

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
720.110	Amend
720.111	Amend
720.APPENDIX A	Repeal
- 4) Statutory Authority: 415 ILCS 5/7.2, 13, 22.4, and 27.
- 5) A Complete description of the subjects and issues involved: The amendments to Part 720 are a single segment of the docket R11-2/R11-16 rulemaking that also affects 35 Ill. Adm. Code 702, 721, 722, 723, 724, 725, 726, and 728, each of which is covered by a separate notice in this issue of the *Illinois Register*. To save space, a more detailed description of the subjects and issues involved in the docket R11-2/R11-16 rulemaking in this *Illinois Register* only in the answer to question 5 in the Notice of Proposed Amendments for 35 Ill. Adm. Code 702. A comprehensive description is contained in the Board's opinion and order of June 2, 2011, proposing amendments in docket R11-2/R11-16, which opinion and order is available from the address below.

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Specifically, the amendments to Part 720 implement segments of the January 8, 2010 federal amendments to the hazardous waste import and export requirements, the federal technical corrections and clarifications of March 18, 2010. The amendments include a number of non-substantive corrections and clarifications added by the Board. Among the corrections is the removal of obsolete provisions relating to the former federal Performance Track Program.

Tables appear in the Board's opinion and order of June 2, 2011 in docket R11-2/R11-16 that list numerous corrections and amendments that are not based on current federal amendments. The tables contain deviations from the literal text of the federal amendments underlying these amendments, as well as corrections and clarifications that the Board made in the base text involved. Persons interested in the details of those corrections and amendments should refer to the June 2, 2011 opinion and order in docket R11-2/R11-16.

Section 22.4 of the Environmental Protection Act [415 ILCS 5/22.4] provides that Section 5-35 of the Administrative Procedure Act [5 ILCS 100/5-35] does not apply to

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this rulemaking. Because this rulemaking is not subject to Section 5-35 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency amendments currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes. The incorporations by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 728, 730, 733, and 739 appear in 35 Ill. Adm. Code 720.111. The present amendments to 35 Ill. Adm. Code 720.111 add new incorporations by reference, delete others, and routinely update the document versions for several others. Further, the amendments to 35 Ill. Adm. Code 720.111 may affect documents incorporated by reference for the purposes of other segments of this Part 720.
- 11) Are there any other proposed rulemakings pending on this Part? No.
- 10) Statement of statewide policy objectives: These proposed amendments do not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference docket R11-2/R11-16 and be addressed to:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Please direct inquiries to the following person and reference docket R11-2/R11-16:

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Michael J. McCambridge
Staff Attorney
Illinois Pollution Control Board
100 W. Randolph 11-500
Chicago, IL 60601

Phone: 312/814-6924
E-mail: mccambm@ipcb.state.il.us

Request copies of the Board's opinion and order at 312-814-3620, or download a copy from the Board's Website at <http://www.ipcb.state.il.us>.

- 13) Initial regulatory flexibility analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: This rulemaking may affect those small businesses, small municipalities, and not-for-profit corporations that generate, transport, treat, store, or dispose of hazardous waste.
 - B) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records.
 - C) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2010 and December 2010

The full text of the Proposed Amendments begins on the next page:

EXEMPT

JCAR350720-1109268r01

1 TITLE 35: ENVIRONMENTAL PROTECTION
2 SUBTITLE G: WASTE DISPOSAL
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS
5

6 PART 720
7 HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL
8

9 SUBPART A: GENERAL PROVISIONS
10

11 Section
12 720.101 Purpose, Scope, and Applicability
13 720.102 Availability of Information; Confidentiality of Information
14 720.103 Use of Number and Gender
15 720.104 Electronic Reporting
16

17 SUBPART B: DEFINITIONS AND REFERENCES
18

19 Section
20 720.110 Definitions
21 720.111 References
22

23 SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES
24

25 Section
26 720.120 Rulemaking
27 720.121 Alternative Equivalent Testing Methods
28 720.122 Waste Delisting
29 720.123 Petitions for Regulation as Universal Waste
30 720.130 Procedures for Solid Waste Determinations and Non-Waste Determinations
31 720.131 Solid Waste Determinations
32 720.132 Boiler Determinations
33 720.133 Procedures for Determinations
34 720.134 Non-Waste Determinations
35 720.140 Additional Regulation of Certain Hazardous Waste Recycling Activities on a
36 Case-by-Case Basis
37 720.141 Procedures for Case-by-Case Regulation of Hazardous Waste Recycling
38 Activities
39 720.142 Notification Requirement for Hazardous Secondary Materials
40 720.143 Legitimate Recycling of Hazardous Secondary Materials
41

42 720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste) Regulations
43 (Repealed)

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AUTHORITY: Implementing Sections 7.2, 13, and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4, and 27].

SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-19 at 7 Ill. Reg. 14015, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17496, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1704, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9094, effective July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1063, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9443, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1266, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9168, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6550, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 3712, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg. 12713, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5974, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6290, effective April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2930, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 730, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11726, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 922, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS AND REFERENCES

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Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 728, 733, 738, and 739 only, the following terms have the meanings given below:

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

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

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

"Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

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

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

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

"Battery" means a device that consists of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

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"Board" means the Illinois Pollution Control Board.

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

Boiler physical characteristics.

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

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

The unit must export and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, no credit may be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps.); or

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

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

173 "Cathode ray tube" or "CRT" means a vacuum tube, composed primarily of glass,
174 which is the visual or video display component of an electronic device. A "used,
175 intact CRT" means a CRT whose vacuum has not been released. A "used, broken
176 CRT" means glass removed from its housing or casing whose vacuum has been
177 released.

178
179 "Certification" means a statement of professional opinion based upon knowledge
180 and belief.

181
182 "Closed portion" means that portion of a facility that an owner or operator has
183 closed in accordance with the approved facility closure plan and all applicable
184 closure requirements. (See also "active portion" and "inactive portion.")

185
186 "Component" means either the tank or ancillary equipment of a tank system.

187
188 "Confined aquifer" means an aquifer bounded above and below by impermeable
189 beds or by beds of distinctly lower permeability than that of the aquifer itself; an
190 aquifer containing confined groundwater.

191
192 "Container" means any portable device in which a material is stored, transported,
193 treated, disposed of, or otherwise handled.

194
195 "Containment building" means a hazardous waste management unit that is used to
196 store or treat hazardous waste pursuant to the provisions of Subpart DD of 35 Ill.
197 Adm. Code 724 and Subpart DD of 35 Ill. Adm. Code 725.

198
199 "Contingency plan" means a document setting out an organized, planned and
200 coordinated course of action to be followed in case of a fire, explosion, or release
201 of hazardous waste or hazardous waste constituents that could threaten human
202 health or the environment.

203
204 "Corrosion expert" means a person who, by reason of knowledge of the physical
205 sciences and the principles of engineering and mathematics, acquired by a
206 professional education and related practical experience, is qualified to engage in
207 the practice of corrosion control on buried or submerged metal piping systems and
208 metal tanks. Such a person must be certified as being qualified by the National
209 Association of Corrosion Engineers (NACE) or be a registered professional
210 engineer who has certification or licensing that includes education and experience
211 in corrosion control on buried or submerged metal piping systems and metal
212 tanks.

213
214 "CRT collector" means a person who receives used, intact CRTs for recycling,
215 repair, resale, or donation.

216
217 "CRT glass manufacturer" means an operation or part of an operation that uses a
218 furnace to manufacture CRT glass.

219
220 "CRT processing" means conducting all of the following activities:

221 Receiving broken or intact CRTs;

222
223 Intentionally breaking intact CRTs or further breaking or separating
224 broken CRTs; and

225
226 Sorting or otherwise managing glass removed from CRT monitors.

227
228
229 "Designated facility" means either of the following entities:

230 A hazardous waste treatment, storage, or disposal facility that has been
231 designated on the manifest by the generator, pursuant to 35 Ill. Adm. Code
232 722.120, of which any of the following is true:

233
234 The facility has received a RCRA permit (or interim status)
235 pursuant to 35 Ill. Adm. Code 702, 703, and 705;

236
237 The facility has received a RCRA permit from USEPA pursuant to
238 40 CFR 124 and 270 (2010)~~(2005)~~;

239
240 The facility has received a RCRA permit from a state authorized
241 by USEPA pursuant to 40 CFR 271 (2010)~~(2005)~~; or

242
243 The facility is regulated pursuant to 35 Ill. Adm. Code
244 721.106(c)(2) or Subpart F of 35 Ill. Adm. Code 266; or

245
246 A generator site designated by the hazardous waste generator on the
247 manifest to receive back its own waste as a return shipment from a
248 designated hazardous waste treatment, storage, or disposal facility that has
249 rejected the waste in accordance with 35 Ill. Adm. Code 724.172(f) or
250 725.172(f).

251
252 If a waste is destined to a facility in a state other than Illinois that has been
253 authorized by USEPA pursuant to 40 CFR 271, but which has not yet obtained
254 authorization to regulate that waste as hazardous, then the designated facility
255 must be a facility allowed by the receiving state to accept such waste.

256
257
258 "Destination facility" means a facility that treats, disposes of, or recycles a

259 particular category of universal waste, except those management activities
260 described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A
261 facility at which a particular category of universal waste is only accumulated is
262 not a destination facility for the purposes of managing that category of universal
263 waste.

264
265 "Dike" means an embankment or ridge of either natural or manmade materials
266 used to prevent the movement of liquids, sludges, solids, or other materials.

267
268 "Dioxins and furans" or "D/F" means tetra-, penta-, hexa-, hepta-, and octa-
269 chlorinated dibenzo dioxins and furans.

270
271 "Director" means the Director of the Illinois Environmental Protection Agency.

272
273 "Discharge" or "hazardous waste discharge" means the accidental or intentional
274 spilling, leaking, pumping, pouring, emitting, emptying, or dumping of hazardous
275 waste into or on any land or water.

276
277 "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or
278 placing of any solid waste or hazardous waste into or on any land or water so that
279 such solid waste or hazardous waste or any constituent thereof may enter the
280 environment or be emitted into the air or discharged into any waters, including
281 groundwaters.

282
283 "Disposal facility" means a facility or part of a facility at which hazardous waste
284 is intentionally placed into or on any land or water and at which waste will remain
285 after closure. The term disposal facility does not include a corrective action
286 management unit (CAMU) into which remediation wastes are placed.

287
288 "Drip pad" means an engineered structure consisting of a curbed, free-draining
289 base, constructed of non-earthen materials and designed to convey preservative
290 kick-back or drippage from treated wood, precipitation and surface water runoff to
291 an associated collection system at wood preserving plants.

292
293 "Elementary neutralization unit" means a device of which the following is true:

294
295 It is used for neutralizing wastes that are hazardous only because they
296 exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122
297 or which are listed in Subpart D of 35 Ill. Adm. Code 721 only for this
298 reason; and

299
300 It meets the definition of tank, tank system, container, transport vehicle,
301 or vessel in this Section.

302
303 "EPA hazardous waste number" or "USEPA hazardous waste number" means the
304 number assigned by USEPA to each hazardous waste listed in Subpart D of 35 Ill.
305 Adm. Code 721 and to each characteristic identified in Subpart C of 35 Ill. Adm.
306 Code 721.

307
308 "EPA identification number" or "USEPA identification number" means the
309 number assigned by USEPA pursuant to 35 Ill. Adm. Code 722 through 725 to
310 each generator; transporter; and treatment, storage, or disposal facility.

311
312 "EPA region" or "USEPA region" means the states and territories found in any
313 one of the following ten regions:

314
315 Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut,
316 and Rhode Island.

317
318 Region II: New York, New Jersey, Commonwealth of Puerto Rico, and
319 the U.S. Virgin Islands.

320
321 Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia,
322 and the District of Columbia.

323
324 Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama,
325 Georgia, South Carolina, and Florida.

326
327 Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana, and Ohio.

328
329 Region VI: New Mexico, Oklahoma, Arkansas, Louisiana, and Texas.

330
331 Region VII: Nebraska, Kansas, Missouri, and Iowa.

332
333 Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah,
334 and Colorado.

335
336 Region IX: California, Nevada, Arizona, Hawaii, Guam, American
337 Samoa, and Commonwealth of the Northern Mariana Islands.

338
339 Region X: Washington, Oregon, Idaho, and Alaska.

340
341 "Equivalent method" means any testing or analytical method approved by the
342 Board pursuant to Section 720.120.

343
344 "Existing hazardous waste management (HWM) facility" or "existing facility"

345 means a facility that was in operation or for which construction commenced on or
346 before November 19, 1980. A facility had commenced construction if the owner
347 or operator had obtained the federal, State, and local approvals or permits
348 necessary to begin physical construction and either of the following had occurred:
349

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

351
352 The owner or operator had entered into contractual obligations that could
353 not be canceled or modified without substantial loss for physical
354 construction of the facility to be completed within a reasonable time.
355

356 "Existing portion" means that land surface area of an existing waste management
357 unit, included in the original Part A permit application, on which wastes have
358 been placed prior to the issuance of a permit.
359

360 "Existing tank system" or "existing component" means a tank system or
361 component that is used for the storage or treatment of hazardous waste and which
362 was in operation, or for which installation was commenced, on or prior to July 14,
363 1986. Installation will be considered to have commenced if the owner or operator
364 has obtained all federal, State, and local approvals or permits necessary to begin
365 physical construction of the site or installation of the tank system and if either of
366 the following is true:
367

368 A continuous on-site physical construction or installation program has
369 begun; or
370

371 The owner or operator has entered into contractual obligations that cannot
372 be canceled or modified without substantial loss for physical construction
373 of the site or installation of the tank system to be completed within a
374 reasonable time.
375

376 "Explosives or munitions emergency" means a situation involving the suspected
377 or detected presence of unexploded ordnance (UXO), damaged or deteriorated
378 explosives or munitions, an improvised explosive device (IED), other potentially
379 explosive material or device, or other potentially harmful military chemical
380 munitions or device, that creates an actual or potential imminent threat to human
381 health, including safety, or the environment, including property, as determined by
382 an explosives or munitions emergency response specialist. Such situations may
383 require immediate and expeditious action by an explosives or munitions
384 emergency response specialist to control, mitigate, or eliminate the threat.
385

386 "Explosives or munitions emergency response" means all immediate response
387 activities by an explosives and munitions emergency response specialist to

388 control, mitigate, or eliminate the actual or potential threat encountered during an
 389 explosives or munitions emergency. An explosives or munitions emergency
 390 response may include in-place render-safe procedures, treatment, or destruction of
 391 the explosives or munitions or transporting those items to another location to be
 392 rendered safe, treated, or destroyed. Any reasonable delay in the completion of an
 393 explosives or munitions emergency response caused by a necessary, unforeseen,
 394 or uncontrollable circumstance will not terminate the explosives or munitions
 395 emergency. Explosives and munitions emergency responses can occur on either
 396 public or private lands and are not limited to responses at RCRA facilities.
 397

398 "Explosives or munitions emergency response specialist" means an individual
 399 trained in chemical or conventional munitions or explosives handling,
 400 transportation, render-safe procedures, or destruction techniques. Explosives or
 401 munitions emergency response specialists include United States Department of
 402 Defense (USDOD) emergency explosive ordnance disposal (EOD), technical
 403 escort unit (TEU), and USDOD-certified civilian or contractor personnel and
 404 other federal, State, or local government or civilian personnel who are similarly
 405 trained in explosives or munitions emergency responses.
 406

407 "Facility" means the following:
 408

409 All contiguous land and structures, other appurtenances, and
 410 improvements on the land used for treating, storing, or disposing of
 411 hazardous waste or for managing hazardous secondary materials prior to
 412 reclamation. A facility may consist of several treatment, storage, or
 413 disposal operational units (e.g., one or more landfills, surface
 414 impoundments, or combinations of them).
 415

416 For the purpose of implementing corrective action pursuant to 35 Ill. Adm.
 417 Code 724.201 or 35 Ill. Adm. Code 727.201, all contiguous property under
 418 the control of the owner or operator seeking a permit under Subtitle C of
 419 RCRA. This definition also applies to facilities implementing corrective
 420 action pursuant to RCRA section 3008(h).
 421

422 Notwithstanding the immediately-preceding paragraph of this definition, a
 423 remediation waste management site is not a facility that is subject to 35 Ill.
 424 Adm. Code 724.201, but a facility that is subject to corrective action
 425 requirements if the site is located within such a facility.
 426

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

431
432 "Federal, State, and local approvals or permits necessary to begin physical
433 construction" means permits and approvals required under federal, State, or local
434 hazardous waste control statutes, regulations, or ordinances.

435
436 "Final closure" means the closure of all hazardous waste management units at the
437 facility in accordance with all applicable closure requirements so that hazardous
438 waste management activities pursuant to 35 Ill. Adm. Code 724 and 725 are no
439 longer conducted at the facility unless subject to the provisions of 35 Ill. Adm.
440 Code 722.134.

441
442 "Food-chain crops" means tobacco, crops grown for human consumption, and
443 crops grown for feed for animals whose products are consumed by humans.

444
445 "Freeboard" means the vertical distance between the top of a tank or surface
446 impoundment dike and the surface of the waste contained therein.

447
448 "Free liquids" means liquids that readily separate from the solid portion of a
449 waste under ambient temperature and pressure.

450
451 "Gasification" means, for the purpose of complying with 35 Ill. Adm. Code
452 721.104(a)(12)(A), a process conducted in an enclosed device or system that is
453 designed and operated to process petroleum feedstock, including oil-bearing
454 hazardous secondary materials, through a series of highly controlled steps
455 utilizing thermal decomposition, limited oxidation, and gas cleaning to yield a
456 synthesis gas composed primarily of hydrogen and carbon monoxide gas.

457
458 "Generator" means any person, by site, whose act or process produces hazardous
459 waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a
460 hazardous waste to become subject to regulation.

461
462 "Groundwater" means water below the land surface in a zone of saturation.

463
464 "Hazardous secondary material" means a secondary material (e.g., spent material,
465 by-product, or sludge) that, when discarded, would be identified as hazardous
466 waste pursuant to 35 Ill. Adm. Code 721.

467
468 "Hazardous secondary material generated and reclaimed under the control of the
469 generator" means one of the following materials:

470
471 A material that is both generated and reclaimed at the generating facility
472 (for purposes of this definition, generating facility means all contiguous

473 property owned, leased, or otherwise controlled by the hazardous
474 secondary material generator);

475
476 A material that is generated and reclaimed at different facilities, if both of
477 the following conditions are fulfilled:

478
479 Either the reclaiming facility is controlled by the generator, or both
480 the generating facility and the reclaiming facility are controlled by
481 the same person, as "person" is defined in this Section; and

482
483 The generator provides either of the following certifications:

484
485 "On behalf of [insert generator facility name], I certify that
486 this facility will send the indicated hazardous secondary
487 material to [insert reclaimer facility name], which is
488 controlled by [insert generator facility name] and that
489 [insert the name of either facility] has acknowledged full
490 responsibility for the safe management of the hazardous
491 secondary material."

