

ILLINOIS POLLUTION CONTROL BOARD
June 20, 1996

IN THE MATTER OF:)
) R95-20
RCRA UPDATE, USEPA REGULATIONS) (Identical in Substance Rules-
(1-1-95 THROUGH 6-30-95, 7-7-95,) RCRA Subtitle C)
9-29-95, 11-13-95 & 6-6-96))

Adopted Rule. Final Order.

OPINION OF THE BOARD (by E. Dunham):

Pursuant to Section 13(c) and 22.4(a) of the Environmental Protection Act (Act) [415 ILCS 5/13(c) & 22.4(a) (1994)], the Board adopts amendments to the RCRA Subtitle C hazardous waste (RCRA) regulations.

Section 22.4(a) provides for quick adoption of regulations that are "identical in substance" to federal regulations adopted by U.S. Environmental Protection Agency (USEPA) to implement Sections 3001 through 3005 of the Resource Conservation and Recovery Act of 1976 (RCRA, 42 U.S.C. §§ 6921-6925) and that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35 & 5-40 (1994)] shall not apply. Section 13(c) similarly provides with respect to underground injection control regulations adopted by USEPA pursuant to Section 1421 of the Safe Drinking Water Act (SDWA; 42 U.S.C. § 300h). Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by the Joint Committee on Administrative Rules (JCAR). The federal RCRA Subtitle C regulations are found at 40 CFR 260 through 268, 270 through 271, and, more recently, 279.

This opinion supports an order adopted on the same day. The Board will delay filing the adopted amendments with the Office of the Secretary of State for 30 days to allow time for USEPA to review them prior to filing. The amendments will become effective upon filing, and Notices of Adopted Amendments (or Rules, as appropriate) will appear in the Illinois Register.

FEDERAL ACTIONS CONSIDERED IN THIS RULEMAKING

This rulemaking updates the Illinois RCRA Subtitle C rules to correspond with federal amendments made in the period from January 1 through June 30, 1995. The USEPA actions during this period are as follows:

<u>Federal Action</u>	<u>Summary</u>
Jan. 3, 1995,	Technical Corrections to Phase II LDRs

60 Fed. Reg. 242 Jan. 13, 1995, 60 Fed. Reg. 3089	Update to testing and monitoring methods
Feb. 3, 1995, 60 Fed. Reg. 6666	Response to City of Chicago v. Environmental Defense Fund decision
Feb. 7, 1995, 60 Fed. Reg. 7366	Determination that additional regulation is necessary for cement kiln dust
Feb. 9, 1995, 60 Fed. Reg. 7824	New hazardous waste listings for six carbamate production wastes; addition of 58 commercial chemical product wastes; exemption of certain biological treatment sludges
Apr. 4, 1995, 60 Fed. Reg. 17001	Update to testing and monitoring methods
Apr. 4, 1995, 60 Fed. Reg. 17160	Update to CWA analytical methods
Apr. 17, 1995, 60 Fed. Reg. 19165	Corrections to carbamate waste listings
May 11, 1995, 60 Fed. Reg. 25492	Universal Waste Rule
May 12, 1995, 60 Fed. Reg. 25619	Correction to carbamate waste listings
May 19, 1995, 60 Fed. Reg. 26828	Postponement of effective date for tank, container, and surface impoundment air emissions rules
June 13, 1995, 60 Fed. Reg. 31114	Delisting of hazardous waste generated in Illinois by a Pennsylvania company
June 29, 1995, 60 Fed. Reg. 33912	Deletion of obsolete, redundant, and outdated RCRA rules

Deviations from Routine Docket Time-Frame for Federal Amendments

In addition to these principal amendments that occurred during the normal docket update period, the Board has included four additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6:

July 7, 1995, 60 Fed. Reg. 35452	Correction to the Subpart CC organic material emissions standards for tanks, containers and surface impoundments
September 29, 1995, 60 Fed. Reg. 50426	Stay of Subpart CC rules as they apply to tanks, containers, and surface impoundments that contain wastes generated in the manufacture of organic peroxides
November 13, 1995, 60 Fed. Reg. 56952	Stay of Subpart CC rules in their entirety until June 6, 1996
June 5, 1996, 61 Fed. Reg. 28508	Stay of Subpart CC rules in their entirety until October 6, 1996

Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency).

Finally, the Board omitted from consideration two set of federal amendments that occurred during the time-frame of this docket. First, on **January 3, 1995**, USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on **May 19, 1995**, USEPA stayed of the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was similarly included with the R95-4/R95-6 amendments, so there was no need for Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 and extended on June 5, 1996 made that initial stay of May 19 obsolete.

Brief Summaries of the Federal Actions Considered in this Docket

By way of brief elaboration, the Board will summarily describe the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of **January 13, 1995** added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by

updating the incorporations by reference. The Board included corresponding amendments in this docket.

On **February 3, 1995**, USEPA responded to public inquiries in the wake of the Supreme Court's decision in City of Chicago v. Environmental Defense Fund, Inc., 114 S. Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash could become a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. At this point, the facility owner or operator must make the determination whether the ash is hazardous waste. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On **February 7, 1995**, USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of **February 9, 1995**, USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On **April 17, 1995** and again on **May 12, 1995**, USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on **April 4, 1995** which will have a related impact on the Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on **May 11, 1995**, when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of **June 13, 1995**, USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained below, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On **June 29, 1995**, USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on **July 7, 1995**, made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC rules. First, on **September 29, 1995**, USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on **November 13, 1995** and again on **June 5, 1996**, USEPA further delayed the effective date of the Subpart CC rules by another six months, until October 6, 1996. Each stay required amendment of the base hazardous waste regulations.

PUBLIC COMMENTS

The Board adopted a proposal for public comment in this matter on February 1, 1996. Notices of Proposed Amendments appeared in the Illinois Register on February 16, 1996, at 20 Ill. Reg. 2651 (Part 720), 2685 (Part 721), 2791 (Part 725), 2813 (Part 728), 2924 (Part 702), 2940 (Part 703), 2951 (Part 722), 2960 (Part 724), and 2980 (Part 726). A Notice or

Proposed Rules also appeared in that issue at 20 Ill. Reg. 3008 (Part 733). The Board received public comment on the proposal for a period of 45 days following the date of its publication in the Illinois Register. The Board will delay filing any adopted rules with the Secretary of State for 30 days after adoption, particularly to allow USEPA review. The complete text of the proposed amendments appears in a separate order adopted this day.

As of the time of proposing these amendments for public comment, the Board had already received five public comments on the rules:

- PC 1 Vicki Thomas, Executive Director, Joint Committee on Administrative Rules (letter and attachments docketed August 22, 1995)
- PC 2 Vicki Thomas, Executive Director, Joint Committee on Administrative Rules (JCAR; text of 35 Ill. Adm. Code 728. Table T, as adopted in R95-4/R95-6, with corrections marked docketed August 25, 1995)
- PC 3 Ron Klint, TDI Batteries (letter docketed October 13, 1995)
- PC 4 Jeffrey C. Moore, General Counsel, Conversion Systems, Inc. (CSI; letter docketed November 6, 1995)
- PC 5 Mark Homer, Regulatory Affairs Counsel, Chemical Industry Council of Illinois (CICI; letter docketed November 29, 1995)

After adoption of the February 1, 1996 proposal for public comment, the Board received 14 additional public comments:

- PC 6 William R. Uffelman, Divisional Vice-President, Government Affairs, Midwest Region, Browning-Ferris Industries (BFI; letter docketed March 5, 1996)
- PC 7 Robert G. Hilton, Vice President-Sales & Marketing, Specialized Services, EnviroSource Treatment and Disposal Services, Inc. (CSI's parent company; letter docketed March 29, 1996)
- PC 8 Paul E. Guterman, John N. Moore, and Akin, Gump, Strauss, et al., Counsel for Horsehead Resource Development Co. (HRD; comments docketed April 2, 1996)
- PC 9 Kim Kelly, President, Rechargeable Battery Recycling Corp. (RBRC; comments and attachments docketed April 4, 1996)
- PC 10 C. Norman Englund, President & CEO, Portable Rechargeable Battery Assoc. (PRBA; comments docketed April 4, 1996)

- PC 11 Judy Dyer, Assistant Counsel, Division of Legal Counsel, Illinois EPA (Agency; comments docketed April 4, 1996)
- PC 12 Charles Dickhut, Chairman, Association of Waste Hazardous Materials Transporters (AWHMT; letter docketed March 28, 1996)
- PC 13 Bill S. Forcade and Jenner & Block, Counsel for CSI (letter docketed April 26, 1996)
- PC 14 Dan A. Rosenbaum and Jenner & Block, Counsel for CSI (letter and copy of final federal action on CSI delisting docketed April 26, 1996)
- PC 15 David E. Long, Environmental Manager, Northwestern Steel and Wire Co. (letter docketed April 30, 1996)
- PC 16 Richard T. Traub, Chief, State Programs and Authorization Section, USEPA Region V (letter and comments docketed May 13, 1996)
- PC 17 Paul E. Guterman, John N. Moore, and Akin, Gump, Strauss, et al., Counsel for HRD (comments docketed May 15, 1996)
- PC 18 William M. Guerry and Collier, Shannon, Rill & Scott, Counsel for the Steel Manufacturers Association (SMA; letter and attachments docketed May 16, 1996)
- PC 19 Paul E. Guterman, John N. Moore, and Akin, Gump, Strauss, et al., Counsel for HRD (letter and attached comments docketed June 4, 1996)

By PC 1 and PC 2, JCAR indicates a number of minor corrections to the base text of the Illinois RCRA Subtitle C regulations and as last amended in R95-4/R95-6. The Board has examined those corrections and acted on them where necessary, which is discussed below.

In PC 3, a member of the regulated community has requested expedited consideration of the universal waste rules, adopted by USEPA on May 19, 1995. The letter outlines the environmental and economic benefits of prompt adoption of what amounts to a relaxation of the hazardous waste regulations. The Board granted expedited consideration of these amendments by an order dated October 19, 1995. The universal waste rules are a major segment of the present action.

By PC 4, a regulated entity requests that the Board adopt a federal hazardous waste delisting (of June 13, 1995) by identical-in-substance rulemaking. Although we possess the statutory authority to adopt such site-specific federal regulations using the identical-in-substance procedure, the Board does not unilaterally propose and adopt such rules in the

absence of a request that we act to adopt the rule. The Board has included the delisting with the present amendments in response to the request.

In PC 5, an industry trade association requested expedited consideration of the federal stay (dated November 13, 1995) of major provisions of existing rules adopted in docket R95-4/R95-6. USEPA adopted the stay outside the nominal time-frame of this docket. The Board granted expedited consideration of the stay by an order dated December 7, 1995. As discussed above, this stay and another are both dealt with in the present action. (See infra, pp. 16-19.)

In PC 6, BFI expressed support for adoption of the federal universal waste rule. However, BFI requested clarification of the procedural and informational requirements for adding additional universal waste. The Board discusses the BFI request for clarification below. (See infra, pp. 28-31.)

In PC 7, EnviroSource submitted comments from CSI supporting the Board's adoption of the federally-granted CSI hazardous waste delisting as soon as possible. EnviroSource stated that the adoption would allow the management of the subject waste outside the RCRA Subtitle C regulatory system and allow reduced operating costs. EnviroSource also stated that the adoption would allow CSI to petition the Board for further identical-in-substance action if USEPA changes the scope of the delisting. EnviroSource is the parent company of CSI. EnviroSource stated that it had reviewed the proposed delisting and concluded that the proposed language correctly reflects USEPA's intent in granting the delisting. It urges adoption of the delisting without revision of the language as proposed.

In PC 8, HRD urged the Board not to adopt the proposed delisting for the CSI waste. HRD set forth a number of arguments against the delisting based in state and federal law and on resource conservation. CSI responded to the HRD comments by PC 13 and PC 14. HRD replied by PC 17 and requested oral argument before the Board. By PC 18, SMA responded to HRD's PC 8, supporting the CSI delisting and urging the Board to adopt it. HRD responded to SMA's comments by PC 19. The Board discusses HRD's and SMA's relative positions and their arguments and the SMA comments below. (See infra, pp. 19-21.) In PC 15, Northwestern Steel and Wire expressed support of the Board adopting the proposed CSI hazardous waste delisting. It stated that it supports the comments submitted in PC 13. The Northwestern Steel plant at Sterling has used the CSI Super Detox process since 1989 to stabilize its waste for disposal, and it is this waste that is the subject of the delisting. Northwestern Steel wants to reduce the costs associated with disposal of this stabilized waste by managing it outside the scope RCRA Subtitle C regulations, which the delisting would allow.

By PC 9, RBRC commented in support of the adoption of the Universal Waste Rule. PRBA commented similarly in PC 10. RBRC explained that it administers the collection and recycling of rechargeable batteries. PRBA is an industry association of nickel-cadmium battery manufacturers. RBRC and PRBA stated that the present RCRA Subtitle C regulations, currently imposed on the recycling activities, create a substantial compliance burden which

acts as a disincentive to the recycling. They stated that on September 18, 1995 the Illinois EPA issued a letter indicating that it has adopted a temporary policy as to recycled batteries forbearing enforcement of the hazardous waste regulations in light of the federal Universal Waste Rule and the prospective Board adoption of that rule, thus allowing initial development of recycling programs in Illinois. RBRC and PRBA urged prompt adoption of the Rule to allow full, formal implementation of the programs in this state.

In PC 11, the Agency offered a number of comments on the text of the proposed amendments. The Agency suggested a small number of revisions and clarifications to the text. The Board discusses the details of those comments in the appropriate segments of this opinion, below. (See infra, pp. 31-33 & 48-52.)

In PC 12, AWHMT explained that it is an industry association of companies that transport waste hazardous materials by truck and rail. AWHMT raised a number of concerns over the interstate implementation of the Universal Waste Rule and requested Board clarification of some of these issues. The Board addresses the details of the AWHMT comments below. (See infra, pp. 28-31.)

By PC 16, USEPA submits its comments on the proposed amendments. USEPA submitted a small number of corrective amendments to the text. These corrections are outlined in the appropriate segments of the following discussions.

In addition to the several comments received, the Board received a motion for oral argument on May 28, 1996 from HRD. We received a response in opposition to oral argument on May 29, 1996 from CSI. The Board concluded that it was fully advised on the issues involved in the CSI delisting through the various public comments received and denied the motion by an order dated June 6, 1996.

EXPEDITED CONSIDERATION AND REASON FOR DELAY

Prior to commencing work on the present amendments, the Board received requests to expedite this docket. As described above, the Board granted expedited consideration by orders dated October 19 and December 7, 1995. The October 19, 1995 order also set forth reasons for delay in this docket--i.e., "present and recent-past demands on Board resources and personnel, including those associated with completing the prior update, R95-4/R95-6". The Board again set forth reasons for delay in the proposed opinion of February 1, 1996. Although the proposal of these amendments is later than was originally anticipated on October 19, this proposal for public comment represents a significant effort on the part of the Board to act as promptly as possible, given the magnitude of the amendments included in this docket and competing priorities for the Board and its staff. Having now completed all the necessary work to complete this rulemaking occurs as rapidly as possible and having now voted to adopt

the amendments, the Board presently anticipates filing the adopted amendments with the Secretary of State 30 days later.

The Board will cause a copy of the above segment of this proposed opinion to be published in the Illinois Register, as required by Section 7.2(b) of the Act.

HISTORY OF RCRA SUBTITLE C, UST and UIC ADOPTION
AGENCY OR BOARD ACTION?
EDITORIAL CONVENTIONS

The Board appends three routine discussions at the end of this opinion. The first is a summary history of the Illinois RCRA Subtitle C and UIC programs. It lists all actions taken to adopt and maintain these programs since their inceptions. It includes a listing of all site-specific rulemaking and adjusted standards proceedings filed that relate to these programs. It also lists all USEPA program authorizations issued to date. The second is a discussion of how the Board codifies requirements that call for state determinations, such as for exemptions, exceptions, etc. The third discussion relates to our use of language in the codification of identical-in-substance rules. We intend these as reference aids for interested persons in the regulated community.

DISCUSSION

The federal actions that underlie this proceeding require amendment of the Illinois RCRA Subtitle C regulations. This discussion briefly focuses on each by subject matter, indicating the specific details of the actions taken by the Board where pertinent.

General Revisions

The Board has engaged in an ongoing effort to change its method of referring to the United States Environmental Protection Agency in the hazardous waste and other regulations through the course of the last several update proceedings, R93-16, R94-7, R94-17, and R95-4/R95-6. Subsequent to the final opinion and order in the next preceding update, R95-4/R95-6 dated June 1, 1995, JCAR requested that the Board adopt the same usage throughout all of our bodies of regulations--i.e., air, water, drinking water, RCRA Subtitle D (municipal solid waste landfill), RCRA Subtitle C (hazardous waste), underground injection control (UIC), etc. The Board included the Agency in our discussion of whether "USEPA" or "U.S. EPA" would become the chosen form. The Agency's Bureau of Air pressed for unity in favor of the "USEPA" usage. For this reason, the Board begins the process of reversing the prior unifying amendments in the provisions that are open in this docket. We will now refer to "USEPA".

We will continue this conversion in future rulemakings as additional Sections otherwise become open to amendment.

The Board substituted "or" for "/" in most instances where this appeared in the federal base text, using "and" where more appropriate. The Board further used this opportunity to make a number of corrections to punctuation, grammar, and cross-reference format throughout the opened text. We also changed "who" to "that" and "he" to "it", where the person to which the regulation referred was not necessarily a natural person, or to "he or she", where a natural person was evident; changed "which" to "that" for restrictive relative clauses; substituted "shall" for "will"; capitalized the Section headings and corrected their format where necessary; and corrected punctuation within sentences.

Finally, some of the language structure of the federal base text (in the new amendments) is cumbersome or less than clear. The Board has attempted to correct some of the worst instances of this. We realize that the language of the hazardous waste regulations would still be clearer and more concise, but the Board cannot go further at this time and still maintain parity with the federal regulations. However, we invite interested members of the regulated community to submit suggestions relating to correcting deficiencies and errors and enhancing clarity of the rules at any time, for possible inclusion in some future update docket.

For the sake of brevity, the following table sets forth the miscellaneous corrections to the pre-amended base text of the rules for persons needing to make the comparison in detail. Corrections made to the amendments incorporated in this docket are set forth in the topical discussions that follow.

Corrections to Base Pre-Amended Text*

<u>Section</u>	<u>Correction</u>
702.110 "corrective action management unit", "date of approval . . ." & "Environmental Protection Agency"	Switched to "USEPA"
703.123(e), (f) & (g)	Changed subsection numbering
703.151 & 703.152	Reformatted Board Notes
720.110	Switched to "USEPA" in "corrective action management unit", "designated facility", "EPA hazardous waste number", "EPA identification number", "manifest document number" & "replacement unit"; move definitions of "USEPA", "representative sample" & "uppermost aquifer"; added

	definition of "USDOT"
720.111	Switched to "USEPA" under "APTI", "GPO" & "USEPA"; corrected end-of-quote punctuation of reference to SW-846
720.120(a)	Changed to "that"
720.103(a)(2)(D)	Removed "or" from subsections (i) through (iv); repunctuate (v) (JCAR requests); used possessive "wastes"
720.103(b)(1)(B) & (b)(11)	Switched to "USEPA"
721.103(e)(2)(C)	Deleted decimal from zinc entries (JCAR request); switched to "USEPA"; corrected subsection label format
721.103(f)(2), (f)(7)(A), (f)(7)(G), (f)(9)(A) & (f)(9)(C)	Switched to "USEPA"
721.105(f)(3)	Added "fulfills any of . . ." to preamble & "the facility is" to subsections; add reference to 40 CFR 271
721.105(f)(3)(C)	Switched to "USEPA"
721.105(g)(3)	Added "fulfills any of . . ." to preamble; "the facility is" to subsections & added reference to 40 CFR 271
721.105(g)(3)(C)	Switched to "USEPA"
721.105(g)(3)(E)	Used "that"
721.106(a)(3)	Switched to "USEPA"
721.130(b)(2)	Corrected "a" (JCAR request)
721.131(a) F023	Added closing parentheses (JCAR request)
721.132 K001	Changed to "or"
721.132 K066	Corrected punctuation of quotation

721.132 K149	Changed location of end punctuation (JCAR request)
721.App. H warfarin, warfarin salts, zinc phosphide & ziram	Removed end punctuation
721.App. H 721.App. I, Table B	Added "note:" Switched to "USEPA "
721.App. Z	Corrected first-row entries' parentheticals (prompted by JCAR request); added cross-references to column heading footnotes; added Board Note indicating source
722.111(d)	Added comma
724.101(f)	Switched to "USEPA "
724.101(g)(7) through (g)(10)	Added cross-reference to reserved federal provision & renumbered subsections to correspond with federal counterparts
724.980(a)	Switched to "USEPA "
725.980(a)	Switched to "USEPA "
726.180(a)	Used singular; changed to "that" in place of "who"; used "the batteries" in place of "them"
726.203(a)(1)(B), (a)(3), (b)(2), (c)(2)(A)(i), (c)(4)(A)(i) & (c)(8)(B)(i) & 726.204(a)(3)	Switched to "USEPA "
728.101(e)(3)	Switched to "USEPA "
728.Table T D033	Corrected CAS number (JCAR requested)
728.Table T F028	Switched to "USEPA "
728.Table T F037	Corrected wastewaters entry for xylenes (JCAR requested)

728.Table T F039	Switched to "USEPA "
728.Table T F039	Corrected CAS number for bis(2-chloro-isopropyl)ether (JCAR requested)
728.Table T K019	Corrected CAS number for bis(2-chloro-isopropyl)ether (JCAR requested)
728.Table T K051	Corrected CAS number for toluene (JCAR requested)
728.Table T P024	Corrected wastewaters entry (JCAR requested)
728.Table T U027	Corrected CAS number for bis(2-chloro-isopropyl)ether (JCAR requested)
728.Table T end note 7	Switched to "USEPA "
728.Table U Diphenylnitrosoamine	Added space (JCAR requested)
728.Table U end note 4	Switched to "USEPA "

* Additional corrections appear in the discussion of revisions to the text of the proposed rules based on public comments, beginning below on page 48.

Updated Analytical Methods--Section 720.111

USEPA amended 40 CFR 260.11(a) on January 13, 1995, at 60 Fed. Reg. 3089, and on April 4, 1995, at 60 Fed. Reg. 17001. Section 720.111 of the Illinois hazardous waste regulations corresponds with 40 CFR 260.11. Both sets of amendments related to updating the reference, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" (SW-846).

Both sets of amendments added methods to SW-846. The January 13 amendments added Updates I, II, and IIA to the third edition in the reference to this document. Those amendments also revised the references to the updates to indicate that they are now available through the Government Printing Office, which means the deletion of the references to MICE and USEPA-OSW as sources of these documents. The April 4 federal amendments added Update IIB to the reference. In reviewing the January 13, 1995 Federal Register discussion of the methods included in the updates, the Board observed that Method 8290 is included in Update II. We therefore deleted the reference to USEPA as the source for this method.

Although not directly related to the hazardous waste regulations, USEPA also amended the Clean Water Act programs analytical procedures of 40 CFR 136 on April 4, 1995, at 60 Fed. Reg. 17160. USEPA added clarifying footnotes; updated the methods in Tables IA, IB, IC, and ID; and corrected typographic errors in the text. The Board has incorporated 40 CFR 136 by reference in Section 720.111(b).

The Board has incorporated the three sets of federal amendments into Section 720.111. We updated the reference to SW-846 to indicate the new updates and revised availability of those updates. The Board also updated the incorporation of 40 CFR 136 by adding the April 4 Federal Register citation. The Board invited public comment on the updated incorporations in Section 720.111 and received no comments.

Hazardous Waste Determinations--Sections 721.103, 721.104, 721.132, 721.133 & 721.134 through 721.139

USEPA undertook three basic actions relating to identification of hazardous waste to which the Board responds in this docket. First, USEPA published its interpretation of the point at which municipal incinerator ash initially becomes subject to regulation as hazardous waste in light of a recent Supreme Court decision. Second, USEPA adopted and corrected regulations adding a number of hazardous waste listings and hazardous constituents listings. These primarily involve wastes generated in carbamate manufacturing processes. Finally, USEPA granted a hazardous waste delisting to a company for a waste generated in Illinois.

USEPA announced its interpretation of when municipal incinerator ash becomes subject to hazardous waste regulation on February 3, 1995. It took this action as a result of the Supreme Court's decision in City of Chicago v. Environmental Defense Fund, -- U.S. --, 114 S. Ct. 1588 (1994). Prior to that decision, USEPA had interpreted the exclusions of 40 CFR 261.4(b)(1)(ii) (corresponding with and Section 3001(i) of RCRA as excluding the combustion of municipal waste from hazardous waste regulation. (See 50 Fed. Reg. 28702, July 15, 1985.) At various times, USEPA took the position that the resulting ash itself was exempted. (See 59 Fed. Reg. 29372, June 7, 1994.) In City of Chicago, the Court determined that the resulting ash was subject to RCRA Subtitle C regulation if it exhibited a characteristic of hazardous waste. On February 3, 1995, USEPA stated that the Court's opinion left open the issue of the point at which the ash would become subject to Subtitle C regulation. USEPA interpreted that this point was when the ash actually leaves the combustion building for disposal. Prior to that point, USEPA does not consider the ash subject to regulation as hazardous waste.

In response to the federal action of June 7, 1994, relating to facility permitting, the Board added a Board Note to Section 721.104(b)(1)(B) indicating the Supreme Court decision and USEPA's June 7, 1994 action in response. The Board has added language to this Note

indicating the newer February 3 action by USEPA in further response to the Supreme Court's decision.

USEPA added six wastes generated in the manufacture of carbamates (i.e., "carbamate wastes") to the lists of hazardous wastes 40 CFR 261 Subpart D ("Subpart D wastes") on February 9, 1995, at 60 Fed. Reg. 7824. USEPA further added 58 specific chemical substances to the list of commercial chemical products that are hazardous waste when discarded. This action entailed amendments to 40 CFR 261.3(a)(2)(iv)(F), (a)(2)(iv)(G), and (c)(2)(ii)(D) (all added); 261.32; 261.33(e) and (f); and 261, Appendices VII and VIII, which correspond with 35 Ill. Adm. Code 721.103(a)(2)(D)(vi), (a)(2)(D)(vii), and (e)(2)(D); 721.132; 721.133(e) and (f); and 721.Appendices G and H. USEPA later corrected errors in these amendments on April 17, at 60 Fed. Reg. 19165, and May 12, 1995, at 25619. The Board has made all the amendments necessary to incorporate the federal revisions. The Board made minor editorial changes in the federal text in a number of locations. The changes are limited to correction of punctuation, the capitalization of an abbreviated chemical name, and the correction of the format (i.e., spacing and hyphenation) and spelling of chemical names for the added constituents. We have not otherwise deviated from the federal carbamate rule revisions. A table at the end of this segment of the discussion indicates the location of the changes.

USEPA granted Conversion Systems, Inc. (CSI) a hazardous waste delisting on June 13, 1995, at 60 Fed. Reg. 31107. The waste to which the delisting immediately applies is proprietarily-treated electric arc furnace dust (K061) generated at CSI's Sterling, Illinois operations. The federally-granted delisting includes a number of conditions pertaining to waste treatment, maximum leachable contaminant concentrations, testing, recordkeeping, and reporting. The delisting includes conditions relating to future expansion to other locations upon written amendment by USEPA.

