, devices and the operating conditions are sufficiently similar, and the data from the other compliance test is adequate to meet the requirements of this subsection (c).
 - B) Special requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCS must comply with one of the following procedures for testing to determine compliance with the metals standards of Section 726.206(c) or (d):
 - i) The special testing requirements prescribed in "Alternative Method for Implementing Metals Controls" in Appendix I to this Part;
 - ii) Stack emissions testing for a minimum of six hours each day while hazardous waste is burned during interim status. The testing must be conducted when burning normal hazardous waste for that day at normal feed rates for that day and when the APCS is operated under normal conditions. During interim status, hazardous waste analysis for metals content must be sufficient for the owner or operator to determine if changes in metals content affect the ability of the unit to meet the metals emissions standards established under Section 726.206(c) or (d). Under this option, operating limits (under subsection (c)(1) of this Section) must be established during compliance testing under this subsection (c)(3) only on the

1678 following parameters: feed rate of total hazardous waste;
 1679 total feed rate of total chlorine and chloride in total feed
 1680 streams; total feed rate of ash in total feed streams, except
 1681 that the ash feed rate for cement kilns and light-weight
 1682 aggregate kilns is not limited; CO concentration, and where
 1683 required, HC concentration in stack gas; and maximum
 1684 production rate of the device in appropriate units when
 1685 producing normal product; or
 1686

1687 iii) Conduct compliance testing to determine compliance with
 1688 the metals standards to establish limits on the operating
 1689 parameters of subsection (c)(1) of this Section only after
 1690 the kiln system has been conditioned to enable it to reach
 1691 equilibrium with respect to metals fed into the system and
 1692 metals emissions. During conditioning, hazardous waste
 1693 and raw materials having the same metals content as will be
 1694 fed during the compliance test must be fed at the feed rates
 1695 that will be fed during the compliance test.
 1696

1697 C) Conduct of compliance testing.

1698
 1699 i) If compliance with all applicable emissions standards of
 1700 Sections 726.204 through 726.207 is not demonstrated
 1701 simultaneously during a set of test runs, the operating
 1702 conditions of additional test runs required to demonstrate
 1703 compliance with remaining emissions standards must be as
 1704 close as possible to the original operating conditions.
 1705

1706 ii) Prior to obtaining test data for purposes of demonstrating
 1707 compliance with the applicable emissions standards of
 1708 Sections 726.204 through 726.207 or establishing limits on
 1709 operating parameters under this Section, the facility must
 1710 operate under compliance test conditions for a sufficient
 1711 period to reach steady-state operations. Industrial furnaces
 1712 that recycle collected PM back into the furnace and that
 1713 comply with subsection (c)(3)(B)(i) or (c)(3)(B)(ii) of this
 1714 Section, however, need not reach steady state conditions
 1715 with respect to the flow of metals in the system prior to
 1716 beginning compliance testing for metals.
 1717

1718 iii) Compliance test data on the level of an operating parameter
 1719 for which a limit must be established in the certification of
 1720 compliance must be obtained during emissions sampling

for the pollutants (i.e., metals, PM, HCl/chlorine gas, organic compounds) for which the parameter must be established as specified by subsection (c)(1) of this Section.

- 4) Certification of compliance. Within 90 days of completing compliance testing, the owner or operator must certify to the Agency compliance with the emissions standards of Sections 726.204(b), (c) and (e); 726.205; 726.206; 726.207; and subsection (a)(5)(A)(iv) of this Section. The certification of compliance must include the following information:

- A) General facility and testing information, including the following:
- i) USEPA facility ID number;
 - ii) Facility name, contact person, telephone number, and address;
 - iii) Person responsible for conducting compliance testing, including company name, address, and telephone number, and a statement of qualifications;
 - iv) Dates of each compliance test;
 - v) Description of BIF tested;
 - vi) Person responsible for QA/QC, title and telephone number, and statement that procedures prescribed in the QA/QC plan submitted under Section 726.203(c)(2)(C) have been followed, or a description of any changes and an explanation of why changes were necessary;
 - vii) Description of any changes in the unit configuration prior to or during testing that would alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) of this Section and an explanation of why the changes were necessary;
 - viii) Description of any changes in the planned test conditions prior to or during the testing that alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) of this Section and an explanation of why the changes were necessary; and

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- ix) The complete report on results of emissions testing.
 - B) Specific information on each test, including the following:
 - i) Purposes of test (e.g., demonstrate conformance with the emissions limits for PM, metals, HCl, chlorine gas, and CO);
 - ii) Summary of test results for each run and for each test including the following information: date of run; duration of run; time-weighted average and highest hourly rolling average CO level for each run and for the test; highest hourly rolling average HC level, if HC monitoring is required for each run and for the test; if dioxin and furan testing is required under Section 726.204(e), time-weighted average emissions for each run and for the test of chlorinated dioxin and furan emissions, and the predicted maximum annual average ground level concentration of the toxicity equivalency factor (defined in Section 726.200(i)); time-weighted average PM emissions for each run and for the test; time-weighted average HCl and chlorine gas emissions for each run and for the test; time-weighted average emissions for the metals subject to regulation under Section 726.206 for each run and for the test; and QA/QC results.
 - C) Comparison of the actual emissions during each test with the emissions limits prescribed by Sections 726.204(b), (c), and (e); 726.205; 726.206; and 726.207 and established for the facility in the certification of precompliance under subsection (b) of this Section.
 - D) Determination of operating limits based on all valid runs of the compliance test for each applicable parameter listed in subsection (c)(1) of this Section using one of the following procedures:
 - i) Instantaneous limits. A parameter must be measured and recorded on an instantaneous basis (i.e., the value that occurs at any time) and the operating limit specified as the time-weighted average during all runs of the compliance test.
 - ii) Hourly rolling average basis. The limit for a parameter

1807 must be established and continuously monitored on an
1808 hourly rolling average basis, as defined in Section
1809 726.200(i). The operating limit for the parameter must be
1810 established based on compliance test data as the average
1811 over all test runs of the highest hourly rolling average value
1812 for each run.

1813
1814 iii) Rolling average limits for carcinogenic metals (as defined
1815 in Section 726.200(i)) and lead. Feed rate limits for the
1816 carcinogenic metals and lead must be established either on
1817 an hourly rolling average basis as prescribed by subsection
1818 (c)(4)(D)(ii) of this Section or on (up to) a 24 hour rolling
1819 average basis. If the owner or operator elects to use an
1820 averaging period from two to 24 hours the following must
1821 occur: the feed rate of each metal must be limited at any
1822 time to ten times the feed rate that would be allowed on a
1823 hourly rolling average basis; the operating limit for the feed
1824 rate of each metal must be established based on compliance
1825 test data as the average over all test runs of the highest
1826 hourly rolling average feed rate for each run; and the
1827 continuous monitor and the rolling average for the selected
1828 averaging period are as defined in Section 726.200(i).