492
493 or

494
495 "On behalf of [insert generator facility name] I certify that
496 this facility will send the indicated hazardous secondary
497 material to [insert reclaimer facility name], that both
498 facilities are under common control, and that [insert name
499 of either facility] has acknowledged full responsibility for
500 the safe management of the hazardous secondary material."

501
502 For purposes of this definition, "control" means the power to
503 direct the policies of the facility, whether by the ownership of
504 stock, voting rights, or otherwise, except that contractors who
505 operate facilities on behalf of a different person, as "person" is
506 defined in this Section, shall not be deemed to "control" such
507 facilities; or

508
509 A material that is generated pursuant to a written contract between a
510 tolling contractor and a toll manufacturer and which is reclaimed by the
511 tolling contractor, if the tolling contractor certifies the following:

512
513 "On behalf of [insert tolling contractor name], I certify that [insert
514 tolling contractor name], has a written contract with [insert toll
515 manufacturer name] to manufacture [insert name of product or

516 intermediate] which is made from specified unused materials, and
517 that [insert tolling contractor name] will reclaim the hazardous
518 secondary materials generated during this manufacture. On behalf
519 of [insert tolling contractor name], I also certify that [insert tolling
520 contractor name] retains ownership of, and responsibility for, the
521 hazardous secondary materials that are generated during the course
522 of the manufacture, including any releases of hazardous secondary
523 materials that occur during the manufacturing process."
524

525 For purposes of this definition, "tolling contractor" means a person
526 who arranges for the production of a product or intermediate made
527 from specified unused materials through a written contract with a toll
528 manufacturer. "Toll manufacturer" means a person who produces a
529 product or intermediate made from specified unused materials pursuant
530 to a written contract with a tolling contractor.
531

532 "Hazardous secondary material generator" means any person whose act or process
533 produces hazardous secondary materials at the generating facility. For purposes
534 of this definition, "generating facility" means all contiguous property owned,
535 leased, or otherwise controlled by the hazardous secondary material generator.
536 For the purposes of Sections 721.102(a)(2)(B) and 721.104(a)(23), a facility that
537 collects hazardous secondary materials from other persons is not the hazardous
538 secondary material generator.
539

540 "Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code
541 721.103.
542

543 "Hazardous waste constituent" means a constituent that caused the hazardous
544 waste to be listed in Subpart D of 35 Ill. Adm. Code 721, or a constituent listed in
545 35 Ill. Adm. Code 721.124.
546

547 "Hazardous waste management unit" is a contiguous area of land on or in which
548 hazardous waste is placed, or the largest area in which there is significant
549 likelihood of mixing hazardous waste constituents in the same area. Examples of
550 hazardous waste management units include a surface impoundment, a waste pile,
551 a land treatment area, a landfill cell, an incinerator, a tank and its associated
552 piping and underlying containment system, and a container storage area. A
553 container alone does not constitute a unit; the unit includes containers, and the
554 land or pad upon which they are placed.
555

556 "Inactive portion" means that portion of a facility that is not operated after
557 November 19, 1980. (See also "active portion" and "closed portion.")
558

559 "Incinerator" means any enclosed device of which the following is true:

560
561 The facility uses controlled flame combustion, and both of the following
562 are true of the facility:

563
564 The facility does not meet the criteria for classification as a boiler,
565 sludge dryer, or carbon regeneration unit, nor

566
567 The facility is not listed as an industrial furnace; or

568
569 The facility meets the definition of infrared incinerator or plasma arc
570 incinerator.

571
572 "Incompatible waste" means a hazardous waste that is unsuitable for the
573 following:

574
575 Placement in a particular device or facility because it may cause corrosion
576 or decay of containment materials (e.g., container inner liners or tank
577 walls); or

578
579 Commingling with another waste or material under uncontrolled
580 conditions because the commingling might produce heat or pressure, fire,
581 or explosion, violent reaction, toxic dusts, mists, fumes or gases, or
582 flammable fumes or gases.

583
584 (See Appendix E to 35 Ill. Adm. Code 724 and Appendix E to 35 Ill.
585 Adm. Code 725 for references that list examples.)

586
587 "Industrial furnace" means any of the following enclosed devices that are integral
588 components of manufacturing processes and that use thermal treatment to
589 accomplish recovery of materials or energy:

590
591 Cement kilns;

592
593 Lime kilns;

594
595 Aggregate kilns;

596
597 Phosphate kilns;

598
599 Coke ovens;

600
601 Blast furnaces;

602
603 Smelting, melting and refining furnaces (including pyrometallurgical
604 devices such as cupolas, reverberator furnaces, sintering machines,
605 roasters, and foundry furnaces);
606
607 Titanium dioxide chloride process oxidation reactors;
608
609 Methane reforming furnaces;
610
611 Pulping liquor recovery furnaces;
612
613 Combustion devices used in the recovery of sulfur values from spent
614 sulfuric acid;
615
616 Halogen acid furnaces (HAFs) for the production of acid from halogenated
617 hazardous waste generated by chemical production facilities where the
618 furnace is located on the site of a chemical production facility, the acid
619 product has a halogen acid content of at least three percent, the acid
620 product is used in a manufacturing process, and, except for hazardous
621 waste burned as fuel, hazardous waste fed to the furnace has a minimum
622 halogen content of 20 percent, as generated; and
623
624 Any other such device as the Agency determines to be an industrial
625 furnace on the basis of one or more of the following factors:
626
627 The design and use of the device primarily to accomplish recovery
628 of material products;
629
630 The use of the device to burn or reduce raw materials to make a
631 material product;
632
633 The use of the device to burn or reduce secondary materials as
634 effective substitutes for raw materials, in processes using raw
635 materials as principal feedstocks;
636
637 The use of the device to burn or reduce secondary materials as
638 ingredients in an industrial process to make a material product;
639
640 The use of the device in common industrial practice to produce a
641 material product; and
642
643 Other relevant factors.
644

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

650
651 "Infrared incinerator" means any enclosed device that uses electric powered
652 resistance heaters as a source of radiant heat followed by an afterburner using
653 controlled flame combustion and which is not listed as an industrial furnace.

654
655 "Inground tank" means a device meeting the definition of tank whereby a portion
656 of the tank wall is situated to any degree within the ground, thereby preventing
657 visual inspection of that external surface area of the tank that is in the ground.

658
659 "In operation" refers to a facility that is treating, storing, or disposing of
660 hazardous waste.

661
662 "Injection well" means a well into which fluids are being injected. (See also
663 "underground injection.")

664
665 "Inner liner" means a continuous layer of material placed inside a tank or
666 container that protects the construction materials of the tank or container from the
667 contained waste or reagents used to treat the waste.

668
669 "Installation inspector" means a person who, by reason of knowledge of the
670 physical sciences and the principles of engineering, acquired by a professional
671 education and related practical experience, is qualified to supervise the
672 installation of tank systems.

673
674 "Intermediate facility" means any facility that stores hazardous secondary
675 materials for more than 10 days and which is neither a hazardous secondary
676 material generator nor a reclaimer of hazardous secondary material.

677
678 "International shipment" means the transportation of hazardous waste into or out
679 of the jurisdiction of the United States.

680
681 "Lamp" or "universal waste lamp" means the bulb or tube portion of an electric
682 lighting device. A lamp is specifically designed to produce radiant energy, most
683 often in the ultraviolet, visible, or infrared regions of the electromagnetic
684 spectrum. Examples of common universal waste lamps include, but are not
685 limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-
686 pressure sodium, and metal halide lamps.

687

688 "Land-based unit" means an area where hazardous secondary materials are placed
689 in or on the land before recycling. This definition does not include land-based
690 production units.

691
692 "Land treatment facility" means a facility or part of a facility at which hazardous
693 waste is applied onto or incorporated into the soil surface; such facilities are
694 disposal facilities if the waste will remain after closure.

695
696 "Landfill" means a disposal facility or part of a facility where hazardous waste is
697 placed in or on land and which is not a pile, a land treatment facility, a surface
698 impoundment, an underground injection well, a salt dome formation, a salt bed
699 formation, an underground mine, a cave, or a corrective action management unit
700 (CAMU).

701
702 "Landfill cell" means a discrete volume of a hazardous waste landfill that uses a
703 liner to provide isolation of wastes from adjacent cells or wastes. Examples of
704 landfill cells are trenches and pits.

705
706 "LDS" means leak detection system.

707
708 "Leachate" means any liquid, including any suspended components in the liquid,
709 that has percolated through or drained from hazardous waste.

710
711 "Liner" means a continuous layer of natural or manmade materials beneath or on
712 the sides of a surface impoundment, landfill, or landfill cell that restricts the
713 downward or lateral escape of hazardous waste, hazardous waste constituents, or
714 leachate.

715
716 "Leak-detection system" means a system capable of detecting the failure of either
717 the primary or secondary containment structure or the presence of a release of
718 hazardous waste or accumulated liquid in the secondary containment structure.
719 Such a system must employ operational controls (e.g., daily visual inspections for
720 releases into the secondary containment system of aboveground tanks) or consist
721 of an interstitial monitoring device designed to detect continuously and
722 automatically the failure of the primary or secondary containment structure or the
723 presence of a release of hazardous waste into the secondary containment structure.

724
725 "Management" or "hazardous waste management" means the systematic control
726 of the collection, source separation, storage, transportation, processing, treatment,
727 recovery, and disposal of hazardous waste.

728
729 "Manifest" means the shipping document USEPA Form 8700-22 (including, if
730 necessary, USEPA Form 8700-22A) originated and signed by the generator or

731 offeror that contains the information required by Subpart B of 35 Ill. Adm. Code
732 722 and the applicable requirements of 35 Ill. Adm. Code 722 through 727.

733
734 "Manifest tracking number" means the alphanumeric identification number (i.e., a
735 unique three letter suffix preceded by nine numerical digits) that is pre-printed in
736 Item 4 of the manifest by a registered source.

737
738 "Mercury-containing equipment" means a device or part of a device (including
739 thermostats, but excluding batteries and lamps) that contains elemental mercury
740 integral to its function.

741
742 "Military munitions" means all ammunition products and components produced or
743 used by or for the United States Department of Defense or the United States
744 Armed Services for national defense and security, including military munitions
745 under the control of the United States Department of Defense (USDOD), the
746 United States Coast Guard, the United States Department of Energy (USDOE),
747 and National Guard personnel. The term military munitions includes: confined
748 gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot
749 control agents, smokes, and incendiaries used by USDOD components, including
750 bulk explosives and chemical warfare agents, chemical munitions, rockets, guided
751 and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition,
752 small arms ammunition, grenades, mines, torpedoes, depth charges, cluster
753 munitions and dispensers, demolition charges, and devices and components of
754 these items and devices. Military munitions do not include wholly inert items,
755 improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear
756 components of these items and devices. However, the term does include non-
757 nuclear components of nuclear devices, managed under USDOE's nuclear
758 weapons program after all sanitization operations required under the Atomic
759 Energy Act of 1954 (42 USC 2014 et seq.), as amended, have been completed.

760
761 "Mining overburden returned to the mine site" means any material overlying an
762 economic mineral deposit that is removed to gain access to that deposit and is
763 then used for reclamation of a surface mine.

764
765 "Miscellaneous unit" means a hazardous waste management unit where hazardous
766 waste is treated, stored, or disposed of and that is not a container; tank; surface
767 impoundment; pile; land treatment unit; landfill; incinerator; boiler; industrial
768 furnace; underground injection well with appropriate technical standards pursuant
769 to 35 Ill. Adm. Code 730; containment building; corrective action management
770 unit (CAMU); unit eligible for a research, development, and demonstration permit
771 pursuant to 35 Ill. Adm. Code 703.231; or staging pile.

772
773 "Movement" means hazardous waste that is transported to a facility in an

774 individual vehicle.

775
776 "NAICS Code" means the code number assigned a facility using the "North
777 American Industry Classification System," incorporated by reference in Section
778 720.111.

779
780 "New hazardous waste management facility" or "new facility" means a facility
781 that began operation, or for which construction commenced after November 19,
782 1980. (See also "Existing hazardous waste management facility.")

783
784 "New tank system" or "new tank component" means a tank system or component
785 that will be used for the storage or treatment of hazardous waste and for which
786 installation commenced after July 14, 1986; except, however, for purposes of 35
787 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for
788 which construction commenced after July 14, 1986. (See also "existing tank
789 system.")

790
791 "Onground tank" means a device meeting the definition of tank that is situated in
792 such a way that the bottom of the tank is on the same level as the adjacent
793 surrounding surfaces so that the external tank bottom cannot be visually
794 inspected.

795
796 "On-site" means the same or geographically contiguous property that may be
797 divided by public or private right-of-way, provided the entrance and exit between
798 the properties is at a crossroads intersection and access is by crossing as opposed
799 to going along the right-of-way. Noncontiguous properties owned by the same
800 person but connected by a right-of-way that the owner controls and to which the
801 public does not have access is also considered on-site property.

802
803 "Open burning" means the combustion of any material without the following
804 characteristics:

805
806 Control of combustion air to maintain adequate temperature for efficient
807 combustion;

808
809 Containment of the combustion reaction in an enclosed device to provide
810 sufficient residence time and mixing for complete combustion; and

811
812 Control of emission of the gaseous combustion products.

813
814 (See also "incineration" and "thermal treatment.")

815
816 "Operator" means the person responsible for the overall operation of a facility.

817
818 "Owner" means the person that owns a facility or part of a facility.
819

820 "Partial closure" means the closure of a hazardous waste management unit in
821 accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or
822 725 at a facility that contains other active hazardous waste management units.
823 For example, partial closure may include the closure of a tank (including its
824 associated piping and underlying containment systems), landfill cell, surface
825 impoundment, waste pile, or other hazardous waste management unit, while other
826 units of the same facility continue to operate.
827

828 ~~"Performance Track member facility" means a facility that has been accepted by~~
829 ~~USEPA for membership in the National Environmental Performance Track~~
830 ~~Program (Program) and which is still a member of that Program. The National~~
831 ~~Environmental Performance Track Program is a voluntary, facility-based,~~
832 ~~program for top environmental performers. A program member must demonstrate~~
833 ~~a good record of compliance and past success in achieving environmental goals,~~
834 ~~and it must commit to future specific quantified environmental goals,~~
835 ~~environmental management systems, local community outreach, and annual~~
836 ~~reporting of measurable results.~~

837 ~~BOARD NOTE: The National Environmental Performance Track program is~~
838 ~~operated exclusively by USEPA. USEPA established the program in 2000 (see~~
839 ~~65 Fed. Reg. 41655 (July 6, 2000)) and amended it in 2004 (see 69 Fed. Reg.~~
840 ~~27922 (May 17, 2004)). USEPA confers membership in the program on~~
841 ~~application of interested and eligible entities. Information about the program is~~
842 ~~available from a website maintained by USEPA: [www.epa.gov/](http://www.epa.gov/performance-track)~~
843 ~~performancetrack.~~
844

845 "Person" means an individual, trust, firm, joint stock company, federal agency,
846 corporation (including a government corporation), partnership, association, state,
847 municipality, commission, political subdivision of a state, or any interstate body.
848

849 "Personnel" or "facility personnel" means all persons who work at or oversee the
850 operations of a hazardous waste facility and whose actions or failure to act may
851 result in noncompliance with 35 Ill. Adm. Code 724 or 725.
852

853 "Pesticide" means any substance or mixture of substances intended for
854 preventing, destroying, repelling, or mitigating any pest or intended for use as a
855 plant regulator, defoliant, or desiccant, other than any article that fulfills one of
856 the following descriptions:
857

858 It is a new animal drug under section 201(v) of the Federal Food, Drug
859 and Cosmetic Act (FFDCA; 21 USC 321(v)), incorporated by reference in

860 Section 720.111(c);

861
862 It is an animal drug that has been determined by regulation of the federal
863 Secretary of Health and Human Services pursuant to FFDCa section 512
864 (21 USC 360b), incorporated by reference in Section 720.111(c), to be an
865 exempted new animal drug; or

866
867 It is an animal feed under FFDCa section 201(w) (21 USC 321(w)),
868 incorporated by reference in Section 720.111(c), that bears or contains any
869 substances described in either of the two preceding paragraphs of this
870 definition.

871 BOARD NOTE: The second exception of corresponding 40 CFR 260.10
872 reads as follows: "Is an animal drug that has been determined by
873 regulation of the Secretary of Health and Human Services not to be a new
874 animal drug." This is very similar to the language of section 2(u) of the
875 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 USC
876 136(u)). The three exceptions, taken together, appear intended not to
877 include as pesticide any material within the scope of federal Food and
878 Drug Administration regulation. The Board codified this provision with
879 the intent of retaining the same meaning as its federal counterpart while
880 adding the definiteness required under Illinois law.

881
882 "Pile" means any noncontainerized accumulation of solid, non-flowing hazardous
883 waste that is used for treatment or storage, and that is not a containment building.

884
885 "Plasma arc incinerator" means any enclosed device that uses a high intensity
886 electrical discharge or arc as a source of heat followed by an afterburner using
887 controlled flame combustion and which is not listed as an industrial furnace.

888
889 "Point source" means any discernible, confined, and discrete conveyance,
890 including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well,
891 discrete fissure, container, rolling stock, concentrated animal feeding operation, or
892 vessel or other floating craft from which pollutants are or may be discharged.
893 This term does not include return flows from irrigated agriculture.

894
895 "Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code
896 310.110.

897
898 "Qualified groundwater scientist" means a scientist or engineer who has received
899 a baccalaureate or postgraduate degree in the natural sciences or engineering, and
900 has sufficient training and experience in groundwater hydrology and related
901 fields, as demonstrated by state registration, professional certifications, or
902 completion of accredited university courses that enable the individual to make

903 sound professional judgments regarding groundwater monitoring and contaminant
904 rate and transport.

905 BOARD NOTE: State registration includes, but is not limited to, registration as a
906 professional engineer with the Department of Professional Regulation, pursuant to
907 225 ILCS 325 and 68 Ill. Adm. Code 1380. Professional certification includes,
908 but is not limited to, certification under the certified groundwater professional
909 program of the National Ground Water Association.

910
911 "RCRA" means the Solid Waste Disposal Act, as amended by the Resource
912 Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.).