The Board has incorporated the CSI delisting into Section 721.Appendix I, Table B, relating to delisted wastes from specific sources with a limited number of revisions to the language for the sake of clarity and to make it fit within Illinois administrative and statutory requirements. We list the revisions and our reasons in the following table:

Deviations from the Federal Text of the CSI Delisting*

<u>Deviation from Federal Text</u>	<u>Explanation</u>
Use of full name instead of "EAFD" for initial reference in preamble	Enhanced clarity
Added reference "municipal solid waste landfill" to Subtitle D references in preamble and paragraph 2.	Language convention used in Illinois nonhazardous waste landfill (Subtitle D) regulations

Offset parenthetical language of "as . . ." clauses with commas and in the preamble and paragraph 2.	Grammatical corrections
Changed "that" to "which" in preamble	Grammatical correction
Added incorporation language to reference to SW-846 in paragraph 1.	Administrative Procedure Act requirement
Changed "must" to "shall" in several locations in paragraphs 1.A., 1.C., 2., 4., and 5.	Board language convention for imperative actions
Changed "composites" to "composite samples" in paragraph 1.A.	Enhanced clarity
Changed "comprised" to "composed" in paragraph 1.A.	Grammatical correction
Added "above" and "below" to cross-references	Codification requirement
Added language to paragraph 1.B. outlining options for future expansion of the delisting	Expressly clarify the options available under Illinois law that do not exist in federal law
Substituted "approved facility" for "Sterling, Illinois facility and any new facility subsequently added" in paragraph 1.C.	Clarity and economy of language
Substituted "as hazardous waste" and cross reference to the pertinent regulations for a reference to RCRA Subtitle C in paragraph 2.	Correct reference in Illinois regulatory scheme
Substituted "this exclusion" for "the exclusion" in paragraph 2	Enhanced clarity
Added "in parts per million" to paragraph 3.	Enhanced clarity
Substituted language relating to advanced notice and approval of process changes in paragraph 4.	Enhanced clarity

Changed references to notification of USEPA to notification of the Agency (Illinois EPA), changed a reference to "sufficient basis to revoke" to "a violation of the Act and Board regulations", and altered the USEPA-specific references in the certifications in paragraph 5.

Comports with Illinois regulatory scheme

* Additional deviations appear in the discussion of revisions to the text of the proposed rules based on public comments, beginning below on page 48.

The Board lists its deviations from the text of the carbamate waste amendments in the following table for the convenience of those who must make a detailed comparison of the federal and state texts:

Deviations from the Federal Text of the Carbamate Waste Rule*

<u>Section</u>	<u>Derived from</u>	<u>Deviation(s)</u>
721.103(a)(2)(D)(vi) & (vii)	261.3(a)(2)(iv)(F) & (G)	Used colon; added commas for parentheticals
721.103(e)(2)(D)	261.3(c)(2)(ii)(D)	Used colon; deleted comma from two-element series; used of "USEPA"
721.133(e) P189, P191, P192, P185 & P202	261.33(e)	Corrected format of chemical names
721.133(f) U409 & U378	261.33(f)	Corrected format of chemical names
721.App. G K159 & K160	261.App. VII	Corrected format of chemical abbreviated names
721.App. H	261.App. VIII	Corrected format of chemical names in entries for "A2213", "aldicarb sulfone", "bendiocarb", "bendiocarb phenol", "benomyl", "bis(pentamethylene)thiuram", "carbosufan", "ferbam", "formetanate hydrochloride", "formparanate", "3-iodo-2-propynyl-n-butyl-carbamate", "physostigmine", "physostigmine salicylate",

"selenium, tetrakis(dimethyldithio-carbamate)", "thiodiarb", "thiophanate-methyl" & "tirpate"

* Additional deviations appear in the discussion of revisions to the text of the proposed rules based on public comments, beginning below on page 48.

The Board invited comment on our amendments to the exclusions from regulation as hazardous waste in Section 721.104 in response to the USEPA response to the City of Chicago decision. We received no comments relating to that decision.

The Board also invited comment on our responses to the carbamate rules, to the definition of hazardous waste in Section 721.103 the listings of Subpart D listed wastes in Sections 721.132 and 721.133, to the listing of the bases for waste listing in Section 721.Appendix G, and to the hazardous constituents in Section 721.Appendix H. Again, we received no comment on these matters.

Finally, the Board invited comment on our codification of the federally-granted CSI hazardous waste delisting. In response, we received a series of public comments from three sources. As indicated above in brief (supra, pp. 6-10), the parent company of Conversion Systems, Inc. (CSI) submitted PC 7 in support of Board adoption of the delisting without revision. Horsehead Resource Development Company (HRD) submitted PC 8 in opposition to the delisting. CSI responded with PC 13 and PC 14. Northwestern Steel and Wire Co. submitted PC 15 to support the Board adopting the CSI delisting. In PC 17, HRD replied to CSI's PC 13, again opposing the adoption of the hazardous waste delisting. The Steel Manufacturers Association (SMA) commented in PC 18 in favor of the Board adopting the delisting. HRD responded to the SMA comments in PC 19.

After consideration of all the comments and the nature of our identical-in-substance mandate, the Board has determined that it will proceed to adopt the CSI delisting. Nothing in the arguments put forward by HRD convinces us that we should not do so.

In essence, HRD explains in PC 8 that K061, electric arc furnace dust, which is the subject of the CSI delisting, is a high volume waste. HRD is in the business of processing this waste by high temperature metals recovery (HTMR) to recover resources from the waste. HRD states that granting the delisting for chemically stabilized electric arc furnace dust (CSFEAD) would result in the disruption of the HTMR processing of the waste and that a high volume of the delisted CSFEAD would then be disposed in nonhazardous waste landfills. HRD asserts, without setting forth the precise statutory citations, that the disruption of the HTMR process and resulting added burden on landfill disposal resources would violate various Illinois and federal laws and policies. HRD challenges the Board's statutory authority to adopt the CSI delisting using the identical-in-substance procedure. It states that this procedure would allow the adoption without notice and comment, which it contends is without precedent. It further asserts that using the identical-in-substance procedure subverts the federally-authorized

Illinois hazardous waste delisting procedure and the adjusted standard procedure, which it contends is an abdication of the Board's responsibility to review the merits of the delisting. HRD challenges the merits of the CSI delisting. CSI's basic position in favor of adopting the delisting in PC 13 asserts that the Board is under a statutory mandate to adopt the federally-granted delisting using the identical-in-substance procedure. CSI further contends that the Board lacks the authority to review the merits of the delisting in the context of an identical-in-substance proceeding. Northwestern Steel and Wire state in PC 15 that it supports the CSI position put forward in PC 13. SMA explains in PC 18 that it is a national trade association representing 60 steel industry members, including Northwestern Steel & Wire, which generates the waste that CSI further treats to make CSFEAD. SMA strongly encourages the Board to adopt the CSI delisting, primarily addressing the merits of the delisting. HRD responds to the CSI comments in PC 17, essentially reasserting that the Board lacks the authority to adopt the delisting using the identical-in-substance procedure. HRD responds to the SMA comments in PC 19, making substantive arguments.

The Board has concluded after reviewing the comments that we have the statutory authority to adopt the CSI delisting. We now proceed to adopt the CSI hazardous waste delisting without substantive revision from the February 1, 1996 proposal for public comment for the reasons discussed below.

The Board had traditionally adopted hazardous waste delistings using the identical-in-substance procedure. As explained in the June 1, 1995 opinion and order in the prior consolidated update docket, R95-4/R95-6:

In response to petitions from Amoco Corporation (R85-2), Envirote Corporation (R87-30), and USX Corporation (R91-12), the Board added the federally-granted delistings to the tables.

On April 30, 1990, at 55 Fed. Reg. 7320 (March 1, 1990), U.S. EPA authorized Illinois to grant hazardous waste delistings. On February 28, 1991, in docket R90-17, the Board adopted procedures for granting the delistings using the statutorily-prescribed adjusted standard mechanism. Since gaining the authority and establishing the procedures, the Board has granted hazardous waste delistings by adjusted standards.

Nothing in the adoption of the adjusted standard procedure to accommodate federal authorization of this segment of the Illinois RCRA Subtitle C regulations was intended to supersede the identical-in-substance procedure. Rather, the adjusted standard procedure was intended to provide another necessary tool for use when the Board was required to conduct a substantive, de novo review of the merits of a delisting, which was the subject of the R90-17 procedural rulemaking. Since there would be no federally-granted delisting that would allow the use of the identical-in-substance procedure, the Board was required to use a process for such substantive review. Rather than being antagonistic towards the more recently-adopted

adjusted standard procedure, the identical-in-substance procedure is a complementary tool; each procedure is useful for its own particular purpose.

The purpose behind the identical-in-substance procedure of Sections 7.2 and 22.4(a) of the Act is to allow the Board to expeditiously adopt amendments that are necessary to maintain a federally-approvable RCRA Subtitle C program. While incorporating the elements necessary to assure that the Illinois program is no less stringent than and not inconsistent with the federal program, as required by federal law (see 42 U.S.C § 6926(b); 40 CFR 271.3 & 271.4), the purpose is also to assure that the Illinois RCRA Subtitle C program does not become inadvertently more stringent than the federal program. It is within the Board's discretion to accept a federal hazardous waste delisting using the identical-in-substance procedure or to require the petitioner to use the adjusted standard procedure to obtain delisting. Whether it is a federal decision to remove a category of listed hazardous waste or a decision to remove certain wastes from a category of listed hazardous waste, the result is the same: the federal action renders the Illinois regulations more stringent than the federal rules upon which they are based as to the affected wastes. In the interest of keeping the Illinois RCRA Subtitle C regulations from becoming more stringent than the federal rules, Section 22.4(a) has long been understood as requiring the Board to incorporate the farther-reaching federal action of effecting removal of an entire category of listed hazardous waste (see, e.g., R90-11, Apr. 11, 1991). Therefore, the Board has pursued the practice of allowing a person that has obtained a federal hazardous waste delisting to request that the Board remove a listed waste from a category, whether using the identical-in-substance procedure or the adjusted standard procedure.¹

Having determined that the identical-in-substance procedure is a legitimate mechanism for adopting a federally-granted hazardous waste delisting, the Board notes that such procedure does not allow us to revisit the merits of the delisting. The theory behind the identical-in-substance procedure is that USEPA has reviewed all the merits of the actions that it has undertaken, so substantive Board review of those actions is not necessary. For these reasons, the Board does not further consider all the arguments put forward in favor of or opposition to the CSI delisting. If any person wishes to render the Illinois rules more stringent than the federal RCRA Subtitle C regulations in this regard, we observe that the appropriate context for such considerations is in a Sections 22.4(b) and 27 general rulemaking proceeding.

Postponement of Subpart CC Organic Emissions Rules Effective Date--Sections 724.980, 724.989, 725.980, 725.982 & 725.990

¹ The Board notes, contrary to HRD's assertions, that the delisting of hazardous waste in Illinois does not remove the waste from regulation. Rather, the waste is regulated as "special waste", since it would fulfill the statutory definition of such a waste. (See Sections 3.15, 3.17, 3.27, 3.45, 21 & 22.01.)

USEPA adopted the 40 CFR 264, Subpart CC and 265, Subpart CC organic material emission regulations applicable to hazardous waste tanks, containers, and surface impoundments in December, 1994. It stayed the effective date of those rules by six months on May 19, 1995, at 60 Fed. Reg. 26828. As discussed above, the Board incorporated both the original adoption and that first six-month stay into the Illinois regulations in the prior update docket, R95-4/R95-6.

USEPA granted further limited stays of the Subpart CC regulations on September 29, 1995, at 60 Fed. Reg. 33912, November 13, 1995, at 60 Fed. Reg. 56952, and June 5, 1996, at 61 Fed. Reg. 28508. As discussed above, USEPA indefinitely stayed the rules as to wastes from the manufacture of organic peroxides in the September action, for safety reasons. USEPA amended 40 CFR 264.1080, 264.1089, 265.1080, and 265.1090, which correspond with 35 Ill. Adm. Code 724.980, 724.989, 725.980, and 725.990, to effect this stay. USEPA then granted a second six-month stay of the effective date for the rules in their entirety in the November action, until June 6, 1996, and a further four-month stay in the June action, until October 6, 1996. This required amendment of 40 CFR 264.1080, 265.1080, and 265.1082 (corresponding with 35 Ill. Adm. Code 264.980, 265.980, and 265.982).

The Board has incorporated both stays into this docket in response to public comments and to avoid a situation where the Illinois regulations could be read as more stringent than the federal rules. In anticipation of these further stays, the Board added Board Notes to Sections 724.1080(a) and 725.1080(a) in the R95-4/R95-6 update to cite the earlier stay and to explain that we do not intend greater stringency. Therefore, to incorporate the federal stays, the Board has amended the effective date citations in these rules to reference October 6, 1996 and the November 13, 1995 and June 5, 1996 Federal Register citations to the stays at Sections 724.1080(a) and (b), 725.1080(a) and (b), and 725.982(a), to correspond with the federal revisions at 40 CFR 264.1080(b), 265.1080(b), and 265.1082(a). The Board has further added the new language for the organic peroxides stay at Sections 724.980(d), 724.989(i), 725.980(d), and 725.990(i), to correspond with the federal additions of 40 CFR 264.1080(d), 264.1089(i), 265.1080(d), and 265.1090(i). In incorporating the federal amendments, the Board notes an error in one of the new effective dates for the Subpart CC rules: USEPA used "October 6, 1995" in 40 CFR 265.1082(a)(1) (corresponding with 35 Ill. Adm. Code 725.980(a)(1)) instead of the intended "October 6, 1996". We corrected the error.

The Board lists its deviations from the text of the Subpart CC stay amendments in the following table for the convenience of those who must make a detailed comparison of the federal and state texts:

Deviations from the Federal Text of the Subpart CC Stays*

<u>Section</u>	<u>Derived from</u>	<u>Deviation(s)</u>
724.980(a)	264.1080(a)	Altered effective date and Board Note previously added to federal base text

724.980(d)	264.1080(d)	Removed "administratively"; remove "a"; add comma
724.980(d)(3)	264.1080(d)(3)	Used "must"; removed comma from two-element series
724.990(i)(2)	264.1090(i)(2)	Added "pursuant to"; use "must"
724.990(i)(2)(A)	264.1090(i)(2)(i)	Used "must"; used commas in place of semicolons
724.990(i)(2)(b)	264.1090(i)(2)(ii)	Used "must"; used commas in place of semicolons; removed commas from two-element series; use singular "waste" and "this"; replaced "handled" with "managed"
724.990(i)(3)	264.1090(i)(3)	Used "or" in place of "and"; added "pursuant to" and "specified in"; used "were" to state condition contrary to fact; used "must"
724.990(i)(3)(A) & (B)	264.1090(i)(3)(i) & (ii)	Used singular "waste" and "this"; used "must"; used "would" to state condition contrary to fact
725.980(a)	265.1080(a)	Altered effective date and Board Note previously added to federal base text
725.980(d)	265.1080(d)	Removed "administratively"; removed "a"; add comma
725.980(d)(3)	265.1080(d)(3)	Used "must"; removed comma from two-element series
725.982(a)(1)	265.1080(a)(1)	Used "October 6, 1996" in place of "October 6, 1995"
725.990(i)(2)	265.1090(i)(2)	Added "pursuant to"; used "must"
725.990(i)(2)(A)	265.1090(i)(2)(i)	Used "must"; used commas in place of semicolons
725.990(i)(2)(b)	265.1090(i)(2)(ii)	Used "must"; used commas in place of semicolons; removed commas from two-

		element series; used singular "waste" and "this"; replaced "handled" with "managed"
725.990(i)(3)	265.1090(i)(3)	Used "or" in place of "and"; added "pursuant to" and "specified in"; used "were" to state condition contrary to fact; used "must"
725.990(i)(3)(A) & (B)	265.1090(i)(3)(i) & (ii)	Used singular "waste" and "this"; used "must"; used "would" to state condition contrary to fact

* Additional deviations appear in the discussion of revisions to the text of the proposed rules based on public comments, beginning below on page 48.

The Board invited comment on our codification of the federal stays of the Subpart CC regulations. The two stays upon which the Board sought comment were the indefinite stay relating to organic peroxides manufacturing waste and the second six-month general stay of the rules. We received no comment on these matters.

Universal Waste Rules--Sections 703.123, 720.110, 720.120, 720.123, 721.105, 721.106, 721.109, 722.110, 722.111, 724.101, 725.101, 726.180, 728.101 & Part 733

USEPA adopted a major new body of alternative hazardous waste management regulations on May 11, 1995, at 60 Fed. Reg. 25492, as 40 CFR 273. These new regulations, called the "universal waste rule", modify the RCRA Subtitle C program to streamline the system as it applies to these widely-generated wastes. The wastes to which the alternative regulations currently apply are batteries, pesticides, and mercury-containing thermostats. USEPA stated in adopting the rules that it intends to expand their applicability to new wastes in the future, such as fluorescent light bulbs.

In recognition of some fundamental problems with the hazardous waste management system, USEPA devised the universal waste rule. Its goals are to encourage resource conservation while adequately protecting human health and the environment, to improve implementation of the Subtitle C regulations, and to encourage efforts to collect the unregulated universal waste and remove it from the municipal waste stream. Although generated in great quantities overall, universal waste is generally generated in small quantities below the threshold of regulatory concern by individual generators. Thus, they are lawfully disposed of in municipal trash in large aggregate quantities by these small generators. One problem with the existing RCRA Subtitle C hazardous waste management scheme is that an effort to divert or recover these materials from municipal trash at central locations would likely render the recovery efforts subject to the hazardous waste regulatory scheme, which may be a

disincentive to such diversion or recovery efforts and a factor favoring their continued large-scale disposal in municipal solid waste landfills.

The universal waste rule divides the universe of those handling universal waste into two groups: large quantity handlers of universal waste (LQHUWs) and small quantity handlers of universal waste (SQHUWs). A person accumulating and storing 5,000 kilograms (11,000 pounds) or more of universal waste on-site is an LQHUW; a person aggregating less than this amount is a SQHUW. The major differences in impact of the rules on these entities is that LQHUW must notify USEPA of its activity and maintain required records for its waste, and there are no similar requirements imposed on a SQHUW. Both LQHUWs and SQHUWs are generally prohibited from diluting, treating, and disposing of universal waste, and imposed on both are general management requirements intended to protect human health and the environment, such as limitations on waste-related activities and off-site shipment and packaging and labelling, accumulation time limit, employee training, and release response requirements.

In addition to requirements imposed on handlers of universal waste, the universal waste rule includes requirements for universal waste transporters and destination facilities. The requirements and prohibitions imposed on a universal waste transporter are somewhat similar to those for handlers to a major extent. The transporter standards include general prohibition against diluting, treating, and disposing of universal waste, required compliance with USDOT standards, an accumulation time limit, release response requirements, and destination requirements. The management standards for destination facilities include requirements for receipt or diversion or rejection of consignments of universal waste. They also include recordkeeping requirements for receipts of waste.

The universal waste rule has two additional sets of requirements for universal waste management. First, the regulations include requirements for importation of universal waste that subject handlers, transporters, and destination facilities to the universal waste rule when the shipment arrives in the United States. Second, the universal waste rule includes specific petition requirements for those interested in asking USEPA or an authorized state to include additional wastes as subject to universal waste regulation.

Finally, accompanying new 40 CFR 273 were amendments to other segments of the existing hazardous waste regulations necessary to implement the new rules. These include amendments to 40 CFR 260.1, to incorporate new definitions; amendment of 260.20(a) and the addition of 260.23, to accommodate petitions for rulemaking under the universal waste rule; and amendment of 40 CFR 261.5, 262.10, 262.11, 264.1, 265.1, 266.80, 268.1, and 270.1 and the addition of 261.9, to set forth the applicability and interplay of the universal waste rule and relevant segments of the generally-applicable hazardous waste management regulations.

The Board has incorporated the universal waste rule into the Illinois hazardous waste regulations with minimal, nonsubstantive deviation from the federal text. This incorporation

adds Part 733 and Sections 720.123 and 721.109 to the rules and the amendment of Sections 703.123, 720.110, 720.120, 721.105, 721.106, 722.110, 722.111, 724.101, 725.101, 726.180, 728.101. The deviations from the federal language were primarily corrections to grammar and punctuation, were enhancements in clarity, or were necessary to integrate the universal waste rules to the Illinois regulatory structure. The Board summarizes the deviations in a table at the end of this segment of the discussion. The table is intended to aid those persons, such as JCAR or USEPA, that must compare the federal and state versions of the text.

One series of routine substitutions bears specific discussion. These are the substitutions of a state agency to perform functions where USEPA uses its own name in the rules. Generally, the Board substitutes itself or the Agency for most functions USEPA cites for itself in the regulations. A routine discussion at the end of this opinion, entitled "Agency or Board Actions?" outlines the circumstances that dictate whether the Agency or the Board is used in substitution. An exception is the grant of an extension to the federal effective date for a land disposal restriction under 40 CFR 268.5, which is beyond a state's authority to grant. Another example is the granting of federal facility identification numbers under 40 CFR 262.12, 263.11, 264.11, or 265.11.

In the universal waste rule, the Board encountered two special instances of substitutions. The first is the notification requirements of Sections 733.112 (small quantity handlers of universal waste; derived from 40 CFR 273.12) and 733.132 (large quantity handlers of universal waste; derived from 40 CFR 273.32). Both appear parallel to RCRA section 3010 notification, since the handler must obtain a USEPA identification number. For this reason, the Board has retained the requirement of notifying USEPA while imposing the duty to also notify the Agency of the activity.²

Second, Section 733.161(c) (derived from 40 CFR 273.61(c)) imposes a notification requirement on a destination facility if it receives a shipment containing hazardous waste. Since this is clearly an enforcement-related notification, the Board has required notification of the Agency alone.

Finally, in the 733.Subpart G and Section 720.123, the Board has substituted itself as the appropriate person to petition for inclusion of additional hazardous waste in regulation as universal waste. The preamble Federal Register discussion, at 60 Fed. Reg. 25537, indicates that USEPA intends that states may obtain federal authorization to grant additions to universal

² The Board realizes that USEPA and the Agency work cooperatively in exchanges of information and in policing regulated entities. However, requiring notification to both entities gives the regulators and the regulated community an added measure of certainty that both sets of files are complete.

waste similar to state authorization to grant hazardous waste delistings.³ In the February 1, 1996 proposed opinion, the Board stated its belief that we cannot effectively grant an addition to universal waste until the state received federal authorization of that aspect of our regulations, similar to hazardous waste delistings. Further, federal primacy provisions would make a federal grant of universal waste status ineffective in Illinois until also granted by the Board.⁴ For these reasons, the Board has crafted the universal waste designation provisions so that it is clear that we will consider federally-granted designations using the identical-in-substance procedure and those not federally-granted using the general rulemaking procedure.

The Board has added a Board Note at Section 733.180(a) of the proposed rule explaining our authority to include additional hazardous waste as universal waste. We noted in the proposed opinion that section 3009 of RCRA Subtitle C does not allow states to adopt regulations that are less stringent than the federal regulations. We voiced our opinion that if the Board were to include additional waste before receiving federal authorization to do so, the Illinois hazardous waste regulations would violate this requirement. For these reasons, the Board added the following language in the proposed Board Note:

The Board cannot add a hazardous waste or category of hazardous waste to this Part by general rulemaking until USEPA authorizes the Illinois universal waste regulations. The Board may, however, add a waste or category of waste by identical-in-substance rulemaking.

We have revised this note in final adoption in response to Agency comments, discussed below (infra p. 48).

We further noted in the proposed opinion that in establishing the universal waste designation procedure, the Board realizes that an alternative procedure is available. Instead of general rulemaking, the Board stated that we could use the adjusted standard procedure of Section 28.1 of the Act and 35 Ill. Adm. Code 106 to grant universal waste designations, just like it is used for hazardous waste delistings, once USEPA has conferred this authority on the state. We opted for the general rulemaking procedure because it appears that universal waste designations are broader in effect than the delisting of a particular generator's hazardous waste. Since general rulemaking would result in incorporation of the designation into the

³ An authorization granted the Board effective April 30, 1990, at 55 Fed. Reg. 7320 (March 1, 1990).

⁴ Section 3006 of RCRA (42 U.S.C. § 6926) provides that state regulations apply in an authorized state in lieu of the federal regulations. Section 3009 (42 U.S.C. § 6929) provides that states may establish regulations that are more stringent than the federal regulations. These provisions made it necessary for owners and operators to obtain relief at both the federal and state levels until Illinois obtains universal waste authorization from USEPA.

regulations, the Board felt that the enhanced public notice would prove beneficial. We discuss Agency comments on this point below (infra pp. 31-33).

As a final point, the Board notes that in amending 40 CFR 260.20 (corresponding with 35 Ill. Adm. Code 721.120), USEPA added a reference to the Part 273 universal waste regulations. When adopting the used oil regulations in September, 1992, USEPA did not amend this provision to reflect amendments to amend the used oil rules. The Board notes this possible error in the federal text, but we did not propose its correction. It is possible that USEPA does not intend petitions to amend the used oil rules under this provision. It is further possible that such an amendment would render the Illinois regulations less stringent than the federal regulations. Of course, the Board could add a reference to Part 739 if USEPA indicates that the lack of a corresponding reference at 40 CFR 260.20(a) is an oversight.

The Board invited comment on various aspects of our approach to the universal waste rule. The Board expressly invited comment on specified issues:

1. On the designation of the appropriate person to contact and whether notification of both USEPA and the Agency is necessary for activity notification, for receipt of a universal waste consignment containing hazardous waste, and for obtaining a universal waste designation.
2. On the burden of dual notification on less sophisticated members of the regulated community.
3. On whether the general rulemaking procedure or the adjusted standard procedure is the more appropriate means of granting universal waste designations to add additional waste to Part 733.
4. From USEPA, on whether a reference to rulemaking petitions to amend Part 739 should appear in Section 720.120.

Responses to Comments on the Universal Waste Rule

As briefly outlined above (infra, pp. 6-10), the Board received general comments on the universal waste rule from the Association of Waste Hazardous Materials Transporters (AWHMT), the Rechargeable Battery Recycling Corporation (RCRI), the Portable Rechargeable Battery Association (PRBA), and Browning-Ferris Industries (BFI). We further received comments from the Agency on the specific issues that we raised in the proposed opinion and order. We have already outlined the RCRI (PC 9) and PRBA (PC 10) comments above, at page 9. The following discussion focuses on the AWHMT (PC 12), Agency (PC 11), and BFI (PC 6) comments.

AWHMT explained (in PC 12) that it believes that the complexity of the Universal Waste Rule transportation requirements will frustrate environmentally sound collection and

proper recycling of the covered wastes. It raised a number of transportation-related concerns, such as increased traffic that AWHMT anticipates in the jurisdictions adopting the universal waste rule, because transporters "plan a route of travel that avoids states where universal waste rules are not effective." AWHMT also expressed concern over unresolved issues from the rules, such as what is the proper form of waste manifesting to comply with the disparities in waste status among the various state jurisdictions and what are the regulatory status of the waste and the transporter's responsibilities when waste is rejected at a facility because it does not fulfill the criteria for universal waste. AWHMT requested that the Board provide guidance and clarification as to how Illinois will address these concerns.

In response to AWHMT's comments, the Board makes some observations as we conclude that we are not presently in the position to give firm guidance and clarification as requested. We prefer to let the various state and federal rules speak for themselves. The Board has two basic reasons for not attempting to provide the requested guidance and clarification. One relates to the context of this proceeding, and the second relates to the relative functions of the Board and the Agency in the Illinois regulatory scheme.

First, relating to the context of this proceeding, the Board adopts the hazardous waste regulations to be identical-in-substance with the federal rules under the Illinois regulatory regime, as required by Section 22.4(a) of the Act. In adopting the rules under that mandate, the Board often tries to clarify our understanding of the federal regulations for the benefit of the Agency and the regulated community, where the federal regulations appear ambiguous in light of the stated intent of USEPA in adopting them. The Board would attempt such clarification at this point if we were aware of any ambiguities in the federal regulations that could be resolved based on the Federal Register discussion of the rules. However, AWHMT has not suggested specific passages of the regulations that ambiguously set forth USEPA's intent, and it has provided no recommendations as to what the Board can do to cure any defects in any specific passage. Rather, AWHMT directs our attention to problems that could arise from the federal regulatory scheme itself or from its implementation in our sister states. There is nothing the Board can do under our identical-in-substance mandate to alter either the substantive aspects of the federal regulations or to make regulations conform to those of our sister states (or to make those of our sister states conform to ours). The proper context for actions that address the substance of a regulation based on a federal action is in a general rulemaking filed pursuant to Sections 22.4(b) and 27 of the Act.

Second, relating to the structure of the Illinois regulatory scheme and the function of the Board in that scheme, the Board is limited in its role. The Board's first role is to consider and adopt the substantive regulations. Under certain instances of actual controversy, such as a permit appeal, an adjusted standard proceeding, or an enforcement action, the Board acts in a different role, as necessary, to interpret the rules to resolve the particular controversy at issue. It is the role of the Agency to implement the regulations through the issuance of permits and by engaging in site monitoring. In performing its duties, the Agency necessarily interprets the regulations as it sees fit, consistent with their clear language, the federal intent behind them, and any Illinois case law on point. Outside the context of an actual controversy, it is

inappropriate for the Board to determine the effect of issues raised by the federal regulations themselves. Such an action would go beyond adopting rules to implementing them, which, as stated, is the Agency's designated function.