1829
1830 BOARD NOTE: The Board has combined the text of 40
1831 C.F.R. 266.103(c)(4)(iv)(C)(1) and (c)(4)(iv)(C)(3) are
1832 condensed into subsection (c)(b)(C)(iii) to comport with
1833 Illinois Administrative Code codification requirements.

1834
1835 iv) Feed rate limits for metals, total chlorine and chloride, and
1836 ash. Feed rate limits for metals, total chlorine and chloride,
1837 and ash are established and monitored by knowing the
1838 concentration of the substance (i.e., metals,
1839 chloride/chlorine, and ash) in each feedstream and the flow
1840 rate of the feedstream. To monitor the feed rate of these
1841 substances, the flow rate of each feedstream must be
1842 monitored under the continuous monitoring requirements of
1843 subsections (c)(4)(D)(i) through (c)(4)(D)(iii) of this
1844 Section.

1845
1846 E) Certification of compliance statement. The following statement
1847 must accompany the certification of compliance:

1848
1849 "I certify under penalty of law that this information was

1850 prepared under my direction or supervision in accordance
 1851 with a system designed to ensure that qualified personnel
 1852 properly gathered and evaluated the information and
 1853 supporting documentation. Copies of all emissions tests,
 1854 dispersion modeling results, and other information used to
 1855 determine conformance with the requirements of 35 Ill.
 1856 Adm. Code 726.203(c) are available at the facility and can
 1857 be obtained from the facility contact person listed above.
 1858 Based on my inquiry of the person or persons who manage
 1859 the facility, or those persons directly responsible for
 1860 gathering the information, the information submitted is, to
 1861 the best of my knowledge and belief, true, accurate, and
 1862 complete. I am aware that there are significant penalties
 1863 for submitting false information, including the possibility
 1864 of fine and imprisonment for knowing violations.
 1865

1866 I also acknowledge that the operating limits established
 1867 pursuant to 35 Ill. Adm. Code 726.203(c)(4)(D) are
 1868 enforceable limits at which the facility can legally operate
 1869 during interim status until a revised certification of
 1870 compliance is submitted."
 1871

- 1872 5) Special requirements for HC monitoring systems. When an owner or
 1873 operator is required to comply with the HC controls provided by Section
 1874 726.204(c) or subsection (a)(5)(A)(iv) of this Section, a conditioned gas
 1875 monitoring system may be used in conformance with specifications
 1876 provided in Appendix I to this Part provided that the owner or operator
 1877 submits a certification of compliance without using extensions of time
 1878 provided by subsection (c)(7) of this Section.
 1879
- 1880 6) Special operating requirements for industrial furnaces that recycle
 1881 collected PM. Owners and operators of industrial furnaces that recycle
 1882 back into the furnace PM from the APCS must do the following:
 1883
 - 1884 A) When complying with the requirements of subsection
 1885 (c)(3)(B)(i) of this Section, comply with the operating requirements
 1886 prescribed in "Alternative Method to Implement the Metals
 1887 Controls" in Appendix I to this Part; and
 1888
 - 1889 B) When complying with the requirements of subsection (c)(3)(B)(ii)
 1890 of this Section, comply with the operating requirements prescribed
 1891 by that subsection.
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- 7) Extensions of time.
 - A) If the owner or operator does not submit a complete certification of compliance for all of the applicable emissions standards of Sections 726.204, 726.205, 726.206, and 726.207 by August 21, 1992, the owner or operator must do the following:
 - i) Stop burning hazardous waste and begin closure activities under subsection (l) of this Section for the hazardous waste portion of the facility;
 - ii) Limit hazardous waste burning only for purposes of compliance testing (and pretesting to prepare for compliance testing) a total period of 720 hours for the period of time beginning August 21, 1992, submit a notification to the Agency by August 21, 1992 stating that the facility is operating under restricted interim status and intends to resume burning hazardous waste, and submit a complete certification of compliance by August 23, 1993; or
 - iii) Obtain a case-by-case extension of time under subsection (c)(7)(B) of this Section.
 - B) Case-by-case extensions of time. See Section 726.219.
 - 8) Revised certification of compliance. The owner or operator may submit at any time a revised certification of compliance (recertification of compliance) under the following procedures:
 - A) Prior to submittal of a revised certification of compliance, hazardous waste must not be burned for more than a total of 720 hours under operating conditions that exceed those established under a current certification of compliance, and such burning must be conducted only for purposes of determining whether the facility can operate under revised conditions and continue to meet the applicable emissions standards of Sections 726.204, 726.205, 726.206, and 726.207;
 - B) At least 30 days prior to first burning hazardous waste under operating conditions that exceed those established under a current certification of compliance, the owner or operator must notify the Agency and submit the following information:

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- i) USEPA facility ID number, and facility name, contact person, telephone number, and address;
 - ii) Operating conditions that the owner or operator is seeking to revise and description of the changes in facility design or operation that prompted the need to seek to revise the operating conditions;
 - iii) A determination that, when operating under the revised operating conditions, the applicable emissions standards of Sections 726.204, 726.205, 726.206, and 726.207 are not likely to be exceeded. To document this determination, the owner or operator must submit the applicable information required under subsection (b)(2) of this Section; and
 - iv) Complete emissions testing protocol for any pretesting and for a new compliance test to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206, and 726.207 when operating under revised operating conditions. The protocol must include a schedule of pre-testing and compliance testing. If the owner or operator revises the scheduled date for the compliance test, the owner or operator must notify the Agency in writing at least 30 days prior to the revised date of the compliance test;
- C) Conduct a compliance test under the revised operating conditions and the protocol submitted to the Agency to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206, and 726.207; and
 - D) Submit a revised certification of compliance under subsection (c)(4) of this Section.
- d) Periodic Recertifications. The owner or operator must conduct compliance testing and submit to the Agency a recertification of compliance under provisions of subsection (c) of this Section within ~~five~~three years from submitting the previous certification or recertification. If the owner or operator seeks to recertify compliance under new operating conditions, the owner or operator must comply with the requirements of subsection (c)(8) of this Section.
 - e) Noncompliance with certification schedule. If the owner or operator does not

1979 comply with the interim status compliance schedule provided by subsections (b),
 1980 (c), and (d) of this Section, hazardous waste burning must terminate on the date
 1981 that the deadline is missed, closure activities must begin under subsection (l) of
 1982 this Section, and hazardous waste burning must not resume except under an
 1983 operating permit issued under 35 Ill. Adm. Code 703.232. For purposes of
 1984 compliance with the closure provisions of subsection (l) of this Section and 35 Ill.
 1985 Adm. Code 725.212(d)(2) and 725.213, the BIF has received "the known final
 1986 volume of hazardous waste" on the date the deadline is missed.

1987
 1988 f) Start-up and shut-down. Hazardous waste (except waste fed solely as an
 1989 ingredient under the Tier I (or adjusted Tier I) feed rate screening limits for metals
 1990 and chloride/chlorine) must not be fed into the device during start-up and shut-
 1991 down of the BIF, unless the device is operating within the conditions of operation
 1992 specified in the certification of compliance.