913
914 "RCRA standardized permit" means a RCRA permit issued pursuant to Subpart J
915 of 35 Ill. Adm. Code 703 and Subpart G of 35 Ill. Adm. Code 702 that authorizes
916 management of hazardous waste. The RCRA standardized permit may have two
917 parts: a uniform portion issued in all cases and a supplemental portion issued at
918 the discretion of the Agency.

919
920 "Regional Administrator" means the Regional Administrator for the USEPA
921 region in which the facility is located or the Regional Administrator's designee.

922
923 "Remediation waste" means all solid and hazardous wastes, and all media
924 (including groundwater, surface water, soils, and sediments) and debris that are
925 managed for implementing cleanup.

926
927 "Remediation waste management site" means a facility where an owner or
928 operator is or will be treating, storing, or disposing of hazardous remediation
929 wastes. A remediation waste management site is not a facility that is subject to
930 corrective action pursuant to 35 Ill. Adm. Code 724.201, but a remediation waste
931 management site is subject to corrective action requirements if the site is located
932 in such a facility.

933
934 "Replacement unit" means a landfill, surface impoundment, or waste pile unit
935 from which all or substantially all of the waste is removed, and which is
936 subsequently reused to treat, store, or dispose of hazardous waste. Replacement
937 unit does not include a unit from which waste is removed during closure, if the
938 subsequent reuse solely involves the disposal of waste from that unit and other
939 closing units or corrective action areas at the facility, in accordance with a closure
940 or corrective action plan approved by USEPA or the Agency.

941
942 "Representative sample" means a sample of a universe or whole (e.g., waste pile,
943 lagoon, groundwater) that can be expected to exhibit the average properties of the
944 universe or whole.

945

- 946 "Runoff" means any rainwater, leachate, or other liquid that drains over land from
947 any part of a facility.
948
- 949 "Runon" means any rainwater, leachate, or other liquid that drains over land onto
950 any part of a facility.
951
- 952 "Saturated zone" or "zone of saturation" means that part of the earth's crust in
953 which all voids are filled with water.
954
- 955 "SIC code" means "Standard Industrial Classification code," as assigned to a site
956 by the United States Department of Transportation, Federal Highway
957 Administration, based on the particular activities that occur on the site, as set forth
958 in its publication "Standard Industrial Classification Manual," incorporated by
959 reference in Section 720.111(a).
960
- 961 "Sludge" means any solid, semi-solid, or liquid waste generated from a municipal,
962 commercial, or industrial wastewater treatment plant, water supply treatment
963 plant, or air pollution control facility, exclusive of the treated effluent from a
964 wastewater treatment plant.
965
- 966 "Sludge dryer" means any enclosed thermal treatment device that is used to
967 dehydrate sludge and which has a total thermal input, excluding the heating value
968 of the sludge itself, of 2,500 Btu/lb or less of sludge treated on a wet-weight basis.
969
- 970 "Small quantity generator" means a generator that generates less than 1,000 kg of
971 hazardous waste in a calendar month.
972
- 973 "Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.
974
- 975 "Sorbent" means a material that is used to soak up free liquids by either
976 adsorption or absorption, or both. "Sorb" means to either adsorb or absorb, or
977 both.
978
- 979 "Staging pile" means an accumulation of solid, non-flowing "remediation waste"
980 (as defined in this Section) that is not a containment building and that is used only
981 during remedial operations for temporary storage at a facility. Staging piles must
982 be designated by the Agency according to 35 Ill. Adm. Code 724.654.
983
- 984 "State" means any of the several states, the District of Columbia, the
985 Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and
986 the Commonwealth of the Northern Mariana Islands.
987
- 988 "Storage" means the holding of hazardous waste for a temporary period, at the end

989 of which the hazardous waste is treated, disposed of, or stored elsewhere.

990
991 "Sump" means any pit or reservoir that meets the definition of tank and those
992 troughs or trenches connected to it that serve to collect hazardous waste for
993 transport to hazardous waste storage, treatment, or disposal facilities; except that,
994 as used in the landfill, surface impoundment, and waste pile rules, sump means
995 any lined pit or reservoir that serves to collect liquids drained from a leachate
996 collection and removal system or leak detection system for subsequent removal
997 from the system.

998
999 "Surface impoundment" or "impoundment" means a facility or part of a facility
1000 that is a natural topographic depression, manmade excavation, or diked area
1001 formed primarily of earthen materials (although it may be lined with manmade
1002 materials) that is designed to hold an accumulation of liquid wastes or wastes
1003 containing free liquids and which is not an injection well. Examples of surface
1004 impoundments are holding, storage, settling and aeration pits, ponds, and lagoons.

1005
1006 "Tank" means a stationary device, designed to contain an accumulation of
1007 hazardous waste that is constructed primarily of nonearthen materials (e.g., wood,
1008 concrete, steel, plastic) that provide structural support.

1009
1010 "Tank system" means a hazardous waste storage or treatment tank and its
1011 associated ancillary equipment and containment system.

1012
1013 "TEQ" means toxicity equivalence, the international method of relating the
1014 toxicity of various dioxin and furan congeners to the toxicity of 2,3,7,8-tetra-
1015 chlorodibenzo-p-dioxin.

1016
1017 "Thermal treatment" means the treatment of hazardous waste in a device that uses
1018 elevated temperatures as the primary means to change the chemical, physical, or
1019 biological character or composition of the hazardous waste. Examples of thermal
1020 treatment processes are incineration, molten salt, pyrolysis, calcination, wet air
1021 oxidation, and microwave discharge. (See also "incinerator" and "open burning.")

1022
1023 "Thermostat" means a temperature control device that contains metallic mercury
1024 in an ampule attached to a bimetal sensing element and mercury-containing
1025 ampules that have been removed from such a temperature control device in
1026 compliance with 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

1027
1028 "Totally enclosed treatment facility" means a facility for the treatment of
1029 hazardous waste that is directly connected to an industrial production process and
1030 which is constructed and operated in a manner that prevents the release of any
1031 hazardous waste or any constituent thereof into the environment during treatment.

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1074

An example is a pipe in which waste acid is neutralized.

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

"Transport vehicle" means a motor vehicle or rail car used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

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

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

"Treatability study" means the following:

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

Whether the waste is amenable to the treatment process;

What pretreatment (if any) is required;

The optimal process conditions needed to achieve the desired treatment;

The efficiency of a treatment process for a specific waste or wastes; and

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

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

"Treatment" means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition

1075 of any hazardous waste so as to neutralize the waste, recover energy or material
1076 resources from the waste, or render the waste non-hazardous or less hazardous;
1077 safer to transport, store, or dispose of; or amenable for recovery, amenable for
1078 storage, or reduced in volume.

1079
1080 "Treatment zone" means a soil area of the unsaturated zone of a land treatment
1081 unit within which hazardous constituents are degraded, transformed, or
1082 immobilized.

1083
1084 "Underground injection" means the subsurface emplacement of fluids through a
1085 bored, drilled, or driven well or through a dug well, where the depth of the dug
1086 well is greater than the largest surface dimension. (See also "injection well.")

1087
1088 "Underground tank" means a device meeting the definition of tank whose entire
1089 surface area is totally below the surface of and covered by the ground.

1090
1091 "Unfit-for-use tank system" means a tank system that has been determined,
1092 through an integrity assessment or other inspection, to be no longer capable of
1093 storing or treating hazardous waste without posing a threat of release of hazardous
1094 waste to the environment.

1095
1096 "United States" means the 50 states, the District of Columbia, the Commonwealth
1097 of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the
1098 Commonwealth of the Northern Mariana Islands.

1099
1100 "Universal waste" means any of the following hazardous wastes that are managed
1101 pursuant to the universal waste requirements of 35 Ill. Adm. Code 733:

1102
1103 Batteries, as described in 35 Ill. Adm. Code 733.102;

1104
1105 Pesticides, as described in 35 Ill. Adm. Code 733.103;

1106
1107 Mercury-containing equipment, as described in 35 Ill. Adm. Code
1108 733.104; and

1109
1110 Lamps, as described in 35 Ill. Adm. Code 733.105.

1111
1112 "Universal waste handler" means either of the following:

1113
1114 A generator (as defined in this Section) of universal waste; or

1115
1116 The owner or operator of a facility, including all contiguous property, that
1117 receives universal waste from other universal waste handlers, accumulates

1118 the universal waste, and sends that universal waste to another universal
1119 waste handler, to a destination facility, or to a foreign destination.

1120
1121 "Universal waste handler" does not mean either of the following:

1122
1123 A person that treats (except under the provisions of Section
1124 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles
1125 universal waste; or

1126
1127 A person engaged in the off-site transportation of universal waste
1128 by air, rail, highway, or water, including a universal waste transfer
1129 facility.

1130
1131 "Universal waste transporter" means a person engaged in the off-site
1132 transportation of universal waste by air, rail, highway, or water.

1133
1134 "Unsaturated zone" or "zone of aeration" means the zone between the land surface
1135 and the water table.

1136
1137 "Uppermost aquifer" means the geologic formation nearest the natural ground
1138 surface that is an aquifer, as well as lower aquifers that are hydraulically
1139 interconnected with this aquifer within the facility's property boundary.

1140
1141 "USDOT" or "Department of Transportation" means the United States
1142 Department of Transportation.

1143
1144 "Used oil" means any oil that has been refined from crude oil, or any synthetic oil,
1145 that has been used and as a result of such use is contaminated by physical or
1146 chemical impurities.

1147
1148 "USEPA" or "EPA" means the United States Environmental Protection Agency.

1149
1150 "USPS" means the United States Postal Service.

1151
1152 "Vessel" includes every description of watercraft used or capable of being used as
1153 a means of transportation on the water.

1154
1155 "Wastewater treatment unit" means a device of which the following is true:

1156
1157 It is part of a wastewater treatment facility that has an NPDES permit
1158 pursuant to 35 Ill. Adm. Code 309 or a pretreatment permit or
1159 authorization to discharge pursuant to 35 Ill. Adm. Code 310;

1160

1161 It receives and treats or stores an influent wastewater that is a hazardous
1162 waste as defined in 35 Ill. Adm. Code 721.103, or generates and
1163 accumulates a wastewater treatment sludge that is a hazardous waste as
1164 defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater
1165 treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code
1166 721.103; and

1167
1168 It meets the definition of tank or tank system in this Section.

1169
1170 "Water (bulk shipment)" means the bulk transportation of hazardous waste that is
1171 loaded or carried on board a vessel without containers or labels.

1172
1173 "Well" means any shaft or pit dug or bored into the earth, generally of a
1174 cylindrical form, and often walled with bricks or tubing to prevent the earth from
1175 caving in.

1176
1177 "Well injection" (See "underground injection.")

1178
1179 "Zone of engineering control" means an area under the control of the owner or
1180 operator that, upon detection of a hazardous waste release, can be readily cleaned
1181 up prior to the release of hazardous waste or hazardous constituents to
1182 groundwater or surface water.

1183
1184 (Source: Amended at 35 Ill. Reg. _____, effective _____)

1185
1186 **Section 720.111 References**

1187
1188 The following documents are incorporated by reference for the purposes of this Part and 35 Ill.
1189 Adm. Code 702 through 705, 721 through 728, 730, 733, 738, and 739:

1190
1191 a) Non-Regulatory Government Publications and Publications of Recognized
1192 Organizations and Associations:

1193
1194 ACGME. Available from the Accreditation Council for Graduate Medical
1195 Education, 515 North State Street, Suite 2000, Chicago, IL 60654, 312-
1196 755-5000:

1197
1198 "Accreditation Council for Graduate Medical Education: Glossary
1199 of Terms," March 19, 2009, referenced in 35 Ill. Adm. Code
1200 722.300.

1201 BOARD NOTE: Also available on the Internet for download and
1202 viewing as a PDF file at the following Internet address:
1203 http://www.acgme.org/acWebsite/about/ab_ACGMEglossary.pdf

1204
1205 ACI. Available from the American Concrete Institute, Box 19150,
1206 Redford Station, Detroit, Michigan 48219:
1207
1208 ACI 318-83: "Building Code Requirements for Reinforced
1209 Concrete," adopted November 1983, referenced in 35 Ill. Adm.
1210 Code 724.673 and 725.543.
1211
1212 ANSI. Available from the American National Standards Institute, 1430
1213 Broadway, New York, New York 10018, 212-354-3300:
1214
1215 See ASME/ANSI B31.3 and B31.4 and supplements below in this
1216 subsection (a) under ASME.
1217
1218 API. Available from the American Petroleum Institute, 1220 L Street,
1219 N.W., Washington, D.C. 20005, 202-682-8000:
1220
1221 "Cathodic Protection of Underground Petroleum Storage Tanks
1222 and Piping Systems," API Recommended Practice 1632, Second
1223 Edition, December 1987, referenced in 35 Ill. Adm. Code 724.292,
1224 724.295, 725.292, and 725.295.
1225
1226 "Evaporative Loss from External Floating-Roof Tanks," API
1227 publication 2517, Third Edition, February 1989, USEPA-approved
1228 for 35 Ill. Adm. Code 725.984.
1229
1230 "Guide for Inspection of Refinery Equipment," Chapter XIII,
1231 "Atmospheric and Low Pressure Storage Tanks," 4th Edition, 1981,
1232 reaffirmed December 1987, referenced in 35 Ill. Adm. Code
1233 724.291, 724.293, 725.291, and 725.292.
1234
1235 "Installation of Underground Petroleum Storage Systems," API
1236 Recommended Practice 1615, Fourth Edition, November 1987,
1237 referenced in 35 Ill. Adm. Code 724.292.
1238
1239 ASME. Available from the American Society of Mechanical Engineers, 345 East
1240 47th Street, New York, NY 10017, 212-705-7722:
1241
1242 "Chemical Plant and Petroleum Refinery Piping," ASME/ANSI B31.3-
1243 1987, as supplemented by B31.3a-1988 and B31.3b-1988, referenced in
1244 35 Ill. Adm. Code 724.292 and 725.292. Also available from ANSI.
1245
1246 "Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas,

1247 Anhydrous Ammonia, and Alcohols," ASME/ANSI B31.4-1986, as
1248 supplemented by B31.4a-1987, referenced in 35 Ill. Adm. Code 724.292
1249 and 725.292. Also available from ANSI.

1250
1251 ASTM. Available from American Society for Testing and Materials, 100 Barr
1252 Harbor Drive, West Conshohocken, PA 19428-2959, 610-832-9585:

1253
1254 ASTM C 94-90, "Standard Specification for Ready-Mixed Concrete,"
1255 approved March 30, 1990, referenced in 35 Ill. Adm. Code 724.673 and
1256 725.543.

1257
1258 ASTM D 88-87, "Standard Test Method for Saybolt Viscosity," approved
1259 April 24, 1981, reapproved January 1987, referenced in 35 Ill. Adm. Code
1260 726.200.

1261
1262 ASTM D 93-85, "Standard Test Methods for Flash Point by Pensky-
1263 Martens Closed Tester," approved October 25, 1985, USEPA-approved
1264 for 35 Ill. Adm. Code 721.121.

1265
1266 ASTM D 140-70, "Standard Practice for Sampling Bituminous Materials,"
1267 approved 1970, referenced in Appendix A to 35 Ill. Adm. Code 721.

1268
1269 ASTM D 346-75, "Standard Practice for Collection and Preparation of
1270 Coke Samples for Laboratory Analysis," approved 1975, referenced in
1271 Appendix A to 35 Ill. Adm. Code 721.

1272
1273 ASTM D 420-69, "Guide to Site Characterization for Engineering,
1274 Design, and Construction Purposes," approved 1969, referenced in
1275 Appendix A to 35 Ill. Adm. Code 721.

1276
1277 ASTM D 1452-65, "Standard Practice for Soil Investigation and Sampling
1278 by Auger Borings," approved 1965, referenced in Appendix A to 35 Ill.
1279 Adm. Code 721.

1280
1281 ASTM D 1946-90, "Standard Practice for Analysis of Reformed Gas by
1282 Gas Chromatography," approved March 30, 1990, USEPA-approved for
1283 35 Ill. Adm. Code 724.933 and 725.933.

1284
1285 ASTM D 2161-87, "Standard Practice for Conversion of Kinematic
1286 Viscosity to Saybolt Universal or to Saybolt Furol Viscosity," March 27,
1287 1987, referenced in 35 Ill. Adm. Code 726.200.