Although the Board cannot perceive how we can clarify or explain the issues raised by AWHMT at this time, we make the following observations before we highlight various aspects of the regulations: (1) the regulations include only those requirements included in their express provisions, and (2) there is no obligation on the part of any person unless a requirement is expressly imposed by rule. The Board directs AWHMT's attention to the regulations themselves for clarification and explanation. As to management of universal waste, Part 733 is an alternative set of regulations to the general hazardous waste standards, as stated in Section 733.101(b). The rules provide at Section 733.118(c) that universal waste remains subject to the hazardous materials transportation (Haz-Mat) requirements of 49 CFR 172 and 173, but Section 733.152 states that management as hazardous waste under the Haz-Mat rules is not necessary because no manifest is required for shipment.

Although Section 733.161 includes requirements for management of waste that is rejected by the consignee or which was illegally shipped as universal waste, the Board does not see where the rules impose an additional burden on the transporter as a result of rejection or illegal shipment. Universal waste that is rejected and reconsigned is still universal waste; hazardous waste that is illegally shipped as universal waste remains hazardous waste. Despite the fact that Section 733.161(c) requires the consignee to contact the Agency (or USEPA) for further instructions for managing illegally shipped hazardous waste, the Board does not see that the regulations would impose any greater obligation on the transporter, qua transporter, than to deliver the waste to the designated consignee.⁵ We remind AWHMT that it is the shipper that bears the burden of properly packaging, labelling, and documenting a consignment of waste under both the RCRA Subtitle C rules (see, e.g., 35 Ill. Adm. Code 722.111, 722.120, 722.130-722.133, 724.171(c), 725.171(c), 733.114, 733.118, 733.134 & 733.138; 49 CFR 172.200(a), 172.300(a), 172.400(a), 173.1(b) & 173.3a(a)). As the Board presently reads the regulations, the universal waste transporter becomes subject to those requirements only after it has itself acquired the status of a shipper (see 35 Ill. Adm. Code 733.153-733.155.) or otherwise assumed some duty under the regulations (see, e.g., 49 CFR 173.1(d)). We do not see that the rules make a transporter become a shipper in the event of a rejected shipment of universal waste or an illegal shipment of hazardous waste as universal waste.

In addition to a number of textual corrections, outlined below at pages 48-51, the Agency (PC 11) responded to substantive questions raised by the Board in the February 1, 1996 proposed opinion and order. The Agency commented that it wants the Board to revise the text of the proposed rules to require universal waste activity notification to the Agency only. The Agency stated that it would notify USEPA. It stated that it would forward USEPA

⁵ That is, of course, unless a hazardous materials incident triggers some other, non-RCRA Subtitle C requirements, such as 49 CFR 171.15 and 171.16 of the Haz-Mat requirements.

form EPA 8700-12 and indicate any additional information required under the universal waste rules. Upon return of the form to the Agency, the Agency committed to sending the necessary information to USEPA for assignment of a USEPA identification number. Based on the Agency's comments, the Board has removed all references to the USEPA and made all necessary ancillary changes in the universal waste notification requirements, at Sections 733.112 and 733.132(a)(1)-(a)(3) and Board Note. The Board did not receive comments on this issue from USEPA, and in light of the final action that we are taking, **the Board would appreciate USEPA comments during the 30-day post adoption comment period on whether notification of the Illinois EPA alone will satisfy the federal requirements.**

The Agency (PC 11) and BFI (PC 6) commented on the procedures for adding universal waste. The comments did not involve the identical-in-substance procedure for adding waste after USEPA has already designated it universal waste.⁶ They related to the procedure for the Board to add universal waste on its own authority. The Board proposed the use of the general rulemaking procedure. BFI raised a few procedural questions as to the type of petition involved, whether the 200-signature requirement would apply, and the statutory authority for a "general rulemaking". In response, the Board's authority to adopt non-federally-derived RCRA Subtitle C regulations arise from Sections 22.4(b), 27, and 28 of the Act and the Administrative Procedure Act (APA). The petition requirements are provided by the Act; the APA; Sections 720.120, 720.123, 733.180(c), and 733.181 of the RCRA Subtitle C regulations; and Parts 101 and 102 of the Board's procedural rules.

The Agency's comments related to the actual choice of procedure for adding universal waste. The Agency stated that it would prefer that the Board select the adjusted standard procedure for adding universal waste. The Agency commented that pursuing an adjusted proceeding to conclusion requires "a lesser investment of resources". The Agency conceded that the adjusted standard procedure is not ideally suited to universal waste designation and would not result in the addition of any new universal waste to the text of the regulations, but stated that industry groups would "get the word out" as to added universal waste. Alternatively, the Agency suggested that the Board could develop a streamlined general rulemaking procedure, within the requirements of the APA, for adding universal waste.

The Board fully understands the Agency's concerns and agrees that an alternative to a full general rulemaking procedure might be easier to use, but we cannot now conceive what that alternative would entail. The Board also notes that our authority to adopt relief is constrained by the procedures set forth in the Act and the APA. For example, the Board could not waive the Act Section 28(a) two-hearing requirement if the universal waste rule would

⁶ The Board notes that HB 2747 would add Section 22.23a to the Act, which would require the Board to "seek authorization" by December 31, 1997 from USEPA to include "fluorescent and high intensity discharge lamps" as universal waste. If USEPA itself designates these lamps as universal waste prior to that time, Section 22.23a would require the Board to use the identical-in-substance procedure to adopt that designation for these items.

have state-wide applicability. On the other hand, as noted by the Agency, the Board could not amend Sections 720.110 and 733.106, among others, to add universal waste to the rules using the adjusted standard procedure.

The Board can presently see three alternative procedures for adding universal waste once Illinois is authorized by USEPA to add universal waste, and others may also exist:

1. Use the existing general rulemaking procedure;
2. Use the existing adjusted standard procedure; or
3. Use the adjusted standard procedure and some subsequent rulemaking action to codify any additions to the categories of universal waste.

In examining these options, the Board notes that only options one and three are presently fully developed. The Board notes that we agree with the Agency that codification of the additions is desirable. In choosing among these two options, we therefore elect to adopt option one: the general rulemaking process. We reiterate what we noted above (supra p. 25), however, that even in adopting the general rulemaking procedure, the Board will remain unable to engage in such review and designate additional universal waste until USEPA authorizes the Illinois universal waste program. This could take several months. In the interim, the Board would welcome an opportunity to reexamine the various procedural options for designating additional universal waste in the context of a regulatory proceeding, should any interested person commence a procedural rulemaking before us.

The Agency responded in PC 11 that USEPA intends to publish a policy statement that would allow a state to add universal waste before final federal authorization of the state's program. The Agency stated that it intends to apply for federal authorization of the Illinois program immediately upon adoption of the rules by the Board. The Agency requested that the Board either remain silent on our authority to designate universal waste prior to federal authorization or that we reword the Board Note to include the possibility of USEPA allowing pre-authorization additions to universal waste by the state. We agree with the Agency that change is necessary and choose to reword the Board Note as follows:

The Board cannot add a hazardous waste or category of hazardous waste to this Part by general rulemaking until USEPA either authorizes the Illinois universal waste regulations or otherwise authorizes the Board to add new categories of universal waste. The Board may, however, add a waste or category of waste by identical-in-substance rulemaking.

We prefer this option to that of deleting the Board Note altogether, since the Board does in fact lack all authority to add categories of universal waste until federally authorized to do so.

Deviations from the Federal Text of the Universal Waste Rule*

<u>Section</u>	<u>Derived from</u>	<u>Deviation(s)</u>
703.123(h)	270.1(c)(2)(viii)	Used singular; added preamble exclusion to text; add "such a"; added commas for parentheticals
720.110 "battery" & "destination facility"	260.10 "battery" & "destination facility"	Used "that"
720.110 "pesticide"	260.10 "pesticide"	Added "fulfills one of the . . ." to preamble; added "it" to subsections; correct citations to FFDCA; expanded citations to FDA & FFDCA; added clarifying Board Note to cite probable source of federal exclusion; removed comma
720.110 "thermostat"	260.10 "thermostat"	Added "such a"; used singular
720.110 "universal waste"	260.10 "universal waste"	Used lower case; added commas for parentheticals
720.110 "universal waste handler"	260.10 "universal waste handler"	Added "either of the following" to preamble; added definite article; used impersonal "that"; deleted extra "or"; restructured subsections
720.120(a)	260.20(a)	Added commas to series; switched to disjunctive "or"
720.123	260.123 (new)	Changed section heading for clarity; added "the following" and subdivided subsections; used "Board"; added "that shows the following . . ."; added "to that set forth . . ."
721.105(c)	261.5(c)	Added "the following" to preamble; added "hazardous waste that" to subsections
721.105(f)(3)(F)	261.5(f)(3)(F)	Added "the facility is"
721.105(g)(3)(F)	261.5(g)(3)(F)	Added "the facility is"

721.109	261.9 (new)	Added commas to parenthetical phrases; moved "therefore" and removed comma
724.101(g)(11)	264.1(g)(11) (new)	Used singular; replaced use of gerund with restrictive relative clause; combined into a single sentence; added "following"; added commas for parenthetical clauses
725.101(c)(14)	265.1(c)(14) (new)	Used singular; replaced use of gerund with restrictive relative clause; combined into a single sentence; add "following"; added commas for parenthetical clauses
728.101(f)	268.1(f) (new)	Used singular; replaced use of gerund with restrictive relative clause; used "such a" in place of "persons who"; added "following"; added commas for parenthetical clauses
733.Subparts B & C headings	273, Subparts B & C headings	Removed redundant words "universal waste"
733.Subpart G heading	273, Subpart H heading	Removed self-reference to Part
733.101(a)	273.1(a)	Added commas to parentheticals
733.102(a)(2)	273.2(a)(2)	Used "that"
733.103(a)	273.3(a)	Replaced gerund with "that meet"
733.103(a)(1)	273.3(a)(1)	Removed "that are"
733.103(b)(1)	273.3(b)(1)	Added missing period
733.103(b)(2)	273.3(b)(2)	Combined into single statement
733.103(b)(4)	273.3(b)(4)	Added waste prequalification for hazardous waste status; removed redundant "if"
733.103(d)(1)	273.3(d)(1)	Removed "the person conducting the recall" from preamble and put into subsections
733.103(d)(1)(A) & (d)(2)	273.3(d)(1)(i) & (d)(2)	Moved parentheticals for readability

733.104(b)(2)	273.4(b)(2)	Added waste prequalification for hazardous waste status
733.105(b)	273.5(b)	Replaced personal "who" with "that"; used "shall"
733.106 "large quantity handler . . .", "on-site", "small quantity handler . . ." & "universal waste handler"	273.6 "large quantity handler . . .", "on-site", "small quantity handler . . ." & "universal waste handler"	Replaced personal pronouns with impersonal expressions
733.106 "destination facility"	273.6 "destination facility"	Removed comma separating subject and verb
733.106 "on-site"	273.6 "on-site"	Added comma to beginning of parenthetical
733.106 "pesticide"	273.6 "pesticide"	Removed comma from two-element series; added "fulfills one of the . . ." to preamble; added "it" to subsections; corrected citations to FFDCA; expanded citations to FDA & FFDCA; added clarifying Board Note to cite probable source of federal exclusion; removed comma
733.106 "thermostat"	273.6 "thermostat"	Added "such a"; used singular
733.106 "universal waste"	273.6 "universal waste"	Used lower case; added commas for parentheticals
733.106 "universal waste handler"	273.6 "universal waste handler"	Added "either of the following" to preamble; added definite article; used impersonal "that"; deleted extra "or"; added defined term to preamble to exclusions; restructured subsections
733.111	273.11	Moved "prohibited from . . ." into preamble; removed comma from two-element series
733.112	273.12	Added "its" to clarify breadth of obligation

733.113(a) & (a)(1)	273.13(a) & (a)(1)	Used "shall"
733.113(a)(2)	273.13(a)(2)	Added comma to parenthetical
733.113(a)(3)	273.13(a)(3)	Used impersonal "that"; used "shall"
733.113(a)(3) & (a)(3)(A)	273.13(a)(3) & (a)(3)(i)	Used "or" in place of "and/or"
733.113(a)(3)(B)	273.13(a)(3)(ii)	Added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.113(b)	273.13(b)	Corrected verb to singular
733.113(c) & (c)(1)	273.13(c)(1)	Used "shall"
733.113(c)(2)	273.13(c)(2)	Added "follows each . . ." to preamble, "it" to subsections
733.113(c)(3)	273.13(c)(3)	Added subsection heading; used impersonal "that"; used "shall"; added "or" at end of subsection; used "or" in place of "and/or"; added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.114	273.14	Used "and" in place of slash in heading; used "shall"; used "as follows" in preamble
733.114(a)	273.14(a)	corrected use of commas; added missing quotation mark; corrected placement of quotation marks
733.114(b)	273.14(b)	Added comma in series; added comma to parenthetical; added "as follows"; corrected placement of quotation mark
733.114(c)	273.14(c)	Added comma in series; added commas to parenthetical; added "as follows"; added subsection heading; used "USDOT"; added "or"; corrected placement of quotation mark
733.114(d)	273.14(d)	Corrected use of commas; added missing quotation mark; corrected placement of

		quotation marks
733.115(a)	273.15(a)	Deleted comma from two-element series
733.115(b)	273.15(b)	Deleted commas from non-parenthetical language; added "are"
733.115(c)	273.15(c)	Used impersonal "that"; used "shall"; added "in any of the following . . ."; moved "on-site"; used "that"; used past-tense "became" and "was"
733.116	273.16	Used "shall"
733.117	273.17	Used "shall"; used singular, generic "waste"
733.118(a)-(e)	273.18(a)-(e)	Used "shall"; added comma to series; deleted comma from two-element series; used "USDOT"
733.118(f)	273.18(f)	Deleted comma from two-element series; used impersonal "it"; added "originating handler"; added "shall perform either . . ."
733.118(g)	273.18(g)	Used "shall"; gave Agency as contact
733.118(h)	273.18(h)	Added comma in series; added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.120	273.20	Used impersonal "that"; used "shall"; used semicolons in series; used "USEPA"; added comma for parenthetical
733.131	273.31	Moved "prohibited from" to preamble; added commas for parentheticals
733.132(a)	273.32(a)	Added subsection heading; used "shall"; added reference to "Region V"; added references to notification of Agency; used "USEPA"; used impersonal "that" and "its"; added commas in parentheticals

733.132(g)	273.32(g)	Added explanatory Board Note
733.133(a) & (b)	273.33(a) & (b)	Used "shall"; added commas in parentheticals; removed comma from two-element series; used "or" in place of "and/or"; added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.133(c)	273.33(c)	Used "shall"; added "follows each . . ."; added "it" to subsections; added subsection heading; used impersonal "that"; added "or"; used "or" in place of "and/or"; added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.134	273.34	Used "and" in place of virgule; used "shall"; used "as follows"; corrected placement of quotation marks; used commas in parentheticals; added subsection heading; used "USDOT"; added "or"; removed commas from non-parenthetical language
733.135	273.35	Removed commas from non-parenthetical language; used "shall"; added "in any of the following ways"; moved "on-site"; used "that"; used past-tense "became" and "was"
733.136	273.36	Used "shall"
733.137	273.37	Used "shall"; used singular "waste"
733.138	273.38	Used "shall"; used "USDOT"; used impersonal "it" & "the originating handler"; added "perform either of . . ."; gave Agency as contact; added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.139	273.39	Used "shall"
733.140	273.40	Used impersonal "that"; used "shall"; added semicolons in series; used "USEPA"

733.151	273.51	Moved "prohibited from . . ." to preamble
733.152	273.52	Used "USDOT"; added incorporation cross-references; removed reference to USEPA
733.153	273.53	Used "shall"
733.154	273.54	Used "shall"; used singular "waste"
733.155	273.55	Used "USDOT"; added incorporation cross-reference
733.156	273.56	Used "USEPA"; used "shall"; added "the following"
733.160	273.60	Replaced colon with period; used "shall"
733.161	273.61	Added comma & "a" in series, used impersonal "it" & "the shipper"; used "shall"; gave Agency as contact; added "nonhazardous" parenthetical; added Board Note referencing sources of nonhazardous waste regulations
733.162	273.62	Used "shall"
733.170	273.70	Used "as follows"
733.180	273.80	Used "as follows"; restructured to indicate both identical-in-substance and general rulemaking routes; gave the Board as the source of relief; added Board Note; subdivide subsection (c); used "the requested relief"
733.181	273.81	Deleted self-reference to Part from Section heading; added subsection headings; used "or" in place of "and/or"; used "USDOT"

* Additional deviations appear in the discussion of revisions to the text of the proposed rules based on public comments, beginning below on page 48.

Deletion of Obsolete, Redundant, and Outdated Rules--Sections 702.110, 703.150 through 703.152, 726.203 & 726.204

USEPA engaged in a series of actions on June 29, 1995 prompted by a Presidential directive. On March 4, 1995, the President ordered all executive agencies to review their regulations and identify those that are obsolete or unduly burdensome. USEPA adopted amendments to its RCRA Subtitle C and Subtitle D programs on June 29, 1995, at 60 Fed. Reg. 33912, that delete obsolete, redundant, and outdated segments of those rules. A handful of amendments were prompted to the Illinois rules by those federal amendments. As an expedient way of outlining the federal amendments and the corresponding Board actions, the Board sets forth the following table indicating the federal deletions and corresponding Board actions:

Obsolete, Redundant, and Out-Dated Provisions Deleted

<u>40 CFR Provision</u>	<u>35 Ill. Adm. Code Provision</u>	<u>Federal Action; Board Comments</u>
261.31(a) footnote 1	721.131(a)	Removal of note re the administrative stay of F032, F034, and F035 listings; deleted by Board on October 21, 1993 in R93-4
266.103(c)(5)	726.203(c)(5)	Deletion of language relating to election to comply with alternative HC provision of 266.104(f); amendment made
266.104(f)	726.204(f)	Deletion of alternative HC limit; amendment made
267	(727)	Deletion of interim standards for new hazardous waste disposal facilities that expired on February 13, 1983; no amendment necessary because the Board never adopted the standards
270.2 "Phase I", "Phase II" & "interim authorization"	702.110	"Phase I" and "Phase II" definitions deleted, statutory reference updated; amendments made

270.10(e)(4)	703.150(d)	References to "Phase II" deleted; although the Board did not incorporate the references, so none directly required, but amendment made to removed language relating to federal authorization of Illinois (Phase II) program rules and Board Note updated to indicate federal amendment
270.10(f)(2)	703.151(b)	References to "Phase II" deleted; the Board did not incorporate the references, so none directly required, but Board Note updated to indicate federal amendment
270.10(g)(1)	703.152(a)	References to "Phase II" deleted; the Board did not incorporate the references, so none directly required, but Board Note updated to indicate federal amendment

REVISIONS TO THE TEXT OF THE PROPOSED AMENDMENTS

The Board has made a number of revisions to the text of the amendments that appeared in the February 1, 1996 proposed order of the Board. All of the revisions are minor in character, limited to corrections of usage, spelling, punctuation, and grammar. Most of these revisions were prompted by JCAR. Smaller numbers of changes were prompted by the Board's subsequent review of the text and by public comments: PC 11, from the Agency, and PC 16, from USEPA.. For the convenience of JCAR, the Agency, and the regulated community, the Board summarizes the revisions in tabular form below.

Revisions Prompted by JCAR

In addition to the public comments, the Board received from JCAR a set of documents, each pertaining to a particular Part involved in this proceeding and entitled "Identical First Notice Line Numbered Version". The text of these documents reflects the text of the regulations as re-typed by JCAR for publication in the Illinois Register. Unknown to the Board, JCAR undertook a series of revisions to the text as submitted by the Board for publication. These revisions are not JCAR recommendations; rather, JCAR actually made the changes on its own without consulting Board staff. The result is that a number of changes were made without the prior knowledge of the Board between February 1, when the Board voted to propose the amendments, and February 16, when the amendments appeared in the Illinois Register. Determining the exact location and nature of the JCAR-initiated revisions took significant effort on the part of Board staff. The Board would have preferred to accept a series of recommended changes from JCAR and incorporated the acceptable ones in this final

adoption. Most of the revisions are useful corrections that the Board now incorporates into the text of the amendments as adopted in the accompanying order. The Board will not accept a small number of the JCAR-incorporated changes. Two tables follow. The first table indicates the JCAR revisions that the Board has accepted, explicitly indicating which of the revisions are a variation of a JCAR suggestion. The second table indicates the JCAR revisions that the Board declines to make, briefly indicating the Board's reason for not wanting to incorporate each one declined.

JCAR Revisions to the Text of the Proposed Rules that the Board Has Accepted

<u>Section</u>	<u>Correction</u>
702.110 "CWA", "SDWA"	Commas added and deleted
702.110 "wastewater treatment unit"	Subsection repunctuated
702.110 "well"	Quotation mark added
703.123(g)	Changed end punctuation
703.123(h)	Removed redundant language: "is not subject to the requirements of this Part"
703.150(a)(2)	Added "or"
703.123(h)	Deleted "is not subject to the requirements of this Part" (as redundant in light of the preamble language)
703.152(a)(2)	Changed end punctuation
703.152(b)	Corrected "paragraph" to "subsection"
720.110 "destination facility"	Deleted comma after "accumulated"
720.110 "federal, state, and local approvals or permits necessary to begin physical construction"	Added commas after "state"
720.110 "industrial furnace"	Added period after "as generated"
720.110 "pesticide"	Added "by" after "determined"

720.110 "qualified groundwater scientist"	Deleted Illinois Revised Statutes reference
720.120(a)	Corrected "35 Ill. Adm. Code . . . 268 or 273" to "35 Ill. Adm. Code . . . 728 or 733"
720.123(b)	Divided further into two subsections, adding subsection heading; added "each of" before "the following" (variations on JCAR suggestions)
721.103(a)(2)(D)(vi)	Corrected subsection number; corrected "can not" to "cannot"; removed "is" after "or"
721.104(e)(2)(E)(iii) & 721.105(d)(2)	Deleted commas from ends
721.105(e)(1) & (e)(2)	Corrected "Sections" to "Section"
721.105(f)(2)	Corrected "subsections" to "subsection"
721.105(f)(3)(B) & (g)(3)(B)	Deleted "in" before "interim status"
721.106(a)(3)(A)(ii)	Changed end punctuation
721.109 Source Note	Added "effective"
721.132 "K066" listing	Removed Illinois Revised Statutes citation and corrected Illinois Compiled Statutes citation format
721.132 "K149" listing	Deleted end punctuation
721.133(a), (b) & (d)	Changed "subsections" to "subsection"
721.133(e) "P001", "P047", "P051", "P075" & "P108" listings	Removed "P" notations from CAS numbers and added footnote and Board Note to restore missing federal language relating to the number for the parent compounds (a variation on the JCAR suggestion to move the "P" notations); added end punctuation to second P001 listing

721.Appendix G "F005", "F039", "K036", "K052", "K064", "K065", "K066", "K088", "K090", "K091", "K117", "K118", "K123", "K124", "K125", "K126", "K132" & "K136" listings	Added end punctuation
721.Appendix G "K116" listing	Changed to lower case "tetrachloride"
721.Appendix H "Potassium hydroxymethyl-n-methyl-dithiocarbamate" listing	Corrected spelling of "hydroxy"
721.Appendix H "Toluenediamine" listing	Corrected spelling of "benzene"
721.Appendix I, Table B "CSI" delisting	Removed parentheses from references to conditions; added end punctuation where missing; removed "those" from before "metals" (variation of JCAR suggestion); corrected spelling of "data" & "compiled"; corrected "an" to "and" before "upon conveyance"; added end quotation mark where missing
721.Appendix Z	Corrected "characteristics" to "characteristic" (variation of JCAR suggestion)
722.110(g)	Removed subsection referring to repealed provision
722.111(d)	Moved "and"
724.980(d)(1)	Corrected spelling of "structural"
724.980(d)(2)	Added comma before "explaining"
724.980(d)(3)	Corrected spelling of "processes"
725.101(b), (c)(11)(C), (c)(12) & (c)(13)	Changed end punctuation
725.101(c)(14)(A)-(c)(14)(C)	Underlined text added by amendments (change made by JCAR but not included in the express listing)

725.980(a)	Added "that are" before "subject to"; deleted "either" from before "725.Subpart"; changed "725.Subparts" to "725.Subpart"; deleted "the" from before "725.Subpart"; deleted "rules" from before "be enforceable"; changed "they become" to "it becomes" (variations on JCAR suggestions)
725.980(d)(2)	Added comma before "explaining"; corrected reference to "725.985"
725.980(d)(3)	Added comma before "explaining"; corrected reference to "725.985"
725.982(a) & (b)	Changed "725.Subparts I, J, and K" to "725.Subpart" (variation of JCAR suggestions)
725.982(b)(2)(B)	Restructured subsection, adding subsection heading (variation of JCAR suggestion)
725.982(b)(2)(C)	Corrected subsection indent level (variation of JCAR suggestion)
726.180(b)(1)	Changed end punctuation
726.203(c)(1)(B)(i), (c)(1)(B)(iii), (c)(1)(K)(ii), (c)(2)(B)(v), (c)(2)(B)(vi), (c)(4)(A)(vi), (c)(4)(B)(i), (c)(4)(D)(i) & (j)(1)(B)	Changed end punctuation, adding "and" where appropriate (variations of JCAR suggestions at (c)(2)(B)(vi) & (j)(1)(B))
726.203(c)(4)(D)	Changed "either" to "one"
726.203(c)(7)(A)	Deleted "either" (variation of JCAR suggestion)
728 Source Note	Added references to withdrawal of R90-11 amendments and adoption of R91-13 amendments
728.101(e)(3) & (e)(4)	Changed end punctuation

728.101(g)	Corrected reference to "415 ILCS 5/22.6 or 39(h)"
733.101(b)	Corrected references to "726, and 728"
733.102(a)(2)	Capitalized "726.Subpart G"
733.103(d)(1)(B)	Deleted comma before "or recovery"
733.106 "pesticide"	Added "by" before "regulation"; deleted by from before "in either"; changed "subsections of this section" to "paragraphs of this definition"; added "law"
733.113(a)(3), (a)(3)(A) & (c)(3)(B)	Corrected "exhibit" to "exhibits"
733.113(a)(3)(B) & (c)(3)(C) (Board Note)	Deleted "state" (variation of JCAR suggestion)
733.113(c)(2)(H)	Changed end punctuation
733.114(b)	Removed comma from before parenthetical
733.114(c)(2)	Changed end punctuation, added "and"
733.118(c)	Changed end punctuation
733.118(g)	Added closing parenthesis
733.118(h) (Board Note)	Deleted "state" (variation of JCAR suggestion)
733.131(a) & (b)	Deleted "from" from before "disposing" and "diluting"
733.132 Board Note	Added period within parentheses
733.133(a)(3), (a)(3)(A) & (c)(3)(B)	Corrected "exhibit" to "exhibits"
733.133(a)(3)(B) & (c)(3)(C) (Board Note)	Deleted "state" (variation of JCAR suggestion)
733.133(c)(2)(H)	Changed end punctuation

733.134(a)	Deleted "the" from before "any one"
733.134(c)(2)	Changed end punctuation, added "and" (variation of JCAR suggestion)
733.138(h) & (Board Note)	Deleted "state" (variation of JCAR suggestion)
733.140(b)	Corrected reference to "35 Ill. Adm. Code 722.Subpart E" (variation of JCAR suggestion)
733.150	Capitalized "Subpart"
733.151(a) & (b)	Deleted "from" from before "disposing" and "diluting"
733.161(c)	Deleted "a" from before "owner or operator"
733.161(d) (Board Note)	Deleted "state" (variation of JCAR suggestion)
733.181(a)	Corrected references to "35 Ill. Adm. Code 721.Subpart D" and "35 Ill. Adm. Code 721.Subpart C" (variation of JCAR suggestion)
733.181(f)	Changed end punctuation

JCAR Revisions to the Text of the Proposed Rules that the Board Has Declined to Accept

<u>Section</u>	<u>Correction; Explanation</u>
720.110 "federal, state, and local approvals or permits necessary to begin physical construction"	Capitalize "state"; Word intended in generic sense and not as limited to Illinois
721.104(f)(1)	Add "(f)" after subsection reference; Not necessary because the subsection referred to is clear on its face

721. Appendix I, Table B "CSI" delisting	Delete opening quotes from second and third paragraphs of certification language; Could lead to misunderstanding as to extent of required certification language
733.106 "FIFRA"	Change "136-136y" to "136 through 136y"; Use of dash character is standard short-form citation format
733.113(a)(1) & (c)(1)	Move "in a container" to immediately follow "contain"; The proposed construction was direct from the federal language, and the relocation does not add clarity
733.113(a)(1) & (b)(1)	Add "and" before "compatible"; "Compatible" is not the last element of the series
733.133(a)(1) & (c)(1)	Move "in a container" to immediately follow "contain"; The proposed construction was direct from the federal language, and the relocation does not add clarity
733.113(a)(3)(B) & (c)(3)(C); 733.118(h); 733.133(a)(3)(B) & (c)(3)(C); 733.138(h) & 733.161(d) (text of rules)	Capitalize "state"; Whether the State of Illinois or any state was intended by USEPA is unclear, so using the generic "state" is a better choice
733.133(c)(1)	Add "and" before "compatible"; "Compatible" is not the last element of the series

Revisions Based on Board Review and Public Comments

Aside from the textual revisions prompted by JCAR, the Board revised the text based on public comments from USEPA (PC 16) and the Agency (PC 11) and based on our subsequent review of the text. Where brief explanation is warranted, the Board has added footnotes to include those explanations. The Board notes that JCAR also submitted some of the USEPA and Agency-recommended revisions. Where this occurred, the center column indicates the source of the revision and adds "(& JCAR)".