1993
 1994 g) Automatic waste feed cutoff. During the compliance test required by subsection
 1995 (c)(3) of this Section and upon certification of compliance under subsection (c) of
 1996 this Section, a BIF must be operated with a functioning system that automatically
 1997 cuts off the hazardous waste feed when the applicable operating conditions
 1998 specified in subsections (c)(1)(A) and (c)(1)(E) through (c)(1)(M) of this Section
 1999 deviate from those established in the certification of compliance. In addition, the
 2000 following must occur:

2001
 2002 1) To minimize emissions of organic compounds, the minimum combustion
 2003 chamber temperature (or the indicator of combustion chamber
 2004 temperature) that occurred during the compliance test must be maintained
 2005 while hazardous waste or hazardous waste residues remain in the
 2006 combustion chamber, with the minimum temperature during the
 2007 compliance test defined as either of the following:

2008
 2009 A) If compliance with the combustion chamber temperature limit is
 2010 based on ana hourly rolling average, the minimum temperature
 2011 during the compliance test is considered to be the average over all
 2012 runs of the lowest hourly rolling average for each run; or
 2013
 2014 B) If compliance with the combustion chamber temperature limit is
 2015 based on an instantaneous temperature measurement, the minimum
 2016 temperature during the compliance test is considered to be the
 2017 time-weighted average temperature during all runs of the test; and

2018
 2019 2) Operating parameters limited by the certification of compliance must
 2020 continue to be monitored during the cutoff, and the hazardous waste feed
 2021 must not be restarted until the levels of those parameters comply with the

- 2022 limits established in the certification of compliance.
 2023
 2024 h) Fugitive emissions. Fugitive emissions must be controlled as follows:
 2025
 2026 1) By keeping the combustion zone totally sealed against fugitive emissions;
 2027 or
 2028
 2029 2) By maintaining the combustion zone pressure lower than atmospheric
 2030 pressure; or
 2031
 2032 3) By an alternative means of control that the owner or operator demonstrates
 2033 provides fugitive emissions control equivalent to maintenance of
 2034 combustion zone pressure lower than atmospheric pressure. Support for
 2035 such demonstration must be included in the operating record.
 2036
 2037 i) Changes. A BIF must cease burning hazardous waste when combustion
 2038 properties, or feed rates of the hazardous waste, other fuels or industrial furnace
 2039 feedstocks, or the BIF design or operating conditions deviate from the limits
 2040 specified in the certification of compliance.
 2041
 2042 j) Monitoring and Inspections.
 2043
 2044 1) The owner or operator must monitor and record the following, at a
 2045 minimum, while burning hazardous waste:
 2046
 2047 A) Feed rates and composition of hazardous waste, other fuels, and
 2048 industrial furnace feed stocks and feed rates of ash, metals, and
 2049 total chlorine and chloride as necessary to ensure conformance
 2050 with the certification of precompliance or certification of
 2051 compliance;
 2052
 2053 B) CO, oxygen, and, if applicable, HC on a continuous basis at a
 2054 common point in the BIF downstream of the combustion zone and
 2055 prior to release of stack gases to the atmosphere in accordance with
 2056 the operating limits specified in the certification of compliance.
 2057 CO, HC, and oxygen monitors must be installed, operated, and
 2058 maintained in accordance with methods specified in Appendix I to
 2059 this Part; and
 2060
 2061 C) Upon the request of the Agency, sampling and analysis of the
 2062 hazardous waste (and other fuels and industrial furnace feed stocks
 2063 as appropriate) and the stack gas emissions must be conducted to
 2064 verify that the operating conditions established in the certification

of precompliance or certification of compliance achieve the applicable standards of Sections 726.204, 726.205, 726.206, and 726.207.

- 2) The BIF and associated equipment (pumps, valves, pipes, fuel storage tanks, etc.) must be subjected to thorough visual inspection when they contain hazardous waste, at least daily for leaks, spills, fugitive emissions, and signs of tampering.
 - 3) The automatic hazardous waste feed cutoff system and associated alarms must be tested at least once every seven days when hazardous waste is burned to verify operability, unless the owner or operator can demonstrate that weekly inspections will unduly restrict or upset operations and that less frequent inspections will be adequate. Support for such demonstration must be included in the operating record. At a minimum, operational testing must be conducted at least once every 30 days.
 - 4) These monitoring and inspection data must be recorded and the records must be placed in the operating log.
- k) Recordkeeping. The owner or operator must keep in the operating record of the facility all information and data required by this Section for five years until closure of the BIF unit.
- l) Closure. At closure, the owner or operator must remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters and scrubber sludges) from the BIF and must comply with 35 Ill. Adm. Code 725.211 through 725.215.

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

Section 726.205 Standards to Control PM

- a) A BIF burning hazardous waste must not emit PM in excess of 180 mg/dry standard m³ (0.08 grains/dry standard cubic foot) after correction to a stack gas concentration of seven percent oxygen, using procedures prescribed in the following methods in appendix A to 40 CFR 60 (Test Methods), each incorporated by reference in 35 Ill. Adm. Code 720.111(b) (see Appendix I of this Part): Method 1 (Sample and Velocity Traverses for Stationary Sources), Method 2 (Determination of Volatile Organic Compound Leaks), Method 2A (Direct Measurement of Gas Volume through Pipes and Small Ducts), Method 2B (Determination of Exhaust Gas Volume Flow Rate from Gasoline Vapor Incinerators), Method 2C (Determination of Gas Velocity and Volumetric Flow

2108 Rate in Small Stacks or Ducts (Standard Pitot Tube)), Method 2D (Measurement
 2109 of Gas Volume Flow Rates in Small Pipes and Ducts), Method 2E (Determination
 2110 of Landfill Gas Production Flow Rate), Method 2F (Determination of Stack Gas
 2111 Velocity and Volumetric Flow Rate with Three-Dimensional Probes), Method 2G
 2112 (Determination of Stack Gas Velocity and Volumetric Flow Rate with Two-
 2113 Dimensional Probes), Method 2H (Determination of Stack Gas Velocity Taking
 2114 into Account Velocity Decay Near the Stack Wall), Method 3 (Gas Analysis for
 2115 the Determination of Dry Molecular Weight), Method 3A (Determination of
 2116 Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary
 2117 Sources (Instrumental Analyzer Procedure)), Method 3B (Gas Analysis for the
 2118 Determination of Emission Rate Correction Factor or Excess Air), Method 3C
 2119 (Determination of Carbon Dioxide, Methane, Nitrogen, and Oxygen from
 2120 Stationary Sources), Method 4 (Determination of Moisture Content in Stack
 2121 Gases), Method 5 (Determination of Particulate Matter Emissions from Stationary
 2122 Sources), Method 5A (Determination of Particulate Matter Emissions from the
 2123 Asphalt Processing and Asphalt Roofing Industry), Method 5B (Determination of
 2124 Nonsulfuric Acid Particulate Matter Emissions from Stationary Sources), Method
 2125 5D (Determination of Particulate Matter Emissions from Positive Pressure Fabric
 2126 Filters), Method 5E (Determination of Particulate Matter Emissions from the
 2127 Wool Fiberglass Insulation Manufacturing Industry), Method 5F (Determination
 2128 of Nonsulfate Particulate Matter Emissions from Stationary Sources), Method 5G
 2129 (Determination of Particulate Matter Emissions from Wood Heaters (Dilution
 2130 Tunnel Sampling Location)), Method 5H (Determination of Particulate Emissions
 2131 from Wood Heaters from a Stack Location), and Method 5I (Determination of
 2132 Low Level Particulate Matter Emissions from Stationary Sources).