1288
1289 ASTM D 2234-76, "Standard Practice for Collection of a Gross Sample of

1290 Coal," approved 1976, referenced in Appendix A to 35 Ill. Adm. Code
1291 721.
1292
1293 ASTM D 2267-88, "Standard Test Method for Aromatics in Light
1294 Naphthas and Aviation Gasolines by Gas Chromatography," approved
1295 November 17, 1988, USEPA-approved for 35 Ill. Adm. Code 724.963.
1296
1297 ASTM D 2382-88, "Standard Test Method for Heat of Combustion of
1298 Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method),"
1299 approved October 31, 1988, USEPA-approved for 35 Ill. Adm. Code
1300 724.933 and 725.933.
1301
1302 ASTM D 2879-92, "Standard Test Method for Vapor Pressure-
1303 Temperature Relationship and Initial Decomposition Temperature of
1304 Liquids by Isoteniscope," approved 1992, USEPA-approved for 35 Ill.
1305 Adm. Code 725.984, referenced in 35 Ill. Adm. Code 724.963 and
1306 725.963.
1307
1308 ASTM D 3828-87, "Standard Test Methods for Flash Point of Liquids by
1309 Setaflash Closed Tester," approved December 14, 1988, USEPA-approved
1310 for 35 Ill. Adm. Code 721.121(a).
1311
1312 ASTM E 168-88, "Standard Practices for General Techniques of Infrared
1313 Quantitative Analysis," approved May 27, 1988, USEPA-approved for 35
1314 Ill. Adm. Code 724.963.
1315
1316 ASTM E 169-87, "Standard Practices for General Techniques of
1317 Ultraviolet-Visible Quantitative Analysis," approved February 1, 1987,
1318 USEPA-approved for 35 Ill. Adm. Code 724.963.
1319
1320 ASTM E 260-85, "Standard Practice for Packed Column Gas
1321 Chromatography," approved June 28, 1985, USEPA-approved for 35 Ill.
1322 Adm. Code 724.963.
1323
1324 ASTM G 21-70 (1984a), "Standard Practice for Determining Resistance of
1325 Synthetic Polymer Materials to Fungi," referenced in 35 Ill. Adm. Code
1326 724.414 and 725.414.
1327
1328 ASTM G 22-76 (1984b), "Standard Practice for Determining Resistance
1329 of Plastics to Bacteria," referenced in 35 Ill. Adm. Code 724.414 and
1330 725.414.
1331
1332 GPO. Available from the Superintendent of Documents, U.S. Government

- 1333 Printing Office, Washington, D.C. 20402, 202-512-1800:
1334
1335 Standard Industrial Classification Manual (1972), and 1977 Supplement,
1336 republished in 1983, referenced in 35 Ill. Adm. Code 702.110 and Section
1337 720.110.
1338
1339 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,"
1340 USEPA publication number EPA-530/SW-846 (Third Edition, November
1341 1986), as amended by Updates I (July 1992), II (November 1994), IIA
1342 (August, 1993), IIB (January 1995), III (December 1996), IIIA (April
1343 1998), and IIIB (November 2004) (document number 955-001-00000-1).
1344 See below in this subsection (a) under NTIS.
1345
1346 NACE. Available from the National Association of Corrosion Engineers, 1400
1347 South Creek Dr., Houston, TX 77084, 713-492-0535:
1348
1349 "Control of External Corrosion on Metallic Buried, Partially Buried, or
1350 Submerged Liquid Storage Systems," NACE Recommended Practice
1351 RP0285-85, approved March 1985, referenced in 35 Ill. Adm. Code
1352 724.292, 724.295, 725.292, and 725.295.
1353
1354 NFPA. Available from the National Fire Protection Association, 1 Batterymarch
1355 Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:
1356
1357 "Flammable and Combustible Liquids Code," NFPA 30, issued July 18,
1358 2003, as supplemented by TIA 03-1, issued July 15, 2004, and corrected
1359 by Errata 30-03-01, issued August 13, 2004, USEPA-approved for 35 Ill.
1360 Adm. Code 724.298, 725.298, and 727.290, referenced in 35 Ill. Adm.
1361 Code 725.301 and 726.211.
1362
1363 NTIS. Available from the U.S. Department of Commerce, National Technical
1364 Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-605-
1365 6000 or 800-553-6847 (Internet address: www.ntis.gov):
1366
1367 "APTI Course 415: Control of Gaseous Emissions," December 1981,
1368 USEPA publication number EPA-450/2-81-005, NTIS document number
1369 PB80-208895, USEPA-approved for 35 Ill. Adm. Code 703.210, 703.211,
1370 703.352, 724.935, and 725.935.
1371 BOARD NOTE: "APTI" denotes USEPA's "Air Pollution Training
1372 Institute" (Internet address: www.epa.gov/air/oaqps/eog/).
1373
1374 "Generic Quality Assurance Project Plan for Land Disposal Restrictions
1375 Program," USEPA publication number EPA-530/SW-87-011, March 15,

1376 1987, NTIS document number PB88-170766, referenced in 35 Ill. Adm.
1377 Code 728.106.
1378
1379 "Method 1664, Revision A, n-Hexane Extractable Material (HEM; Oil and
1380 Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-
1381 HEM; Non-polar Material) by Extraction and Gravimetry," USEPA
1382 publication number EPA-821/R-98-002, NTIS document number PB99-
1383 121949, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
1384 BOARD NOTE: Also available on the Internet for free download as a
1385 PDF document from the USEPA website at:
1386 www.epa.gov/waterscience/methods/16640514.pdf.
1387
1388 "Methods for Chemical Analysis of Water and Wastes," Third Edition,
1389 March 1983, USEPA document number EPA-600/4-79-020, NTIS
1390 document number PB84-128677, referenced in 35 Ill. Adm. Code
1391 725.192.
1392 BOARD NOTE: Also available on the Internet as a viewable/printable
1393 HTML document from the USEPA website at:
1394 www.epa.gov/clariton/clhtml/pubtitleORD.html as document 600479002.
1395
1396 "North American Industry Classification System," July 2007, U.S.
1397 Department of Commerce, Bureau of the Census, document number
1398 PB2007-100002 (hardcover printed volume) or PB2007-500023,
1399 referenced in Section 720.110 (definition of "NAICS Code") for the
1400 purposes of Section 720.142.
1401 BOARD NOTE: Also available on the Internet from the Bureau of
1402 Census: www.census.gov/naics/2007/naicod07.htm.
1403
1404 "Procedures Manual for Ground Water Monitoring at Solid Waste
1405 Disposal Facilities," August 1977, EPA-530/SW-611, NTIS document
1406 number PB84-174820, referenced in 35 Ill. Adm. Code 725.192.
1407
1408 "Screening Procedures for Estimating the Air Quality Impact of Stationary
1409 Sources," October 1992, USEPA publication number EPA-454/R-92-019,
1410 NTIS document number 93-219095, referenced in 35 Ill. Adm. Code
1411 726.204 and 726.206.
1412 BOARD NOTE: Also available on the Internet for free download as a
1413 WordPerfect document from the USEPA website at the following Internet
1414 address: www.epa.gov/scram001/guidance/guide/scrng.wpd.
1415
1416 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,"
1417 USEPA publication number EPA-530/SW-846 (Third Edition, November
1418 1986; Revision 6, January 2005), as amended by Updates I (July 1992), II

1461 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35
1462 Ill. Adm. Code 726.207.
1463
1464 Method 0060 (December 1996) (Determination of Metals in Stack
1465 Emissions), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1466 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code
1467 726.206.
1468
1469 Method 0061 (December 1996) (Determination of Hexavalent
1470 Chromium Emissions from Stationary Sources), USEPA-approved
1471 for Appendix I to 35 Ill. Adm. Code 721, 35 Ill. Adm. Code
1472 726.206, and Appendix I to 35 Ill. Adm. Code 726.
1473
1474 Method 1010A (November 2004) (Test Methods for Flash Point by
1475 Pensky-Martens Closed Cup Tester), USEPA-approved for
1476 Appendix I to 35 Ill. Adm. Code 721.
1477
1478 Method 1020B (November 2004) (Standard Test Methods for
1479 Flash Point by Setaflash (Small Scale) Closed-cup Apparatus),
1480 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
1481
1482 Method 1110A (November 2004) (Corrosivity Toward Steel),
1483 USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I
1484 to 35 Ill. Adm. Code 721.
1485
1486 Method 1310B (November 2004) (Extraction Procedure (EP)
1487 Toxicity Test Method and Structural Integrity Test), USEPA-
1488 approved for Appendix I to 35 Ill. Adm. Code 721 and referenced
1489 in Appendix I to 35 Ill. Adm. Code 728.
1490
1491 Method 1311 (November 1992) (Toxicity Characteristic Leaching
1492 Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1493 721; for 35 Ill. Adm. Code 721.124, 728.107, and 728.140; and for
1494 Table T to 35 Ill. Adm. Code 728.
1495
1496 Method 1312 (November 1994) (Synthetic Precipitation Leaching
1497 Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1498 721.
1499
1500 Method 1320 (November 1986) (Multiple Extraction Procedure),
1501 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.
1502

1503 Method 1330A (November 1992) (Extraction Procedure for Oily
1504 Wastes), USEPA-approved for Appendix I to 35 Ill. Adm. Code
1505 721.
1506

1507 Method 9010C (November 2004) (Total and Amenable Cyanide:
1508 Distillation), USEPA-approved for Appendix I to 35 Ill. Adm.
1509 Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148,
1510 referenced in Table H to 35 Ill. Adm. Code 728.
1511

1512 Method 9012B (November 2004) (Total and Amenable Cyanide
1513 (Automated Colorimetric, with Off-Line Distillation)), USEPA-
1514 approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill.
1515 Adm. Code 728.140, 728.144, and 728.148, referenced in Table H
1516 to 35 Ill. Adm. Code 728.
1517

1518 Method 9040C (November 2004) (pH Electrometric
1519 Measurement), USEPA-approved for 35 Ill. Adm. Code 721.122
1520 and Appendix I to 35 Ill. Adm. Code 721.
1521

1522 Method 9045D (November 2004) (Soil and Waste pH), USEPA-
1523 approved for Appendix I to 35 Ill. Adm. Code 721.
1524

1525 Method 9060A (November 2004) (Total Organic Carbon),
1526 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35
1527 Ill. Adm. Code 724.934, 724.963, 725.934, and 725.963.
1528

1529 Method 9070A (November 2004) (n-Hexane Extractable Material
1530 (HEM) for Aqueous Samples), USEPA-approved for Appendix I
1531 to 35 Ill. Adm. Code 721.
1532

1533 Method 9071B (April 1998) (n-Hexane Extractable Material
1534 (HEM) for Sludge, Sediment, and Solid Samples), USEPA-
1535 approved for Appendix I to 35 Ill. Adm. Code 721.
1536

1537 Method 9095B (November 2004) (Paint Filter Liquids Test),
1538 USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35
1539 Ill. Adm. Code 724.290, 724.414, 725.290, 725.414, 725.981,
1540 727.290, and 728.132.
1541

1542 BOARD NOTE: Also available on the Internet for free download in
1543 segments in PDF format from the USEPA website at: [www.epa.gov/SW-](http://www.epa.gov/SW-846)
1544 846.
1545

1546 OECD. Organisation for Economic Co-operation and Development,
 1547 Environment Directorate, 2 rue Andre Pascal, F-75775 Paris Cedex 16,
 1548 France, +33 (0) 1 45 24 81 67 (www.oecd.org), also OECD Washington
 1549 Center, 2001 L Street, NW, Suite 650, Washington, DC 20036-4922, 202-
 1550 785-6323 or 800-456-6323 (www.oecdwash.org):

1551
 1552 OECD Guidance Manual. "Guidance Manual for the
 1553 Implementation of Council Decision C(2001)107/FINAL, as
 1554 amended, on the Control of Transboundary Movements of Wastes
 1555 Destined for Recovery Operations," 2009 (also called "Guidance
 1556 Manual for the Control of Transboundary Movements of
 1557 Recoverable Materials" in OECD documents), but only the
 1558 following segments, which set forth the substantive requirements
 1559 of OECD decision C(2001)107/FINAL, as amended by C(2004)20;
 1560 C(2005)141; and C(2008)156:

1561
 1562 "Annex A: OECD Decision C(2001)107/FINAL, as
 1563 amended by C(2004)20; C(2005)141; and C(2008)156"
 1564 (also called "Revision of Council Decision C(92)39/FINAL
 1565 on the Control of Transboundary Movements of Wastes
 1566 Destined for Recovery Operations," within the text of
 1567 Annex A, and "Decision of the Council Concerning the
 1568 Control of Transboundary Movements of Wastes Destined
 1569 for Recovery Operations" in the original OECD decision
 1570 source document, C(2001)107/FINAL (June 14, 2001), as
 1571 amended by C(2001)107/ADD1 (February 28, 2002),
 1572 C(2004)20 (March 9, 2004), C(2005)141 (December 2,
 1573 2005), and C(2008)156 (December 4, 2008)).

1574
 1575 "Annex B: OECD Consolidated List of Wastes Subject to
 1576 the Green Control Procedure" (individually referred to as
 1577 "Annex B to OECD Guidance Manual" in 35 Ill. Adm.
 1578 Code 722), combining Appendix 3 to OECD decision
 1579 C(2001)107/FINAL, as amended as described above,
 1580 together with the text of Annex IX ("List B") to the "Basel
 1581 Convention on the Control of Transboundary Movements
 1582 of Hazardous Wastes and Their Disposal" ("Basel
 1583 Convention").

1584
 1585 "Annex C: OECD Consolidated List of Wastes Subject to
 1586 the Amber Control Procedure" (individually referred to as
 1587 "Annex C to OECD Guidance Manual" in 35 Ill. Adm.
 1588 Code 722), combining Appendix 4 to OECD decision

1589 C(2001)107/FINAL, as amended, together with the text of
1590 Annexes II ("Categories of Wastes Requiring Special
1591 Consideration") and VIII ("List A") to the Basel
1592 Convention.

1593
1594 BOARD NOTE: The OECD Guidance Manual is available online
1595 from OECD at www.oecd.org/dataoecd/57/1/42262259.pdf. The
1596 OECD and the Basel Convention consider the OECD Guidance
1597 Manual unofficial text of these documents. Despite this unofficial
1598 status, the Board has chosen to follow USEPA's lead and
1599 incorporate the OECD Guidance Manual by reference, instead of
1600 separately incorporating the OECD decision C(2001)107/FINAL
1601 (with its subsequent amendments: OECD decisions
1602 C(2001)107/ADD1, C(2004)20, C(2005)141, and C(2008)156) and
1603 the Basel Convention by reference. Use of the OECD Guidance
1604 Manual eases reference to the documents, increases access to the
1605 documents, and facilitates future updates to this incorporation by
1606 reference. All references to "OECD C(2001)107/FINAL" in the
1607 text of 35 Ill. Adm. Code 722 refer to both the OECD decision and
1608 the Basel Convention that the OECD decision references. The
1609 OECD Guidance Manual includes as Annex A the full text of
1610 OECD document C(2001)107/FINAL, with amendments, and
1611 Annexes B and C set forth lists of wastes subject to Green control
1612 procedures and wastes subject to Amber control procedures,
1613 respectively, that consolidate the wastes from C(2001)107/FINAL
1614 together with those from the Basel Convention.

1615
1616 OECD "Amber List of Wastes," Appendix 4 to the OECD Council
1617 Decision C(92)39/Final (March 30, 1992, revised May 1993) (Concerning
1618 the Control of Transfrontier Movements of Wastes Destined for Recovery
1619 Operations), USEPA-approved for 35 Ill. Adm. Code 722.189, referenced
1620 in 35 Ill. Adm. Code 722.181.

1621
1622 OECD "Amber Tier," Section IV of the annex to the OECD Council
1623 Decision C(92)39/Final (Concerning the Control of Transfrontier
1624 Movements of Wastes Destined for Recovery Operations) (revised May
1625 1993), referenced in 35 Ill. Adm. Code 722.181.

1626
1627 Annex to OECD Council Decision C(88)90/Final, as amended by
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1688 DD Form 836, and DOD 6055.09-STD are available on-line for download in pdf
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 1808 Method 2 (Determination of Stack Gas Velocity and Volumetric
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 1810 724.933, 724.934, 725.933, 725.934, and 726.205.
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 1812 Method 2A (Direct Measurement of Gas Volume through Pipes
 1813 and Small Ducts), referenced in 35 Ill. Adm. Code 724.933,
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 1816 Method 2B (Determination of Exhaust Gas Volume Flow Rate
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 1818 Code 726.205.
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 1820 Method 2C (Determination of Gas Velocity and Volumetric Flow
 1821 Rate in Small Stacks or Ducts (Standard Pitot Tube)), referenced in
 1822 35 Ill. Adm. Code 724.933, 725.933, and 726.205.
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 1825 Pipes and Ducts), referenced in 35 Ill. Adm. Code 724.933,
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 1828 Method 2E (Determination of Landfill Gas Production Flow Rate),
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 1831 Method 2F (Determination of Stack Gas Velocity and Volumetric
 1832 Flow Rate with Three-Dimensional Probes), referenced in 35 Ill.
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1859 Method 4 (Determination of Moisture Content in Stack Gases),
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1861
1862 Method 5 (Determination of Particulate Matter Emissions from
1863 Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.
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1865 Method 5A (Determination of Particulate Matter Emissions from
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1867 in 35 Ill. Adm. Code 726.205.
1868
1869 Method 5B (Determination of Nonsulfuric Acid Particulate Matter
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1874 Positive Pressure Fabric Filters), referenced in 35 Ill. Adm. Code
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1878 the Wool Fiberglass Insulation Manufacturing Industry),
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1882 Emissions from Stationary Sources), referenced in 35 Ill. Adm.
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1886 Wood Heaters (Dilution Tunnel Sampling Location)), referenced
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 1890 Heaters from a Stack Location), referenced in 35 Ill. Adm. Code
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 1894 Emissions from Stationary Sources), referenced in 35 Ill. Adm.
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 1898 Emissions by Gas Chromatography), referenced in 35 Ill. Adm.
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 1906 Material Sources and Smoke Emissions from Flares), referenced in
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- 1938 Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and
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- 1944 3, 2010 (75 Fed. Reg. 67625), November 12, 2010 (75 Fed. Reg. 69348),
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- 1955 74 Fed. Reg. 63236 (December 2, 2009), 74 Fed. Reg. 63504 (December
- 1956 3, 2009), 74 Fed. Reg. 63613 (December 4, 2009), 74 Fed. Reg. 69194
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- 1958 9468 (March 3, 2010), 75 Fed. Reg. 10184 (March 5, 2010), and 75 Fed.
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- 1970
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- 1974 Standards and Operating Requirements?), 63.1215 (What are the Health-

1975 Based Compliance Alternatives for Total Chlorine?), 63.1216 (What are
 1976 the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?),
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 1978 Hazardous Waste?), 63.1218 (What are the Standards for Hydrochloric
 1979 Acid Production Furnaces that Burn Hazardous Waste?), 63.1219 (What
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 2007 721.104.

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 2010 Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code
 2011 739.181.

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2013 40 CFR 258 (2010), as amended at 75 Fed. Reg. 50932 (August 18, 2010),
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 2015 Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.

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2019
2020 Appendix I to 40 CFR 260 (2010)~~(2009)~~, as amended at 75 Fed. Reg.
2021 ~~12989 (March 18, 2010)~~ (Overview of Subtitle C Regulations), referenced
2022 in Appendix A to 35 Ill. Adm. Code 720.
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2026
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2029
2030 40 CFR 262.53 (2010)~~(2009)~~ (Notification of Intent to Export), referenced
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2036 40 CFR 262.55 (2010)~~(2009)~~, as amended at 75 Fed. Reg. ~~1236 (January~~
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2038
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2042 40 CFR 262.57 (2010)~~(2009)~~ (Recordkeeping), referenced in 35 Ill. Adm.
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2044
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2049
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2056 Appendix IV to 40 CFR 264 (2010)~~(2009)~~ (Cochran's Approximation to
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2058 Adm. Code 724.
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2063
2064 Appendix VI to 40 CFR 264 (2010)(2009) (Political Jurisdictions in
2065 Which Compliance with §264.18(a) Must Be Demonstrated), referenced in
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2067
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2072 Water Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.
2073
2074 Appendix IV to 40 CFR 265 (2010)(2009) (Tests for Significance),
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2076
2077 Appendix V to 40 CFR 265 (2010)(2009) (Examples of Potentially
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2083 to 35 Ill. Adm. Code 726.
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2088
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2090 Procedure), referenced in 35 Ill. Adm. Code 726.204.
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2098 1990, USEPA publication number EPA-530/SW-91-010, NTIS document
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2102 35 Ill. Adm. Code 727.240.