Other Revisions to Text of Proposed Amendments

<u>Section</u>	<u>Source</u>	<u>Revision</u>
721.105(e)(1) & (e)(2)	Board	Added "one or more of the"
721.105(g)(3)(C) & (g)(3)(D)	Board	Used lower case "state"
720.110 "federal, state, and local approvals or permits necessary to begin physical construction"	Board	Added commas before "and local" and "or local"
720.110 "final closure"	Board	Placed in correct alphabetical order
720.110 "pesticide"	Agency	Correct spelling of "definiteness" in Board Note
721.111(b)	Board	Added incorporations of 49 CFR 171 and 173 for the purposes of Sections 733.152 & 733.155(b)
720.120(a)	Agency (& JCAR)	Corrected "35 Ill. Adm. Code . . . 268 or 273" to "35 Ill. Adm. Code . . . 728 or 733"
721.105(f)(3) & (g)(3)	Agency, Board	Corrected spelling of "conditions"; deleted commas from before "or ensure"; added commas before "or disposal facility"; Replaced "either of which, if located in the United States, is" with "provided that if the on-site or off-site facility is located in the United States, it fulfills any of the following conditions" (variations of Agency suggestions ¹)
721.105(f)(3)(B) & (g)(3)(B)	Agency (& JCAR)	Deleted "in" before "interim status"

721.131(a)	Board, Agency	Included the text of the amendments in the order (although described in the proposed opinion, <u>see infra</u> pp. 13 & 40, they were omitted from the proposed order); removed erroneous space from "2,4,5-tri-chlorophenol"
721.132 "K149" listing	Agency (& JCAR)	Deleted end punctuation
721.133(e) "U203" listing	USEPA	Corrected "P023" to "P203" for "aldicarb sulfone" entry
721.Appendix G "K131" listing	Board	Corrected "sulfte" to "sulfate"
721.Appendix Z	Agency (& JCAR)	Corrected "characteristics" to "characteristic"
722.111(d)	Agency (& JCAR)	Moved "and"
725.982(a)	Board	Changed "Owners or operators of facilities existing" to "An owner or operator of a facility in existence"
725.982(b)	Board	Changed "facilities" to "a facility"
726.180(a)	Board	Added comma before "or 705"
726.180(c)	Board & JCAR	Added subsection ²
733.106 "generator"	Board	Corrected reference to "35 Ill. Adm. Code 721"
725.980(d)(2)	USEPA (& JCAR)	Corrected reference to "725.985"
725.980(d)(3)	USEPA	Corrected spelling of "processes"
733.101(b)	USEPA (& JCAR)	Corrected references to "35 Ill. Adm. Code . . . 726, and 728"

733.104 Section heading, including Table of Contents	Agency	Added "Mercury" ³
733.106 "generator"	Board, Agency & USEPA	Corrected reference to "35 Ill. Adm. Code 721"
733.106 "pesticide"	Agency	Correct spelling of "definiteness" in Board Note
733.112 & 733.132(a)(1)	Agency	Removed "USEPA and"
733.118(g), 733.138(g) & 733.161(c) Board Notes	Agency	Corrected Agency address
733.132(a)(2) & (a)(3)	Agency	Changed "USEPA and the Agency" to "USEPA or the Agency"
733.132 Board Note	Agency	Deleted "ordering information for"; changed "RCRA/Superfund Hotline at 1-800-424-9346 or 703-920-9810." to "Agency at 217-782-6761"
733.138(g)	USEPA	Corrected spelling of "Agency"
733.161(c)	Agency (& JCAR)	Deleted "a" from before "owner or operator"
733.180(a)(1) & (a)(2)	Board	Corrected references to "35 Ill. Adm. Code 101 and 102"
733.180(a) Board Note	Agency	Changed "USEPA authorizes the Illinois universal waste regulations" to "USEPA either authorizes the Illinois universal waste regulations or otherwise authorizes the Board to add new categories of universal waste"
733.181(a)	Agency	Corrected reference to "35 Ill. Adm. Code 720.110"

¹ The Board chose this wording over the Agency suggestion, "provided that such on-site or off-site facility, if located in the United States, meets the applicable condition of those following", for even greater clarity.

² The Board adapted this provision from 40 CFR 273.2(a)(2) (corresponding with 35 Ill. Adm. Code 733.102(a)(2)). The general pattern for the RCRA Subtitle C applicability statements is to clearly indicate the existence of other Subtitle C rules that potentially apply. For example, see 40 CFR 268.1(f) (corresponding with 35 Ill. Adm. Code 728.101(f) and 273.2(a)(2)). The Board added the converse of Section 733.102(a)(2) as new subsection 726.180(c) to enhance the clarity of the larger body of the RCRA Subtitle C regulations after JCAR inquired as to why such a similar statement was absent from this Section.

³ USEPA adopted "Applicability--thermostats" in the table of contents (at 60 Fed. Reg. 25542, May 11, 1996) but gave the actual textual section heading as "Applicability--mercury thermostats" (at 60 Fed. Reg. 25543). The Board used the version without "mercury" because the Section 733.106 definition of "thermostat" defines such as containing mercury. The Board accepted the Agency's suggestion to add the word to the Section heading in order to enhance the facial clarity of the requirements.

HISTORY OF RCRA SUBTITLE C and UIC ADOPTION

The Illinois UIC (Underground Injection Control) and RCRA (Resource Conservation and Recovery Act) Subtitle C regulations, together with more stringent state regulations particularly applicable to hazardous waste, include the following Parts of Title 35 of the Illinois Administrative Code:

700	Outline of Waste Disposal Regulations
702	RCRA Subtitle C and UIC Permit Programs
703	RCRA Subtitle C Permit Program
704	UIC Permit Program
705	Procedures for Permit Issuance
709	Wastestream Authorizations
720	General
721	Identification and Listing
722	Generator Standards
723	Transporter Standards
724	Final TSD Standards
725	Interim Status TSD Standards
726	Specific Wastes and Management Facilities
728	USEPA Land Disposal Restrictions
729	Landfills: Prohibited Wastes
730	UIC Operating Requirements

- 731 Underground Storage Tanks
- 732 Petroleum Underground Storage Tanks
- 738 Hazardous Waste Injection Restrictions
- 739 Standards for the Management of Used Oil

Special provisions for RCRA Subtitle C cases are included in Parts 102, 103, 104 and 106 of the Board's procedural rules.

History of RCRA Subtitle C and State Hazardous Waste Rules Adoption

The Board has adopted and amended the Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous waste rules in several dockets. Dockets R81-22 and R82-18 dockets dealt with the Phase I RCRA Subtitle C regulations. USEPA granted Illinois Phase I authorization on May 17, 1982, at 47 Fed. Reg. 21043. The Board adopted RCRA Subtitle C Phase II regulations in Parts 703 and 724 in dockets R82-19 and R83-24. USEPA granted final authorization of the Illinois RCRA Subtitle C "base program" on January 31, 1986, at 51 Fed. Reg. 3778 (January 30, 1986). USEPA granted authorization to "Cluster I revisions" to the Illinois program and granted partial Hazardous and Solid Waste Amendments (HSWA) (Pub. L. 98-616, Nov. 8, 1984) authorization effective March 5, 1988, at 53 Fed. Reg. 126 (January 5, 1988). USEPA authorized certain subsequent amendments and granted further partial HSWA authorizations effective April 30, 1990, at 55 Fed. Reg. 7320 (March 1, 1990), and June 3, 1991, at 56 Fed. Reg. 13595 (April 3, 1991); August 14, 1994, at 59 Fed. Reg. 30525 (June 14, 1994); and May 14, 1996, at 61 Fed. Reg. 10684 (Mar. 15, 1996). USEPA codified its approvals of the Illinois program at 40 CFR 272.700 and 272.701 on November 13, 1989, at 54 Fed. Reg. 37649 (Sep. 12, 1989), and on March 31, 1992, at 57 Fed. Reg. 3731 (Jan. 31, 1992). The entire listing of all RCRA Subtitle C identical in substance rulemakings follows (with the period of corresponding federal revisions indicated in parentheses):

- R81-22 45 PCB 317, September 16, 1981 & February 4, 1982; 6 Ill. Reg. 4828, April 23, 1982, effective May 17, 1982. (5/19/80 through 10/1/81)
- R82-18 51 PCB 31, January 13, 1983; 7 Ill. Reg. 2518, March 4, 1983, effective May 17, 1982. (11/11/81 through 6/24/82)
- R82-19⁴ 53 PCB 131, July 26, 1983, 7 Ill. Reg. 13999, October 28, 1983, effective October 2, 1983. (11/23/81 through 10/29/82)

- R83-24⁷ 55 PCB 31, December 15, 1983, 8 Ill. Reg. 200, January 6, 1984, effective December 27, 1983. (Corrections to R82-19)
- R84-9 64 PCB 427 & 521, June 13 & 27, 1985; 9 Ill. Reg. 11964, August 2, 1985, effective July 8 & 24, 1985. (1/19/83 through 4/24/84)
- R85-22 67 PCB 175, 479, December 20, 1985 and January 9, 1986; 10 Ill. Reg. 968, January 17, 1986, effective January 2, 1986. (4/25/84 through 6/30/85)
- R86-1 71 PCB 110, July 11, 1986; 10 Ill. Reg. 13998, August 22, 1986, effective August 12, 1986. (7/1/85 through 1/31/86)
- R86-19 73 PCB 467, October 23, 1986; 10 Ill. Reg. 20630, December 12, 1986, effective December 2, 1986. (2/1/86 through 3/31/86)
- R86-28 75 PCB 306, February 5, 1987; and 76 PCB 195, March 5, 1987; 11 Ill. Reg. 6017, April 3, 1987, effective March 23, 1987. Correction at 77 PCB 235, April 16, 1987; 11 Ill. Reg. 8684, May 1, 1987, effective April 21, 1987. (4/1/86 through 6/30/86)
- R86-46 79 PCB 676, July 16, 1987; 11 Ill. Reg. 13435, August 14, 1987, effective August 4, 1987. (7/1/86 through 9/30/86)
- R87-5 82 PCB 391, October 15, 1987; 11 Ill. Reg. 19280, November 30, 1987, effective November 10 & 12, 1987. (10/1/86 through 12/31/86)
- R87-26 84 PCB 491, December 3, 1987; 12 Ill. Reg. 2450, January 29, 1988, effective January 15, 1988. (1/1/87 through 6/30/87)
- R87-32 Correction to R86-1; 81 PCB 163, September 4, 1987; 11 Ill. Reg. 16698, October 16, 1987, effective September 30, 1987.
- R87-39 90 PCB 267, June 16, 1988; 12 Ill. Reg. 12999, August 12, 1988, effective July 29, 1988. (7/1/87 through 12/31/87)
- R88-16 93 PCB 513, November 17, 1988; 13 Ill. Reg. 447, January 13, 1989, effective December 28, 1988. (1/1/88 through 7/31/88)

⁷ On September 6, 1984, the Third District Appellate Court upheld the Board's actions in adopting R82-19 and R83-24. (Commonwealth Edison Co. v. PCB, 127 Ill. App. 3d 446; 468 N.E.2d 1339 (3d Dist. 1984).)

- R89-1 103 PCB 179, September 13, 1989; 13 Ill. Reg. 18278, November 27, 1989, effective November 13, 1989. (8/1/88 through 12/31/88)
- R89-9 109 PCB 343, March 8, 1990; 14 Ill. Reg. 6225, April 27, 1990, effective April 16, 1990. (1/1/89 through 6/30/89)
- R90-2 113 PCB 131, July 3, 1990; 14 Ill. Reg. 14401, September 7, 1990, effective August 22, 1990. (7/1/89 through 12/31/89)
- R90-11 121 PCB 97, April 11, 1991; corrected at 122 PCB 305, May 23, 1991; corrected at 125 PCB 117, August 8, 1991; uncorrected at 125 PCB 435, August 22, 1991; 15 Ill. Reg. 9323, effective June 17, 1991. (Third Third Land Disposal Restrictions) (4/1/90 through 6/30/90)
- R90-17 Delisting Procedures (See below)
- R91-1 125 PCB 119, August 8, 1991; 15 Ill. Reg. 14446, effective September 30, 1991. (Wood Preserving Rules) (7/1/90 through 12/30/90)
- R91-13 132 PCB 263, April 9, 1992; 16 Ill. Reg. 9489, effective June 9, 1992. (Boilers and Industrial Furnaces (BIFs) Rules) (1/1/91 through 6/30/91)
- R91-26 129 PCB 235, January 9, 1992; 16 Ill. Reg. 2600, effective February 3, 1992. (Wood Preserving Rules Compliance Dates)
- R92-1 136 PCB 121, September 17, 1992; 16 Ill. Reg. 17636, effective November 6, 1992. (7/1/91 through 12/31/91)
- R92-10 138 PCB 549, January 21, 1993; 17 Ill. Reg. 5625, effective March 26, 1993. (Leak Detection Systems (LDS) Rules) (1/1/92 through 6/30/92)
- R93-4 -- PCB --, September 23, 1993; 17 Ill. Reg. 20545, effective November 22, 1993. (Used Oil Rules) (7/1/92 through 12/31/92)
- R93-16 -- PCB --, March 17, 1994, Supplemental opinion and order on April 21, 1994. (1/1/93 through 6/30/93)
- R94-7 -- PCB --, June 23, 1994; 18 Ill. Reg. 12160, effective July 29, 1994. (7/1/93 through 12/31/93)
- R94-17 -- PCB --, October 20, 1994; 18 Ill. Reg. 17480, effective November 23, 1994. (1/1/94 through 6/30/94)

- R95-6 -- PCB --, June 1 & 15, 1995; 19 Ill. Reg. 9501, effective June 27, 1995. (Consolidated with R95-4, UIC Update.) (7/1/94 through 12/31/94)
- R95-20 Present docket. (1/1/95 through 6/30/95)
- R96-10 Next docket. (7/1/95 through 12/31/95)

The Board added to the federal listings of hazardous waste by listing dioxins pursuant to Section 22.4(d) of the Act:

- R84-34 61 PCB 247, November 21, 1984; 8 Ill. Reg. 24562, December 21, 1984, effective December 11, 1984.

This was repealed by R85-22, which included adoption of USEPA's dioxin listings. Section 22.4(d) was repealed by P.A. 85-1048, effective January 1, 1989.

The Board has adopted USEPA delistings at the request of Amoco, Envirite, USX, and CSI (the date of the corresponding federal action is included in parentheses):

- R85-2 69 PCB 314, April 24, 1986; 10 Ill. Reg. 8112, May 16, 1986, effective May 2, 1986. (Amoco Corp.)
- R87-30 90 PCB 665, June 30, 1988; 12 Ill. Reg. 12070, July 22, 1988, effective July 12, 1988. (Envirite Corp.)
- R91-12 128 PCB 369, December 19, 1991; 16 Ill. Reg. 2155, effective January 27, 1992. (USX Corp.)
- R95-20 This docket. (CSI)

Subsequently, upon the April 30, 1990 federal authorization of Illinois granting waste delistings, USEPA transferred pending delisting petitions to the Board. The Board docketed these as site-specific rulemaking proceedings (the name of the petitioner waste generator appears in parentheses):

- R90-18 Dismissed at 123 PCB 65, June 6, 1991. (USX Corp., South Works)
- R90-19 Dismissed at 116 PCB 199, November 8, 1990. (Woodward Governor Co.)
- R90-23 Dismissed at 124 PCB 149, July 11, 1991. (Keystone Steel & Wire Co.)

The Board has modified the delisting procedures to allow the use of adjusted standards in lieu of site-specific rulemakings:

R90-17 119 PCB 181, February 28, 1991; 15 Ill. Reg. 7934, effective May 9, 1991.

Waste generators have filed Part 106 adjusted standard petitions for solid waste determinations with the Board pursuant to Section 720.130 (generator name in parentheses):

AS89-4 Dismissed at 105 PCB 269, November 15, 1989. (Safety-Kleen Corp.)

AS89-5 Dismissed at 113 PCB 111, July 3, 1990. (Safety-Kleen Corp.)

AS90-7 Dismissed at 124 PCB 125, July 11, 1991. (Quantum Chemical Co.)

Waste generators have filed Part 106 adjusted standard petitions for hazardous waste delistings with the Board pursuant to Section 720.122 (generator name in parentheses):

AS91-1 Granted at 130 PCB 113, February 6, 1992, and modified at 133 PCB 189, April 23, 1992. (Keystone Steel & Wire Co.)

AS91-3 Granted at 139 PCB 121, February 4, 1993; opinion issued at 140 PCB --, March 11, 1993. (Peoria Disposal Co.)

AS93-7 Granted at -- PCB --, February 17, 1994. (Keystone Steel & Wire Co.)

AS94-10 Granted at -- PCB --, December 14, 1994. (Envirite Corporation.)

The Board has procedures to be followed in cases before it involving the RCRA Subtitle C regulations:

R84-10 62 PCB 87, 349, December 20, 1984 and January 10, 1985; 9 Ill. Reg. 1383, effective January 16, 1985.

The Board also adopted special procedures to be followed in certain determinations under Part 106. The Board adopted these Part 106 special procedures in R85-22 and amended them in R86-46, listed above.

One Part 106 adjusted standard proceeding filed pursuant to 728.106 sought relief from a prohibition against land disposal (petitioner's name in parentheses):

AS90-6 Dismissed at 136 PCB 93, September 17, 1992. (Marathon Petroleum Co.)

Other adjusted standard proceedings sought relief from aspects of the land disposal unit closure and post-closure care requirements (petitioners' names in parentheses):

AS90-8 130 PCB 349, February 27, 1992. (Olin Corp.)

AS91-4 131 PCB 43, March 11, 1992. (Amoco Oil Co.)

One adjusted standard proceeding sought relief from a RCRA Subtitle C land disposal restriction (petitioner's name in parentheses):

AS90-6 136 PCB 6, September 17, 1992. (Marathon Petroleum Co.)

Still another adjusted standard proceeding relates to substantive treatment, storage, and disposal facility requirements of the RCRA Subtitle C regulations (petitioner's name and requirements involved in parentheses):

AS91-10 Dismissed at -- PCB --, May 19, 1994. (Cabot Corp.; secondary containment for tanks)

In another regulatory proceeding, the Board has considered granting temporary relief from the termination of an exclusion of a hazardous waste listing in the form of an emergency rule (Petitioner's name in parentheses):

R91-11 Dismissed at 125 PCB 295, August 8, 1991. (Big River Zinc Corp.)

The Board has also adopted requirements limiting and restricting the landfilling of liquid hazardous wastes, hazardous wastes containing halogenated compounds, and hazardous wastes generally:

R81-25 60 PCB 381, October 25, 1984; 8 Ill. Reg. 24124, December 14, 1984, effective December 4, 1984.

R83-28 68 PCB 295, February 26, 1986; 10 Ill. Reg. 4875, March 21, 1986, effective March 7, 1986.

R86-9 Emergency regulations adopted at 73 PCB 427, October 23, 1986; 10 Ill. Reg. 19787, November 21, 1986, effective November 5, 1986.

The Board's action in adopting emergency regulations in R86-9 was reversed by the First District Court of Appeals. (Citizens for a Better Environment v. PCB, 152 Ill. App. 3d 105, 504 N.E.2d 166 (1st Dist. 1987).)

History of UIC Rules Adoption

The Board has adopted and amended Underground Injection Control (UIC) regulations in several dockets to correspond with the federal regulations. One such docket, R82-18, was a RCRA Subtitle C docket. USEPA authorized the Illinois UIC program on March 3, 1984, at 49 Fed. Reg. 3991 (Feb. 1, 1984); codified that approval as 40 CFR 147, Subpart O, at 49 Fed. Reg. 20197 (May 11, 1984); and amended the authorization at 53 Fed. Reg. 43087 (Oct. 25, 1988). The entire listing of all UIC rulemakings follows (with the period of corresponding federal revisions indicated in parentheses):

- R81-32 47 PCB 93, May 13, 1982; 6 Ill. Reg. 12479, October 15, 1982, effective February 1, 1984. (7/7/81 through 11/23/81)
- R82-18 51 PCB 31, January 13, 1983; 7 Ill. Reg. 2518, March 4, 1983, effective May 17, 1982. (11/11/81 through 6/24/82)
- R83-39 55 PCB 319, December 15, 1983; 7 Ill. Reg. 17338, December 20, 1983, effective December 19, 1983. (4/1/83)
- R85-23 70 PCB 311 & 71 PCB 108, June 20 & July 11, 1986; 10 Ill. Reg. 13274, August 8, 1986, effective July 28 & 29, 1986. (5/11/84 through 11/15/84)
- R86-27 Dismissed at 77 PCB 234, April 16, 1987. (No USEPA amendments through 12/31/86).
- R87-29 85 PCB 307, January 21, 1988; 12 Ill. Reg. 6673, April 8, 1988, effective March 28, 1988. (1/1/87 through 6/30/87)
- R88-2 90 PCB 679, June 30, 1988; 12 Ill. Reg. 13700, August 26, 1988, effective August 16, 1988. (7/1/87 through 12/31/87)
- R88-17 94 PCB 227, December 15, 1988; 13 Ill. Reg. 478, January 13, 1989, effective December 30, 1988. (1/1/88 through 6/30/88)
- R89-2 107 PCB 369, January 25, 1990; 14 Ill. Reg. 3059, March 2, 1990, effective February 20, 1990. (7/1/88 through 12/31/88)
- R89-11 111 PCB 489, May 24, 1990; 14 Ill. Reg. 11948, July 20, 1990, effective July 9, 1990. (1/1/89 through 11/30/89)
- R90-5 Dismissed at 109 PCB 627, March 22, 1990. (No USEPA amendments 12/1/89 through 12/31/89)
- R90-14 122 PCB 335, May 23, 1991; 15 Ill. Reg. 11425, effective July 24, 1991. (1/1/90 through 6/30/90)

- R91-4 Dismissed at 119 PCB 219, February 28, 1991. (No USEPA amendments 9/1/90 through 12/31/90)
- R91-16 Dismissed at 128 PCB 229, December 6, 1991. (No USEPA amendments 1/1/90 through 6/30/91)
- R92-4 Dismissed at 133 PCB 107, April 9, 1992. (No USEPA amendments 7/1/91 through 12/31/91)
- R92-13 139 PCB 361, February 4, 1993; 17 Ill. Reg. 6190, effective April 5, 1993. (1/1/92 through 6/30/92)
- R93-6 -- PCB --, August 5, 1993; 17 Ill. Reg. 15641, effective September 14, 1993. (7/1/92 through 12/31/92)
- R93-17 Dismissed at -- PCB --, September 23, 1993. (No USEPA amendments 1/1/93 through 6/30/93)
- R94-5 -- PCB --, November 3, 1994; 18 Ill. Reg. 18244, effective December 20, 1994. (7/1/93 through 12/31/93)
- R94-24 -- PCB --, October 6, 1994. (USEPA amendments 7/1/93 through 12/31/94 included in RCRA Subtitle C docket R94-17)
- R95-4 -- PCB --, June 1 & 15, 1995; 19 Ill. Reg. 9501, effective June 27, 1995. (Consolidated with R95-6, RCRA Subtitle C Update.) (7/1/94 through 12/31/94)
- R95-18 Dismissed -- PCB --, October 5, 1995. (No USEPA amendments 1/1/95 through 6/30/95)
- R96-8 Next docket. (7/1/95 through 12/31/95)

In one proceeding filed, the Board granted an adjusted standard from a UIC land disposal restriction, pursuant to the procedures outlined above with respect to the RCRA Subtitle C program (petitioner name in parentheses):

- AS92-8 Granted at -- PCB --, February 17, 1994. (Cabot Corp.; no migration exception)

AGENCY OR BOARD ACTION?

Section 7.2(a)(5) of the Act requires the Board to specify which decisions USEPA will retain. In addition, the Board is to specify which State agency is to make decisions, based on the general division of functions within the Act and other Illinois statutes.

In situations in which the Board has determined that USEPA will retain decision-making authority, the Board has replaced "Regional Administrator" with USEPA, so as to avoid specifying which office within USEPA is to make a decision.

In a few instances in identical in substance rules, decisions are not appropriate for Agency action pursuant to a permit application. Among the considerations in determining the general division of authority between the Agency and the Board are:

1. Is the person making the decision applying a Board regulation, or taking action contrary to ("waiving") a Board regulation? It generally takes some form of Board action to "waive" a Board regulation.
2. Is there a clear standard for action such that the Board can give meaningful review to an Agency decision?
3. Does the action result in exemption from the permit requirement itself? If so, Board action is generally required.
4. Does the decision amount to "determining, defining or implementing environmental control standards" within the meaning of Section 5(b) of the Act. If so, it must be made by the Board.

There are four common classes of Board decision: variance, adjusted standard, site specific rulemaking, and enforcement. The first three are methods by which a regulation can be temporarily postponed (variance) or adjusted to meet specific situations (adjusted standard or site specific rulemaking). Note that there often are differences in the nomenclature for these decisions between the USEPA and Board regulations.

EDITORIAL CONVENTIONS

As a final note, the federal rules have been edited to establish a uniform usage throughout the Board's regulations. For example, with respect to "shall", "will", and "may" - "shall" is used when the subject of a sentence has to do something. "Must" is used when someone has to do something, but that someone is not the subject of the sentence. "Will" is used when the Board obliges itself to do something. "May" is used when choice of a provision is optional. "Or" is used rather than "and/or", and denotes "one or both". "Either"... "or" denotes "one but not both". "And" denotes "both".

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the above opinion was adopted on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
June 20, 1996

IN THE MATTER OF:)	
)	R95-20
RCRA UPDATE, USEPA REGULATIONS)	(Identical in Substance Rules-
(1-1-95 THROUGH 6-30-95, 7-7-95,)	RCRA Subtitle C)
9-29-95, 11-13-95 & 6-6-96))	

Adopted Rule. Final Order.

ORDER OF THE BOARD (by E. Dunham):

Pursuant to Section 13(c) and 22.4(a) of the Environmental Protection Act (Act) [415 ILCS 5/13(c) & 22.4(a) (1994)], the Board adopts amendments to the RCRA Subtitle C hazardous waste (RCRA) regulations.

Section 22.4(a) provides for quick adoption of regulations that are "identical in substance" to federal regulations adopted by USEPA to implement Sections 3001 through 3005 of the Resource Conservation and Recovery Act of 1976 (RCRA, 42 U.S.C. §§ 6921-6925) and that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35 & 5-40 (1994)] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by the Joint Committee on Administrative Rules (JCAR). The federal RCRA Subtitle C regulations are found at 40 CFR 260 through 268, 270 through 271, 279, and, more recently, 273.