2133
 2134 b) An owner or operator meeting the requirements of Section 726.209(b) for the low
 2135 risk waste exemption is exempt from the PM standard.

2136
 2137 c) Oxygen correction.

2138
 2139 1) Measured pollutant levels must be corrected for the amount of oxygen in
 2140 the stack gas according to the following formula:

$$P_c = \frac{P_m \times 14}{E - Y}$$

$$P_e = P_m \times 14 / (E - Y)$$

2141
 2142
 2143
 2144 Where:

- 2145
 2146 Pc = the corrected concentration of the pollutant in the stack gas
 2147 Pm = the measured concentration of the pollutant in the stack gas

- E = the oxygen concentration on a dry basis in the combustion air fed to the device
- Y = the measured oxygen concentration on a dry basis in the stack-

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2) For devices that feed normal combustion air, E will equal 21 percent. For devices that feed oxygen-enriched air for combustion (that is, air with an oxygen concentration exceeding 21 percent), the value of E will be the concentration of oxygen in the enriched air.

3) Compliance with all emission standards provided by this Subpart H must be based on correcting to seven percent oxygen using this procedure.

d) For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 through 703.273.

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

Section 726.206 Standards to Control Metals Emissions

a) General. The owner or operator must comply with the metals standards provided by subsections (b), (c), (d), (e), or (f) of this Section for each metal listed in subsection (b) of this Section that is present in the hazardous waste at detectable levels using appropriate analytical methods.

BOARD NOTE: The federal regulations do not themselves define the phrase "appropriate analytical methods," but USEPA did include a definition in its preamble discussion accompanying the rule. The Board directs attention to the following segment (at 70 Fed. Reg. 34538, 34541 (June 14, 2005)) for the purposes of subsections (b)(1)(C) and (b)(1)(D) of this Section:

[T]wo primary considerations in selecting an appropriate method, which together serve as our general definition of an appropriate method [are the following] . . . :

1. Appropriate methods are reliable and accepted as such in the scientific community.
2. Appropriate methods generate effective data.

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USEPA went on to further elaborate these two concepts and to specify other documents that might provide guidance.

- b) Tier I feed rate screening limits. Feed rate screening limits for metals are specified in Appendix A to this Part as a function of terrain-adjusted effective stack height (TESH) and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in subsection (b)(7) of this Section.
 - 1) Noncarcinogenic metals. The feed rates of the noncarcinogenic metals in all feed streams, including hazardous waste, fuels, and industrial furnace feed stocks must not exceed the screening limits specified in Appendix A to this Part.
 - A) The feed rate screening limits for antimony, barium, mercury, thallium, and silver are based on either of the following:
 - i) An hourly rolling average, as defined in Sections 726.200(g) and 726.202(e)(6)(A)(ii); or
 - ii) An instantaneous limit not to be exceeded at any time.
 - B) The feed rate screening limit for lead is based on one of the following:
 - i) An hourly rolling average, as defined in Sections 726.200(g) and 726.202(e)(6)(A)(ii);
 - ii) An averaging period of 2 to 24 hours, as defined in Section 726.202(e)(6)(B) with an instantaneous feed rate limit not to exceed 10 times the feed rate that would be allowed on an hourly rolling average basis; or
 - iii) An instantaneous limit not to be exceeded at any time.
 - 2) Carcinogenic metals.
 - A) The feed rates of carcinogenic metals in all feed streams, including hazardous waste, fuels, and industrial furnace feed stocks must not exceed values derived from the screening limits specified in Appendix A to this Part. The feed rate of each of these metals is limited to a level such that the sum of the ratios of the actual feed

Section is not listed in Appendix A through Appendix C to this Part, the values for the nearest lower TESH listed in the table must be used. If the TESH is four meters or less, a value based on four meters must be used.

- 4) Terrain type. The screening limits are a function of whether the facility is located in noncomplex or complex terrain. A device located where any part of the surrounding terrain within five kilometers of the stack equals or exceeds the elevation of the physical stack height (H) is considered to be in complex terrain and the screening limits for complex terrain apply. Terrain measurements are to be made from U.S. Geological Survey 7.5-minute topographic maps of the area surrounding the facility.
- 5) Land use. The screening limits are a function of whether the facility is located in an area where the land use is urban or rural. To determine whether land use in the vicinity of the facility is urban or rural, procedures provided in Appendix I or Appendix J to this Part must be used.
- 6) Multiple stacks. An owner or operator of a facility with more than one on-site stack from a BIF, incinerator, or other thermal treatment unit subject to controls of metals emissions under a RCRA permit or interim status controls must comply with the screening limits for all such units assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics. The stack with the lowest value of K is the worst-case stack. K is determined from the following equation as applied to each stack:

$$K = H \times V \times T$$

Where:

- K = a parameter accounting for relative influence of stack height and plume rise
- H = physical stack height (meters)
- V = stack gas flow rate (m³/sec (cubic meters per second))
- T = exhaust temperature (degrees K)-

- 7) Criteria for facilities not eligible for screening limits. If any criteria below are met, the Tier I (and Tier II) screening limits do not apply. Owners and operators of such facilities must comply with either the Tier III standards provided by subsection (d) of this Section or with the adjusted Tier I feed rate screening limits provided by subsection (e) of this Section.

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- A) The device is located in a narrow valley less than one kilometer wide;
- B) The device has a stack taller than 20 meters and is located such that the terrain rises to the physical height within one kilometer of the facility;
- C) The device has a stack taller than 20 meters and is located within five kilometers of a shoreline of a large body of water such as an ocean or large lake; or
- D) The physical stack height of any stack is less than 2.5 times the height of any building within five building heights or five projected building widths of the stack and the distance from the stack to the closest boundary is within five building heights or five projected building widths of the associated building.

8) Implementation. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate screening limits are not exceeded.

c) Tier II emission rate screening limits. Emission rate screening limits are specified in Appendix A to this Part as a function of TESH and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in subsection (b)(7) of this Section.

- 1) Noncarcinogenic metals. The emission rates of noncarcinogenic metals must not exceed the screening limits specified in Appendix A to this Part.
- 2) Carcinogenic metals. The emission rates of carcinogenic metals must not exceed values derived from the screening limits specified in Appendix A to this Part. The emission rate of each of these metals is limited to a level such that the sum of the ratios of the actual emission rate to the emission rate screening limit specified in Appendix A to this Part must not exceed 1.0, as provided by the following equation:

$$\sum_{i=1}^n \frac{A_i}{E_i} \leq 1.0$$

Where:

$\Sigma A_i/E_i$ = the sum of the values of A/E for each metal "i,"
 from i = 1 to n

- n = number of carcinogenic metals
- A_i = the actual emission rate to the device for metal "i"
- E_i = the emission rate screening limit provided by Appendix A to this Part for metal "i."