2103
 2104 40 CFR 270.5 (2010)~~(2009)~~ (Noncompliance and Program Reporting by
 2105 the Director), referenced in 35 Ill. Adm. Code 703.305.
 2106
 2107 40 CFR 761 (2010)~~(2009)~~ (Polychlorinated Biphenyls (PCBs)
 2108 Manufacturing, Processing, Distribution in Commerce, and Use
 2109 Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.
 2110
 2111 40 CFR 761.3 (2010)~~(2009)~~ (Definitions), referenced in 35 Ill. Adm. Code
 2112 728.102 and 739.110.
 2113
 2114 40 CFR 761.60 (2010)~~(2009)~~ (Disposal Requirements), referenced in 35
 2115 Ill. Adm. Code 728.142.
 2116
 2117 40 CFR 761.65 (2010)~~(2009)~~ (Storage for Disposal), referenced in 35 Ill.
 2118 Adm. Code 728.150.
 2119
 2120 40 CFR 761.70 (2010)~~(2009)~~ (Incineration), referenced in 35 Ill. Adm.
 2121 Code 728.142.
 2122
 2123 Subpart B of 49 CFR 107 (2010)~~(2009)~~, as amended at 76 Fed. Reg. 454
 2124 (January 5, 2011)~~74 Fed. Reg. 53182 (October 16, 2009)~~, 75 Fed. Reg.
 2125 15613 (March 30, 2010), and 75 Fed. Reg. 27205 (May 14, 2010)
 2126 (Exemptions), referenced generally in 35 Ill. Adm. Code 724.986 and
 2127 725.987.
 2128
 2129 49 CFR 171 (2010)~~(2009)~~, as amended at 76 Fed. Reg. 3308 (January 19,
 2130 2011)~~74 Fed. Reg. 53182 (October 16, 2009)~~, 75 Fed. Reg. 63 (January 4,
 2131 2010), 75 Fed. Reg. 5376 (February 2, 2010), 75 Fed. Reg. 27205 (May
 2132 14, 2010) (General Information, Regulations, and Definitions), referenced
 2133 generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
 2134
 2135 49 CFR 171.3 (2010)~~(2009)~~ (Hazardous Waste), referenced in 35 Ill.
 2136 Adm. Code 722.133.
 2137
 2138 49 CFR 171.8 (2010)~~(2009)~~, as amended at January 5, 2011 (76 Fed. Reg.
 2139 454), January 19, 2011 (76 Fed. Reg. 3308)~~74 Fed. Reg. 53182 (October~~
 2140 16, 2009), 75 Fed. Reg. 5376 (February 2, 2010), and 75 Fed. Reg. 27205
 2141 (May 14, 2010) (Definitions and Abbreviations), referenced in 35 Ill.
 2142 Adm. Code 733.118, 733.138, 733.152, 733.155, and 739.143.
 2143

2144 49 CFR 171.15 ~~(2010)(2009)~~, as amended at 74 Fed. Reg. 53182 (October
 2145 ~~16, 2009~~) (Immediate Notice of Certain Hazardous Materials Incidents),
 2146 referenced in 35 Ill. Adm. Code 723.130 and 739.143.
 2147
 2148 49 CFR 171.16 ~~(2010)(2009)~~ (Detailed Hazardous Materials Incident
 2149 Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.
 2150
 2151 49 CFR 172 ~~(2010)(2009)~~, as amended at January 19, 2011 (76 Fed. Reg.
 2152 3308)~~74 Fed. Reg. 52896 (October 15, 2009), 74 Fed. Reg. 53182~~
 2153 ~~(October 16, 2009), 74 Fed. Reg. 53413 (October 19, 2009), 74 Fed. Reg.~~
 2154 ~~54489 (October 22, 2009), 74 Fed. Reg. 65696 (December 11, 2009), 75~~
 2155 ~~Fed. Reg. 63 (January 4, 2010), 75 Fed. Reg. 5376 (February 2, 2010), and~~
 2156 ~~75 Fed. Reg. 10974 (March 8, 2010)~~ (Hazardous Materials Table, Special
 2157 Provisions, Hazardous Materials Communications, Emergency Response
 2158 Information, and Training Requirements), referenced generally in 35 Ill.
 2159 Adm. Code 722.131, 722.132, 724.986, 725.987, 733.114, 733.118,
 2160 733.134, 733.138, 733.152, 733.155, and 739.143.
 2161
 2162 49 CFR 172.304 ~~(2010)(2009)~~ (Marking Requirements), referenced in 35
 2163 Ill. Adm. Code 722.132.
 2164
 2165 Subpart F of 49 CFR 172 ~~(2010)(2009)~~, as amended at January 19, 2011
 2166 (76 Fed. Reg. 3308)~~75 Fed. Reg. 5376 (February 2, 2010)~~ (Placarding),
 2167 referenced in 35 Ill. Adm. Code 722.133.
 2168
 2169 49 CFR 173 ~~(2010)(2009)~~, as amended at 74 Fed. Reg. 53182 (October
 2170 16, 2009), 75 Fed. Reg. 63 (January 4, 2010), 75 Fed. Reg. 5376
 2171 ~~(February 2, 2010), and 75 Fed. Reg. 27205 (May 14, 2010)~~ (Shippers –
 2172 General Requirements for Shipments and Packages), referenced generally
 2173 in 35 Ill. Adm. Code 721.104, 722.130, 724.986, 724.416, 725.987,
 2174 733.118, 733.138, 733.152, and 739.143.
 2175
 2176 49 CFR 173.2 ~~(2010)(2009)~~ (Hazardous Materials Classes and Index to
 2177 Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.
 2178
 2179 49 CFR 173.12 ~~(2010)(2009)~~, as amended at 75 Fed. Reg. 27205 (May 14,
 2180 2010) (Exceptions for Shipments of Waste Materials), referenced in 35 Ill.
 2181 Adm. Code 724.416, 724.986, and 725.987.
 2182
 2183 49 CFR 173.28 ~~(2010)(2009)~~, as amended at 75 Fed. Reg. 5376 (February
 2184 ~~2, 2010)~~ (Reuse, Reconditioning, and Remanufacture of Packagings),
 2185 referenced in 35 Ill. Adm. Code 725.273.
 2186

2187 49 CFR 173.50 ~~(2010)(2009)~~ (Class 1 – Definitions), referenced in 35 Ill.
 2188 Adm. Code 721.124.
 2189
 2190 49 CFR 173.54 ~~(2010)(2009)~~ (Forbidden Explosives), referenced in 35 Ill.
 2191 Adm. Code 721.124.
 2192
 2193 49 CFR 173.115 ~~(2010)(2009)~~, as amended at ~~75 Fed. Reg. 63 (January 4,~~
 2194 ~~2010)~~ (Class 2, Divisions 2.1, 2.2, and 2.3 – Definitions), referenced in 35
 2195 Ill. Adm. Code 721.121.
 2196
 2197 49 CFR 174 ~~(2010)(2009)~~, as amended at ~~74 Fed. Reg. 53182 (October~~
 2198 ~~16, 2009), 74 Fed. Reg. 53413 (October 19, 2009), 74 Fed. Reg. 54489~~
 2199 ~~(October 22, 2009), 75 Fed. Reg. 5376 (February 2, 2010), and 75 Fed.~~
 2200 ~~Reg. 27205 (May 14, 2010)~~ (Carriage by Rail), referenced generally in 35
 2201 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
 2202
 2203 49 CFR 175 ~~(2010)(2009)~~, as amended at January 19, 2011 (76 Fed. Reg.
 2204 3308)~~75 Fed. Reg. 63 (January 4, 2010)~~ (Carriage by Aircraft), referenced
 2205 generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.
 2206
 2207 49 CFR 176 ~~(2010)(2009)~~, as amended at January 19, 2011 (76 Fed. Reg.
 2208 3308)~~74 Fed. Reg. 53182 (October 16, 2009) and 75 Fed. Reg. 27205~~
 2209 ~~(May 14, 2010)~~ (Carriage by Vessel), referenced generally in 35 Ill. Adm.
 2210 Code 733.118, 733.138, 733.152, and 739.143.
 2211
 2212 49 CFR 177 ~~(2010)(2009)~~, as amended at February 28, 2011 (76 Fed. Reg.
 2213 10771)~~75 Fed. Reg. 27205 (May 14, 2010)~~ (Carriage by Public Highway),
 2214 referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and
 2215 739.143.
 2216
 2217 49 CFR 178 ~~(2010)(2009)~~, as amended at January 19, 2011 (76 Fed. Reg.
 2218 3308)~~75 Fed. Reg. 63 (January 4, 2010) and 75 Fed. Reg. 5376 (February~~
 2219 ~~2, 2010)~~ (Specifications for Packagings), referenced generally in 35 Ill.
 2220 Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987,
 2221 733.118, 733.138, 733.152, and 739.143.
 2222
 2223 49 CFR 179 ~~(2010)(2009)~~, as amended at ~~75 Fed. Reg. 27205 (May 14,~~
 2224 ~~2010)~~ (Specifications for Tank Cars), referenced in 35 Ill. Adm. Code
 2225 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138,
 2226 733.152, and 739.143.
 2227
 2228 49 CFR 180 ~~(2010)(2009)~~, as amended at January 19, 2011 (76 Fed. Reg.
 2229 3308)~~74 Fed. Reg. 53182 (October 16, 2009)~~ (Continuing Qualification

2230 and Maintenance of Packagings), referenced generally in 35 Ill. Adm.
2231 Code 724.986, 725.987, 733.118, 733.138, 733.152, and 739.143.
2232

2233 c) Federal Statutes:
2234

2235 Section 11 of the Atomic Energy Act of 1954 (42 USC 2014), as amended
2236 through January 3, ~~2007~~2006, referenced in 35 Ill. Adm. Code 721.104
2237 and 726.310.
2238

2239 Sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and
2240 Cosmetic Act (FFDCA; 21 USC 321(v), 321(w), and 360b(j)), as amended
2241 through January 3, ~~2007~~2006, referenced in Section 720.110 and 35 Ill.
2242 Adm. Code 733.109.
2243

2244 Section 1412 of the Department of Defense Authorization Act of 1986,
2245 Pub. L. 99-145 (50 USC 1521(j)(1)), as amended through January 3,
2246 ~~2007~~2006, referenced in 35 Ill. Adm. Code 726.301.
2247

2248 d) This Section incorporates no later editions or amendments.
2249

2250 (Source: Amended at 35 Ill. Reg. _____, effective _____)

2251 **Section 720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste)**
2252 **Regulations (Repealed)**

2253
2254 See appendix I to 40 CFR 260 (Overview of Subtitle C Regulations), incorporated by reference
2255 in Section 720.111(e).

2256
2257 (Source: Repealed at 35 Ill. Reg. _____, effective _____)

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

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STATE OF ILLINOIS
Pollution Control Board

PART 720
HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

Section

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

SUBPART B: DEFINITIONS AND REFERENCES

Section

720.110 Definitions
720.111 References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section

720.120 Rulemaking
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720.122 Waste Delisting
720.123 Petitions for Regulation as Universal Waste
720.130 Procedures for Solid Waste Determinations and Non-Waste
Determinations
720.131 Solid Waste Determinations
720.132 Boiler Determinations
720.133 Procedures for Determinations
720.134 Non-Waste Determinations
720.140 Additional Regulation of Certain Hazardous Waste Recycling
Activities on a Case-by-Case Basis
720.141 Procedures for Case-by-Case Regulation of Hazardous Waste Recycling
Activities
720.142 Notification Requirement for Hazardous Secondary Materials
720.143 Legitimate Recycling of Hazardous Secondary Materials

720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste)
Regulations (Repealed)

AUTHORITY: Implementing Sections 7.2, 13, and 22.4 and authorized by Section 27
of the Environmental Protection Act [415 ILCS 5/7.2, 13, 22.4, and 27].

SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended
and codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in
R82-19 at 7 Ill. Reg. 14015, effective October 12, 1983; amended in R84-9 at 9
Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968,
effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective
August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2,
1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended
in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at
11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill.

Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17496, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1704, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9094, effective July 26, 1999; amended in R00-5 at 24 Ill. Reg. 1063, effective January 6, 2000; amended in R00-13 at 24 Ill. Reg. 9443, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1266, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9168, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6550, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 3712, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg. 12713, effective July 17, 2003; amended in R05-8 at 29 Ill. Reg. 5974, effective April 13, 2005; amended in R05-2 at 29 Ill. Reg. 6290, effective April 22, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2930, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 730, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11726, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 922, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS AND REFERENCES

Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 728, 733, 738, and 739 only, the following terms have the meanings given below:

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

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

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

"Administrator" means the Administrator of the United States Environmental Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

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

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

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

"Battery" means a device that consists of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Board" means the Illinois Pollution Control Board.

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

Boiler physical characteristics.

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

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

The unit must export and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, no credit may be given for recovered heat used internally in the same unit. (Examples of internal use are

the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps.); or

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

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

"Cathode ray tube" or "CRT" means a vacuum tube, composed primarily of glass, which is the visual or video display component of an electronic device. A "used, intact CRT" means a CRT whose vacuum has not been released. A "used, broken CRT" means glass removed from its housing or casing whose vacuum has been released.

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

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

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

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

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

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

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

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

"CRT collector" means a person who receives used, intact CRTs for recycling, repair, resale, or donation.

"CRT glass manufacturer" means an operation or part of an operation that uses a furnace to manufacture CRT glass.

"CRT processing" means conducting all of the following activities:

Receiving broken or intact CRTs;

Intentionally breaking intact CRTs or further breaking or separating broken CRTs; and

Sorting or otherwise managing glass removed from CRT monitors.

"Designated facility" means either of the following entities:

A hazardous waste treatment, storage, or disposal facility that has been designated on the manifest by the generator, pursuant to 35 Ill. Adm. Code 722.120, of which any of the following is true:

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

The facility has received a RCRA permit from USEPA pursuant to 40 CFR 124 and 270 (~~2005~~)(2010);

The facility has received a RCRA permit from a state authorized by USEPA pursuant to 40 CFR 271 (~~2005~~)(2010); or

The facility is regulated pursuant to 35 Ill. Adm. Code 721.106(c)(2) or Subpart F of 35 Ill. Adm. Code 266; or

A generator site designated by the hazardous waste generator on the manifest to receive back its own waste as a return shipment from a designated hazardous waste treatment, storage, or disposal facility that has rejected the waste in accordance with 35 Ill. Adm. Code 724.172(f) or 725.172(f).

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

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for the purposes of managing that category of universal waste.

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

"Dioxins and furans" or "D/F" means tetra-, penta-, hexa-, hepta-, and octa-chlorinated dibenzo dioxins and furans.

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

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of hazardous waste into or on any land or water.

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

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

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

"Elementary neutralization unit" means a device of which the following is true:

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

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

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

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

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

Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island.

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

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

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

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

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

Region VII: Nebraska, Kansas, Missouri, and Iowa.

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

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

Region X: Washington, Oregon, Idaho, and Alaska.

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

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

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

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

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

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

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

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

"Explosives or munitions emergency" means a situation involving the suspected or detected presence of unexploded ordnance (UXO), damaged or deteriorated explosives or munitions, an improvised explosive device (IED), other potentially explosive material or device, or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety, or the environment, including property, as determined by an explosives or munitions emergency response specialist. Such situations may require immediate and expeditious action by an explosives or munitions emergency response specialist to control, mitigate, or eliminate the threat.

"Explosives or munitions emergency response" means all immediate response activities by an explosives and munitions emergency response specialist to control, mitigate, or eliminate the actual or potential threat encountered during an explosives or munitions emergency. An explosives or munitions emergency response may include in-place render-safe procedures, treatment, or

destruction of the explosives or munitions or transporting those items to another location to be rendered safe, treated, or destroyed. Any reasonable delay in the completion of an explosives or munitions emergency response caused by a necessary, unforeseen, or uncontrollable circumstance will not terminate the explosives or munitions emergency. Explosives and munitions emergency responses can occur on either public or private lands and are not limited to responses at RCRA facilities.

"Explosives or munitions emergency response specialist" means an individual trained in chemical or conventional munitions or explosives handling, transportation, render-safe procedures, or destruction techniques. Explosives or munitions emergency response specialists include United States Department of Defense (USDOD) emergency explosive ordnance disposal (EOD), technical escort unit (TEU), and USDOD-certified civilian or contractor personnel and other federal, State, or local government or civilian personnel who are similarly trained in explosives or munitions emergency responses.

"Facility" means the following:

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

For the purpose of implementing corrective action pursuant to 35 Ill. Adm. Code 724.201 or 35 Ill. Adm. Code 727.201, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing corrective action pursuant to RCRA section 3008(h).

Notwithstanding the immediately-preceding paragraph of this definition, a remediation waste management site is not a facility that is subject to 35 Ill. Adm. Code 724.201, but a facility that is subject to corrective action requirements if the site is located within such a facility.

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

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

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

"Food-chain crops" means tobacco, crops grown for human consumption, and crops grown for feed for animals whose products are consumed by humans.

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

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

"Gasification" means, for the purpose of complying with 35 Ill. Adm. Code 721.104(a)(12)(A), a process conducted in an enclosed device or system that is designed and operated to process petroleum feedstock, including oil-bearing hazardous secondary materials, through a series of highly controlled steps utilizing thermal decomposition, limited oxidation, and gas cleaning to yield a synthesis gas composed primarily of hydrogen and carbon monoxide gas.

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

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

"Hazardous secondary material" means a secondary material (e.g., spent material, by-product, or sludge) that, when discarded, would be identified as hazardous waste pursuant to 35 Ill. Adm. Code 721.

"Hazardous secondary material generated and reclaimed under the control of the generator" means one of the following materials:

A material that is both generated and reclaimed at the generating facility (for purposes of this definition, generating facility means all contiguous property owned, leased, or otherwise controlled by the hazardous secondary material generator);

A material that is generated and reclaimed at different facilities, if both of the following conditions are fulfilled:

Either the reclaiming facility is controlled by the generator, or both the generating facility and the reclaiming facility are controlled by the same person, as "person" is defined in this Section; and

The generator provides either of the following certifications:

"On behalf of [insert generator facility name], I certify that this facility will send the indicated hazardous secondary material to [insert reclaimer facility name], which is controlled by [insert generator facility name] and that [insert the name of either facility] has acknowledged full responsibility for the safe management of the hazardous secondary material."

or

"On behalf of [insert generator facility name] I certify that this facility will send the indicated hazardous secondary material to [insert reclaimer facility name], that both facilities are under common control, and that [insert name of either facility] has acknowledged full responsibility for the safe management of the hazardous secondary material."