This order is supported by an opinion adopted on the same day. The Board will delay filing the adopted amendments with the Office of the Secretary of State for 30 days to allow time for the U.S. Environmental Protection Agency to review them prior to filing. The amendments will become effective upon filing, and Notices of Adopted Amendments (or Rules, as appropriate) will appear in the Illinois Register. The complete text of the adopted rules follows.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the above order was adopted by the Board on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

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

PART 702
RCRA AND UIC PERMIT PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section

- 702.101 Purpose, Scope, and Applicability
- 702.102 Purpose and Scope (Repealed)
- 702.103 Confidentiality of Information Submitted to the Agency or Board
- 702.104 References
- 702.105 Rulemaking
- 702.106 Adoption of Agency Criteria
- 702.107 Permit Appeals and Review of Agency Determinations
- 702.108 Variances and Adjusted Standards
- 702.109 Enforcement Actions
- 702.110 Definitions

SUBPART B: PERMIT APPLICATIONS

Section

- 702.120 Permit Application
- 702.121 Who Applies
- 702.122 Completeness
- 702.123 Information Requirements
- 702.124 Recordkeeping
- 702.125 Continuation of Expiring Permits
- 702.126 Signatories to Permit Applications and Reports

SUBPART C: PERMIT CONDITIONS

Section

- 702.140 Conditions Applicable to all Permits
- 702.141 Duty to Comply
- 702.142 Duty to Reapply
- 702.143 Need to Halt or Reduce Activity Not a Defense
- 702.144 Duty to Mitigate
- 702.145 Proper Operation and Maintenance
- 702.146 Permit Actions
- 702.147 Property Rights
- 702.148 Duty to Provide Information
- 702.149 Inspection and Entry
- 702.150 Monitoring and Records
- 702.151 Signature Requirements
- 702.152 Reporting Requirements
- 702.160 Establishing Permit Conditions
- 702.161 Duration of Permits
- 702.162 Schedules of Compliance
- 702.163 Alternative Schedules of Compliance
- 702.164 Recording and Reporting

SUBPART D: ISSUED PERMITS

Section

- 702.181 Effect of a Permit
- 702.182 Transfer
- 702.183 Modification
- 702.184 Causes for Modification
- 702.185 Facility Siting
- 702.186 Revocation
- 702.187 Minor Modifications

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

SOURCE: Adopted in R81-32, 47 PCB 93, at 6 Ill. Reg. 12479, effective May 17, 1982; amended in R82-19, at 53 PCB 131, 7 Ill. Reg. 14352, effective May 17, 1982; amended in R84-9 at 9 Ill. Reg. 11926, effective July 24, 1985; amended in R85-23 at 10 Ill. Reg. 13274, effective July 29, 1986; amended in R86-1 at 10 Ill. Reg. 14083, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6131, effective March 24, 1987; amended in R87-5 at 11 Ill. Reg. 19376, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2579, effective January 15, 1988; amended in R87-29 at 12 Ill. Reg. 6673, effective March 28, 1988; amended in R87-39 at 12 Ill. Reg. 13083, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18452, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3089, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6273, effective April 16, 1990; amended in R92-10 at 17 Ill. Reg. 5769, effective March 26, 1993; amended in R93-16 at 18 Ill. Reg. 6918, effective April 26, 1994; amended in R94-5 at 18 Ill. Reg. 18284, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9913, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 702.110 Definitions

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

"Act" or "Environmental Protection Act" means the Environmental Protection Act [415 ILCS 5].

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

"Agency" means the Illinois Environmental Protection Agency.

"Application" means the Agency forms for applying for a permit. For RCRA, application also includes the information required by the Agency under 35 Ill. Adm. Code 703.182 through 703.212 (contents of Part B of the RCRA application).

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

"Approved program or approved State" means a State or interstate program that has been approved or authorized by EPA under 40 CFR 271 (1992) (RCRA) or Section 1422 of the SDWA (UIC).

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

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

"Board" means the Illinois Pollution Control Board.

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

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

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

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: U-S-EPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"CWA" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972), P.L. 92-500, as amended by P.L. 95-217 and P.L. 95-576; 33 U.S.C. 1251 et seq. (1992).

"Date of approval by U-S-EPA of the Illinois UIC program" means March 3, 1984.

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

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

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

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

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

"Elementary neutralization unit" means a device which:

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

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

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

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

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

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

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

Either:

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

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

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

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

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

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

"Final authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management Program that has met the requirements of Section 3006(b) of RCRA and the applicable requirements of 40 CFR 271, Subpart A (1992). EPA granted initial final authorization on January 31, 1986.

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

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

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

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

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

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

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

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

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

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

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

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

"Interim authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management program that has met the requirements of Section 3006(eg)(2) of RCRA and applicable requirements of 40 CFR 271 (1992). This happened on May 17, 1982.

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

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

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

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

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

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

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

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

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

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

"Permit" includes RCRA "permit by rule" (35 Ill. Adm. Code 703.141), UIC area permit (35 Ill. Adm. Code 704.162), and RCRA or UIC "Emergency Permit" (35 Ill. Adm. Code 703.221 and 704.163). "Permit" does not include RCRA interim status (35 Ill. Adm. Code 703.153 through 703.157), UIC authorization by rule (35 Ill. Adm. Code 704.Subpart C), or any permit that has not yet been the subject of final Agency action, such as a "Draft Permit" or a "Proposed Permit-";

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

~~"Phase I" (RCRA) means, as used in the corresponding federal regulations, the period of time commencing May 10, 1980. For Illinois purposes, Phase I began on May 17, 1982.~~

~~"Phase II" (RCRA) means, as used in the corresponding federal regulations, the period of time commencing May 10, 1980. For Illinois purposes, Phase II commenced when U.S. EPA granted final authorization to the Agency to issue RCRA permits for any class of facility or unit. This occurred on January 31, 1986.~~

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

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

"POTW" means "publicly owned treatment works".

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

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

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

"RCRA" means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (P.L. 94-580, as amended by P.L. 95-609, P.L. 96-510, 42 U.S.C. 6901 et seq. (1992)). For the purposes of regulation under 35 Ill. Adm. Code 700 through 705, 720 through 728, and 739, "RCRA" refers only to RCRA Subtitle C. This does not include the RCRA Subtitle D (municipal solid waste landfill) regulations, found in 35 Ill. Adm. Code 810 through 815, and the RCRA Subtitle I (underground storage tank) regulations found in 35 Ill. Adm. Code 731 and 732.

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

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

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

"SDWA" means the Safe Drinking Water Act (P.L. 93-523, as amended, 42 U.S.C. 300f et seq. (1992)).

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

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

"State" means the State of Illinois.

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

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

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

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

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

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

"Transferee" (UIC) means the owner or operator receiving ownership or operational control of the well.

"Transferor" (UIC) means the owner or operator transferring ownership or operational control of the well.

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

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

"UIC" means the Underground Injection Control program.

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

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

Which:

Supplies any public water system; or

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

Currently supplies drinking water for human consumption; or

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

That is not an "exempted aquifer".

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

"Wastewater treatment unit" means a device which:

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

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

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

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

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

BOARD NOTE: Derived from 40 CFR 144.3 (1994), as amended at 58 Fed. Reg. 63895 (Dec. 3, 1993), and 270.2 (19924), as amended at 5860 Fed. Reg. 868533914 (Feb. 16, 1993) June 29, 1995).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

PART 703
RCRA PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

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703.100 Scope and Relation to Other Parts

- 703.101 Purpose
- 703.110 References

SUBPART B: PROHIBITIONS

Section

- 703.120 Prohibitions in General
- 703.121 RCRA Permits
- 703.122 Specific Inclusions in Permit Program
- 703.123 Specific Exclusions from Permit Program
- 703.124 Discharges of Hazardous Waste
- 703.125 Reapplications
- 703.126 Initial Applications
- 703.127 Federal Permits (Repealed)

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

Section

- 703.140 Purpose and Scope
- 703.141 Permits by Rule
- 703.150 Application by Existing HWM Facilities and Interim Status Qualifications
- 703.151 Application by New HWM Facilities
- 703.152 Amended Part A Application
- 703.153 Qualifying for Interim Status
- 703.154 Prohibitions During Interim Status
- 703.155 Changes During Interim Status
- 703.156 Interim Status Standards
- 703.157 Grounds for Termination of Interim Status
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- 703.160 Procedures for Closure Determination

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- 703.208 Boilers and Industrial Furnaces Burning Hazardous Waste
- 703.209 Miscellaneous Units

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- 703.211 Equipment
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SUBPART E: SHORT TERM AND PHASED PERMITS

Section

- 703.221 Emergency Permits
- 703.222 Incinerator Conditions Prior to Trial Burn
- 703.223 Incinerator Conditions During Trial Burn
- 703.224 Incinerator Conditions After Trial Burn
- 703.225 Trial Burns for Existing Incinerators
- 703.230 Land Treatment Demonstration
- 703.231 Research, Development and Demonstration Permits
- 703.232 Permits for Boilers and Industrial Furnaces Burning Hazardous Waste

SUBPART F: PERMIT CONDITIONS OR DENIAL

Section

- 703.240 Permit Denial
- 703.241 Establishing Permit Conditions
- 703.242 Noncompliance Pursuant to Emergency Permit
- 703.243 Monitoring
- 703.244 Notice of Planned Changes (Repealed)
- 703.245 Twenty-four Hour Reporting
- 703.246 Reporting Requirements
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SUBPART G: CHANGES TO PERMITS

Section

- 703.260 Transfer
- 703.270 Modification
- 703.271 Causes for Modification
- 703.272 Causes for Modification or Reissuance
- 703.273 Facility Siting
- 703.280 Permit Modification at the Request of the Permittee
- 703.281 Class 1 Modifications
- 703.282 Class 2 Modifications
- 703.283 Class 3 Modifications

703.Appendix A Classification of Permit Modifications

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

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14289, effective October 12, 1983; amended in R83-24 at 8 Ill. Reg. 206, effective December 27, 1983; amended in R84-9 at 9 Ill. Reg. 11899, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1110, effective January 2, 1986; amended in R85-23 at 10 Ill. Reg. 13284, effective July 28, 1986; amended in R86-1 at 10 Ill. Reg. 14093, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20702, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6121, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13543, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19383, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2584, effective January 15,

1988; amended in R87-39 at 12 Ill. Reg. 13069, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 447, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18477, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6278, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14492, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9616, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14554, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9767, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5774, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20794, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6898, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12392, effective July 29, 1994; amended in R94-5 at 18 Ill. Reg. 18316, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9920, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART B: PROHIBITIONS

Section 703.123 Specific Exclusions from Permit Program

The following persons are among those who are not required to obtain a RCRA permit:

- a) Generators who accumulate hazardous waste on-site for less than the time periods provided in 35 Ill. Adm. Code 722.134;
- b) Farmers who dispose of hazardous waste pesticides from their own use as provided in 35 Ill. Adm. Code 722.170;
- c) Persons who own or operate facilities solely for the treatment, storage or disposal of hazardous waste excluded from regulations under this Part by 35 Ill. Adm. Code 721.104 or 721.105 (small generator exemption);
- d) Owners or operators of totally enclosed treatment facilities as defined in 35 Ill. Adm. Code 720.110;
- ~~fe)~~ Owners and operators of elementary neutralization units or wastewater treatment units as defined in 35 Ill. Adm. Code 720.110;
- ~~gf)~~ Transporters storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less;
- ~~hg)~~ Persons adding absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) and persons adding waste to absorbent material in a container, provided that these actions occur at the time waste is first placed in the container; and 35 Ill. Adm. Code 724.117(b), 724.271 and 724.272 are complied with; and
- h) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that manages the wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.
 - 1) Batteries, as described in 35 Ill. Adm. Code 733.102;
 - 2) Pesticides, as described in 35 Ill. Adm. Code 733.103; and

3) Thermostats, as described in 35 Ill. Adm. Code 733.104.

~~(Board Note)~~ BOARD NOTE: See Derived from 40 CFR 270.1(c)(2) (1994), as amended at ~~5360~~ Fed. Reg. ~~27165~~~~25542~~, July 10, 1988 ~~May 11, 1995.~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

Section 703.150 Application by Existing HWM Facilities and Interim Status Qualifications

- a) The owner or operator of an existing HWM facility or of an HWM facility in existence on the effective date of statutory or regulatory amendments that render the facility subject to the requirement to have a RCRA permit must submit Part A of the permit application to the Agency no later than the following times, whichever comes first:
- 1) Six months after the date of publication of regulations which first require the owner or operator to comply with standards in 35 Ill. Adm. Code 725 or 726; or
 - 2) Thirty days after the date the owner or operator first becomes subject to the standards in 35 Ill. Adm. Code 725 or 726; or
 - 3) For generators which generate greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and treat, store or dispose of these wastes on-site, by March 24, 1987.

BOARD NOTE: Derived from 40 CFR 270.10(e)(1) ~~and 270.1(b)~~ (1994), amended at ~~56~~ Fed. Reg. ~~32688~~, July 17, 1991.

- b) In granting a variance under subsection (c), below, the Board will consider whether there has been substantial confusion as to whether the owner or operator of such facilities were required to file a Part A application and whether such confusion was attributable to ambiguities in 35 Ill. Adm. Code 720, 721 or 725.

BOARD NOTE: Derived from 40 CFR 270.10(e)(2) (1994).

- c) The time for filing Part A of the permit application may be extended only by a Board Order entered pursuant to a variance petition.

BOARD NOTE: Derived from 40 CFR 270.10(e)(3) (1994).

- d) The owner or operator of an existing HWM facility may be required to submit Part B of the permit application ~~at any time after the effective date of standards in 35 Ill. Adm. Code 724 applicable to any TSD unit at the facility.~~ The Agency will notify the owner or operator that a Part B application is required, and set a date for receipt of the application, not less than six months after the date the notice is sent. The owner or operator may voluntarily submit a Part B application for all or part of the HWM facility at any time. Notwithstanding the above, any owner or operator of an existing HWM facility must submit a Part B permit application in accordance with the dates specified in Section 703.157. Any owner or operator of a land disposal facility in existence on the effective date of statutory or regulatory amendments which

render the facility subject to the requirement to have a RCRA permit must submit a Part B application in accordance with the dates specified in Section 703.157.

BOARD NOTE: Derived from 40 CFR 270.10(e)(4) (19904), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

- e) Interim status may be terminated as provided in Section 703.157.

BOARD NOTE: Derived from 40 CFR 270.10(e)(5) (19904).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 703.151 Application by New HWM Facilities

- a) Except as provided in subsection (c), no person shall begin physical construction of a new HWM facility without having submitted Part A and Part B of the permit application and having received a finally effective RCRA permit;
- b) An application for a permit for a new HWM facility (including both Part A and Part B) may be filed at any time after promulgation of standards in 35 Ill. Adm. Code 724 applicable to any TSD unit in the facility; Except as provided in subsection (c), all applications must be submitted to the Agency at least 180 days before physical construction is expected to commence;
- c) Notwithstanding subsection (a), a person may construct a facility for the incineration of polychlorinated biphenyls pursuant to an approval issued by the Administrator of USEPA under Section (6)(e) of the Toxic Substances Control Act (42 U.S.C. 9601 et seq.) and any person owning or operating such facility may, at any time after construction or operation of such facility has begun, file an application for a RCRA permit to incinerate hazardous waste authorizing such facility to incinerate waste identified or listed under 35 Ill. Adm. Code 721.
- d) Such persons may continue physical construction of the HWM facility after the effective date of the standards applicable to it if the person submits Part B of the permit application on or before the effective date of such standards (or on some later date specified by the Agency.) Such person must not operate the HWM facility without having received a finally effective RCRA permit.

~~(Board Note)~~ BOARD NOTE: See Derived from 40 CFR 270.10(f) (1994), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 703.152 Amended Part A Application

- a) If any owner or operator of an HWM facility has filed Part A of a permit application and has not yet filed Part B, the owner or operator shall file an amended Part A application with the Agency:
- 1) No later than the effective date of revised regulations under 35 Ill. Adm. Code 721 listing or identifying additional hazardous wastes, if the facility is treating, storing or disposing of any of those newly listed or identified wastes;

2) As necessary to comply with provisions of Section 703.155 for changes during interim status.

b) The owner or operator of a facility who fails to comply with the updating requirements of paragraph subsection (a) does not receive interim status as to the wastes not covered by duly filed Part A applications.

~~(Board Note)~~ BOARD NOTE: See Derived from 40 CFR 270.10(g) (1994), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

PART 720
HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

Section

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

SUBPART B: DEFINITIONS

Section

- 720.110 Definitions
- 720.111 References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section

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

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

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

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, 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, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 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. _____, _____.

SUBPART B: DEFINITIONS

Section 720.110 Definitions

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

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

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

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

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

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

"Agency" means the Illinois Environmental Protection Agency.

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

waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

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

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

"Battery" means a device consisting 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:

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

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

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

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

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

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

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

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

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

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

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

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

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: U-S-EPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

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

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

Which:

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

Has received a RCRA permit from U-S-EPA pursuant to 40 CFR 124 and 270 (1992);

Has received a RCRA permit from a state authorized by U.S.-EPA pursuant to 40 CFR 271 (1992); or

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

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

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

"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.

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

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

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

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

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

"Elementary neutralization unit" means a device which:

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

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

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

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

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

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

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

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

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

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

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

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

Region VII: Nebraska, Kansas, Missouri and Iowa

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

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

Region X: Washington, Oregon, Idaho and Alaska

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

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

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

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

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

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

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

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

"Facility" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Incinerator" means any enclosed device that:

Uses controlled flame combustion and neither:

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

Is listed as an industrial furnace; or

Meets the definition of infrared incinerator or plasma arc incinerator.

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

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

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

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

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

Cement kilns

Lime kilns

Aggregate kilns

Phosphate kilns

Coke ovens

Blast furnaces

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

Titanium dioxide chloride process oxidation reactors

Methane reforming furnaces

Pulping liquor recovery furnaces

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

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

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

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

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

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

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

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

Other relevant factors.

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

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

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

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

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

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

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

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

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

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

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

"LDS" means leak detection system.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Control of emission of the gaseous combustion products.

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

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

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

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

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

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

"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 U.S.C. § 321(v)), incorporated by reference in Section 720.111,

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, incorporated by reference in Section 720.111, to be an exempted new animal drug, or

It is an animal feed under FFDC Section 201(w) (21 U.S.C. § 321(w)), incorporated by reference in Section 720.111 that bears or contains any substances described in either of the two preceding subsections 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 U.S.C. § 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 which uses a high intensity electrical discharge or arc as a source of heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Treatability study" means:

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

Whether the waste is amenable to the treatment process.

What pretreatment (if any) is required.

The optimal process conditions needed to achieve the desired treatment.

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

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

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

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

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

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

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

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

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

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

"Universal waste" means any of the following hazardous wastes that are managed under 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; and

Thermostats, as described in 35 Ill. Adm. Code 733.104.

"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:

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

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

"Wastewater treatment unit" means a device which:

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

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

or treats or stores a wastewater treatment sludge which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

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

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

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

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

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

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 720.111 References

- a) The following publications are incorporated by reference:

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

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4

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

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted September, 1983.

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.

"Evaporative Loss from External Floating-Roof Tanks", API Publication 2517, Third Edition, February, 1989.

"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks", 4th Edition, 1981, reaffirmed December, 1987.

"Installation of Underground Petroleum Storage Systems", API Recommended Practice 1615, Fourth Edition, November, 1987.

APTI. Available from the Air and Waste Management Association, Box 2861, Pittsburgh, PA 15230, 412-232-3444:

APTI Course 415: Control of Gaseous Emissions, U-S-EPA Publication EPA-450/2-81-005, December, 1981.

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. 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. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, 215-299-5400:

ASTM C 94-90, Standard Specification for Ready-Mixed Concrete, approved March 30, 1990.

ASTM D 88-87, Standard Test Method for Saybolt Viscosity, April 24, 1981, reapproved January, 1987.

ASTM D 93-85, Standard Test Methods for Flash Point by Pensky-Martens Closed Tester, approved October 25, 1985.

ASTM D 1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, Approved March 30, 1990.

ASTM D 2161-87, Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity, March 27, 1987.

ASTM D 2267-88, Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography, approved November 17, 1988.

ASTM D 2382-88, Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), approved October 31, 1988.

ASTM D 2879-86, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved October 31, 1986.

ASTM D 2879-92, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1992.

ASTM D 3828-87, Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester, approved December 14, 1988.

ASTM E 168-88, Standard Practices for General Techniques of Infrared Quantitative Analysis, approved May 27, 1988.

ASTM E 169-87, Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved February 1, 1987.

ASTM E 260-85, Standard Practice for Packed Column Gas Chromatography, approved June 28, 1985.

ASTM E 926-88 C, Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals, Bomb-Acid Digestion Method, approved March 25, 1988.

ASTM Method G 21-70 (1984a) -- Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi

ASTM Method G 22-76 (1984b) -- Standard Practice for Determining Resistance of Plastics to Bacteria.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, 202-783-3238:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S.-EPA Publication number SW-846 (Third Edition, November, 1986), as amended by Updates I (July, 1992), II (September, 1994), and IIA (August, 1993), and IIB (January, 1995) (Document Number 955-001-00000-1) (contact U.S. EPA, Office of Solid Waste, or MICE, as indicated below, for Update IIA).

~~MICE. Available from Methods Information Communication Service, at 703 821-4789:~~

~~"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S. EPA Publication number SW 846 (Third Edition, November, 1986), Update IIA (Document Number 955-001-00000-1) (contact GPO, as indicated above, for SW 846 and Update I).~~

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.

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

"Flammable and Combustible Liquids Code" NFPA 30, issued July 17, 1987. Also available from ANSI.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-487-4600:

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Guidance on Air Quality Models", Revised 1986. (Document number PB86-245-248 (Guideline) and PB88-150-958 (Supplement)).

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677).

"Methods Manual for Compliance with BIF Regulations", December, 1990. (Document number PB91-120-006).

"Petitions to Delist Hazardous Wastes -- A Guidance Manual", EPA/530-SW-85-003, April, 1985. (Document Number PB 85-194488).

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", EPA-530/SW-611, 1977. (Document number PB 84-174820).

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", October, 1992, Publication Number EPA-450/R-92-019.

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).

U.S.-EPA. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

~~U.S. EPA. Available from U.S. EPA, Office of Solid Waste (Mail Code 5304), 401 M Street SW, Washington, D.C. 20460:~~

~~"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," U.S. EPA Publication number SW 846 (Third Edition, November, 1986), Update II-A (Document Number 955-001-00000-1) (contact GPO, as indicated above, for SW 846 and Update I).~~

~~U.S. EPA. Available from U.S. EPA, Number F 90 WPWF FFFFF, Room M2427,
401 M Street SW, Washington, D.C. 20460, 202 475 9327:~~

~~"Test Method 8290: Procedures for the Detection and Measurement of
PCDDs and PCDFs", EPA/530 SW 91 019 (January, 1991)~~

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

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October, 1992, Publication Number EPA-450/R-92-019.

- 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, Appendix B (1994)

40 CFR 51.100(ii) (1994)

40 CFR 51, Subpart W (1994)

40 CFR 60 (1994), as amended at 59 Fed. Reg. 62924 (Dec. 6, 1994)

40 CFR 61, Subpart V (1994)

40 CFR 136 (1994), as amended at 60 Fed. Reg. 17160 (Apr. 4, 1995)

40 CFR 142 (1994)

40 CFR 220 (1994)

40 CFR 260.20 (1994)

40 CFR 264 (1994)

40 CFR 268.Appendix IX (1994)

40 CFR 302.4, 302.5 and 302.6 (1994)

40 CFR 761 (1994)

49 CFR 171 (1995)

49 CFR 173 (1995)

49 CFR 178 (1994)

- c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), as amended through December 31, 1987.

Sections 201(v), 201(w), and 360b(j) of the Federal Food, Drug, and Cosmetic Act (FFDCA; 21 U.S.C. §§ 321(v), 321(w) & 512(j)), as amended through October 25, 1994.

- d) This Section incorporates no later editions or amendments.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section 720.120 Rulemaking

- a) Any person may petition the Board to adopt as State regulations rules ~~which~~ that are identical in substance with newly-adopted federal amendments or regulations. The petition shall take the form of a proposal for rulemaking pursuant to 35 Ill. Adm. Code 102. The proposal shall include a listing of all amendments to 40 CFR 260 through 266, ~~and 268, or 273~~ ~~which~~ that have been made since the last preceding amendment or proposal to amend 35 Ill. Adm. Code 720 through 726, ~~and 268728, or 733~~, pursuant to Section 22.4(a) of the Environmental Protection Act.
- b) Any person may petition the Board to adopt amendments or additional regulations not identical in substance with federal regulations. Such proposal shall conform to 35 Ill. Adm. Code 102 and Title VII and Section 22.4(b) or 22.4(c) of the Environmental Protection Act.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 720.123 Petitions for Regulation as Universal Waste

- a) Any person seeking to add a hazardous waste or a category of hazardous waste to the universal waste regulations of 35 Ill. Adm. Code 733 may petition for a regulatory amendment under this Section, Section 720.120, and 35 Ill. Adm. Code 733.Subpart G.

b) Petition and Demonstration.

1) To be successful, the petitioner must demonstrate each of the following:

A) That regulation under the universal waste regulations of 35 Ill. Adm. Code 733 is appropriate for the waste or category of waste;

B) That regulation under 35 Ill. Adm. Code 733 will improve management practices for the waste or category of waste; and

C) That regulation under 35 Ill. Adm. Code 733 will improve implementation of the hazardous waste program.

2) The petition must include the information required by Section 720.120(b). The petition should also address as many of the factors listed in 35 Ill. Adm. Code 733.181 as are appropriate for the waste or category of waste addressed in the petition.

- c) The Board will grant or deny a petition using the factors listed in 35 Ill. Adm. Code 733.181. The decision will be based on the weight of evidence that shows the following with regard to regulation under 35 Ill. Adm. Code 733:
 - 1) That it is appropriate for the waste or category of waste,
 - 2) That it will improve management practices for the waste or category of waste, and
 - 3) That it will improve implementation of the hazardous waste program.
- d) The Board may request additional information to that set forth in 35 Ill. Adm. Code 733.181, as needed to evaluate the merits of the petition.

(Source: Added at 20 Ill. Reg. _____, _____)

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

PART 721
IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section

- 721.101 Purpose and Scope
- 721.102 Definition of Solid Waste
- 721.103 Definition of Hazardous Waste
- 721.104 Exclusions
- 721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators
- 721.106 Requirements for Recyclable Materials
- 721.107 Residues of Hazardous Waste in Empty Containers
- 721.108 PCB Wastes Regulated under TSCA
- 721.109 Requirements for Universal Waste

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

Section

- 721.110 Criteria for Identifying the Characteristics of Hazardous Waste
- 721.111 Criteria for Listing Hazardous Waste

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section

- 721.120 General
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SUBPART D: LISTS OF HAZARDOUS WASTE

Section

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721.Appendix J Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)

721.Appendix Z Table to Section 721.102

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

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17490, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9522, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, _____.

SUBPART A: GENERAL PROVISIONS

Section 721.103 Definition of Hazardous Waste

- a) A solid waste, as defined in Section 721.102, is a hazardous waste if:
- 1) It is not excluded from regulation as a hazardous waste under Section 721.104(b); and
 - 2) It meets any of the following criteria:
 - A) It exhibits any of the characteristics of hazardous waste identified in 721.Subpart C.
 - i) Except that any mixture of a waste from the extraction, beneficiation, or processing of ores or minerals excluded under Section 721.104(b)(7) and any other solid waste exhibiting a characteristic of hazardous waste under 721.Subpart C is a hazardous waste only: if it exhibits a characteristic that would not have been exhibited by the excluded waste alone if such mixture had not occurred, or if it continues to exhibit any of the characteristics exhibited by the non-excluded wastes prior to mixture.
 - ii) Further, for the purposes of applying the toxicity characteristic to such mixtures under subsection (a)(2)(A)(i) above, the mixture is also a hazardous waste: if it exceeds the maximum concentration for any contaminant listed in Section 721.124 that would not have been exceeded by the excluded waste alone if the mixture had not occurred, or if it continues to exceed the maximum concentration for any contaminant exceeded by the nonexempt waste prior to mixture.
 - B) It is listed in 721.Subpart D and has not been excluded from the lists in 721.Subpart D under 35 Ill. Adm. Code 720.120 and 720.122.
 - C) It is a mixture of a solid waste and a hazardous waste that is listed in 721.Subpart D solely because it exhibits one or more of the characteristics of hazardous waste identified in 721.Subpart C, unless:
 - i) the resultant mixture no longer exhibits any characteristic of hazardous waste identified in 721.Subpart C, or
 - ii) the solid waste is excluded from regulation under Section 721.104(b)(7) and the resultant mixture no longer exhibits any characteristic of hazardous waste identified in 721.Subpart C for which the hazardous waste listed in 721.Subpart D was listed.
 - iii) Nonwastewater mixtures are still subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.