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- 3) Implementation. The emission rate limits must be implemented by limiting feed rates of the individual metals to levels during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). The feed rate averaging periods are the same as provided by subsections (b)(1)(A), (b)(1)(B), and (b)(2)(B) of this Section. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate limits for the feedstreams specified under Sections 726.202 or 726.203 are not exceeded.
- 4) Definitions and limitations. The definitions and limitations provided by subsection (b) of this Section and 726.200(g) for the following terms also apply to the Tier II emission rate screening limits provided by this subsection (c): TESH, good engineering practice stack height, terrain type, land use, and criteria for facilities not eligible to use the screening limits.
- 5) Multiple stacks.
 - A) An owner or operator of a facility with more than one on-site stack from a BIF, incinerator, or other thermal treatment unit subject to controls on metals emissions under a RCRA permit or interim status controls must comply with the emissions screening limits for any such stacks assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics.
 - B) The worst-case stack is determined by procedures provided in subsection (b)(6) of this Section.
 - C) For each metal, the total emissions of the metal from those stacks must not exceed the screening limit for the worst-case stack.
- d) Tier III site-specific risk assessment. The requirements of this subsection (d) apply to facilities complying with either the Tier III or Adjusted Tier I except where specified otherwise.
 - 1) General. Conformance with the Tier III metals controls must be demonstrated by emissions testing to determine the emission rate for each

2376 metal. In addition, conformance with either Tier III or Adjusted Tier I
 2377 metals controls must be demonstrated by air dispersion modeling to
 2378 predict the maximum annual average off-site ground level concentration
 2379 for each metal and a demonstration that acceptable ambient levels are not
 2380 exceeded.

2381
 2382 2) Acceptable ambient levels. Appendix D and Appendix E to this Part list
 2383 the acceptable ambient levels for purposes of this Subpart H. Reference
 2384 air concentrations (RACs) are listed for the noncarcinogenic metals and
 2385 1×10^{-5} RSDs are listed for the carcinogenic metals. The RSD for a metal
 2386 is the acceptable ambient level for that metal provided that only one of the
 2387 four carcinogenic metals is emitted. If more than one carcinogenic metal
 2388 is emitted, the acceptable ambient level for the carcinogenic metals is a
 2389 fraction of the RSD, as described in subsection (d)(3) of this Section.

2390
 2391 3) Carcinogenic metals. For the carcinogenic metals the sum of the ratios of
 2392 the predicted maximum annual average off-site ground level
 2393 concentrations (except that on-site concentrations must be considered if a
 2394 person resides on site) to the RSD for all carcinogenic metals emitted must
 2395 not exceed 1.0 as determined by the following equation:
 2396

$$\sum_{i=1}^n \frac{P_i}{R_i} \leq 1.0$$

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Where:

- $\Sigma P_i/R_i$ = the sum of the values of P/R for each metal "i,"
 from $i = 1$ to n
- n = number of carcinogenic metals
- P_i = the predicted ambient concentration for metal i
- R_i = the RSD for metal i .

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4) Noncarcinogenic metals. For the noncarcinogenic metals, the predicted
 maximum annual average off-site ground level concentration for each
 metal must not exceed the RAC.

5) Multiple stacks. Owners and operators of facilities with more than one
 on-site stack from a BIF, incinerator, or other thermal treatment unit
 subject to controls on metals emissions under a RCRA permit or interim
 status controls must conduct emissions testing (except that facilities
 complying with Adjusted Tier I controls need not conduct emissions
 testing) and dispersion modeling to demonstrate that the aggregate
 emissions from all such on-site stacks do not result in an

- 2413 ~~exceedance~~ ~~exceedence~~ of the acceptable ambient levels.
 2414
 2415 6) Implementation. Under Tier III, the metals controls must be implemented
 2416 by limiting feed rates of the individual metals to levels during the trial
 2417 burn (for new facilities or an interim status facility applying for a permit)
 2418 or the compliance test (for interim status facilities). The feed rate
 2419 averaging periods are the same as provided by subsections (b)(1)(A),
 2420 (b)(1)(B), and (b)(2)(B) of this Section. The feed rate of metals in each
 2421 feedstream must be monitored to ensure that the feed rate limits for the
 2422 feedstreams specified under Sections 726.202 or 726.203 are not
 2423 exceeded.
 2424
 2425 e) Adjusted Tier I feed rate screening limits. The owner or operator may adjust the
 2426 feed rate screening limits provided by Appendix A to this Part to account for site-
 2427 specific dispersion modeling. Under this approach, the adjusted feed rate
 2428 screening limit for a metal is determined by back-calculating from the acceptable
 2429 ambient levels provided by Appendix D and Appendix E to this Part using
 2430 dispersion modeling to determine the maximum allowable emission rate. This
 2431 emission rate becomes the adjusted Tier I feed rate screening limit. The feed rate
 2432 screening limits for carcinogenic metals are implemented as prescribed in
 2433 subsection (b)(2) of this Section.
 2434
 2435 f) Alternative implementation approaches.
 2436
 2437 1) Pursuant to subsection (f)(2) of this Section the Agency must approve on a
 2438 case-by-case basis approaches to implement the Tier II or Tier III metals
 2439 emission limits provided by subsection (c) or (d) of this Section alternative
 2440 to monitoring the feed rate of metals in each feedstream.
 2441
 2442 2) The emission limits provided by subsection (d) of this Section must be
 2443 determined as follows:
 2444
 2445 A) For each noncarcinogenic metal, by back-calculating from the
 2446 RAC provided in Appendix D to this Part to determine the
 2447 allowable emission rate for each metal using the dilution factor for
 2448 the maximum annual average ground level concentration predicted
 2449 by dispersion modeling in conformance with subsection (h) of this
 2450 Section; and
 2451
 2452 B) For each carcinogenic metal by the following methods:
 2453
 2454 i) By back-calculating from the RSD provided in Appendix E
 2455 to this Part to determine the allowable emission rate for

2456 each metal if that metal were the only carcinogenic metal
 2457 emitted using the dilution factor for the maximum annual
 2458 average ground level concentration predicted by dispersion
 2459 modeling in conformance with subsection (h) of this
 2460 Section; and

2461
 2462 ii) If more than one carcinogenic metal is emitted, by selecting
 2463 an emission limit for each carcinogenic metal not to exceed
 2464 the emission rate determined by subsection (f)(2)(B)(i) of
 2465 this Section, such that the sum for all carcinogenic metals
 2466 of the ratios of the selected emission limit to the emission
 2467 rate determined by that subsection does not exceed 1.0.
 2468

2469 g) Emission testing.