For purposes of this definition, "control" means the power to direct the policies of the facility, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate facilities on behalf of a different person, as "person" is defined in this Section, shall not be deemed to "control" such facilities; or

A material that is generated pursuant to a written contract between a tolling contractor and a toll manufacturer and which is reclaimed by the tolling contractor, if the tolling contractor certifies the following:

"On behalf of [insert tolling contractor name], I certify that [insert tolling contractor name], has a written contract with [insert toll manufacturer name] to manufacture [insert name of product or intermediate] which is made from specified unused materials, and that [insert tolling contractor name] will reclaim the hazardous secondary materials generated during this manufacture. On behalf of [insert tolling contractor name], I also certify that [insert tolling contractor name] retains ownership of, and responsibility for, the hazardous secondary materials that are generated during the course of the manufacture, including any releases of hazardous secondary materials that occur during the manufacturing process."

For purposes of this definition, "tolling contractor" means a person who arranges for the production of a product or intermediate made from specified unused materials through a written contract with a toll manufacturer. "Toll manufacturer" means a person who produces a product or intermediate made from specified unused materials pursuant to a written contract with a tolling contractor.

"Hazardous secondary material generator" means any person whose act or process produces hazardous secondary materials at the generating facility. For purposes of this definition, "generating facility" means all contiguous property owned, leased, or otherwise controlled by the hazardous secondary material generator. For the purposes of Sections 721.102(a)(2)(B) and 721.104(a)(23), a facility that collects hazardous secondary materials from other persons is not the hazardous secondary material generator.

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

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

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

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

"Incinerator" means any enclosed device of which the following is true:

The facility uses controlled flame combustion, and both of the following are true of the facility:

The facility does not meet the criteria for classification as a boiler, sludge dryer, or carbon regeneration unit, nor

The facility is not listed as an industrial furnace; or

The facility meets the definition of infrared incinerator or plasma arc incinerator.

"Incompatible waste" means a hazardous waste that is unsuitable for the following:

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

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

(See Appendix E to 35 Ill. Adm. Code 724 and Appendix E to 35 Ill. Adm. Code 725 for references that list examples.)

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

Cement kilns;

Lime kilns;

Aggregate kilns;

Phosphate kilns;

Coke ovens;

Blast furnaces;

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

Titanium dioxide chloride process oxidation reactors;

Methane reforming furnaces;

Pulping liquor recovery furnaces;

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

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least three percent, the acid product is used in a manufacturing process, and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20 percent, as generated; and

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

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

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

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

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

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

Other relevant factors.

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

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

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

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

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

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

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

"Intermediate facility" means any facility that stores hazardous secondary materials for more than 10 days and which is neither a hazardous secondary material generator nor a reclaimer of hazardous secondary material.

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

"Lamp" or "universal waste lamp" means the bulb or tube portion of an electric lighting device. A lamp is specifically designed to produce radiant energy, most often in the ultraviolet, visible, or infrared regions of the electromagnetic spectrum. Examples of common universal waste lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high-pressure sodium, and metal halide lamps.

"Land-based unit" means an area where hazardous secondary materials are placed in or on the land before recycling. This definition does not include land-based production units.

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

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

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

"LDS" means leak detection system.

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

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

"Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of hazardous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of hazardous waste into the secondary containment structure.

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

"Manifest" means the shipping document USEPA Form 8700-22 (including, if necessary, USEPA Form 8700-22A) originated and signed by the generator or offeror that contains the information required by Subpart B of 35 Ill. Adm. Code 722 and the applicable requirements of 35 Ill. Adm. Code 722 through 727.

"Manifest tracking number" means the alphanumeric identification number (i.e., a unique three letter suffix preceded by nine numerical digits) that is pre-printed in Item 4 of the manifest by a registered source.

"Mercury-containing equipment" means a device or part of a device (including thermostats, but excluding batteries and lamps) that contains elemental mercury integral to its function.

"Military munitions" means all ammunition products and components produced or used by or for the United States Department of Defense or the United States Armed Services for national defense and security, including military munitions under the control of the United States Department of Defense (USDOD), the United States Coast Guard, the United States Department of Energy (USDOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by USDOD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components of these items and devices. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components of these items and devices. However, the term does include non-nuclear components of nuclear devices, managed under USDOE's nuclear weapons program after all sanitization operations required under the Atomic Energy Act of 1954 (42 USC 2014 et seq.), as amended, have been completed.

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

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

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

"NAICS Code" means the code number assigned a facility using the "North American Industry Classification System," incorporated by reference in Section 720.111.

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

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

"Onground tank" means a device meeting the definition of tank that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

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

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

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

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

Control of emission of the gaseous combustion products.

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

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

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

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

~~"Performance Track member facility" means a facility that has been accepted by USEPA for membership in the National Environmental Performance Track Program (Program) and which is still a member of that Program. The National Environmental Performance Track Program is a voluntary, facility-based, program for top environmental performers. A program member must demonstrate a good record of compliance and past success in achieving environmental goals, and it must commit to future specific quantified environmental goals, environmental management systems, local community outreach, and annual reporting of measurable results.~~

~~BOARD NOTE: The National Environmental Performance Track program is operated exclusively by USEPA. USEPA established the program in 2000 (see 65 Fed. Reg. 41655 (July 6, 2000)) and amended it in 2004 (see 69 Fed. Reg. 27922 (May 17, 2004)). USEPA confers membership in the program on application of interested and eligible entities. Information about the program is available from a website maintained by USEPA: www.epa.gov/performance-track.~~

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

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

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA; 21 USC 321(v)), incorporated by reference in Section 720.111(c);

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services pursuant to FFDCA section 512 (21 USC 360b), incorporated by reference in Section 720.111(c), to be an exempted new animal drug; or

It is an animal feed under FFDCA section 201(w) (21 USC 321(w)), incorporated by reference in Section 720.111(c), that bears or contains any substances described in either of the two preceding paragraphs of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 260.10 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug." This is very similar to the language of section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 USC 136(u)). The three exceptions, taken together, appear intended not to include as pesticide any material within the scope of federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

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

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

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

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

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

BOARD NOTE: State registration includes, but is not limited to, registration as a professional engineer with the Department of Professional Regulation, pursuant to 225 ILCS 325 and 68 Ill. Adm. Code 1380. Professional certification includes, but is not limited to, certification under the certified groundwater professional program of the National Ground Water Association.

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

"RCRA standardized permit" means a RCRA permit issued pursuant to Subpart J of 35 Ill. Adm. Code 703 and Subpart G of 35 Ill. Adm. Code 702 that authorizes management of hazardous waste. The RCRA standardized permit may have two parts: a uniform portion issued in all cases and a supplemental portion issued at the discretion of the Agency.

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

"Remediation waste" means all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris that are managed for implementing cleanup.

"Remediation waste management site" means a facility where an owner or operator is or will be treating, storing, or disposing of hazardous remediation wastes. A remediation waste management site is not a facility that is subject to corrective action pursuant to 35 Ill. Adm. Code 724.201, but a remediation waste management site is subject to corrective action requirements if the site is located in such a facility.

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

"Representative sample" means a sample of a universe or whole (e.g., waste pile, lagoon, groundwater) that can be expected to exhibit the average properties of the universe or whole.

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

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

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

"SIC code" means "Standard Industrial Classification code," as assigned to a site by the United States Department of Transportation, Federal Highway Administration, based on the particular activities that occur on the site, as set forth in its publication "Standard Industrial Classification Manual," incorporated by reference in Section 720.111(a).

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

"Sludge dryer" means any enclosed thermal treatment device that is used to dehydrate sludge and which has a total thermal input, excluding the heating value of the sludge itself, of 2,500 Btu/lb or less of sludge treated on a wet-weight basis.

"Small quantity generator" means a generator that generates less than 1,000 kg of hazardous waste in a calendar month.

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

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

"Staging pile" means an accumulation of solid, non-flowing "remediation waste" (as defined in this Section) that is not a containment building and that is used only during remedial operations for temporary storage at a facility. Staging piles must be designated by the Agency according to 35 Ill. Adm. Code 724.654.

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

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

"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment, or disposal facilities; except that, as used in the landfill, surface impoundment, and waste pile rules, sump means any lined pit or reservoir that serves to collect liquids drained from a leachate collection and removal system or leak detection system for subsequent removal from the system.

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

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

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

"TEQ" means toxicity equivalence, the international method of relating the toxicity of various dioxin and furan congeners to the toxicity of 2,3,7,8-tetrachlorodibenzo-~~tetra~~-chlorodibenzo-p-dioxin.

"Thermal treatment" means the treatment of hazardous waste in a device that uses elevated temperatures as the primary means to change the chemical, physical, or biological character or composition of the hazardous waste. Examples of thermal treatment processes are incineration, molten salt, pyrolysis, calcination, wet

air oxidation, and microwave discharge. (See also "incinerator" and "open burning.")

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

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

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

"Transport vehicle" means a motor vehicle or rail car used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

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

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

"Treatability study" means the following:

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

Whether the waste is amenable to the treatment process;

What pretreatment (if any) is required;

The optimal process conditions needed to achieve the desired treatment;

The efficiency of a treatment process for a specific waste or wastes; and

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

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

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

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

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

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

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

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

"Universal waste" means any of the following hazardous wastes that are managed pursuant to the universal waste requirements of 35 Ill. Adm. Code 733:

Batteries, as described in 35 Ill. Adm. Code 733.102;

Pesticides, as described in 35 Ill. Adm. Code 733.103;

Mercury-containing equipment, as described in 35 Ill. Adm. Code 733.104; and

Lamps, as described in 35 Ill. Adm. Code 733.105.

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates the universal waste, and sends that universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean either of the following:

A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

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

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

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

"USDOT" or "Department of Transportation" means the United States Department of Transportation.

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

"USEPA" or "EPA" means the United States Environmental Protection Agency.

"USPS" means the United States Postal Service.

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

"Wastewater treatment unit" means a device of which the following is true:

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

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

It meets the definition of tank or tank system in this Section.

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

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

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

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

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 720.111 References

The following documents are incorporated by reference for the purposes of this Part and 35 Ill. Adm. Code 702 through 705, 721 through 728, 730, 733, 738, and 739:

a) Non-Regulatory Government Publications and Publications of Recognized Organizations and Associations:

ACGME. Available from the Accreditation Council for Graduate Medical Education, 515 North State Street, Suite 2000, Chicago, IL 60654, 312-755-5000:

"Accreditation Council for Graduate Medical Education: Glossary of Terms," March 19, 2009, referenced in 35 Ill. Adm. Code 722.300.

BOARD NOTE: Also available on the Internet for download and viewing as a PDF file at the following Internet address:

http://www.acgme.org/?acWebsite/?about/?ab_ACGMEglossary.pdf

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, Michigan 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete," adopted November 1983, referenced in 35 Ill. Adm. Code 724.673 and 725.543.

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, 212-354-3300:

See ASME/ANSI B31.3 and B31.4 and supplements below in this subsection (a) under ASME.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, 202-682-8000:

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," API Recommended Practice 1632, Second Edition, December 1987, referenced in 35 Ill. Adm. Code 724.292, 724.295, 725.292, and 725.295.

"Evaporative Loss from External Floating-Roof Tanks," API publication 2517, Third Edition, February 1989, USEPA-approved for 35 Ill. Adm. Code 725.984.

"Guide for Inspection of Refinery Equipment," Chapter XIII, "Atmospheric and Low Pressure Storage Tanks," 4th Edition, 1981, reaffirmed December 1987, referenced in 35 Ill. Adm. Code 724.291, 724.293, 725.291, and 725.292.

"Installation of Underground Petroleum Storage Systems," API Recommended Practice 1615, Fourth Edition, November 1987, referenced in 35 Ill. Adm. Code 724.292.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, 212-705-7722:

"Chemical Plant and Petroleum Refinery Piping," ASME/ANSI B31.3-1987, as supplemented by B31.3a-1988 and B31.3b-1988, referenced in 35 Ill. Adm. Code 724.292 and 725.292. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols," ASME/ANSI B31.4-1986, as supplemented by B31.4a-1987, referenced in 35 Ill. Adm. Code 724.292 and 725.292. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, 610-832-9585:

ASTM C 94-90, "Standard Specification for Ready-Mixed Concrete," approved March 30, 1990, referenced in 35 Ill. Adm. Code 724.673 and 725.543.

ASTM D 88-87, "Standard Test Method for Saybolt Viscosity," approved April 24, 1981, reapproved January 1987, referenced in 35 Ill. Adm. Code 726.200.

ASTM D 93-85, "Standard Test Methods for Flash Point by Pensky-Martens Closed Tester," approved October 25, 1985, USEPA-approved for 35 Ill. Adm. Code 721.121.

ASTM D 140-70, "Standard Practice for Sampling Bituminous Materials," approved 1970, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 346-75, "Standard Practice for Collection and Preparation of Coke Samples for Laboratory Analysis," approved 1975, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 420-69, "Guide to Site Characterization for Engineering, Design, and Construction Purposes," approved 1969, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 1452-65, "Standard Practice for Soil Investigation and Sampling by Auger Borings," approved 1965, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 1946-90, "Standard Practice for Analysis of Reformed Gas by Gas Chromatography," approved March 30, 1990, USEPA-approved for 35 Ill. Adm. Code 724.933 and 725.933.

ASTM D 2161-87, "Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity," March 27, 1987, referenced in 35 Ill. Adm. Code 726.200.

ASTM D 2234-76, "Standard Practice for Collection of a Gross Sample of Coal," approved 1976, referenced in Appendix A to 35 Ill. Adm. Code 721.

ASTM D 2267-88, "Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography," approved November 17, 1988, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM D 2382-88, "Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method)," approved October 31, 1988, USEPA-approved for 35 Ill. Adm. Code 724.933 and 725.933.

ASTM D 2879-92, "Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope," approved 1992, USEPA-approved for 35 Ill. Adm. Code 725.984, referenced in 35 Ill. Adm. Code 724.963 and 725.963.

ASTM D 3828-87, "Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester," approved December 14, 1988, USEPA-approved for 35 Ill. Adm. Code 721.121(a).

ASTM E 168-88, "Standard Practices for General Techniques of Infrared Quantitative Analysis," approved May 27, 1988, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM E 169-87, "Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis," approved February 1, 1987, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM E 260-85, "Standard Practice for Packed Column Gas Chromatography," approved June 28, 1985, USEPA-approved for 35 Ill. Adm. Code 724.963.

ASTM G 21-70 (1984a), "Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi," referenced in 35 Ill. Adm. Code 724.414 and 725.414.

ASTM G 22-76 (1984b), "Standard Practice for Determining Resistance of Plastics to Bacteria," referenced in 35 Ill. Adm. Code 724.414 and 725.414.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, 202-512-1800:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983, referenced in 35 Ill. Adm. Code 702.110 and Section 720.110.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA publication number EPA-530/SW-846 (Third Edition, November 1986), as amended by Updates I (July 1992), II (November 1994), IIA (August, 1993), IIB (January 1995), III (December 1996), IIIA (April 1998), and IIIB (November 2004) (document number 955-001-00000-1). See below in this subsection (a) under NTIS.

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, 713-492-0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," NACE Recommended Practice RP0285-85, approved March 1985, referenced in 35 Ill. Adm. Code 724.292, 724.295, 725.292, and 725.295.

NFPA. Available from the National Fire Protection Association, 1 Batterymarch Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:

"Flammable and Combustible Liquids Code," NFPA 30, issued July 18, 2003, as supplemented by TIA 03-1, issued July 15, 2004, and corrected by Errata 30-03-01, issued August 13, 2004, USEPA-approved for 35 Ill. Adm. Code 724.298, 725.298, and 727.290, referenced in 35 Ill. Adm. Code 725.301 and 726.211.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-605-6000 or 800-553-6847 (Internet address: www.ntis.gov):

"APTI Course 415: Control of Gaseous Emissions," December 1981, USEPA publication number EPA-450/2-81-005, NTIS document number PB80-208895, USEPA-approved for 35 Ill. Adm. Code 703.210, 703.211, 703.352, 724.935, and 725.935. BOARD NOTE: "APTI" denotes USEPA's "Air Pollution Training Institute" (Internet address: www.epa.gov/air/oaqps/eog/).

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program," USEPA publication number EPA-530/SW-87-011, March 15, 1987, NTIS document number PB88-170766, referenced in 35 Ill. Adm. Code 728.106.

"Method 1664, Revision A, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetry," USEPA publication number EPA-821/R-98-

002, NTIS document number PB99-121949, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

BOARD NOTE: Also available on the Internet for free download as a PDF document from the USEPA website at: www.epa.gov/waterscience/methods/16640514.pdf.

"Methods for Chemical Analysis of Water and Wastes," Third Edition, March 1983, USEPA document number EPA-600/4-79-020, NTIS document number PB84-128677, referenced in 35 Ill. Adm. Code 725.192.

BOARD NOTE: Also available on the Internet as a viewable/printable HTML document from the USEPA website at:
www.epa.gov/clariton/clhtml/pubtitleORD.html as document 600479002.

"North American Industry Classification System," July 2007, U.S. Department of Commerce, Bureau of the Census, document number PB2007-100002 (hardcover printed volume) or PB2007-500023, referenced in Section 720.110 (definition of "NAICS Code") for the purposes of Section 720.142.

BOARD NOTE: Also available on the Internet from the Bureau of Census:
www.census.gov/naics/2007/naicod07.htm.

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities," August 1977, EPA-530/SW-611, NTIS document number PB84-174820, referenced in 35 Ill. Adm. Code 725.192.

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources," October 1992, USEPA publication number EPA-454/R-92-019, NTIS document number 93-219095, referenced in 35 Ill. Adm. Code 726.204 and 726.206.

BOARD NOTE: Also available on the Internet for free download as a WordPerfect document from the USEPA website at the following Internet address:
www.epa.gov/scram001/guidance/guide/scrng.wpd.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA publication number EPA-530/SW-846 (Third Edition, November 1986; Revision 6, January 2005), as amended by Updates I (July 1992), II (November 1994), IIA (August 1993), IIB (January 1995), III (December 1996), IIIA (April 1998), and IIIB (November 2004) (document number 955-001-00000-1), generally referenced in Appendices A and I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 726.200, 726.206, 726.212, and 728.106 (in addition to the references cited below for specific methods):

Method 0010 (November 1986) (Modified Method 5 Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0011 (December 1996) (Sampling for Selected Aldehyde and Ketone Emissions from Stationary Sources), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and for Appendix I to 35 Ill. Adm. Code 726.

Method 0020 (November 1986) (Source Assessment Sampling System), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0023A (December 1996) (Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofuran Emissions from Stationary Sources), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.204.