- D) It is a mixture of solid waste and one or more hazardous wastes listed in 721.Subpart D and has not been excluded from this subsection (a)(2) under 35 Ill. Adm. Code 720.120 and 720.122; however, the following mixtures of solid wastes and hazardous wastes listed in 721.Subpart D are not hazardous wastes (except by application of subsection (a)(2)(A) or (a)(2)(B) above) if the generator demonstrates that the mixture consists of wastewater the discharge of which is subject to regulation under either 35 Ill. Adm. Code 309 or 310 (including wastewater at facilities that have eliminated the discharge of wastewater) and:
- i) One or more of the following solvents listed in Section 721.131: carbon tetrachloride, tetrachloroethylene, trichloroethylene, provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 1 part per million;~~or~~
 - ii) One or more of the following spent solvents listed in Section 721.131: methylene chloride, 1,1,1-trichloroethane, chlorobenzene, o-dichlorobenzene, cresols, cresylic acid, nitrobenzene, toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, spent chlorofluorocarbon solvents, provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 25 parts per million;~~or~~
 - iii) One of the following wastes listed in Section 721.132: heat exchanger bundle cleaning sludge from the petroleum refining industry (U.S.-EPA hazardous waste no. K050);~~or~~
 - iv) A discarded commercial chemical product or chemical intermediate listed in Section 721.133 arising from de minimis losses of these materials from manufacturing operations in which these materials are used as raw materials or are produced in the manufacturing process. For purposes of this subsection, "de minimis" losses include those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purgings; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing;
~~or~~
 - v) Wastewater resulting from laboratory operations containing toxic (T) wastes listed in 721.Subpart D, provided that the annualized average flow of laboratory wastewater does not exceed one percent of total

wastewater flow into the headworks of the facility's wastewater treatment or pretreatment system or provided that the wastes' combined annualized average concentration does not exceed one part per million in the headworks of the facility's wastewater treatment or pretreatment facility. Toxic (T) wastes used in laboratories that are demonstrated not to be discharged to wastewater are not to be included in this calculation-;

- vi) One or more of the following wastes listed in Section 721.132: wastewaters from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K157), provided that the maximum weekly usage of formaldehyde, methyl chloride, methylene chloride, and triethylamine (including all amounts that cannot be demonstrated to be reacted in the process, destroyed through treatment, or recovered, i.e., what is discharged or volatilized) divided by the average weekly flow of process wastewater prior to any dilutions into the headworks of the facility's wastewater treatment system does not exceed a total of 5 parts per million by weight; or
- vii) Wastewaters derived from the treatment of one or more of the following wastes listed in Section 721.132: organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K156), provided, that the maximum concentration of formaldehyde, methyl chloride, methylene chloride, and triethylamine prior to any dilutions into the headworks of the facility's wastewater treatment system does not exceed a total of 5 milligrams per liter.
- E) Rebuttable presumption for used oil. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 721.Subpart D. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, incorporated by reference at 35 Ill. Adm. Code 720.111, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 721.Appendix H).
- i) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated paraffins if they are processed through a tolling arrangement as described in 35 Ill. Adm. Code 739.124(c) to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils or fluids are recycled in any other manner, or disposed.
- ii) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that

have been mixed with used oil from sources other than refrigeration units.

- b) A solid waste that is not excluded from regulation under subsection (a)(1) above becomes a hazardous waste when any of the following events occur:
- 1) In the case of a waste listed in 721.Subpart D, when the waste first meets the listing description set forth in 721.Subpart D.
 - 2) In the case of a mixture of solid waste and one or more listed hazardous wastes, when a hazardous waste listed in 721.Subpart D is first added to the solid waste.
 - 3) In the case of any other waste (including a waste mixture), when the waste exhibits any of the characteristics identified in 721.Subpart C.
- c) Unless and until it meets the criteria of subsection (d) below, a hazardous waste will remain a hazardous waste.
- BOARD NOTE: This subsection corresponds with 40 CFR 261.3(c)(1). The Board has codified 40 CFR 261.3(c)(2) at subsection (e) below.
- d) Any solid waste described in subsection (c) above is not a hazardous waste if it meets the following criteria:
- 1) In the case of any solid waste, it does not exhibit any of the characteristics of hazardous waste identified in 721.Subpart C. (However, wastes that exhibit a characteristic at the point of generation may still be subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.)
 - 2) In the case of a waste that is a listed waste under 721.Subpart D, a waste that contains a waste listed under 721.Subpart D, or a waste that is derived from a waste listed in 721.Subpart D, it also has been excluded from subsection (c) above under 35 Ill. Adm. Code 720.120 and 720.122.
- e) Specific inclusions and exclusions.
- 1) Except as otherwise provided in subsection (e)(2) below, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust, or leachate (but not including precipitation run-off), is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.)
 - 2) The following solid wastes are not hazardous even though they are generated from the treatment, storage, or disposal of a hazardous waste unless they exhibit one or more of the characteristics of hazardous waste:
 - A) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC Codes 331 and 332).

- B) Wastes from burning any of the materials exempted from regulation by any of Section 721.106(a)(3)(D) through (a)(3)(F).
- C) Nonwastewater residues, such as slag, resulting from high temperature metal recovery (HTMR) processing of K061, K062, or F006 waste in the units identified in this subsection that are disposed of in non-hazardous waste units, provided that these residues meet the generic exclusion levels identified in the tables in this subsection for all constituents and the residues exhibit no characteristics of hazardous waste. The types of units identified are rotary kilns, flame reactors, electric furnaces, plasma arc furnaces, slag reactors, rotary hearth furnace/electric furnace combinations, or the following types of industrial furnaces (as defined in 35 Ill. Adm. Code 720.110): blast furnaces, smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces), and other furnaces designated by the Agency pursuant to that definition.

_____ (i) Testing requirements must be incorporated in a facility's waste analysis plan or a generator's self-implementing waste analysis plan; at a minimum, composite samples of residues must be collected and analyzed quarterly and when the process or operation generating the waste changes.

_____ (ii) Persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements. The generic exclusion levels are:

Constituent	Maximum for any single composite sample (mg/L)
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Generic exclusion levels for K061 and K062 nonwastewater HTMR residues.

Antimony.....	0.10
Arsenic	0.50
Barium.....	7.6
Beryllium.....	0.010
Cadmium.....	0.050
Chromium (total)	0.33
Lead.....	0.15
Mercury	0.009
Nickel.....	1.0
Selenium.....	0.16
Silver.....	0.30
Thallium.....	0.020
Vanadium	1.26
Zinc	70-

Generic exclusion levels for F006 nonwastewater HTMR residues

Antimony.....	0.10
Arsenic	0.50
Barium.....	7.6
Beryllium.....	0.010
Cadmium.....	0.050
Chromium (total)	0.33
Cyanide (total) (mg/kg).....	1.8
Lead.....	0.15
Mercury	0.009
Nickel.....	1.0
Selenium.....	0.16
Silver.....	0.30
Thallium.....	0.020
Zinc	70-

(iii)

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

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

BOARD NOTE: This subsection would normally correspond with 40 CFR 261.3(e), a subsection which has been deleted and marked "reserved" by U-S-EPA. Rather, this subsection corresponds with 40 CFR 261.3(c)(2), which the Board codified here to comport with codification requirements and enhance clarity.

- D) Biological treatment sludge from the treatment of one of the following wastes listed in Section 721.132: organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K156) and wastewaters from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K157).
- f) Notwithstanding subsections (a) through (e) above and provided the debris, as defined in 35 Ill. Adm. Code 728.102, does not exhibit a characteristic identified at 721.Subpart C, the following materials are not subject to regulation under 35 Ill. Adm. Code 720, 721 to 726, 728, or 730:
- 1) Hazardous debris as defined in 35 Ill. Adm. Code 728.102 that has been treated using one of the required extraction or destruction technologies specified in 35 Ill. Adm. Code 728.Table F; persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements; or
 - 2) Debris as defined in 35 Ill. Adm. Code 728.102 that the Agency, considering the extent of contamination, has determined is no longer contaminated with hazardous waste.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.104 Exclusions

- a) Materials that are not solid wastes. The following materials are not solid wastes for the purpose of this Part:
- 1) Sewage:
 - A) Domestic sewage; and
 - B) Any mixture of domestic sewage and other waste that passes through a sewer system to publicly-owned treatment works for treatment.
 - C) "Domestic sewage" means untreated sanitary wastes that pass through a sewer system.
 - 2) Industrial wastewater discharges that are point source discharges with NPDES permits issued by the Agency pursuant to Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.

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

- 4) Source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)
- 5) Materials subjected to in-situ mining techniques that are not removed from the ground as part of the extraction process.
- 6) Pulping liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process, unless accumulated speculatively, as defined in Section 721.101(c).
- 7) Spent sulfuric acid used to produce virgin sulfuric acid unless it is accumulated speculatively, as defined in Section 721.101(c).
- 8) Secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process, provided:
 - A) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;
 - B) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces or incinerators);
 - C) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed; and
 - D) The reclaimed material is not used to produce a fuel or used to produce products that are used in a manner constituting disposal.
- 9) Wood preserving wastes.
 - A) Spent wood preserving solutions that have been used and which are reclaimed and reused for their original intended purpose; and
 - B) Wastewaters from the wood preserving process that have been reclaimed and which are reused to treat wood.
- 10) Hazardous waste numbers K060, K087, K141, K142, K143, K144, K145, K147, and K148, and any wastes from the coke by-products processes that are hazardous only because they exhibit the toxicity characteristic specified in Section 721.124, when subsequent to generation these materials are recycled to coke ovens, to the tar recovery process as a feedstock to produce coal tar, or are mixed with coal tar prior to the tar's sale or refining. This exclusion is conditioned on there being no land disposal of the waste from the point it is generated to the point it is recycled to coke ovens, to tar recovery, to the tar refining processes, or prior to when it is mixed with coal.
- 11) Nonwastewater splash condenser dross residue from the treatment of hazardous waste number K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery.

- 12) Recovered oil from petroleum refining, exploration, and production and from transportation incident thereto that is to be inserted into the petroleum refining process (SIC Code 2911) along with normal process streams prior to crude distillation or catalytic cracking. This exclusion applies to recovered oil stored or transported prior to insertion, except that the oil must not be stored in a manner involving placement on the land and the oil must not be accumulated speculatively before being recycled. Recovered oil is oil that has been reclaimed from secondary materials (such as wastewater) generated from normal petroleum refining, exploration and production, and transportation practices. Recovered oil includes oil that is recovered from refinery wastewater collection and treatment systems, oil recovered from oil and gas drilling operations, and oil recovered from wastes removed from crude oil storage tanks. Recovered oil does not include (among other things) oil-bearing hazardous wastes listed in 721.Subpart D (e.g., K048 through K052, F037, and F038). However, oil recovered from such wastes may be considered recovered oil. Recovered oil also does not include used oil as defined in 35 Ill. Adm. Code 739.100.
- b) Solid wastes that are not hazardous wastes. The following solid wastes are not hazardous wastes:
- 1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse-derived fuel), or reused. "Household waste" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels, and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under this Part, if such facility:
- A) Receives and burns only:
- i) Household waste (from single and multiple dwellings, hotels, motels, and other residential sources); and
- ii) Solid waste from commercial or industrial sources that does not contain hazardous waste, and
- B) Such facility does not accept hazardous waste and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.

BOARD NOTE: The U.S. Supreme Court determined, in *City of Chicago v. Environmental Defense Fund, Inc.*, ~~no. 02-1639~~ U.S. --, 114 S. Ct. 1588 (May 2, 1994), that this exclusion and RCRA section 3001(i) (42 U.S.C. § 6921(i)) do not exclude the ash from facilities covered by this subsection from regulation as a hazardous waste. At 59 Fed. Reg. 29372 (June 7, 1994), U.S.-EPA granted facilities managing ash from such facilities that is determined a hazardous waste under 721.Subpart C until December 7, 1994 to file a Part A permit application pursuant to 35 Ill. Adm. Code 703.181. At 60 Fed. Reg. 6666 (Feb. 3, 1995), USEPA stated that it interpreted that the

point at which ash becomes subject to RCRA Subtitle C regulation is when that material leaves the combustion building (including connected air pollution control equipment).

- 2) Solid wastes generated by any of the following that are returned to the soil as fertilizers:
 - A) The growing and harvesting of agricultural crops, or
 - B) The raising of animals, including animal manures.
- 3) Mining overburden returned to the mine site.
- 4) Fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, except as provided in 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.
- 5) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy.
- 6) Chromium wastes:
 - A) Wastes that fail the test for the toxicity characteristic (Sections 721.124 and 721.Appendix B) because chromium is present or which are listed in 721.Subpart D due to the presence of chromium, that do not fail the test for the toxicity characteristic for any other constituent or which are not listed due to the presence of any other constituent, and that do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that:
 - i) The chromium in the waste is exclusively (or nearly exclusively) trivalent chromium;
 - ii) The waste is generated from an industrial process that uses trivalent chromium exclusively (or nearly exclusively) and the process does not generate hexavalent chromium; and
 - iii) The waste is typically and frequently managed in non-oxidizing environments.
 - B) Specific wastes that meet the standard in subsection (b)(6)(A) above (so long as they do not fail the test for the toxicity characteristic for any other constituent and do not exhibit any other characteristic) are:
 - i) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

- ii) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;
 - iii) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue;
 - iv) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;
 - v) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;
 - vi) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, and through-the-blue;
 - vii) Waste scrap leather from the leather tanning industry, the shoe manufacturing industry, and other leather product manufacturing industries; and
 - viii) Wastewater treatment sludges from the production of titanium dioxide pigment using chromium-bearing ores by the chloride process.
- 7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste. For purposes of this subsection, beneficiation of ores and minerals is restricted to the following activities: crushing, grinding, washing, dissolution, crystallization, filtration, sorting, sizing, drying, sintering, pelletizing, briquetting, calcining to remove water or carbon dioxide, roasting, autoclaving or chlorination in preparation for leaching (except where the roasting or autoclaving or chlorination and leaching sequence produces a final or intermediate product that does not undergo further beneficiation or processing), gravity concentration, magnetic separation, electrostatic separation, floatation, ion exchange, solvent extraction, electrowinning, precipitation, amalgamation, and heap, dump, vat tank, and in situ leaching. For the purposes of this subsection, solid waste from the processing of ores and minerals includes only the following wastes:
- A) Slag from primary copper processing,

- B) Slag from primary lead processing,
 - C) Red and brown muds from bauxite refining,
 - D) Phosphogypsum from phosphoric acid production,
 - E) Slag from elemental phosphorus production,
 - F) Gasifier ash from coal gasification,
 - G) Process wastewater from coal gasification,
 - H) Calcium sulfate wastewater treatment plant sludge from primary copper processing,
 - I) Slag tailings from primary copper processing,
 - J) Fluorogypsum from hydrofluoric acid production,
 - K) Process wastewater from hydrofluoric acid production,
 - L) Air pollution control dust or sludge from iron blast furnaces,
 - M) Iron blast furnace slag,
 - N) Treated residue from roasting and leaching of chrome ore,
 - O) Process wastewater from primary magnesium processing by the anhydrous process,
 - P) Process wastewater from phosphoric acid production,
 - Q) Basic oxygen furnace and open hearth furnace air pollution control dust or sludge from carbon steel production,
 - R) Basic oxygen furnace and open hearth furnace slag from carbon steel production,
 - S) Chloride processing waste solids from titanium tetrachloride production, and
 - T) Slag from primary zinc smelting.
- 8) Cement kiln dust waste, except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.
- 9) Solid waste that consists of discarded arsenical-treated wood or wood products that fails the test for the toxicity characteristic for hazardous waste codes D004 through D017 and which is not a hazardous waste for any other reason if the waste is generated by persons that utilize the arsenical-treated wood and wood products for these materials' intended end use.

- 10) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of Section 721.124 (hazardous waste codes D018 through D043 only) and which are subject to corrective action regulations under 35 Ill. Adm. Code 731.
 - 11) This subsection corresponds with 40 CFR 261.4(b)(11), which expired by its own terms on January 25, 1993. This statement maintains structural parity with U.S.-EPA regulations.
 - 12) Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems, that uses chlorofluorocarbons as the heat transfer fluid in a refrigeration cycle, provided the refrigerant is reclaimed for further use.
 - 13) Non-terne plated used oil filters that are not mixed with wastes listed in 721.Subpart D, if these oil filters have been gravity hot-drained using one of the following methods:
 - A) Puncturing the filter anti-drain back valve or the filter dome end and hot-draining;
 - B) Hot-draining and crushing;
 - C) Dismantling and hot-draining; or
 - D) Any other equivalent hot-draining method that will remove used oil.
 - 14) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.
- c) Hazardous wastes that are exempted from certain regulations. A hazardous waste that is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit, or an associated non-waste-treatment manufacturing unit, is not subject to regulation under 35 Ill. Adm. Code 702, 703, 705, and 722 through 725, and 728 or to the notification requirements of Section 3010 of RCRA until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing or for storage or transportation of product or raw materials.
- d) Samples
- 1) Except as provided in subsection (d)(2) below, a sample of solid waste or a sample of water, soil, or air that is collected for the sole purpose of testing to determine its characteristics or composition is not subject to any requirements of this Part or 35 Ill. Adm. Code 702, 703, 705, and 722 through 728. The sample qualifies when:
 - A) The sample is being transported to a laboratory for the purpose of testing;
 - B) The sample is being transported back to the sample collector after testing;

- C) The sample is being stored by the sample collector before transport to a laboratory for testing;
 - D) The sample is being stored in a laboratory before testing;
 - E) The sample is being stored in a laboratory for testing but before it is returned to the sample collector; or
 - F) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).
- 2) In order to qualify for the exemption in subsection (d)(1)(A) or (d)(1)(B) above, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector shall:
- A) Comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
 - B) Comply with the following requirements if the sample collector determines that DOT, USPS, or other shipping requirements do not apply to the shipment of the sample:
 - i) Assure that the following information accompanies the sample: The sample collector's name, mailing address, and telephone number; the laboratory's name, mailing address, and telephone number; the quantity of the sample; the date of the shipment; and a description of the sample.
 - ii) Package the sample so that it does not leak, spill, or vaporize from its packaging.
- 3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in subsection (d)(1) above.
- e) Treatability study samples.
- 1) Except as is provided in subsection (e)(2) below, a person that generates or collects samples for the purpose of conducting treatability studies, as defined in 35 Ill. Adm. Code 720.110, are not subject to any requirement of 35 Ill. Adm. Code 721 through 723 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act. Nor are such samples included in the quantity determinations of Section 721.105 and 35 Ill. Adm. Code 722.134(d) when:
- A) The sample is being collected and prepared for transportation by the generator or sample collector;
 - B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or

- C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study.
- 2) The exemption in subsection (e)(1) above is applicable to samples of hazardous waste being collected and shipped for the purpose of conducting treatability studies provided that:
- A) The generator or sample collector uses (in "treatability studies") no more than 10,000 kg of media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media, 1 kg of acute hazardous waste, or 2500 kg of media contaminated with acute hazardous waste for each process being evaluated for each generated wastestream;
 - B) The mass of each shipment does not exceed 10,000 kg; the 10,000 kg quantity may be all media contaminated with non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste;
 - C) The sample must be packaged so that it does not leak, spill, or vaporize from its packaging during shipment and the requirements of subsections (e)(2)(C)(i) or (e)(2)(C)(ii), below, are met.
 - i) The transportation of each sample shipment complies with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
 - ii) If the DOT, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample: The name, mailing address, and telephone number of the originator of the sample; the name, address, and telephone number of the facility that will perform the treatability study; the quantity of the sample; the date of the shipment; and, a description of the sample, including its U-S-EPA hazardous waste number;
 - D) The sample is shipped to a laboratory or testing facility that is exempt under subsection (f) below, or has an appropriate RCRA permit or interim status;
 - E) The generator or sample collector maintains the following records for a period ending three years after completion of the treatability study:
 - i) Copies of the shipping documents;
 - ii) A copy of the contract with the facility conducting the treatability study;
 - iii) Documentation showing: The amount of waste shipped under this exemption; the name, address, and U-S-EPA identification number of the laboratory or testing facility that received the waste; the date the shipment was made; and whether or not unused samples and residues were returned to the generator; and

- F) The generator reports the information required in subsection (e)(2)(E)(iii) above in its report under 35 Ill. Adm. Code 722.141.
- 3) The Agency may grant requests on a case-by-case basis for up to an additional two years for treatability studies involving bioremediation. The Agency may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in subsection (e)(2)(A) and (e)(2)(B) above and (f)(4) below, for up to an additional 5000 kg of media contaminated with non-acute hazardous waste, 500 kg of non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, and 1 kg of acute hazardous waste:
- A) In response to requests for authorization to ship, store, and conduct further treatability studies on additional quantities in advance of commencing treatability studies. Factors to be considered in reviewing such requests include the nature of the technology, the type of process (e.g., batch versus continuous), the size of the unit undergoing testing (particularly in relation to scale-up considerations), the time or quantity of material required to reach steady-state operating conditions, or test design considerations, such as mass balance calculations.
- B) In response to requests for authorization to ship, store, and conduct treatability studies on additional quantities after initiation or completion of initial treatability studies when: There has been an equipment or mechanical failure during the conduct of the treatability study, there is need to verify the results of a previously-conducted treatability study, there is a need to study and analyze alternative techniques within a previously-evaluated treatment process, or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment.
- C) The additional quantities allowed and timeframes allowed in subsections (e)(3)(A) and (e)(3)(B) above are subject to all the provisions in subsections (e)(1) and (e)(2)(B) through (e)(2)(F) above. The generator or sample collector shall apply to the Agency and provide in writing the following information:
- i) The reason why the generator or sample collector requires additional time or quantity of sample for the treatability study evaluation and the additional time or quantity needed;
- ii) Documentation accounting for all samples of hazardous waste from the wastestream that have been sent for or undergone treatability studies, including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;
- iii) A description of the technical modifications or change in specifications that will be evaluated and the expected results;

- iv) If such further study is being required due to equipment or mechanical failure, the applicant shall include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and
 - v) Such other information as the Agency determines is necessary.
- 4) Final Agency determinations pursuant to this subsection may be appealed to the Board.
- f) Samples undergoing treatability studies at laboratories or testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to RCRA requirements) are not subject to any requirement of this Part, or of 35 Ill. Adm. Code 702, 703, 705, 722 through 726, and 728 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act, provided that the requirements of subsections (f)(1) through (f)(11) below are met. A mobile treatment unit may qualify as a testing facility subject to subsections (f)(1) through (f)(11) below. Where a group of mobile treatment units are located at the same site, the limitations specified in subsections (f)(1) through (f)(11) below apply to the entire group of mobile treatment units collectively as if the group were one mobile treatment unit.
 - 1) No less than 45 days before conducting treatability studies, the facility notifies the Agency in writing that it intends to conduct treatability studies under this subsection.
 - 2) The laboratory or testing facility conducting the treatability study has a U-S--EPA identification number.
 - 3) No more than a total of 10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, or 250 kg of other "as received" hazardous waste is subject to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.
 - 4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, and 1 kg of acute hazardous waste. This quantity limitation does not include treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste.
 - 5) No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year (two years for treatability studies involving bioremediation) has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. Up to 500 kg of treated material from a particular waste stream from treatability studies may be archived for future evaluation up to five years from the date of initial receipt. Quantities of materials archived are counted against the total storage limit for the facility.

- 6) The treatability study does not involve the placement of hazardous waste on the land or open burning of hazardous waste.
- 7) The facility maintains records for three years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:
 - A) The name, address, and U-S-EPA identification number of the generator or sample collector of each waste sample;
 - B) The date the shipment was received;
 - C) The quantity of waste accepted;
 - D) The quantity of "as received" waste in storage each day;
 - E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;
 - F) The date the treatability study was concluded;
 - G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated facility, the name of the facility and the U-S-EPA identification number.
- 8) The facility keeps, on-site, a copy of the treatability study contract and all shipping papers associated with the transport of treatability study samples to and from the facility for a period ending three years from the completion date of each treatability study.
- 9) The facility prepares and submits a report to the Agency by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:
 - A) The name, address, and U-S-EPA identification number of the facility conducting the treatability studies;
 - B) The types (by process) of treatability studies conducted;
 - C) The names and addresses of persons for whom studies have been conducted (including their U-S-EPA identification numbers);
 - D) The total quantity of waste in storage each day;
 - E) The quantity and types of waste subjected to treatability studies;
 - F) When each treatability study was conducted; and

- G) The final disposition of residues and unused sample from each treatability study.
- 10) The facility determines whether any unused sample or residues generated by the treatability study are hazardous waste under Section 721.103 and, if so, are subject to 35 Ill. Adm. Code 702, 703, and 721 through 728, unless the residues and unused samples are returned to the sample originator under the subsection (e) exemption above.
- 11) The facility notifies the Agency by letter when the facility is no longer planning to conduct any treatability studies at the site.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

- a) A generator is a conditionally exempt small quantity generator in a calendar month if it generates no more than 100 kilograms of hazardous waste in that month. 35 Ill. Adm. Code 700 explains the relation of this to the 100 kg/mo exception of 35 Ill. Adm. Code 809.
- b) Except for those wastes identified in subsections (e), (f), (g) and (j) below, a conditionally exempt small quantity generator's hazardous wastes are not subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of Section 3010 of Resource Conservation and Recovery Act, provided the generator complies with the requirements of subsections (f), (g) and (j) below.
- ~~c) Hazardous waste that is not subject to regulation or that is subject only to 35 Ill. Adm. Code 722.111, 722.112, 722.140(c) and 722.141 is not included in~~ When making the quantity determinations of this Part and 35 Ill. Adm. Code 722 through 726 and 728, and is not subject to any requirements of those Parts. ~~Hazardous waste that is subject to the requirements of Section 721.106(b) and (c) and 35 Ill. Adm. Code 726.Subparts C, D and F is included in the quantity determinations of this Part and is subject to the requirements of this Part and 35 Ill. Adm. Code 722 through 726 and 728.~~, the generator must include all hazardous waste that it generates, except the following hazardous waste:
- 1) Hazardous waste that is exempt from regulation under Section 721.104(c) through (f), 721.106(a)(3), 721.107(a)(1), or 721.108;
 - 2) Hazardous waste that is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities, as defined in 35 Ill. Adm. Code 720.110;
 - 3) Hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under Section 721.106(c)(2);
 - 4) Hazardous waste that is used oil managed under the requirements of Section 721.106(a)(4) and 35 Ill. Adm. Code 739;
 - 5) Hazardous waste that is spent lead-acid batteries managed under the requirements of 35 Ill. Adm. Code 726.Subpart G; and

6) Hazardous waste that is universal waste managed under Section 721.109 and 35 Ill. Adm. Code 733.

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

- 1) Hazardous waste when it is removed from on-site storage; or
- 2) Hazardous waste produced by on-site treatment (including reclamation) of its hazardous waste so long as the hazardous waste that is treated was counted once; or
- 3) Spent materials that are generated, reclaimed and subsequently reused on-site, so long as such spent materials have been counted once.