2470
 2471 1) General. Emission testing for metals must be conducted using Method
 2472 0060 (Determinations of Metals in Stack Emissions) in "Test Methods for
 2473 Evaluating Solid Waste, Physical/Chemical Methods," USEPA
 2474 publication number EPA-530/SW-846, incorporated by reference in 35 Ill.
 2475 Adm. Code 720.111(a).
 2476

2477 2) Hexavalent chromium. Emissions of chromium are assumed to be
 2478 hexavalent chromium unless the owner or operator conducts emissions
 2479 testing to determine hexavalent chromium emissions using procedures
 2480 prescribed in Method 0061 (Determination of Hexavalent Chromium
 2481 Emissions from Stationary Sources) in "Test Methods for Evaluating Solid
 2482 Waste, Physical/Chemical Methods," USEPA publication number EPA-
 2483 530/SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111(a).
 2484

2485 h) Dispersion modeling. Dispersion modeling required under this Section must be
 2486 conducted according to methods recommended in federal appendix W to 40 CFR
 2487 51 (Guideline on Air Quality Models), in section 5.0 (Hazardous Waste
 2488 Combustion Air Quality Screening Procedure) in appendix IX to 40 CFR 266
 2489 (Methods Manual for Compliance with the BIF Regulations), or in "Screening
 2490 Procedures for Estimating the Air Quality Impact of Stationary Sources,
 2491 Revised," USEPA publication number EPA-454/R-92-019, each incorporated by
 2492 reference in 35 Ill. Adm. Code 720.111(b), to predict the maximum annual
 2493 average off-site ground level concentration. However, on-site concentrations must
 2494 be considered when a person resides on-site.
 2495

2496 i) Enforcement. For the purposes of permit enforcement, compliance with the
 2497 operating requirements specified in the permit (under Section 726.202) will be
 2498 regarded as compliance with this Section. However, evidence that compliance

with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 through 703.273.

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

Section 726.207 Standards to Control HCl and Chlorine Gas Emissions

- a) General. The owner or operator must comply with the HCl and chlorine gas controls provided by subsection (b), (c), or (e) of this Section.
- b) Screening limits.
 - 1) Tier I feed rate screening limits. Feed rate screening limits are specified for total chlorine in Appendix B to this Part as a function of TESH and terrain and land use in the vicinity of the facility. The feed rate of total chlorine and chloride, both organic and inorganic, in all feed streams, including hazardous waste, fuels, and industrial furnace feed stocks must not exceed the levels specified.
 - 2) Tier II emission rate screening limits. Emission rate screening limits for HCl and chlorine gas are specified in Appendix C to this Part as a function of TESH and terrain and land use in the vicinity of the facility. The stack emission rates of HCl and chlorine gas must not exceed the levels specified.
 - 3) Definitions and limitations. The definitions and limitations provided by Sections 726.200(i) and 726.206(b) for the following terms also apply to the screening limits provided by this subsection: TESH, good engineering practice stack height, terrain type, land use, and criteria for facilities not eligible to use the screening limits.
 - 4) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls on HCl or chlorine gas emissions under a RCRA permit or interim status controls must comply with the Tier I and Tier II screening limits for those stacks assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics.
 - A) The worst-case stack is determined by procedures provided in Section 726.206(b)(6).
 - B) Under Tier I, the total feed rate of chlorine and chloride to all

2542 subject devices must not exceed the screening limit for the worst-
 2543 case stack.

2544
 2545 C) Under Tier II, the total emissions of HCl and chlorine gas from all
 2546 subject stacks must not exceed the screening limit for the worst-
 2547 case stack.

2548
 2549 c) Tier III site-specific risk assessments.

2550
 2551 1) General. Conformance with the Tier III controls must be demonstrated by
 2552 emissions testing to determine the emission rate for HCl and chlorine gas,
 2553 air dispersion modeling to predict the maximum annual average off-site
 2554 ground level concentration for each compound, and a demonstration that
 2555 acceptable ambient levels are not exceeded.

2556
 2557 2) Acceptable ambient levels. Appendix D to this Part lists the RACs for
 2558 HCl ($7 \mu\text{g}/\text{m}^3$) and chlorine gas ($0.4 \mu\text{g}/\text{m}^3$).

2559
 2560 3) Multiple stacks. Owners and operators of facilities with more than one
 2561 on-site stack from a BIF, incinerator, or other thermal treatment unit
 2562 subject to controls on HCl or chlorine gas emissions under a RCRA permit
 2563 or interim status controls must conduct emissions testing and dispersion
 2564 modeling to demonstrate that the aggregate emissions from all such on-site
 2565 stacks do not result in an ~~exceedance~~ ~~exceedence~~ of the acceptable ambient
 2566 levels for HCl and chlorine gas.

2567
 2568 d) Averaging periods. The HCl and chlorine gas controls are implemented by
 2569 limiting the feed rate of total chlorine and chloride in all feedstreams, including
 2570 hazardous waste, fuels, and industrial furnace feed stocks. Under Tier I, the feed
 2571 rate of total chlorine and chloride is limited to the Tier I Screening Limits. Under
 2572 Tier II and Tier III, the feed rate of total chlorine and chloride is limited to the
 2573 feed rates during the trial burn (for new facilities or an interim status facility
 2574 applying for a permit) or the compliance test (for interim status facilities). The
 2575 feed rate limits are based on either of the following:

2576
 2577 1) An hourly rolling average, as defined in Sections 726.200(i) and
 2578 726.202(e)(6); or

2579
 2580 2) An instantaneous basis not to be exceeded at any time.

2581
 2582 e) Adjusted Tier I feed rate screening limits. The owner or operator may adjust the
 2583 feed rate screening limit provided by Appendix B to this Part to account for site-
 2584 specific dispersion modeling. Under this approach, the adjusted feed rate

2585 screening limit is determined by back-calculating from the acceptable ambient
 2586 level for chlorine gas provided by Appendix D to this Part using dispersion
 2587 modeling to determine the maximum allowable emission rate. This emission rate
 2588 becomes the adjusted Tier I feed rate screening limit.

- 2589
- 2590 f) Emissions testing. Emissions testing for HCl and chlorine gas (Cl₂) must be
 2591 conducted using the procedures described in Method 0050 or 0051, in "Test
 2592 Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA
 2593 publication number EPA-530/SW-846, incorporated by reference in 35 Ill. Adm.
 2594 Code 720.111(a).
- 2595
- 2596 g) Dispersion modeling. Dispersion modeling must be conducted according to the
 2597 provisions of Section 726.206(h).
- 2598
- 2599 h) Enforcement. For the purposes of permit enforcement, compliance with the
 2600 operating requirements specified in the permit (under Section 726.202) will be
 2601 regarded as compliance with this Section. However, evidence that compliance
 2602 with those permit conditions is insufficient to ensure compliance with the
 2603 requirements of this Section is "information" justifying modification or revocation
 2604 and re-issuance of a permit under 35 Ill. Adm. Code 703.270 through 703.273.