Method 0030 (November 1986) (Volatile Organic Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0031 (December 1996) (Sampling Method for Volatile Organic Compounds (SMVOC)), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0040 (December 1996) (Sampling of Principal Organic Hazardous Constituents from Combustion Sources Using Tedlar(r) Bags), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 0050 (December 1996) (Isokinetic HCl/Cl₂ Emission Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.207.

Method 0051 (December 1996) (Midget Impinger HCl/Cl₂ Emission Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.207.

Method 0060 (December 1996) (Determination of Metals in Stack Emissions), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.206.

Method 0061 (December 1996) (Determination of Hexavalent Chromium Emissions from Stationary Sources), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, 35 Ill. Adm. Code 726.206, and Appendix I to 35 Ill. Adm. Code 726.

Method 1010A (November 2004) (Test Methods for Flash Point by Pensky-Martens Closed Cup Tester), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1020B (November 2004) (Standard Test Methods for Flash Point by Setaflash (Small Scale) Closed-cup Apparatus), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1110A (November 2004) (Corrosivity Toward Steel), USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I to 35 Ill. Adm. Code 721.

Method 1310B (November 2004) (Extraction Procedure (EP) Toxicity Test Method and Structural Integrity Test), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and referenced in Appendix I to 35 Ill. Adm. Code 728.

Method 1311 (November 1992) (Toxicity Characteristic Leaching Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721; for 35 Ill. Adm. Code 721.124, 728.107, and 728.140; and for Table T to 35 Ill. Adm. Code 728.

Method 1312 (November 1994) (Synthetic Precipitation Leaching Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1320 (November 1986) (Multiple Extraction Procedure), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 1330A (November 1992) (Extraction Procedure for Oily Wastes), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9010C (November 2004) (Total and Amenable Cyanide: Distillation), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148, referenced in Table H to 35 Ill. Adm. Code 728.

Method 9012B (November 2004) (Total and Amenable Cyanide (Automated Colorimetric, with Off-Line Distillation)), USEPA-approved for Appendix I to 35

Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144, and 728.148, referenced in Table H to 35 Ill. Adm. Code 728.

Method 9040C (November 2004) (pH Electrometric Measurement), USEPA-approved for 35 Ill. Adm. Code 721.122 and Appendix I to 35 Ill. Adm. Code 721.

Method 9045D (November 2004) (Soil and Waste pH), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9060A (November 2004) (Total Organic Carbon), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 724.934, 724.963, 725.934, and 725.963.

Method 9070A (November 2004) (n-Hexane Extractable Material (HEM) for Aqueous Samples), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9071B (April 1998) (n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

Method 9095B (November 2004) (Paint Filter Liquids Test), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 724.290, 724.414, 725.290, 725.414, 725.981, 727.290, and 728.132.

BOARD NOTE: Also available on the Internet for free download in segments in PDF format from the USEPA website at: www.epa.gov/SW-846.

OECD. Organisation for Economic Co-operation and Development, Environment Directorate, 2 rue Andre Pascal, F-75775 Paris Cedex 16, France, +33 (0) 1 45 24 81 67 (www.oecd.org), also OECD Washington Center, 2001 L Street, NW, Suite 650, Washington, DC 20036-4922, 202-785-6323 or 800-456-6323 (www.oecdwash.org):

~~OECD "Amber List of Wastes," Appendix 4 to the OECD Council Decision C(92)39/Final (March 30, 1992, revised May 1993) (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations), USEPA-approved for 35 Ill. Adm. Code 722.189, referenced in 35 Ill. Adm. Code 722.181.~~

~~OECD "Amber Tier," Section IV of the annex to the OECD Council Decision C(92)39/Final (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations) (revised May 1993), referenced in 35 Ill. Adm. Code 722.181.~~

~~Annex to OECD Council Decision C(88)90/Final, as amended by C(94)152/Final (revised July 1994), referenced in 35 Ill. Adm. Code 722.187.~~

~~OECD "Green List of Wastes," Appendix 3 to the OECD Council Decision C(92)39/Final (March 30, 1992, revised May 1994) (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations), USEPA-approved for 35 Ill. Adm. Code 722.189, referenced in 35 Ill. Adm. Code 722.181.~~

~~OECD "Green Tier," Section III of the annex to the OECD Council Decision C(92)39/Final (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations) (revised May 1993), referenced in 35 Ill. Adm. Code 722.181.~~

OECD Guidance Manual. "Guidance Manual for the Implementation of Council Decision C(2001)107/FINAL, as ~~Amended~~amended, on the Control of Transboundary

Movements of Wastes Destined for Recovery Operations," 2009 (also called "Guidance Manual for the Control of Transboundary Movements of Recoverable Materials" in OECD documents), but only the following segments, which set forth the substantive requirements of OECD decision C(2001)107/FINAL, as amended by C(2004)20; C(2005)141; and C(2008)156:

"Annex A: OECD Decision C(2001)107/FINAL, as ~~Amended~~amended by C(2004)20; C(2005)141; and C(2008)156" (also called "Revision of Council Decision C(92)39/FINAL on the Control of Transboundary Movements of Wastes Destined for Recovery Operations," within the text of Annex A, and "Decision of the Council ~~concerning~~Concerning the Control of Transboundary Movements of Wastes Destined for Recovery Operations" in the original OECD decision source document, C(2001)107/FINAL (June 14, 2001), as amended by C(2001)107/ADD1 (February 28, 2002), C(2004)20 (March 9, 2004), C(2005)141 (December 2, 2005), and C(2008)156 (December 4, 2008)).

"Annex B: OECD Consolidated List of Wastes Subject to the Green Control Procedure" (individually referred to as "Annex B to OECD Guidance Manual" in 35 Ill. Adm. Code 722), combining Appendix 3 to OECD decision C(2001)107/FINAL, as amended as described above, together with the text of Annex IX ("List B") to the "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal" ("Basel Convention").

"Annex C: OECD Consolidated List of Wastes Subject to the Amber Control Procedure" (individually referred to as "Annex C to OECD Guidance Manual" in 35 Ill. Adm. Code 722), combining Appendix 4 to OECD decision C(2001)107/FINAL, as amended, together with the text of Annexes II ("Categories of Wastes Requiring Special Consideration") and VIII ("List A") to the Basel Convention.

BOARD NOTE: The OECD Guidance Manual is available online from OECD at www.oecd.org/dataoecd/57/1/42262259.pdf. The OECD and the Basel Convention consider the OECD Guidance Manual unofficial text of these documents. Despite this unofficial status, the Board has chosen to follow USEPA's lead and incorporate the OECD Guidance Manual by reference, instead of separately incorporating the OECD decision C(2001)107/FINAL (with its subsequent amendments: OECD decisions C(2001)107/ADD1, C(2004)20, C(2005)141, and C(2008)156) and the Basel Convention by reference. Use of the OECD Guidance Manual eases reference to the documents, increases access to the documents, and facilitates future updates to this incorporation by reference. All references to "OECD C(2001)107/FINAL" in the text of 35 Ill. Adm. Code 722 refer to both the OECD decision and the Basel Convention that the OECD decision references. The OECD Guidance Manual includes as Annex A the full text of OECD document C(2001)107/FINAL, ~~with amendments~~, and Annexes B and C set forth lists of wastes subject to Green control procedures and wastes subject to Amber control procedures, respectively, ~~which~~that consolidate the wastes from C(2001)107/FINAL together with those from the Basel Convention.

OECD Guideline for Testing of Chemicals, "Ready Biodegradability," Method 301B (July 17, 1992), "CO2 Evolution (Modified Sturm Test)," referenced in 35 Ill. Adm. Code 724.414.

~~OECD "Red List of Wastes," Appendix 5 to the OECD Council Decision C(92)39/Final (March 30, 1992, revised May 1993), USEPA approved for 35 Ill. Adm. Code 722.189, referenced in 35 Ill. Adm. Code 722.181.~~

~~OECD "Red Tier," Section V of the annex to the OECD Council Decision C(92)39/Final (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations) (revised May 1993), referenced in 35 Ill. Adm. Code 722.181.~~

~~Table 2.B of the Annex of OECD Council Decision C(88)90(Final) (May 27, 1988), amended by C(94)152/Final (July 28, 1994), "Decision of the Council on Transfrontier Movements of Hazardous Wastes," referenced in 35 Ill. Adm. Code 722.181 and 722.187.~~

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, 708-498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986), referenced in 35 Ill. Adm. Code 724.293.

USDOD. Available from the United States Department of Defense:

"DOD Ammunition and Explosives Safety Standards" (DOD 6055.09-STD), as in effect on February 29, 2008, referenced in 35 Ill. Adm. Code 726.305.

"The Motor Vehicle Inspection Report" (DD Form 626), as in effect in March 2007, referenced in 35 Ill. Adm. Code 726.303.

"Requisition Tracking Form" (DD Form 1348), as in effect in July 1991, referenced in 35 Ill. Adm. Code 726.303.

"The Signature and Tally Record" (DD Form 1907), as in effect in November 2006, referenced in 35 Ill. Adm. Code 726.303.

"Dangerous Goods Shipping Paper/Declaration and Emergency Response Information for Hazardous Materials Transported by Government Vehicles" (DD Form 836), as in effect in December 2007, referenced in 35 Ill. Adm. Code 726.303.

BOARD NOTE: DOD 6055.09-STD is available on-line for download in pdf format from <http://www.ddesb.pentagon.mil>. DD Form 1348, DD Form 1907, DD Form 836, and DOD 6055.09-STD are available on-line for download in pdf format from <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>.

USEPA, Office of Ground Water and Drinking Water. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Inventory of Injection Wells," USEPA Form 7520-16 (Revised 8-01), referenced in 35 Ill. Adm. Code 704.148 and 704.283.

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells," USEPA publication number EPA-570/9-87-002, August 1987, referenced in 35 Ill. Adm. Code 730.165.

USEPA, Receptor Analysis Branch. Available from Receptor Analysis Branch, USEPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised," October 1992, USEPA publication number EPA-450/R-92-019, USEPA-approved for Appendix I to 35 Ill. Adm. Code 726.

BOARD NOTE: Also available for purchase from NTIS (see above) and on the Internet for free download as a WordPerfect document from the USEPA website at following Internet address: www.epa.gov/scram001/guidance/guide/scrng.wpd.

USEPA Region 6. Available from United States Environmental Protection Agency, Region 6, Multimedia Permitting and Planning Division, 1445 Ross Avenue, Dallas, TX 75202 (phone: 214-665-7430):

"EPA RCRA Delisting Program - Guidance Manual for the Petitioner," March 23, 2000, referenced in Section 720.122.

USGSA. Available from the United States Government Services Administration:

Government Bill of Lading (GBL) (GSA Standard Form 1103, rev 9/2003, supplemented as necessary with GSA Standard Form 1109, rev 09/1998), referenced in Section 726.303.

BOARD NOTE: Available on-line for download in various formats from www.gsa.gov/forms/forms.htm.

b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, 202-783-3238:

10 CFR 20.2006 (2010) (Transfer for Disposal and Manifests), referenced in 35 Ill. Adm. Code 702.110, 726.425, and 726.450.

Table II, column 2 in Appendix B to 10 CFR 20 (2010), as amended at 75 Fed. Reg. 73935 (Nov. 30, 2010) (Water Effluent Concentrations), referenced in 35 Ill. Adm. Code 702.110, 730.103, and 730.151.

Appendix G to 10 CFR 20 (2010) (Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests), referenced in 35 Ill. Adm. Code 726.440.

10 CFR 71 (~~2010~~)(2011) (Packaging and Transportation of Radioactive Material), referenced generally in 35 Ill. Adm. Code 726.430.

10 CFR 71.5 (~~2010~~)(2011) (Transportation of Licensed Material), referenced in 35 Ill. Adm. Code 726.425.

33 CFR 153.203-~~(2009)~~ (2010) (Procedure for the Notice of Discharge), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

40 CFR 3.2 (~~2009~~)(2010) (How Does This Part Provide for Electronic Reporting?), referenced in Section 720.104.

40 CFR 3.3 (~~2009~~)(2010) (What Definitions Are Applicable to This Part?), referenced in Section 720.104.

40 CFR 3.10 (~~2009~~)(2010) (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 720.104.

40 CFR 3.2000 (~~2009~~)(2010) (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 720.104.

40 CFR 51.100(ii)—(2009) (2010) (Definitions), referenced in 35 Ill. Adm. Code 726.200.

Appendix W to 40 CFR 51 (2009)—(2010) (Guideline on Air Quality Models), referenced in 35 Ill. Adm. Code 726.204.

BOARD NOTE: Also available from NTIS (see above for contact information) as "Guideline on Air Quality Models," Revised 1986, USEPA publication number EPA-450/12-78-027R, NTIS document numbers PB86-245248 (Guideline) and PB88-150958 (Supplement).

Appendix B to 40 CFR 52.741—(2009) (2010) (VOM Measurement Techniques for Capture Efficiency), referenced in 35 Ill. Adm. Code 703.213, 703.352, 724.982, 724.984, 724.986, 724.989, 725.983, 725.985, 725.987, and 725.990.

40 CFR 60 (2009)—(2010), as amended at ~~74 Fed. Reg. 51368 (October 6, 2009)~~, ~~74 Fed. Reg. 51950 (October 8, 2009)~~, ~~74 Fed. Reg. 55142 (October 27, 2009)~~, and ~~74 Fed. Reg. 66921 (December 17, 2009)~~ 75 Fed. Reg. 54970 (September 9, 2010), 75 Fed. Reg. 55274 (September 10, 2010), 75 Fed. Reg. 55636 (September 13, 2010), 75 Fed. Reg. 69348 (November 12, 2010), 76 Fed. Reg. 2832 (January 18, 2011), 76 Fed. Reg. 3517 (January 20, 2011), 76 Fed. Reg. 10524 (February 25, 2011), 76 Fed. Reg. 15372 (March 21, 2011), 76 Fed. Reg. 15704 (March 21, 2011), 76 Fed. Reg. 18408 (April 4, 2011), and 76 Fed. Reg. 28662 (May 18, 2011) (Standards of Performance for New Stationary Sources), referenced generally in 35 Ill. Adm. Code 724.964, 724.980, 725.964, and 725.980.

Subpart VV of 40 CFR 60—(2009) (2010) (Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry), referenced in 35 Ill. Adm. Code 724.989 and 725.990.

Appendix A to 40 CFR 60 (2009)—(2010), as amended at 75 Fed. Reg. 55636 (September 13, 2010) (Test Methods), referenced generally in 35 Ill. Adm. Code 726.205 (in addition to the references cited below for specific methods):

Method 1 (Sample and Velocity Traverses for Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 2 (Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube)), referenced in 35 Ill. Adm. Code 724.933, 724.934, 725.933, 725.934, and 726.205.

Method 2A (Direct Measurement of Gas Volume through Pipes and Small Ducts), referenced in 35 Ill. Adm. Code 724.933, 725.933, and 726.205.

Method 2B (Determination of Exhaust Gas Volume Flow Rate from Gasoline Vapor Incinerators), referenced in 35 Ill. Adm. Code 726.205.

Method 2C (Determination of Gas Velocity and Volumetric Flow Rate in Small Stacks or Ducts (Standard Pitot Tube)), referenced in 35 Ill. Adm. Code 724.933, 725.933, and 726.205.

Method 2D (Measurement of Gas Volume Flow Rates in Small Pipes and Ducts), referenced in 35 Ill. Adm. Code 724.933, 725.933, and 726.205.

Method 2E (Determination of Landfill Gas Production Flow Rate), referenced in 35 Ill. Adm. Code 726.205.

Method 2F (Determination of Stack Gas Velocity and Volumetric Flow Rate with Three-Dimensional Probes), referenced in 35 Ill. Adm. Code 726.205.

Method 2G (Determination of Stack Gas Velocity and Volumetric Flow Rate with Two-Dimensional Probes), referenced in 35 Ill. Adm. Code 726.205.

Method 2H (Determination of Stack Gas Velocity Taking into Account Velocity Decay Near the Stack Wall), referenced in 35 Ill. Adm. Code 726.205.

Method 3 (Gas Analysis for the Determination of Dry Molecular Weight), referenced in 35 Ill. Adm. Code 724.443 and 726.205.

Method 3A (Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)), referenced in 35 Ill. Adm. Code 726.205.

Method 3B (Gas Analysis for the Determination of Emission Rate Correction Factor or Excess Air), referenced in 35 Ill. Adm. Code 726.205.

Method 3C (Determination of Carbon Dioxide, Methane, Nitrogen, and Oxygen from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 4 (Determination of Moisture Content in Stack Gases), referenced in 35 Ill. Adm. Code 726.205.

Method 5 (Determination of Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 5A (Determination of Particulate Matter Emissions from the Asphalt Processing and Asphalt Roofing Industry), referenced in 35 Ill. Adm. Code 726.205.

Method 5B (Determination of Nonsulfuric Acid Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 5D (Determination of Particulate Matter Emissions from Positive Pressure Fabric Filters), referenced in 35 Ill. Adm. Code 726.205.

Method 5E (Determination of Particulate Matter Emissions from the Wool Fiberglass Insulation Manufacturing Industry), referenced in 35 Ill. Adm. Code 726.205.

Method 5F (Determination of Nonsulfate Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 5G (Determination of Particulate Matter Emissions from Wood Heaters (Dilution Tunnel Sampling Location)), referenced in 35 Ill. Adm. Code 726.205.

Method 5H (Determination of Particulate Emissions from Wood Heaters from a Stack Location), referenced in 35 Ill. Adm. Code 726.205.

Method 5I (Determination of Low Level Particulate Matter Emissions from Stationary Sources), referenced in 35 Ill. Adm. Code 726.205.

Method 18 (Measurement of Gaseous Organic Compound Emissions by Gas Chromatography), referenced in 35 Ill. Adm. Code 724.933, 724.934, 725.933, and 725.934.

Method 21 (Determination of Volatile Organic Compound Leaks), referenced in 35 Ill. Adm. Code 703.213, 724.934, 724.935, 724.963, 725.934, 725.935, 725.963, and 725.984.

Method 22 (Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares), referenced in 35 Ill. Adm. Code 724.933, 724.1101, 725.933, 725.1101, and 727.900.

Method 25A (Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer), referenced in 35 Ill. Adm. Code 724.934 and 725.985.

Method 25D (Determination of the Volatile Organic Concentration of Waste Samples), referenced in 35 Ill. Adm. Code 724.982, 725.983, and 725.984.

Method 25E (Determination of Vapor Phase Organic Concentration in Waste Samples), referenced in 35 Ill. Adm. Code 725.984.