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

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

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

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

- 1) 35 Ill. Adm. Code 722.111.
- 2) The generator may accumulate acute hazardous waste on-site. If the generator accumulates at any time acute hazardous wastes in quantities greater than set forth in subsections (e)(1) or (e)(2) above, all of those accumulated wastes are subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(a), for accumulation of wastes on-site, begins when the accumulated wastes exceed the applicable exclusion limit.
- 3) A conditionally exempt shall quantity generator may either treat or dispose of its acute hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment, or disposal facility, either of which provided that if the on-site or off-site facility is located in the United States, it fulfills any of the following conditions; if located in the United States, is:

A)——PThe facility is permitted under 35 Ill. Adm. Code 703;

- B) — ~~I~~ The facility has interim status under 35 Ill. Adm. Code 703 and 725;
- C) — ~~A~~ The facility is authorized to manage hazardous waste by a Sstate with a hazardous waste management program approved by U-S-EPA pursuant to 40 CFR 271;
- D) — ~~P~~ The facility is permitted, licensed or registered by a Sstate to manage municipal or industrial solid waste; ~~or~~
- E) — ~~A~~ The facility is a facility which that:
- i) Beneficially uses or reuses or legitimately recycles or reclaims its waste; or
 - ii) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation; or
- F) For universal waste managed under 35 Ill. Adm. Code 733, the facility is a universal waste handler or destination facility subject to the requirements of 35 Ill. Adm. Code 733.
- g) In order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kilograms of hazardous waste during a calendar month to be excluded from full regulation under this Section, the generator must comply with the following requirements:
- 1) 35 Ill. Adm. Code 722.111;
 - 2) The conditionally exempt small quantity generator may accumulate hazardous waste on-site. If it accumulates at any time more than a total of 1000 kilograms of the generator's hazardous waste, all of those accumulated wastes are subject to regulation under the special provisions of 35 Ill. Adm. Code 722 applicable to generators of between 100 kg and 1000 kg of hazardous waste in a calendar month as well as the requirements of 35 Ill. Adm. Code 702, 703, 705 and 723 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(d) for accumulation of wastes on-site begins for a small quantity generator when the accumulated wastes exceed 1000 kilograms;
 - 3) A conditionally exempt small quantity generator may either treat or dispose of its hazardous waste in an on-site facility, or ensure delivery to an off-site storage, treatment, or disposal facility, either of which provided that if the on-site or off-site facility is located in the United States, it fulfills any of the following conditions; if located in the United States, is:
 - A) — ~~P~~ The facility is permitted under 35 Ill. Adm. Code 702 and 703;
 - B) — ~~I~~ The facility has interim status under 35 Ill. Adm. Code 703 and 725;

- C) ~~—A~~ The facility is authorized to manage hazardous waste by a ~~S~~state with a hazardous waste management program approved by U-S-EPA under 40 CFR 271 (1986);
- D) ~~—P~~ The facility is permitted, licensed or registered by a ~~S~~state to manage municipal or industrial solid waste; ~~or~~
- E) ~~—A~~ The facility is a facility ~~which~~ that:
- i) Beneficially uses or re-uses, or legitimately recycles or reclaims the small quantity generator's waste; or
 - ii) Treats its waste prior to beneficial use or re-use, or legitimate recycling or reclamation; or
- F) For universal waste managed under 35 Ill. Adm. Code 733, the facility is a universal waste handler or destination facility subject to the requirements of 35 Ill. Adm. Code 733.
- h) Hazardous waste subject to the reduced requirements of this Section may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this Section, unless the mixture meets any of the characteristics of hazardous wastes identified in Subpart C.
- i) If a small quantity generator mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this Section, the mixture is subject to full regulation.
- j) If a conditionally exempt small quantity generator's hazardous wastes are mixed with used oil, the mixture is subject to 35 Ill. Adm. Code 739, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated if it is destined to be burned for energy recovery.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.106 Requirements for Recyclable Materials

- a) Recyclable materials:
- 1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsections (b) and (c) below, except for the materials listed in subsections (a)(2) and (a)(3) below. Hazardous wastes that are recycled will be known as "recyclable materials".
 - 2) The following recyclable materials are not subject to the requirements of this Section but are regulated under 35 Ill. Adm. Code 726.Subparts C through H and all applicable provisions in 35 Ill. Adm. Code 702, 703, and 705.
 - A) Recyclable materials used in a manner constituting disposal (35 Ill. Adm. Code 726.Subpart C);

- B) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O (35 Ill. Adm. Code 726.Subpart H);
 - C) Recyclable materials from which precious metals are reclaimed (35 Ill. Adm. Code 726.Subpart F);
 - D) Spent lead-acid batteries that are being reclaimed (35 Ill. Adm. Code 726.Subpart G).
- 3) The following recyclable materials are not subject to regulation under 35 Ill. Adm. Code 722 through 726, 728, or 702, 703, or 705 and are not subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:
- A) Industrial ethyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in 35 Ill. Adm. Code 722.158:
 - i) A person initiating a shipment for reclamation in a foreign country and any intermediary arranging for the shipment shall comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6), and (b); and 722.157; shall export such materials only upon consent of the receiving country and in conformance with the U.S.-EPA Acknowledgement of Consent, as defined in 35 Ill. Adm. Code 722.Subpart E; and shall provide a copy of the U.S.-EPA Acknowledgement of Consent to the shipment to the transporter transporting the shipment for export;
 - ii) Transporters transporting a shipment for export shall not accept a shipment if the transporter knows that the shipment does not conform to the U.S.-EPA Acknowledgement of Consent, shall ensure that a copy of the U.S.-EPA Acknowledgement of Consent accompanies the shipment, and shall ensure that it is delivered to the facility designated by the person initiating the shipment;
 - ~~B) Used batteries (or used battery cells) returned to a battery manufacturer for regeneration;~~
 - ~~C) Scrap metal;~~
 - ~~D) Fuels produced from the refining of oil-bearing hazardous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices (this exemption does not apply to fuels produced from oil recovered from oil-bearing hazardous waste where such recovered oil is already excluded under Section 721.104(a)(12));~~
 - ~~E) Petroleum refining wastes.~~

- i) Hazardous waste fuel produced from oil-bearing hazardous wastes from petroleum refining, production, or transportation practices or produced from oil reclaimed from such hazardous wastes, where such hazardous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil, so long as the resulting fuel meets the used oil specification under 35 Ill. Adm. Code 726.140(e) and so long as no other hazardous wastes are used to produce the hazardous waste fuel;
 - ii) Hazardous waste fuel produced from oil-bearing hazardous waste from petroleum refining production, and transportation practices, where such hazardous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and
 - iii) Oil reclaimed from oil-bearing hazardous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and
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- FE) Petroleum coke produced from petroleum refinery hazardous wastes containing oil by the same person that generated the wastes unless the resulting coke product exceeds one or more of the characteristics of hazardous waste in 721.Subpart C.
- 4) Used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic is not subject to the requirements of 35 Ill. Adm. Code 720 through 728, but it is regulated under 35 Ill. Adm. Code 739. Used oil that is recycled includes any used oil that is reused for any purpose following its original use (including the purpose for which the oil was originally used). Such term includes, but is not limited to, oil that is re-refined, reclaimed, burned for energy recovery, or reprocessed.
 - b) Generators and transporters of recyclable materials are subject to the applicable requirements of 35 Ill. Adm. Code 722 and 723 and the notification requirements under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) above.
 - c) Storage and recycling:
 - 1) Owners or operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of 35 Ill. Adm. Code 702, 703, and 705; 724.Subparts A through L, AA, and BB; and 725.Subparts A through L, AA, and BB; 726; 728; and the notification requirement under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) above. (The recycling process itself is exempt from regulation, except as provided in subsection (d) below.)

- 2) Owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to the following requirements, except as provided in subsection (a) above:
 - A) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act,
 - B) 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies), and
 - C) subsection (d) below.
- d) Owners or operators of facilities required to have a RCRA permit pursuant to 35 Ill. Adm. Code 703 with hazardous waste management units that recycle hazardous wastes are subject to 35 Ill. Adm. Code 724.Subparts AA and BB and 725.Subparts AA and BB.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.109 Requirements for Universal Waste

The wastes listed in this Section are exempt from regulation under 35 Ill. Adm. Code 702 through 705, 722 through 726, and 728, except as specified in 35 Ill. Adm. Code 733, and are therefore not fully regulated as hazardous waste. The wastes listed in this Section are subject to regulation under 35 Ill. Adm. Code 733:

- a) Batteries, as described in 35 Ill. Adm. Code 733.102;
- b) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- c) Thermostats, as described in 35 Ill. Adm. Code 733.104.

(Source: Added at 20 Ill. Reg. _____, effective _____)

SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.130 General

- a) A solid waste is a hazardous waste if it is listed in this Subpart, unless it has been excluded from this list under 35 Ill. Adm. Code 720.120 and 720.122.
- b) The basis for listing the classes or types of wastes listed in this Subpart is indicated by employing one or more of the Hazard Codes:
 - 1) Hazard Codes:
 - A) Ignitable Waste (I)
 - B) Corrosive Waste (C)
 - C) Reactive Waste (R)

- D) Toxicity Characteristic (E)
- E) Acute Hazardous Waste (H)
- F) Toxic Waste (T)

2) Appendix G identifies the constituent which caused the Administrator to list the waste as a Toxicity Characteristic (E) or Toxic Waste (T) in Sections 721.131 and 721.132.

c) Each hazardous waste listed in this Subpart is assigned an EPA Hazardous Waste Number which precedes the name of the waste. This number must be used in complying with the notification requirements of Section 3010 of the Act and certain recordkeeping and reporting requirements under 35 Ill. Adm. Code 702, 703, 722 through 725 and 728 and 40 CFR 122.

d) The following hazardous wastes listed in Section 721.131 or 721.132 are subject to the exclusion limits for acute hazardous wastes established in Section 721.105: hazardous waste numbers F020, F021, F022, F023, F026 and F027.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.131 Hazardous Wastes From Nonspecific Sources

a) The following solid wastes are listed hazardous wastes from non-specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Section 721. Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
F001	The following spent halogenated solvents used in degreasing: tetra- chloroethylene, trichloroethylene, methylene chloride, 1,1,1-tri- chloroethane, carbon tetrachloride and chlorinated fluorocarbons; all spent solvent mixtures and blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F002	The following spent halogenated solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, orthodichlorobenzene, trichlorofluoromethane and 1,1,2-trichloro- ethane; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those solvents listed in F001, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)

F003	The following spent non-halogenated solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone and methanol; all spent solvent mixtures and blends containing, before use, only the above spent non-halogenated solvents; and all spent solvent mixtures and blends containing, before use, one or more of the above non-halogenated solvents and a total of ten percent or more (by volume) of one or more of those solvents listed in F001, F002, F004 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I)
F004	The following spent non-halogenated solvents: cresols and cresylic acid and nitrobenzene; all spent solvent mixtures and blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(T)
F005	The following spent non-halogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol and 2-nitropropane; all spent solvent mixtures and blends, containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those solvents listed in F001, F002 or F004; and still bottoms from the recovery of these spent solvents and spent solvent mixtures.	(I, T)
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.	(T)
F019	See Below	
F007	Spent cyanide plating bath solutions from electroplating operations.	(R, T)
F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.	(R, T)
F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.	(R, T)
F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.	(R, T)
F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.	(R, T)

F012	Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.	(T)
F019	Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.	(T)
F020	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	(H)
F021	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.	(H)
F022	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzenes under alkaline conditions.	(H)
F023	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	(H)
F024	Process wastes including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts and wastes listed in this Section or Section 721.132.)	(T)

F025	Condensed light ends, spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.	(T)
F026	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate or component in a formulating process) of tetra-, penta- or hexachlorobenzene under alkaline conditions.	(H)
F027	Discarded unused formulations containing tri-, tetra- or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component).	(H)
F028	Residues resulting from the incineration or thermal treatment of soil contaminated with hazardous waste numbers F020, F021, F022, F023, F026 and F027.	(T)
F032	Wastewaters, (except those that have not come into contact with process contaminants), process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with Section 721.135 and where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.	(T)
F034	Wastewaters, (except those that have not come into contact with process contaminants), process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.	(T)

- F035 Wastewaters, (except those that have not come into contact with process contaminants), process residuals, preservative drippage and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol. (T)
- F037 Petroleum refinery primary oil/water/solids separation sludge -- Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in subsection (b)(2), below, (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing. (T)
- F038 Petroleum refinery secondary (emulsified) oil/water/solids separation sludge -- Any sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges and floats generated in aggressive biological treatment units as defined in subsection (b)(2), below, (including sludges and floats generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units), F037, K048 and K051 wastes are not included in this listing. (T)
- F039 Leachate (liquids which have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under Subpart D. (Leachate resulting from the disposal of one or more of the following USEPA hazardous wastes and no other hazardous wastes retains its USEPA hazardous waste number(s): F020, F021, F022, F026, F027 or F028.) (T)

BOARD NOTE: The primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The letter H indicates Acute Hazardous Waste.

- b) Listing specific definitions.
- 1) For the purpose of the F037 and F038 listings, oil/water/solids is defined as oil or water or solids.
 - 2) For the purposes of the F037 and F038 listings:
 - A) Aggressive biological treatment units are defined as units which employ one of the following four treatment methods: activated sludge; trickling filter; rotating biological contactor for the continuous accelerated biological oxidation of wastewaters; or, high-rate aeration. High-rate aeration is a system of surface impoundments or tanks, in which intense mechanical aeration is used to completely mix the wastes, enhance biological activity, and:
 - i) The units employ a minimum of 6 horsepower per million gallons of treatment volume; and either
 - ii) The hydraulic retention time of the unit is no longer than 5 days; or
 - iii) The hydraulic retention time is no longer than 30 days and the unit does not generate a sludge that is a hazardous waste by the toxicity characteristic.
 - B) Generators and treatment, storage or disposal (TSD) facilities have the burden of proving that their sludges are exempt from listing as F037 or F038 wastes under this definition. Generators and TSD facilities shall maintain, in their operating or other on site records, documents and data sufficient to prove that:
 - i) The unit is an aggressive biological treatment unit as defined in this subsection; and
 - ii) The sludges sought to be exempted from F037 or F038 were actually generated in the aggressive biological treatment unit.
 - 3) Time of generation. For the purposes of:
 - A) The F037 listing, sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement.
 - B) The F038 listing:
 - i) Sludges are considered to be generated at the moment of deposition in the unit, where deposition is defined as at least a temporary cessation of lateral particle movement; and

- ii) Floats are considered to be generated at the moment they are formed in the top of the unit.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.132 Hazardous Waste from Specific Sources

The following solid wastes are listed hazardous wastes from specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Section 721.Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
Wood Preservation:		
K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and or pentachlorophenol.	(T)
Inorganic Pigments:		
K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.	(T)
K003	Wastewater treatment sludge from the production of molybdate orange pigments.	(T)
K004	Wastewater treatment sludge from the production of zinc yellow pigments.	(T)
K005	Wastewater treatment sludge from the production of chrome green pigments.	(T)
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	(T)
K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)
K008	Oven residue from the production of chrome oxide green pigments.	(T)
Organic Chemicals:		
K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R,T)

K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.	(T)
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.	(T)
K015	Still bottoms from the distillation of benzyl chloride.	(T)
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.	(T)
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	(T)
K018	Heavy ends from the fractionation column in ethyl chloride production.	(T)
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	(T)
K020	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.	(T)
K021	Aqueous spent antimony catalyst waste from fluoromethanes production.	(T)
K022	Distillation bottom tars from the production of phenol/acetone from cumene.	(T)
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.	(T)
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.	(T)
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.	(T)
K094	Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	(T)
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	(T)
K026	Stripping still tails from the production of methyl ethyl pyridines.	(T)
K027	Centrifuge and distillation residues from toluene diisocyanate production.	(R, T)
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	(T)
K029	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.	(T)

K095	Distillation bottoms from the production of 1,1,1-trichloroethane.	(T)
K096	Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	(T)
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	(T)
K083	Distillation bottoms from aniline production.	(T)
K103	Process residues from aniline extraction from the production of aniline.	(T)
K104	Combined wastewater streams generated from nitrobenzene/aniline production.	(T)
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.	(T)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	(T)
K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C,T)
K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I,T)
K109	Spent filter cartridges from the product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K110	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K111	Product wastewaters from the production of dinitrotoluene via nitration of toluene.	(C,T)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K114	Vicinals from the purification of toluene-diamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)

K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)
K118	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
<u>K156</u>	<u>Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.</u>	<u>(T)</u>
<u>K157</u>	<u>Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes.</u>	<u>(T)</u>
<u>K158</u>	<u>Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes.</u>	<u>(T)</u>
<u>K159</u>	<u>Organics from the treatment of thiocarbamate wastes.</u>	<u>(T)</u>
<u>K160</u>	<u>Solids (including filter wastes, separation solids, and spent catalysts) from the production of thiocarbamates and solids from the treatment of thiocarbamate wastes.</u>	<u>(T)</u>
<u>K161</u>	<u>Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126.)</u>	<u>(R, T)</u>

Inorganic Chemicals:

K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.	(T)
K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.	(T)
K106	Wastewater treatment sludge from the mercury cell process in chlorine production.	(T)

Pesticides:

K031	By-product salts generated in the production of MSMA and cacodylic acid.	(T)
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K032	Wastewater treatment sludge from the production of chlordane.	(T)
K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	(T)
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	(T)
K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	(T)
K035	Wastewater treatment sludges generated in the production of creosote.	(T)
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	(T)
K037	Wastewater treatment sludges from the production of disulfoton.	(T)
K038	Wastewater from the washing and stripping of phorate production.	(T)
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	(T)
K040	Wastewater treatment sludge from the production of phorate.	(T)
K041	Wastewater treatment sludge from the production of toxaphene.	(T)
K098	Untreated process wastewater from the production of toxaphene.	(T)
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	(T)
K043	2,6-Dichlorophenol waste from the production of 2,4-D.	(T)
K099	Untreated wastewater from the production of 2,4-D.	(T)
K123	Process wastewater (including supernates, filtrates and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	(C,T)
K125	Filtration, evaporation and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.	(T)

K131 Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide. (C,T)

K132 Spent absorbent and wastewater separator solids from the production of methyl bromide. (T)

Explosives:

K044 Wastewater treatment sludges from the manufacturing and processing of explosives. (R)

K045 Spent carbon from the treatment of wastewater containing explosives. (R)

K046 Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds. (T)

K047 Pink/red water from TNT operations. (R)

Petroleum Refining:

K048 Dissolved air flotation (DAF) float from the petroleum refining industry. (T)

K049 Slop oil emulsion solids from the petroleum refining industry. (T)

K050 Heat exchanger bundle cleaning sludge from the petroleum refining industry. (T)

K051 API separator sludge from the petroleum refining industry. (T)

K052 Tank bottoms (leaded) from the petroleum refining industry. (T)

Iron and Steel:

K061 Emission control dust/sludge from the primary production of steel in electric furnaces. (T)

K062 Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332) (as defined in 35 Ill. Adm. Code 720.110). (C,T)

Primary Copper:

K064 Acid plant blowdown slurry or sludge resulting from the thickening of blowdown slurry from primary copper production. (T)

Primary Lead:

K065 Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities. (T)

Primary Zinc:

K066 Sludge from treatment of process wastewater or acid plant blowdown from primary zinc production. (T)

BOARD NOTE: This waste listing is the subject of a judicial remand in American Mining Congress v. EPA, 907 F.2d 1179 (D.D.C. 1990). The Board intends that this listing not become enforceable in Illinois until the first date upon which the Board RCRA program becomes "not equivalent to the Federal program", within the meaning of Section 3006(b) of the RCRA Act, 42 U.S.C. 6926(b), the Board RCRA rules become "less stringent" than the USEPA rules, as this phrase is used in Section 3009, 42 U.S.C. 6929, or the Board RCRA rules are not "identical in substance" with the federal rules as that term is intended by Ill. Rev. Stat. 1991 ch. 111½, pars. 1007.2 and 1022.4 [415 ILCS 5/7.2 and 5/22.4] as a result of some action by USEPA with regard to this listing in response to the American Mining Congress remand.

Primary Aluminum:

K088 Spent potliners from primary aluminum reduction. (T)

Ferroalloys:

K090 Emission control dust or sludge from ferrochromiumsilicon production. (T)

K091 Emission control dust or sludge from ferrochromium production. (T)

Secondary Lead:

K069 Emission control dust/sludge from secondary lead smelting. (T)
BOARD NOTE: This listing is administratively stayed for sludge generated from secondary acid scrubber systems. The stay will remain in effect until this note is removed.

K100 Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting. (T)

Veterinary Pharmaceuticals:

K084 Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. (T)

K101 Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organoarsenic compounds. (T)

K102 Residue from use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. (T)

Ink Formulation:

K086 Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps and stabilizers containing chromium and lead. (T)

Coking:

K060 Ammonia still lime sludge from coking operations. (T)

K087 Decanter tank tar sludge from coking operations. (T)

K141 Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludges from coking operations). (T)

K142 Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal. (T)

K143 Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal. (T)

K144 Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal. (T)

K145 Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal. (T)

K147 Tar storage tank residues from coal tar refining. (T)

K148 Residues from coal tar distillation, including but not limited to, still bottoms. (T)

K149 Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.) (T)

K150 Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (T)

- K151 Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (T)

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Container Residues, and Spill Residues Thereof

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded as described in Section 721.102(a)(2)(A), when they are mixed with waste oil or used oil or other material and applied to the land for dust suppression or road treatment, when they are otherwise applied to the land in lieu of their original intended use or when they are contained in products that are applied to land in lieu of their original intended use, or when, in lieu of their original intended use, they are produced for use as (or as a component of) a fuel, distributed for use as a fuel, or burned as a fuel.

- a) Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in subsections (e) or (f) below.
- b) Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsections (e) or (f) below.
- c) Any residue remaining in a container or inner liner removed from a container that has held any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) below, unless the container is empty as defined in Section 721.107(b)(3).

BOARD NOTE: Unless the residue is being beneficially used or reused, or legitimately recycled or reclaimed, or being accumulated, stored, transported, or treated prior to such use, reuse, recycling, or reclamation, the Board considers the residue to be intended for discard, and thus a hazardous waste. An example of a legitimate reuse of the residue would be where the residue remains in the container and the container is used to hold the same commercial chemical product or manufacturing chemical intermediate it previously held. An example of the discard of the residue would be where the drum is sent to a drum reconditioner that reconditions the drum but discards the residue.

- d) Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) below, or any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water, of any off-specification chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) or (f) below.

BOARD NOTE: The phrase "commercial chemical product or manufacturing chemical intermediate having the generic name listed in ..." refers to a chemical substance that is manufactured or formulated for commercial or manufacturing use which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient.

It does not refer to a material, such as a manufacturing process waste, that contains any of the substances listed in subsection 5 (e) or (f) below. Where a manufacturing process waste is deemed to be a hazardous waste because it contains a substance listed in subsection 5 (e) or (f) below, such waste will be listed in either Sections 721.131 or 721.132 or will be identified as a hazardous waste by the characteristics set forth in Subpart C.

- e) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products or manufacturing chemical intermediates referred to in subsections (a) through (d) above, are identified as acute hazardous waste (H) and are subject to the small quantity exclusion defined in Section 721.105(e). These wastes and their corresponding EPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), and R (Reactivity). The absence of a letter indicates that the compound only is listed for acute toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-
P002	591-08-2	Acetamide, N-(aminothioxomethyl)
P057	640-19-7	Acetamide, 2-fluoro-
P058	62-74-8	Acetic acid, fluoro-, sodium salt
P002	591-08-2	1-Acetyl-2-thiourea
P003	107-02-8	Acrolein
P070	116-06-3	Aldicarb
<u>P203</u>	<u>1646-88-4</u>	<u>Aldicarb sulfone</u>
P004	309-00-2	Aldrin
P005	107-18-6	Allyl alcohol
P006	20859-73-8	Aluminum phosphide (R, T)
P007	2763-96-4	5-(Aminomethyl)-3-isoxazolol
P008	504-24-5	4-Aminopyridine
P009	131-74-8	Ammonium picrate (R)
P119	7803-55-6	Ammonium vanadate
P099	506-61-6	Argentate(1-), bis(cyano-C)-, potassium
P010	7778-39-4	Arsenic acid H ₃ AsO ₄
P012	1327-53-3	Arsenic oxide As ₂ O ₃
P011	1303-28-2	Arsenic oxide As ₂ O ₅
P011	1303-28-2	Arsenic pentoxide
P012	1327-53-3	Arsenic trioxide
P038	692-42-2	Arsine, diethyl-
P036	696-28-6	Arsonous dichloride, phenyl-
P054	151-56-4	Aziridine
P067	75-55-8	Aziridine, 2-methyl
P013	542-62-1	Barium cyanide
P024	106-47-8	Benzenamine, 4-chloro-
P077	100-01-6	Benzenamine, 4-nitro-
P028	100-44-7	Benzene, (chloromethyl)-
P042	51-43-4	1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (R)-
P046	122-09-8	Benzeneethanamine, alpha, alpha-dimethyl-
P014	108-98-5	Benzenethiol
<u>P127</u>	<u>1563-66-2</u>	<u>7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate</u>
<u>P188</u>	<u>57-64-7</u>	<u>Benzoic acid, 2-hydroxy-, compound with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo[2,3-b]-indol-5-yl methylcarbamate ester (1:1)</u>
P001	<u>P81-81-2*</u>	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations greater than 0.3%
P028	100-44-7	Benzyl chloride
P015	7440-41-7	Beryllium powder
P017	598-31-2	Bromoacetone
P018	357-57-3	Brucine
P045	39196-18-6	2-Butanone, 3,3-dimethyl-1-(methylthio)-, O-[methylamino)carbonyl] oxime

<u>P021</u>	<u>592-01-8</u>	Calcium cyanide
<u>P021</u>	<u>592-01-8</u>	Calcium cyanide $\text{Ca}(\text{CN})_2$
<u>P189</u>	<u>55285-14-8</u>	<u>Carbamic acid, [(dibutylamino)- thio]methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester</u>
<u>P191</u>	<u>644-64-4</u>	<u>Carbamic acid, dimethyl-, 1-[(dimethyl-amino)-carbonyl]-5-methyl-1H-pyrazol-3-yl ester</u>
<u>P192</u>	<u>119-38-0</u>	<u>Carbamic acid, dimethyl-, 3-methyl-1-(1-methylethyl)-1H-pyrazol-5-yl ester</u>
<u>P190</u>	<u>1129-41-5</u>	<u>Carbamic acid, methyl-, 3-methylphenyl ester</u>
<u>P127</u>	<u>1563-66-2</u>	<u>Carbofuran</u>
<u>P022</u>	<u>75-15-0</u>	Carbon disulfide
<u>P095</u>	<u>75-44-5</u>	Carbonic dichloride
<u>P189</u>	<u>55285-14-8</u>	<u>Carbosulfan</u>
<u>P023</u>	<u>107-20-0</u>	Chloroacetaldehyde

P024	106-47-8	p-Chloroaniline
P026	5344-82-1	1-(o-Chlorophenyl)thiourea
P027	542-76-7	3-Chloropropionitrile
P029	544-92-3	Copper cyanide
P029	544-92-3	Copper cyanide CuCN
<u>P202</u>	<u>64-00-6</u>	<u>m-Cumenyl methylcarbamate</u>
P030		<u>Cyanides (soluble cyanide salts), not otherwise specified</u>
P031	460-19-5	Cyanogen
P033	506-77-4	Cyanogen chloride
P033	506-77-4	Cyanogen chloride CNCl
P034	131-89-5	2-Cyclohexyl-4,6-dinitrophenol
P016	542-88-1	Dichloromethyl ether
P036	696-28-6	Dichlorophenylarsine
P037	60-57-1	Dieldrin
P038	692-42-2	Diethylarsine
P041	311-45-5	Diethyl-p-nitrophenyl phosphate
P040	297-97-2	O,O-Diethyl O-pyrazinyl phosphorothioate
P043	55-91-4	Diisopropylfluorophosphate (DFP)
<u>P191</u>	<u>644-64-4</u>	<u>Dimetilan</u>
P004	309-00-2	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha,4alpha,4abeta,5alpha,8alpha,8abeta)-
P060	465-73-6	1,4,5,8-Di-methanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha,4alpha,4abeta,5beta,8beta,8abeta)-
P037	60-57-1	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha,2beta,2aalpha,3beta,6beta,6aalpha,7beta,7aalpha)-
P051	P72-20-8*	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha,2beta,2abeta,3alpha,6alpha,6abeta,7beta,7aalpha)-, and metabolites
P044	60-51-5	Dimethoate
P046	122-09-8	alpha,alpha-Dimethylphenethylamine
P047	534-52-1*	4,6-Dinitro-o-cresol and salts
P048	51-28-5	2,4-Dinitrophenol
P020	88-85-7	Dinoseb
P085	152-16-9	Diphosphoramidate, octamethyl-
P111	107-49-3	Diphosphoric acid, tetraethyl ester
P039	298-04-4	Disulfoton
P049	541-53-7	Dithiobiuret
<u>P185</u>	<u>26419-73-8</u>	<u>1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O-[(methylamino)- carbonyl]oxime</u>
P050	115-29-7	Endosulfan
P088	145-73-3	Endothall
P051	72-20-8	Endrin
P051	72-20-8	Endrin, and metabolites
P042	51-43-4	Epinephrine
P031	460-19-5	Ethanedinitrile
<u>P194</u>	<u>23135-22-0</u>	<u>Ethanimidothioc acid, 2-(dimethylamino)-N-[[methyl-</u>