2605
 2606 (Source: Amended at 32 Ill. Reg. _____, effective _____)
 2607

2608 **Section 726.209 Low Risk Waste Exemption**
 2609

- 2610 a) Waiver of DRE standard. The DRE standard of Section 726.204(a) does not
 2611 apply if the BIF is operated in conformance with subsection (a)(1) of this Section,
 2612 and the owner or operator demonstrates by procedures prescribed in subsection
 2613 (a)(2) of this Section, that the burning will not result in unacceptable adverse
 2614 health effects.

2615

- 2616 1) The device must be operated as follows:

- 2617
- 2618 A) A minimum of 50 percent of fuel fired to the device must be fossil
 2619 fuel, fuels derived from fossil fuel, tall oil, or, if approved by the
 2620 Agency on a case-by-case basis, other nonhazardous fuel with
 2621 combustion characteristics comparable to fossil fuel. Such fuels
 2622 are termed "primary fuel" for purposes of this Section. (Tall oil is
 2623 a fuel derived from vegetable and rosin fatty acids.) The 50
 2624 percent primary fuel firing rate must be determined on a total heat
 2625 or mass input basis, whichever results in the greater mass feed rate
 2626 of primary fuel fired;
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- B) Primary fuels and hazardous waste fuels must have a minimum as-fired heating value of 8,000 Btu/lb;
 - C) The hazardous waste is fired directly into the primary fuel flame zone of the combustion chamber; and
 - D) The device operates in conformance with the CO controls provided by Section 726.204(b)(1). Devices subject to the exemption provided by this Section are not eligible for the alternative CO controls provided by Section 726.204(c).
- 2) Procedures to demonstrate that the hazardous waste burning will not pose unacceptable adverse public health effects are as follows:
- A) Identify and quantify those nonmetal compounds listed in Appendix H to 35 Ill. Adm. Code 721, that could reasonably be expected to be present in the hazardous waste. The constituents excluded from analysis must be identified and the basis for their exclusion explained;
 - B) Calculate reasonable, worst case emission rates for each constituent identified in subsection (a)(2)(A) of this Section, by assuming the device achieves 99.9 percent destruction and removal efficiency. That is, assume that 0.1 percent of the mass weight of each constituent fed to the device is emitted.
 - C) For each constituent identified in subsection (a)(2)(A) of this Section, use emissions dispersion modeling to predict the maximum annual average ground level concentration of the constituent.
 - i) Dispersion modeling must be conducted using methods specified in Section 726.206(h).
 - ii) An owner or operator of a facility with more than one on-site stack from a BIF that is exempt under this Section must conduct dispersion modeling of emissions from all stacks exempt under this Section to predict ambient levels prescribed by this subsection (a)(2).
 - D) Ground level concentrations of constituents predicted under subsection (a)(2)(C) of this Section, must not exceed the following levels:

- 2671
 2672 i) For the noncarcinogenic compounds listed in Appendix D,
 2673 the levels established in Appendix D;
 2674
 2675 ii) For the carcinogenic compounds listed in Appendix E:
 2676

$$\sum_{i=1}^n \frac{A_i}{L_i} \leq 1.0$$

2677
 2678 Where:
 2679
 2680

- $\Sigma(A_i/L_i)$ ~~=~~ means the sum of the values of X for each
 carcinogen i, from i = 1 to n-
 n ~~=~~ means the number of carcinogenic compounds;
 A_i = ~~actual~~Actual ground level concentration of
 carcinogen "i."
 L_i = Level established in Appendix E for carcinogen
 "i"; ~~and~~

2681
 2682 iii) For constituents not listed in Appendix D or E, 0.1 $\mu\text{g}/\text{m}^3$.
 2683

2684 b) Waiver of ~~particulate~~particular matter standard. The PM standard of Section
 2685 726.205 does not apply if the following occur:

- 2686
 2687 1) The DRE standard is waived under subsection (a) of this Section; and
 2688
 2689 2) The owner or operator complies with the Tier I, or adjusted Tier I, metals
 2690 feed rate screening limits provided by Section 726.206(b) or (e).
 2691

2692 (Source: Amended at 32 Ill. Reg. _____, effective _____)

2693 **Section 726.APPENDIX D Reference Air Concentrations**

2694
 2695 BOARD NOTE: The RAC for other Appendix H to 35 Ill. Adm. Code 721 constituents not listed
 2696 below or in Appendix E is 0.1 $\mu\text{g}/\text{m}^3$.
 2697

Constituent	CAS No.	RAC ($\mu\text{g}/\text{m}^3$)
Acetaldehyde	75-07-0	10
Acetonitrile	75-05-8	10
Acetophenone	98-86-2	100
Acrolein	107-02-8	20
Aldicarb	116-06-3	1
Aluminum Phosphide	20859-73-8	0.3
Allyl Alcohol	107-18-6	5
Antimony	7440-36-0	0.3
Barium	7440-39-3	50
Barium Cyanide	542-62-1	50
Bromomethane	74-83-9	0.8
Calcium Cyanide	592-01-8	30
Carbon Disulfide	75-15-0	200
Chloral	75-87-6	2
Chlorine (free)		0.4
2-Chloro-1,3-butadiene	126-99-8	3
Chromium III	16065-83-1	1000
Copper Cyanide	544-92-3	5
Cresols	1319-77-3	50
Cumene	98-82-8	1
Cyanide (free)	57-12-15	20
Cyanogen	460-19-5	30
Cyanogen Bromide	506-68-3	80
Di-n-butyl Phthalate	84-74-2	100
o-Dichlorobenzene	95-50-1	10
p-Dichlorobenzene	106-46-7	10
Dichlorodifluoromethane	75-71-8	200
2,4-Dichlorophenol	120-83-2	3
Diethyl Phthalate	84-66-2	800
Dimethoate	60-51-5	0.8
2,4-Dinitrophenol	51-28-5	2
Dinoseb	88-85-7	0.9
Diphenylamine	122-39-4	20
Endosulfan	115-29-1	0.05
Endrin	72-20-8	0.3
Fluorine	7782-41-4	50

Formic Acid	64-18-6	2000
Glycidylaldehyde	765-34-4	0.3
Hexachlorocyclopentadiene	77-47-4	5
Hexachlorophene	70-30-4	0.3
Hydrocyanic Acid	74-90-8	20
Hydrogen Chloride	7647-01-1	7
Hydrogen Sulfide	7783-06-4	3
Isobutyl Alcohol	78-83-1	300
Lead	7439-92-1	0.09
Maleic Anhydride	108-31-6	100
Mercury	7439-97-6	0.3
Methacrylonitrile	126-98-7	0.1
Methomyl	16752-77-5	20
Methoxychlor	72-43-5	50
Methyl Chlorocarbonate	79-22-1	1000
Methyl Ethyl Ketone	78-93-3	80
Methyl Parathion	298-00-0	0.3
Nickel Cyanide	557-19-7	20
Nitric Oxide	10102-43-9	100
Nitrobenzene	98-95-3	0.8
Pentachlorobenzene	608-93-5	0.8
Pentachlorophenol	87-86-5	30
Phenol	108-95-2	30
M-Phenylenediamine	108-45-2	5
Phenylmercuric Acetate	62-38-4	0.075
Phosphine	7803-51-2	0.3
Phthalic Anhydride	85-44-9	2000
Potassium Cyanide	151-50-8	50
Potassium Silver Cyanide	506-61-6	200
Pyridine	110-86-1	1
Selenious Acid	7783-60-8	3
Selenourea	630-10-4	5
Silver	7440-22-4	3
Silver Cyanide	506-64-9	100
Sodium Cyanide	143-33-9	30
Strychnine	57-24-9	0.3
1,2,4,5-Tetrachlorobenzene	95-94-3	0.3
2,3,4,6-Tetrachlorophenol	58-90-2	30
Tetraethyl Lead	78-00-2	0.0001
Tetrahydrofuran	109-99-9	10
Thallic Oxide	1314-32-5	0.3
Thallium	7440-28-0	0.5
Thallium (I) Acetate	563-68-8	0.5