Method 27 (Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure-Vacuum Test), referenced in 35 Ill. Adm. Code 724.987 and 725.987.

40 CFR 61 ~~(2009)~~ (2010), as amended at ~~74 Fed. Reg. 55142 (October 27, 2009) and 74 Fed. Reg. 66921 (December 17, 2009)~~ September 10, 2010 (75 Fed. Reg. 55274), September 13, 2010 (75 Fed. Reg. 55636), November 12, 2010 (75 Fed. Reg. 69348) (National Emission Standards for Hazardous Air Pollutants), referenced generally in 35 Ill. Adm. Code 725.933, 725.964, and 725.980.

Subpart V of 40 CFR 61 ~~(2009)~~ (2010) (National Emission Standard for Equipment Leaks (Fugitive Emission Sources)), referenced in 35 Ill. Adm. Code 724.989 and 725.990.

Subpart FF of 40 CFR 61 ~~(2009)~~ (2010) (National Emission Standard for Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and 725.983.

40 CFR 63 ~~(2009)~~ (2010), as amended at ~~74 Fed. Reg. 46493 (September 10, 2009), 74 Fed. Reg. 55670 (October 28, 2009), 74 Fed. Reg. 56008 (October 29, 2009), 74 Fed. Reg. 63236 (December 2, 2009), 74 Fed. Reg. 63504 (December 3, 2009), 74 Fed. Reg. 63613 (December 4, 2009), 74 Fed. Reg. 69194 (December 30, 2009), 75 Fed. Reg. 522 (January 5, 2010), 75 Fed. Reg. 9468 (March 3, 2010), 75 Fed. Reg. 10184 (March 5, 2010), and 75 Fed. Reg. 12988 (March 18, 2010)~~ 2010, as amended at July 20, 2010 (75 Fed. Reg. 41991), August 20, 2010 (75 Fed. Reg. 51570), September 9, 2010 (75 Fed. Reg. 54970), September 13, 2010 (75 Fed. Reg. 55636), November 3, 2010 (75 Fed. Reg. 67625), November 12, 2010 (75 Fed. Reg. 69348), November 30, 2010 (75 Fed. Reg. 73967), December 14, 2010 (75 Fed. Reg. 77760), December 17, 2010 (75 Fed. Reg. 78916), December 30, 2010 (75 Fed. Reg. 82269), January 18, 2011 (76 Fed. Reg. 2832), January 24, 2011 (76 Fed. Reg. 4156), February 17, 2011 (76 Fed. Reg. 9450), February 28, 2011 (76 Fed. Reg. 10761), March 14, 2011 (76 Fed. Reg. 13514), March 18, 2011 (76 Fed. Reg. 14807), March 21, 2011 (76 Fed. Reg. 15554), March 21, 2011 (76 Fed. Reg. 15608), April 1, 2011 (76 Fed. Reg. 18064), April 21, 2011 (76 Fed. Reg. 22566), May 18, 2011 (76 Fed. Reg. 28662) (National Emission Standards for Hazardous Air Pollutants for Source Categories), referenced generally in 35 Ill. Adm. Code 725.933, 725.964, and 725.980.

Subpart RR of 40 CFR 63 ~~(2009)~~ (2010) (National Emission Standards for Individual Drain Systems), referenced in 35 Ill. Adm. Code 724.982, 724.984, 724.985, 725.983, 725.985, and 725.986.

Subpart EEE of 40 CFR 63 (2000) (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors), referenced in 35 Ill. Adm. Code 703.280.

Subpart EEE of 40 CFR 63 ~~(2009)~~ (2010) (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors) (includes 40 CFR 63.1206 (When and How Must You Comply with the Standards and Operating Requirements?), 63.1215 (What are the Health-Based Compliance Alternatives for Total Chlorine?), 63.1216 (What are the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?), 63.1217 (What are the Standards for Liquid-Fuel Boilers that Burn Hazardous Waste?), 63.1218 (What are the Standards for Hydrochloric Acid Production Furnaces that Burn Hazardous Waste?), 63.1219 (What are the Replacement Standards for Hazardous Waste Incinerators?), 63.1220 (What are the Replacement Standards for Hazardous Waste-Burning Cement Kilns?), and 63.1221 (What are the Replacement Standards for Hazardous Waste-Burning Lightweight Aggregate Kilns?)), referenced in Appendix A to 35 Ill. Adm. Code 703 and 35 Ill. Adm. Code 703.155, 703.205, 703.208, 703.221, 703.232, 703.320, 703.280, 724.440, 724.701, 724.950, 725.440, and 726.200.

Method 301 (Field Validation of Pollutant Measurement Methods from Various Waste Media) in appendix A to 40 CFR 63 ~~(2009)~~ (2010), as amended at 76 Fed. Reg. 28664 (May 18, 2011) (Test Methods), referenced in 35 Ill. Adm. Code 725.984.

Appendix C to 40 CFR 63 ~~(2009)~~ (2010) (Determination of the Fraction Biodegraded (Fbio) in a Biological Treatment Unit), referenced in 35 Ill. Adm. Code 725.984.

Appendix D to 40 CFR 63 ~~(2009)~~ (2010) (Test Methods), referenced in 35 Ill. Adm. Code 725.984.

40 CFR 136.3 (Identification of Test Procedures) ~~(2009)~~ (2010), referenced in 35 Ill. Adm. Code 702.110, 704.150, 704.187, and 730.103.

40 CFR 144.70 ~~(2009)~~ (2010) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 704.240.

40 CFR 232.2 ~~(2009)~~ (2010) (Definitions), referenced in 35 Ill. Adm. Code 721.104.

40 CFR 257 ~~(2009)~~ (2010) (Criteria for Classification of Solid Waste Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code 739.181.

40 CFR 258 ~~(2009)~~ (2010), as amended at 75 Fed. Reg. 50932 (August 18, 2010), 75 Fed. Reg. 53220 (August 31, 2010) (Criteria for Municipal Solid Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.

40 CFR 260.21 ~~(2009)~~ (2010) (Alternative Equivalent Testing Methods), referenced in Section 720.121.

Appendix I to 40 CFR 260 ~~(2009)~~, ~~as amended at 75 Fed. Reg. 12989 (March 18, 2010)~~ (2010) (Overview of Subtitle C Regulations), referenced in Appendix A to 35 Ill. Adm. Code 720.

40 CFR 261.151 ~~(2009)~~ (2010) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 721.251.

Appendix III to 40 CFR 261 ~~(2009)~~-(2010) (Chemical Analysis Test Methods), referenced in 35 Ill. Adm. Code 704.150 and 704.187.

40 CFR 262.53 ~~(2009)~~-(2010) (Notification of Intent to Export), referenced in 35 Ill. Adm. Code 722.153.

40 CFR 262.54 ~~(2009)~~ (2010) (Special Manifest Requirements), referenced in 35 Ill. Adm. Code 722.154.

40 CFR 262.55 ~~(2009)~~, ~~as amended at 75 Fed. Reg. 1236 (January 8, 2010)~~-(2010) (Exception Reports), referenced in 35 Ill. Adm. Code 722.155.

40 CFR 262.56 ~~(2009)~~, ~~as amended at 75 Fed. Reg. 12989 (March 18, 2010)~~-(2010) (Annual Reports), referenced in 35 Ill. Adm. Code 722.156.

40 CFR 262.57 ~~(2009)~~-(2010) (Recordkeeping), referenced in 35 Ill. Adm. Code 722.157.

Appendix to 40 CFR 262 ~~(2009)~~-(2010) (Uniform Hazardous Waste Manifest and Instructions (EPA Forms 8700-22 and 8700-22A and Their Instructions)), referenced in Appendix A to 35 Ill. Adm. Code 722 and 35 Ill. Adm. Code 724.986 and 725.987.

40 CFR 264.151 ~~(2009)~~ (2010) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 724.251 and 727.240.

Appendix I to 40 CFR 264 ~~(2009)~~ (2010) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 724.

Appendix IV to 40 CFR 264 ~~(2009)~~-(2010) (Cochran's Approximation to the Behrens-Fisher Students' T-Test), referenced in Appendix D to 35 Ill. Adm. Code 724.

Appendix V to 40 CFR 264 ~~(2009)~~-(2010) (Examples of Potentially Incompatible Waste), referenced in Appendix E to 35 Ill. Adm. Code 724 and 35 Ill. Adm. Code 727.270.

Appendix VI to 40 CFR 264 ~~(2009)~~-(2010) (Political Jurisdictions in Which Compliance with § 264.18(a) Must Be Demonstrated), referenced in 35 Ill. Adm. Code 703.306 and 724.118.

Appendix I to 40 CFR 265 ~~(2009)~~-(2010) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 725.

Appendix III to 40 CFR 265 ~~(2009)~~-(2010) (EPA Interim Primary Drinking Water Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.

Appendix IV to 40 CFR 265 ~~(2009)~~-(2010) (Tests for Significance), referenced in Appendix D to 35 Ill. Adm. Code 725.

Appendix V to 40 CFR 265 ~~(2009)~~-(2010) (Examples of Potentially Incompatible Waste), referenced in 35 Ill. Adm. Code 725.277, 725.330, 725.357, 725.382, and 725.413 and Appendix E to 35 Ill. Adm. Code 725.

Appendix IX to 40 CFR 266 ~~(2009)~~-(2010) (Methods Manual for Compliance with the BIF Regulations), referenced generally in Appendix I to 35 Ill. Adm. Code 726.

Section 4.0 (Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners), referenced in 35 Ill. Adm. Code 726.200 and 726.204.

Section 5.0 (Hazardous Waste Combustion Air Quality Screening Procedure), referenced in 35 Ill. Adm. Code 726.204.

Section 7.0 (Statistical Methodology for Bevill Residue Determinations), referenced in 35 Ill. Adm. Code 726.212.

BOARD NOTE: Also available from NTIS (see above for contact information) as "Methods Manual for Compliance with BIF Regulations: Burning Hazardous Waste in Boilers and Industrial Furnaces," December 1990, USEPA publication number EPA-530/SW-91-010, NTIS document number PB91-120006.

40 CFR 267.151 ~~(2009)~~-(2010) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 727.240.

40 CFR 270.5 ~~(2009)~~-(2010) (Noncompliance and Program Reporting by the Director), referenced in 35 Ill. Adm. Code 703.305.

40 CFR 761-~~(2009)~~ (2010) (Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.

40 CFR 761.3-~~(2009)~~ (2010) (Definitions), referenced in 35 Ill. Adm. Code 728.102 and 739.110.

40 CFR 761.60 ~~(2009)~~-(2010) (Disposal Requirements), referenced in 35 Ill. Adm. Code 728.142.

40 CFR 761.65 ~~(2009)~~-(2010) (Storage for Disposal), referenced in 35 Ill. Adm. Code 728.150.

40 CFR 761.70 ~~(2009)~~-(2010) (Incineration), referenced in 35 Ill. Adm. Code 728.142.

Subpart B of 49 CFR 107 ~~(2009)~~-(2010), as amended at ~~74 Fed. Reg. 53182 (October 16, 2009)~~, ~~75 Fed. Reg. 15613 (March 30, 2010)~~, and ~~75 Fed. Reg. 27205 (May 14, 2010)~~ 76 Fed. Reg. 454 (January 5, 2011) (Exemptions), referenced generally in 35 Ill. Adm. Code 724.986 and 725.987.

49 CFR 171 ~~(2009)~~-(2010), as amended at ~~74 Fed. Reg. 53182 (October 16, 2009)~~, ~~75 Fed. Reg. 63 (January 4, 2010)~~, ~~75 Fed. Reg. 5376 (February 2, 2010)~~, ~~75 Fed. Reg. 27205 (May 14, 2010)~~ 76 Fed. Reg. 3308 (January 19, 2011) (General Information, Regulations, and Definitions), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 171.3-~~(2009)~~ (2010) (Hazardous Waste), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 171.8 ~~(2009)~~-(2010), as amended at ~~74 Fed. Reg. 53182 (October 16, 2009)~~, ~~75 Fed. Reg. 5376 (February 2, 2010)~~, and ~~75 Fed. Reg. 27205 (May 14, 2010)~~ 76 Fed. Reg. 454 (January 5, 2011) 76 Fed. Reg. 3308 (January 19, 2011) (Definitions and Abbreviations), referenced in 35 Ill. Adm. Code 733.118, 733.138, 733.152, 733.155, and 739.143.

49 CFR 171.15 ~~(2009), as amended at 74 Fed. Reg. 53182 (October 16, 2009)~~ (2010) (Immediate Notice of Certain Hazardous Materials Incidents), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 171.16 ~~(2009)~~ (2010) (Detailed Hazardous Materials Incident Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 172 ~~(2009) (2010), as amended at 74 Fed. Reg. 52896 (October 15, 2009), 74 Fed. Reg. 53182 (October 16, 2009), 74 Fed. Reg. 53413 (October 19, 2009), 74 Fed. Reg. 54489 (October 22, 2009), 74 Fed. Reg. 65696 (December 11, 2009), 75 Fed. Reg. 63 (January 4, 2010), 75 Fed. Reg. 5376 (February 2, 2010), and 75 Fed. Reg. 10974 (March 8, 2010)~~, as amended at January 19, 2011 (76 Fed. Reg. 3308) (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), referenced generally in 35 Ill. Adm. Code 722.131, 722.132, 724.986, 725.987, 733.114, 733.118, 733.134, 733.138, 733.152, 733.155, and 739.143.

49 CFR 172.304 ~~(2009)~~ (2010) (Marking Requirements), referenced in 35 Ill. Adm. Code 722.132.

Subpart F of 49 CFR 172 ~~(2009) (2010), as amended at 75 Fed. Reg. 5376 (February 2, 2010)~~ January 19, 2011 (76 Fed. Reg. 3308) (Placarding), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 173 ~~(2009), as amended at 74 Fed. Reg. 53182 (October 16, 2009), 75 Fed. Reg. 63 (January 4, 2010), 75 Fed. Reg. 5376 (February 2, 2010), and 75 Fed. Reg. 27205 (May 14, 2010)~~ (2010) (Shippers - General Requirements for Shipments and Packages), referenced generally in 35 Ill. Adm. Code 721.104, 722.130, 724.986, 724.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 173.2 ~~(2009)~~ (2010) (Hazardous Materials Classes and Index to Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.

49 CFR 173.12 ~~(2009), as amended at 75 Fed. Reg. 27205 (May 14, 2010)~~ (2010) (Exceptions for Shipments of Waste Materials), referenced in 35 Ill. Adm. Code 724.416, 724.986, and 725.987.

49 CFR 173.28 ~~(2009), as amended at 75 Fed. Reg. 5376 (February 2, 2010)~~ (2010) (Reuse, Reconditioning, and Remanufacture of Packagings), referenced in 35 Ill. Adm. Code 725.273.

49 CFR 173.50 ~~(2009)~~ (2010) (Class 1 - Definitions), referenced in 35 Ill. Adm. Code 721.124.

49 CFR 173.54 ~~(2009)~~ (2010) (Forbidden Explosives), referenced in 35 Ill. Adm. Code 721.124.

49 CFR 173.115 ~~(2009), as amended at 75 Fed. Reg. 63 (January 4, 2010)~~ (2010) (Class 2, Divisions 2.1, 2.2, and 2.3 - Definitions), referenced in 35 Ill. Adm. Code 721.121.

49 CFR 174 ~~(2009), as amended at 74 Fed. Reg. 53182 (October 16, 2009), 74 Fed. Reg. 53413 (October 19, 2009), 74 Fed. Reg. 54489 (October 22, 2009), 75 Fed. Reg. 5376 (February 2, 2010), and 75 Fed. Reg. 27205 (May 14, 2010)~~ (2010) (Carriage by Rail), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 175 ~~(2009)~~ (2010), as amended at ~~75 Fed. Reg. 63 (January 4, 2010)~~ January 19, 2011 (76 Fed. Reg. 3308) (Carriage by Aircraft), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 176 ~~(2009)~~ (2010), as amended at ~~74 Fed. Reg. 53182 (October 16, 2009)~~ and ~~75 Fed. Reg. 27205 (May 14, 2010)~~ January 19, 2011 (76 Fed. Reg. 3308) (Carriage by Vessel), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 177 ~~(2009)~~ (2010), as amended at ~~75 Fed. Reg. 27205 (May 14, 2010)~~ February 28, 2011 (76 Fed. Reg. 10771) (Carriage by Public Highway), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 178 ~~(2009)~~ (2010), as amended at ~~75 Fed. Reg. 63 (January 4, 2010)~~ and ~~75 Fed. Reg. 5376 (February 2, 2010)~~ January 19, 2011 (76 Fed. Reg. 3308) (Specifications for Packagings), referenced generally in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 179 ~~(2009)~~, as amended at ~~75 Fed. Reg. 27205 (May 14, 2010)~~ (2010) (Specifications for Tank Cars), referenced in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 180 ~~(2009)~~ (2010), as amended at ~~74 Fed. Reg. 53182 (October 16, 2009)~~ January 19, 2011 (76 Fed. Reg. 3308) (Continuing Qualification and Maintenance of Packagings), referenced generally in 35 Ill. Adm. Code 724.986, 725.987, 733.118, 733.138, 733.152, and 739.143.

c) Federal Statutes:

Section 11 of the Atomic Energy Act of 1954 (42 USC 2014), as amended through January 3, ~~2006~~ 2007, referenced in 35 Ill. Adm. Code 721.104 and 726.310.

Sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and Cosmetic Act (FFDCA; 21 USC 321(v), 321(w), and 360b(j)), as amended through ~~2006~~ January 3, 2007, referenced in Section 720.110 and 35 Ill. Adm. Code 733.109.

Section 1412 of the Department of Defense Authorization Act of 1986, Pub. L. 99-145 (50 USC 1521(j)(1)), as amended through ~~2006~~ January 3, 2007, referenced in 35 Ill. Adm. Code 726.301.

d) This Section incorporates no later editions or amendments.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section ~~720.Appendix~~ 720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste) Regulations (Repealed)

~~See appendix I to 40 CFR 260 (Overview of Subtitle C Regulations), incorporated by reference in Section 720.111(e).~~

(Source: Repealed at 35 Ill. Reg. _____, effective _____)

~~ILLINOIS REGISTER~~

| POLLUTION CONTROL BOARD

| NOTICE OF PROPOSED AMENDMENTS

Document comparison done by DeltaView on Friday, June 17, 2011 3:35:38 PM

Input:	
Document 1	file:///I:/Input/35-720-Agency(issue26).doc
Document 2	file:///I:/Input/35-720-JCAR(R01)(issue26).doc
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

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Moved to	0
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Format changed	0
Total changes	138