Thallium (I) Carbonate	6533-73-9	0.3
Thallium (I) Chloride	7791-12-0	0.3
Thallium (I) Nitrate	10102-45-1	0.5
Thallium Selenite	12039-52-0	0.5
Thallium (I) Sulfate	7446-18-6	0.075
Thiram	137-26-8	5
Toluene	108-88-3	300
1,2,4-Trichlorobenzene	120-82-1	20
Trichloromonofluoromethane	75-69-4	300
<u>2,4,5-Trichlorophenol</u>	95-95-4	100
Trichlorophenol		
Vanadium Pentoxide	1314-62-1	20
Warfarin	81-81-2	0.3
Xylenes	1330-20-7	80
Zinc Cyanide	557-21-1	50
Zinc Phosphide	1314-84-7	0.3

2698

2699

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

2700 **Section 726.APPENDIX E Risk-Specific Doses**

2701

2702 BOARD NOTE: These are risk specific doses (RSDs) based on a risk of 1 in 10,000

2703 $(1 \times 10^{-5}) (1.4 \times 10^{-5})$.

2704

Constituent	CAS No.	Unit risk (cu m ³ μg)	RSD (μg/m ³)
Acrylamide	79-06-1	0.0013	0.0077
Acrylonitrile	107-13-1	0.000068	0.15
Aldrin	309-00-2	0.0049	0.0020
Aniline	62-53-3	0.0000074	1.4
Arsenic	7440-38-2	0.0043	0.0023
Benz(a)anthracene	56-55-3	0.00089	0.011
Benzene	71-43-2	0.0000083	1.2
Benzidine	92-87-5	0.067	0.00015
Benzo(a)pyrene	50-32-8	0.0033	0.0030
Beryllium	7440-41-7	0.0024	0.0042
Bis(2-chloroethyl)ether	111-44-4	0.00033	0.030
Bis(chloromethyl)ether	542-88-1	0.062	0.00016
Bis(2-ethylhexyl)-phthalate	117-81-7	0.00000024	42.
1,3-Butadiene	106-99-0	0.00028	0.036
Cadmium	7440-43-9	0.0018	0.0056
Carbon Tetrachloride	56-23-5	0.000015	0.67
Chlordane	57-74-9	0.00037	0.027
Chloroform	67-66-3	0.000023	0.43
Chloromethane	74-87-3	0.0000036	2.8
Chromium VI	7440-47-3	0.012	0.00083
DDT	50-29-3	0.000097	0.10
Dibenz(a,h)anthracene	53-70-3	0.014	0.00071
1,2-Dibromo-3-chloro- propane	96-12-8	0.0063	0.0016
1,2-Dibromoethane	106-93-4	0.00022	0.045
1,1-Dichloroethane	75-34-3	0.000026	0.38
1,2-Dichloroethane	107-06-2	0.000026	0.38
1,1-Dichloroethylene	75-35-4	0.00005	0.20
1,3-Dichloropropene	542-75-6	0.35	0.000029
Dieldrin	60-57-1	0.0046	0.0022
Diethylstilbestrol	56-53-1	0.14	0.000071
Dimethylnitrosamine	62-75-9	0.014	0.00071
2,4-Dinitrotoluene	121-14-2	0.000088	0.11
1,2-Diphenylhydrazine	122-66-7	0.00022	0.045
1,4-Dioxane	123-91-1	0.0000014	7.1
Epichlorohydrin	106-89-8	0.0000012	8.3
Ethylene Oxide	75-21-8	0.00010	0.10

Ethylene Dibromide	106-93-4	0.00022	0.045
Formaldehyde	50-00-0	0.000013	0.77
Heptachlor	76-44-8	0.0013	0.0077
Heptachlor Epoxide	1024-57-3	0.0026	0.0038
Hexachlorobenzene	118-74-1	0.00049	0.020
Hexachlorobutadiene	87-68-3	0.000020	0.50
Alpha-hexachlorocyclohexane	319-84-6	0.0018	0.0056
Beta-hexachlorocyclohexane	319-85-7	0.00053	0.019
Gamma-hexachlorocyclohexane	58-89-9	0.00038	0.026
Hexachlorocyclohexane, Technical		0.00051	0.020
Hexachlorodibenzo-p-dioxin (1,2 Mixture)		1.3	0.0000077
Hexachloroethane	67-72-1	0.0000040	2.5
Hydrazine	302-01-2	0.0029	0.0034
Hydrazine Sulfate	302-01-2	0.0029	0.0034
3-Methylcholanthrene	56-49-5	0.0027	0.0037
Methyl Hydrazine	60-34-4	0.00031	0.032
Methylene Chloride	75-09-2	0.0000041	2.4
4,4'-Methylene-bis-2- chloroaniline	101-14-4	0.000047	0.21
Nickel	7440-02-0	0.00024	0.042
Nickel Refinery Dust	7440-02-0	0.00024	0.042
Nickel Subsulfide	12035-72-2	0.00048	0.021
2-Nitropropane	79-46-9	0.027	0.00037
N-Nitroso-n-butylamine	924-16-3	0.0016	0.0063
N-Nitroso-n-methylurea	684-93-5	0.086	0.00012
N-Nitrosodiethylamine	55-18-5	0.043	0.00023
N-Nitrosopyrrolidine	930-55-2	0.00061	0.016
Pentachloronitrobenzene	82-68-8	0.000073	0.14
PCBs	1336-36-3	0.0012	0.0083
Pronamide	23950-58-5	0.0000046	2.2
Reserpine	50-55-5	0.0030	0.0033
2,3,7,8-Tetrachloro-dibenzo-p- dioxin	1746-01-6	45.	0.00000022
1,1,2,2-Tetrachloroethane	79-34-5	0.000058	0.17
Tetrachloroethylene	127-18-4	0.00000048.	21.
Thiourea	62-56-6	0.00055	0.018
1,1,2-Trichloroethane	79-00-5	0.000016	0.63
Trichloroethylene	79-01-6	0.0000013	7.7
2,4,6-Trichlorophenol	88-06-2	0.0000057	1.8
Toxaphene	8001-35-2	0.00032	0.031
Vinyl Chloride	75-01-4	0.0000071	1.4

2705

2706

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