P066	16752-77-5	<u>amino)carbonyl]oxy]-2-oxo-, methyl ester</u> Ethanimidathioic acid, N-[[<u>(methylamino)carbonyl]oxy]-, methyl ester</u>
P101	107-12-0	Ethyl cyanide
P054	151-56-4	Ethylenimine
P097	52-85-7	Famphur
P056	7782-41-4	Fluorine
P057	640-19-7	Fluoroacetamide
P058	62-74-8	Fluoroacetic acid, sodium salt
<u>P198</u>	<u>23422-53-9</u>	<u>Formetanate hydrochloride</u>
<u>P197</u>	<u>17702-57-7</u>	<u>Formparanate</u>
<u>P065</u>	<u>628-86-4</u>	<u>Fulminic acid, mercury (2+) salt (R,T)</u>
P059	76-44-8	Heptachlor
P062	757-58-4	Hexaethyl tetraphosphate
P116	79-19-6	Hydrazinecarbothioamide
P068	60-34-4	Hydrazine, methyl-
P063	74-90-8	Hydrocyanic acid
P063	74-90-8	Hydrogen cyanide
P096	7803-51-2	Hydrogen phosphide
P060	465-73-6	Isodrin
<u>P192</u>	<u>119-38-0</u>	<u>Isolan</u>
<u>P202</u>	<u>64-00-6</u>	<u>3-Isopropylphenyl-N-methylcarbamate</u>
P007	2763-96-4	3(2H)-Isoxazolone, 5-(aminomethyl)-
<u>P196</u>	<u>15339-36-3</u>	<u>Manganese, bis(dimethylcarbomodithioato-S,S')-</u>
<u>P196</u>	<u>15339-36-3</u>	<u>Manganese dimethyldithiocarbamate</u>
P092	62-38-4	Mercury, (acetato-O)phenyl-
P065	628-86-4	Mercury fulminate (R,T)
P082	62-75-9	Methanamine, N-methyl-N-nitroso-
P064	624-83-9	Methane, isocyanato-
P016	542-88-1	Methane, oxybis[chloro-
P112	509-14-8	Methane, tetranitro- (R)
P118	75-70-7	Methanethiol, trichloro-
<u>P198</u>	<u>23422-53-9</u>	<u>Methanimidamide, N,N-dimethyl-N'-[3-[[<u>(methylamino)carbonyl]oxy]phenyl]-, monohydrochloride</u></u>
<u>P197</u>	<u>17702-57-7</u>	<u>Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[[<u>(methylamino)carbonyl]oxy]phenyl]-</u></u>
<u>P199</u>	<u>2032-65-7</u>	<u>Methiocarb</u>
P050	115-29-7	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide
P059	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-
P066	16752-77-5	Methomyl
P068	60-34-4	Methyl hydrazine
P064	624-83-9	Methyl isocyanate

P069	75-86-5	2-Methylactonitrile
P071	298-00-0	Methyl parathion
<u>P190</u>	<u>1129-41-5</u>	<u>Metolcarb</u>
<u>P129</u>	<u>315-8-4</u>	<u>Mexacarbate</u>
P072	86-88-4	alpha-Naphthylthiourea
P073	13463-39-3	Nickel carbonyl
P073	13463-39-3	Nickel carbonyl Ni(CO) ₄ , (T-4)-
P074	557-19-7	Nickel cyanide

P074	557-19-7	Nickel cyanide Ni(CN) ₂
P075	54-11-5*	Nicotine, and salts
P076	10102-43-9	Nitric oxide
P077	100-01-6	p-Nitroaniline
P078	10102-44-0	Nitrogen dioxide
P076	10102-43-9	Nitrogen oxide NO
P078	10102-44-0	Nitrogen oxide NO ₂
P081	55-63-0	Nitroglycerine (R)
P082	62-75-9	N-Nitrosodimethylamine
P084	4549-40-0	N-Nitrosomethylvinylamine
P085	152-16-9	Octamethylpyrophosphoramidate
P087	20816-12-0	Osmium oxide OsO ₄ , (T-4)-
P087	20816-12-0	Osmium tetroxide
P088	145-73-3	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid
<u>P194</u>	<u>23135-22-0</u>	<u>Oxamyl</u>
<u>P089</u>	<u>56-38-2</u>	<u>Parathion</u>
<u>P034</u>	<u>131-89-5</u>	<u>Phenol, 2-cyclohexyl-4,6-dinitro-</u>
<u>P128</u>	<u>315-18-4</u>	<u>Phenol, 4-(dimethylamino)-3,5-dimethyl-, methyl-</u> <u>carbamate (ester)</u>
<u>P199</u>	<u>2032-65-7</u>	<u>Phenol, (3,5-dimethyl-4-(methylthio)-, methylcarbamate</u>
<u>P048</u>	<u>51-28-5</u>	<u>Phenol, 2,4-dinitro-</u>
<u>P047</u>	<u>P534-52-1*</u>	<u>Phenol, 2-methyl-4,6-dinitro-, and salts</u>
<u>P202</u>	<u>64-00-6</u>	<u>Phenol, 3-(1-methylethyl)-, methyl carbamate</u>
<u>P201</u>	<u>2631-37-0</u>	<u>Phenol, 3-methyl-5-(1-methylethyl)-</u>
<u>P020</u>	<u>88-85-7</u>	<u>Phenol, 2-(1-methylpropyl)-4,6-dinitro-</u>
<u>P009</u>	<u>131-74-8</u>	<u>Phenol, 2,4,6-trinitro-, ammonium salt (R)</u>
<u>P092</u>	<u>62-38-4</u>	<u>Phenylmercury acetate</u>
<u>P093</u>	<u>103-85-5</u>	<u>Phenylthiourea</u>
<u>P094</u>	<u>298-02-2</u>	<u>Phorate</u>
<u>P095</u>	<u>75-44-5</u>	<u>Phosgene</u>
<u>P096</u>	<u>7803-51-2</u>	<u>Phosphine</u>
<u>P041</u>	<u>311-45-5</u>	<u>Phosphoric acid, diethyl 4-nitrophenyl ester</u>
<u>P039</u>	<u>298-04-4</u>	<u>Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)-</u> <u>ethyl] ester</u>
<u>P094</u>	<u>298-02-2</u>	<u>Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)-</u> <u>methyl] ester</u>
<u>P044</u>	<u>60-51-5</u>	<u>Phosphorodithioic acid, O,O-dimethyl S-[2-(methyl-</u> <u>amino)-2-oxoethyl]ester</u>
<u>P043</u>	<u>55-91-4</u>	<u>Phosphorofluoridic acid, bis(1-methylethyl)ester</u>
<u>P089</u>	<u>56-38-2</u>	<u>Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl)</u> <u>ester</u>
<u>P040</u>	<u>297-97-2</u>	<u>Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester</u>
<u>P097</u>	<u>52-85-7</u>	<u>Phosphorothioic acid, O-[4-[(dimethylamino)sulfonyl]-</u> <u>phenyl] O,O-dimethyl ester</u>
<u>P071</u>	<u>298-00-0</u>	<u>Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl)</u> <u>ester</u>
<u>P204</u>	<u>57-47-6</u>	<u>Physostigmine</u>
<u>P188</u>	<u>57-64-7</u>	<u>Physostigmine salicylate</u>
<u>P110</u>	<u>78-00-2</u>	<u>Plumbane, tetraethyl-</u>
<u>P098</u>	<u>151-50-8</u>	<u>Potassium cyanide</u>
<u>P098</u>	<u>151-50-8</u>	<u>Potassium cyanide KCN</u>

P099	506-61-6	Potassium silver cyanide
<u>P201</u>	<u>2631-37-0</u>	<u>Promecarb</u>
<u>P203</u>	<u>1646-88-4</u>	<u>Propanal, 2-methyl-2-(methylsulfonyl)-, O-[(methylamino)carbonyl] oxime</u>
P070	116-06-3	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl]oxime
P101	107-12-0	Propanenitrile
P027	542-76-7	Propanenitrile, 3-chloro-
P069	75-86-5	Propanenitrile, 2-hydroxy-2-methyl-
P081	55-63-0	1,2,3-Propanetriol, trinitrate- (R)
P017	598-31-2	2-Propanone, 1-bromo-
P102	107-19-7	Propargyl alcohol
P003	107-02-8	2-Propenal
P005	107-18-6	2-Propen-1-ol
P067	75-55-8	1,2-Propylenimine
P102	107-19-7	2-Propyn-1-ol
P008	504-24-5	4-Pyridinamine
P075	<u>P54-11-5*</u>	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (S)- and salts
<u>P204</u>	<u>57-47-6</u>	<u>Pyrrolo[2,3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methylcarbamate (ester), (3aS-cis)-</u>
P114	12039-52-0	Selenious acid, dithallium (1+) salt
P103	630-10-4	Selenourea
P104	506-64-9	Silver cyanide
P104	506-64-9	Silver cyanide AgCN
P105	26628-22-8	Sodium azide
P106	143-33-9	Sodium cyanide
P106	143-33-9	Sodium cyanide NaCN
P108	<u>P57-24-9*</u>	Strychnidin-10-one, and salts
P018	357-57-3	Strychnidin-10-one, 2,3-dimethoxy-
P108	<u>P57-24-9*</u>	Strychnine and salts
P115	7446-18-6	Sulfuric acid, dithallium (1+) salt
P109	3689-24-5	Tetraethyldithiopyrophosphate
P110	78-00-2	Tetraethyl lead
P111	107-49-3	Tetraethylpyrophosphate
P112	509-14-8	Tetranitromethane (R)
P062	757-58-4	Tetraphosphoric acid, hexaethyl ester
P113	1314-32-5	Thallic oxide
P113	1314-32-5	Thallium oxide Tl ₂ O ₃
P114	12039-52-0	Thallium (I) selenite
P115	7446-18-6	Thallium (I) sulfate
P109	3689-24-5	Thiodiphosphoric acid, tetraethyl ester
P045	39196-18-4	Thiofanox
P049	541-53-7	Thioimidodicarbonic diamide [(H ₂ N)C(S)] ₂ NH
P014	108-98-5	Thiophenol
P116	79-19-6	Thiosemicarbazide
P026	5344-82-1	Thiourea, (2-chlorophenyl)-
P072	86-88-4	Thiourea, 1-naphthalenyl-
P093	103-85-5	Thiourea, phenyl-
P123	8001-35-2	Toxaphene
<u>P185</u>	<u>26419-73-8</u>	<u>Tirpate</u>
P118	75-70-7	Trichloromethanethiol

P119	7803-55-6	Vanadic acid, ammonium salt
P120	1314-62-1	Vanadium oxide V ₂ O ₅
P120	1314-62-1	Vanadium pentoxide
P084	4549-40-0	Vinylamine, N-methyl-N-nitroso-
P001	<u>P81-81-2*</u>	Warfarin, and salts, when present at concentrations greater than 0.3% <u>†</u>
P121	557-21-1	Zinc cyanide
P121	557-21-1	Zinc cyanide Zn(CN) ₂
<u>P205</u>	<u>137-30-4</u>	<u>Zinc, bis(dimethylcarbamodithioato-S,S')-</u>
P122	1314-84-7	Zinc phosphide Zn ₃ P ₂ , when present at concentrations greater than 10% (R,T)
<u>P205</u>	<u>137-30-4</u>	<u>Ziram</u>

BOARD NOTE: An asterisk (*) following the CAS number indicates that the CAS number is given for the parent compound only.

- f) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products referred to in subsections (a) through (d) above, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in Section 721.105(a) and (g). These wastes and their corresponding EPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community, the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The absence of a letter indicates that the compound is only listed for toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
<u>U394</u>	<u>30558-43-1</u>	<u>A2213</u>
<u>U365</u>	<u>2212-67-1</u>	<u>H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester</u>
U001	75-07-0	Acetaldehyde (I)
U034	75-87-6	Acetaldehyde, trichloro-

U187	62-44-2	Acetamide, N-(4-ethoxyphenyl)-
U005	53-96-3	Acetamide, N-9H-fluoren-2-yl-
U240	P 94-75-7	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters
U112	141-78-6	Acetic acid, ethyl ester (I)
U144	301-04-2	Acetic acid, lead (2+) salt
U214	563-68-8	Acetic acid, thallium (1+) salt
See F027	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-
U002	67-64-1	Acetone (I)
U003	75-05-8	Acetonitrile (I, T)
U004	98-86-2	Acetophenone
U005	53-96-3	2-Acetylaminofluorene
U006	75-36-5	Acetyl chloride (C, R, T)
U007	79-06-1	Acrylamide
U008	79-10-7	Acrylic acid (I)
U009	107-13-1	Acrylonitrile
U011	61-82-5	Amitrole
U012	62-53-3	Aniline (I, T)
U136	75-60-5	Arsinic acid, dimethyl-
U014	492-80-8	Auramine
U015	115-02-6	Azaserine
U010	50-07-7	Azirino[2', 3':3, 4]pyrrolo[1, 2-a]indole-4, 7-dione, 6-amino-8-[[aminocarbonyloxy]methyl]-1, 1a, 2, 8, 8a, 8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1aalpha, 8beta, 8aalpha, 8balph)]-
<u>U280</u>	<u>101-27-9</u>	<u>Barban</u>
<u>U278</u>	<u>22781-23-3</u>	<u>Bendiocarb</u>
<u>U364</u>	<u>22961-82-6</u>	<u>Bendiocarb phenol</u>
<u>U271</u>	<u>17804-35-2</u>	<u>Benomyl</u>
U157	56-49-5	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-
U016	225-51-4	Benz(c)acridine
U017	98-87-3	Benzal chloride
U192	23950-58-5	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-
U018	56-55-3	Benz[a]anthracene
U094	57-97-6	Benz[a]anthracene, 7,12-dimethyl-
U012	62-53-3	Benzenamine (I, T)
U014	492-80-8	Benzenamine, 4,4'-carbonimidoylbis[N,N-dimethyl-
U049	3165-93-3	Benzenamine, 4-chloro-2-methyl-, hydrochloride
U093	60-11-7	Benzenamine, N,N-dimethyl-4-(phenylazo)-
U328	95-53-4	Benzenamine, 2-methyl-
U353	106-49-0	Benzenamine, 4-methyl-
U158	101-14-4	Benzenamine, 4,4'-methylenebis[2-chloro-
U222	636-21-5	Benzenamine, 2-methyl-, hydrochloride
U181	99-55-8	Benzenamine, 2-methyl-5-nitro-
U019	71-43-2	Benzene (I, T)
U038	510-15-6	Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester
U030	101-55-3	Benzene, 1-bromo-4-phenoxy-
U035	305-03-3	Benzenobutanoic acid, 4-[bis(2-chloroethyl)amino]-
U037	108-90-7	Benzene, chloro-
U221	25376-45-8	Benzenediamine, ar-methyl-
U028	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester

U069	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester
U088	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester
U102	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester
U107	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester
U070	95-50-1	Benzene, 1,2-dichloro-
U071	541-73-1	Benzene, 1,3-dichloro-
U072	106-46-7	Benzene, 1,4-dichloro-
U060	72-54-8	Benzene, 1,1'-(2,2-dichloroethylidene)bis[4-chloro-
U017	98-87-3	Benzene, (dichloromethyl)-
U223	26471-62-5	Benzene, 1,3-diisocyanatomethyl- (R, T)
U239	1330-20-7	Benzene, dimethyl- (I, T)
U201	108-46-3	1,3-Benzenediol
U127	118-74-1	Benzene, hexachloro-
U056	110-82-7	Benzene, hexahydro- (I)
U220	108-88-3	Benzene, methyl-
U105	121-14-2	Benzene, 1-methyl-2,4-dinitro-
U106	606-20-2	Benzene, 2-methyl-1,3-dinitro-
U055	98-82-8	Benzene, (1-methylethyl)- (I)
U169	98-95-3	Benzene, nitro-
U183	608-93-5	Benzene, pentachloro-
U185	82-68-8	Benzene, pentachloronitro-
U020	98-09-9	Benzenesulfonic acid chloride (C, R)
U020	98-09-9	Benzenesulfonyl chloride (C, R)
U207	95-94-3	Benzene, 1,2,4,5-tetrachloro-
U061	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro-
U247	72-43-5	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-methoxy-
U023	98-07-7	Benzene, (trichloromethyl)-
U234	99-35-4	Benzene, 1,3,5-trinitro-
U021	92-87-5	Benzidene
U202	P 81-07-2	1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, and salts
U203	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-
U141	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-
U090	94-58-6	1,3-Benzodioxole, 5-propyl-
<u>U278</u>	<u>22781-23-3</u>	<u>1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate</u>
<u>U364</u>	<u>22961-82-6</u>	<u>1,3-Benzodioxol-4-ol, 2,2-dimethyl-</u>
<u>U367</u>	<u>1563-38-8</u>	<u>7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-</u>
U064	189-55-9	Benzo[rs]t pentaphene
U248	P 81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations of 0.3% or less
U022	50-32-8	Benzo[a]pyrene
U197	106-51-4	p-Benzoquinone
U023	98-07-7	Benzotrichloride (C, R, T)
U085	1464-53-5	2,2'-Bioxirane
U021	92-87-5	[1,1'-Biphenyl]-4,4'-diamine
U073	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-
U091	119-90-4	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-
U095	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-
<u>U401</u>	<u>97-74-5</u>	<u>Bis(dimethylthiocarbamoyl) sulfide</u>
<u>U400</u>	<u>120-54-7</u>	<u>Bis(pentamethylene)thiuram tetrasulfide</u>
U225	75-25-2	Bromoform

U030	101-55-3	4-Bromophenyl phenyl ether
U128	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	924-16-3	1-Butanamine, N-butyl-N-nitroso-
U031	71-36-3	1-Butanol (I)
U159	78-93-3	2-Butanone (I,T)
U160	1338-23-4	2-Butanone, peroxide (R,T)
U053	4170-30-3	2-Butenal
U074	764-41-0	2-Butene, 1,4-dichloro- (I,T)
U143	303-34-4	2-Butenoic acid, 2-methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1alpha(Z), 7(2S*,3R*), 7aalpha]]-
U031	71-36-3	n-Butyl alcohol (I)
U392	2008-41-5	Butylate
U136	75-60-5	Cacodylic acid
U032	13765-19-0	Calcium chromate
U372	10605-21-7	Carbamic acid, 1H-benzimidazol-2-yl, methyl ester
U271	17804-35-2	Carbamic acid, [1-[(butylamino)carbonyl]-1H-benzimidazol-2-yl]-, methyl ester
U375	55406-53-6	Carbamic acid, butyl-, 3-iodo-2-propynyl ester
U280	101-27-9	Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester
U238	51-79-6	Carbamic acid, ethyl ester
U178	615-53-2	Carbamic acid, methylnitroso-, ethyl ester
U373	122-42-9	Carbamic acid, phenyl-, 1-methylethyl ester
U409	23564-05-8	Carbamic acid, [1,2-phenylenebis(iminocarbonothioyl)]-bis-, dimethyl ester
U097	79-44-7	Carbamic chloride, dimethyl-
U379	136-30-1	Carbamodithioic acid, dibutyl, sodium salt
U277	95-06-7	Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester
U381	148-18-5	Carbamodithioic acid, diethyl-, sodium salt
U383	128-03-0	Carbamodithioic acid, dimethyl, potassium salt
U382	128-04-1	Carbamodithioic acid, dimethyl-, sodium salt
U376	144-34-3	Carbamodithioic acid, dimethyl-, tetraanhydrosulfide with orthothioselenious acid
U114	P 111-54-6	Carbamodithioic acid, 1,2-ethanediybis-, salts and esters
U378	51026-28-9	Carbamodithioic acid, (hydroxymethyl)methyl-, monopotassium salt
U384	137-42-8	Carbamodithioic acid, methyl-, monosodium salt
U377	137-41-7	Carbamodithioic acid, methyl-, monopotassium salt
U062	2303-16-4	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3-dichloro-2-propenyl) ester
U389	2303-17-5	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester
U392	2008-41-5	Carbamothioic acid, bis(2-methylpropyl)-, S-ethyl ester
U391	1114-71-2	Carbamothioic acid, butylethyl-, S-propyl ester
U386	1134-23-2	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester
U390	759-94-4	Carbamothioic acid, dipropyl-, S-ethyl ester
U387	52888-80-9	Carbamothioic acid, dipropyl-, S-(phenylmethyl) ester
U385	1929-77-7	Carbamothioic acid, dipropyl-, S-propyl ester

<u>U279</u>	<u>63-25-2</u>	<u>Carbaryl</u>
<u>U372</u>	<u>10605-21-7</u>	<u>Carbendazim</u>
<u>U367</u>	<u>1563-38-8</u>	<u>Carbofuran phenol</u>
U215	6533-73-9	Carbonic acid, dithallium (1+) salt
U033	353-50-4	Carbonic difluoride
U156	79-22-1	Carbonochloridic acid, methyl ester (I,T)
U033	353-50-4	Carbon oxyfluoride (R, T)
U211	56-23-5	Carbon tetrachloride
U034	75-87-6	Chloral
U035	305-03-3	Chlorambucil
U036	57-74-9	Chlordanealpha and gamma isomers
U026	494-03-1	Chlornaphazin
U037	108-90-7	Chlorobenzene
U038	510-15-6	Chlorobenzilate
U039	59-50-7	p-Chloro-m-cresol
U042	110-75-8	2-Chloroethyl vinyl ether
U044	67-66-3	Chloroform
U046	107-30-2	Chloromethyl methyl ether
U047	91-58-7	beta-Chloronaphthalene
U048	95-57-8	o-Chlorophenol
U049	3165-93-3	4-Chloro-o-toluidine, hydrochloride
U032	13765-19-0	Chromic acid H ₂ CrO ₄ , calcium salt
U050	218-01-9	Chrysene
<u>U393</u>	<u>137-29-1</u>	<u>Copper, bis(dimethylcarbamodithioato-S,S')-</u>
<u>U393</u>	<u>137-29-1</u>	<u>Copper dimethyldithiocarbamate</u>
U051		Creosote
U052	1319-77-3	Cresol (Cresylic acid)
U053	4170-30-3	Crotonaldehyde
U055	98-82-8	Cumeme (I)
U246	506-68-3	Cyanogen bromide CNBr
<u>U386</u>	<u>1134-23-2</u>	<u>Cycloate</u>
U197	106-51-4	2,5-Cyclohexadiene-1,4-dione
U056	110-82-7	Cyclohexane (I)
U129	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha,2alpha,3beta,4alpha,5alpha,6beta)-
U057	108-94-1	Cyclohexanone (I)
U130	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
U058	50-18-0	Cyclophosphamide
U240	P 94-75-7	2,4-D, salts and esters
U059	20830-81-3	Daunomycin
<u>U366</u>	<u>533-74-4</u>	<u>Dazomet</u>
<u>U060</u>	<u>72-54-8</u>	<u>DDD</u>
U061	50-29-3	DDT
U062	2303-16-4	Diallate
U063	53-70-3	Dibenz[a,h]anthracene
U064	189-55-9	Dibenzo[a,i]pyrene
U066	96-12-8	1,2-Dibromo-3-chloropropane
U069	84-74-2	Dibutyl phthalate
U070	95-50-1	o-Dichlorobenzene
U071	541-73-1	m-Dichlorobenzene
U072	106-46-7	p-Dichlorobenzene

U073	91-94-1	3,3'-Dichlorobenzidine
U074	764-41-0	1,4-Dichloro-2-butene (I,T)
U075	75-71-8	Dichlorodifluoromethane
U078	75-35-4	1,1-Dichloroethylene
U079	156-60-5	1,2-Dichloroethylene
U025	111-44-4	Dichloroethyl ether
U027	108-60-1	Dichloroisopropyl ether
U024	111-91-1	Dichloromethoxy ethane
U081	120-83-2	2,4-Dichlorophenol
U082	87-65-0	2,6-Dichlorophenol
U084	542-75-6	1,3-Dichloropropene
U085	1464-53-5	1,2:3,4-Diepoxybutane (I,T)
<u>U395</u>	<u>5952-26-1</u>	<u>Diethylene glycol, dicarbamate</u>
U108	123-91-1	1,4-Diethyleneoxide
U028	117-81-7	Diethylhexyl phthalate
U086	1615-80-1	N,N'-Diethylhydrazine
U087	3288-58-2	O,O-Diethyl S-methyl dithiophosphate
U088	84-66-2	Diethyl phthalate
U089	56-53-1	Diethylstilbestrol
U090	94-58-6	Dihydrosafrole
U091	119-90-4	3,3'-Dimethoxybenzidine
U092	124-40-3	Dimethylamine (I)
U093	60-11-7	p-Dimethylaminoazobenzene
U094	57-97-6	7,12-Dimethylbenz[a]anthracene
U095	119-93-7	3,3'-Dimethylbenzidine
U096	80-15-9	alpha, alpha-Dimethylbenzylhydroperoxide (R)
U097	79-44-7	Dimethylcarbamoyl chloride
U098	57-14-7	1,1-Dimethylhydrazine
U099	540-73-8	1,2-Dimethylhydrazine
U101	105-67-9	2,4-Dimethylphenol
U102	131-11-3	Dimethyl phthalate
U103	77-78-1	Dimethyl sulfate
U105	121-14-2	2,4-Dinitrotoluene
U106	606-20-2	2,6-Dinitrotoluene
U107	117-84-0	Di-n-octyl phthalate
U108	123-91-1	1,4-Dioxane
U109	122-66-7	1,2-Diphenylhydrazine
U110	142-84-7	Dipropylamine (I)
U111	621-64-7	Di-n-propylnitrosamine
<u>U403</u>	<u>97-77-8</u>	<u>Disulfiram</u>
U041	106-89-8	Epichlorohydrin
<u>U390</u>	<u>759-94-4</u>	<u>EPTC</u>
U001	75-07-0	Ethanal (I)
<u>U404</u>	<u>121-44-8</u>	<u>Ethanamine, N,N-diethyl-</u>
U174	55-18-5	Ethanamine, N-ethyl-N-nitroso-
U155	91-80-5	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-
U067	106-93-4	Ethane, 1,2-dibromo-
U076	75-34-3	Ethane, 1,1-dichloro-
U077	107-06-2	Ethane, 1,2-dichloro-
U131	67-72-1	Ethane, hexachloro-

U024	111-91-1	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-
U117	60-29-7	Ethane, 1,1'-oxybis- (I)
U025	111-44-4	Ethane, 1,1'-oxybis[2-chloro-
U184	76-01-7	Ethane, pentachloro-
U208	630-20-6	Ethane, 1,1,1,2-tetrachloro-
U209	79-34-5	Ethane, 1,1,2,2-tetrachloro-
U218	62-55-5	Ethanethioamide
U226	71-55-6	Ethane, 1,1,1-trichloro-
U227	79-00-5	Ethane, 1,1,2-trichloro-
<u>U410</u>	<u>59669-26-0</u>	<u>Ethanimidothioic acid, N,N'- [thiobis[(methylimino)-</u>
		<u>carbonyloxy]]bis-, dimethyl ester</u>
<u>U394</u>	<u>30558-43-1</u>	<u>Ethanimidothioic acid, 2-(dimethylamino)-N-hydroxy-2-</u>
		<u>oxo-, methyl ester</u>
U359	110-80-5	Ethanol, 2-ethoxy-
U173	1116-54-7	Ethanol, 2,2'-(nitrosoimino)bis-
<u>U395</u>	<u>5952-26-1</u>	<u>Ethanol, 2,2'-oxybis-, dicarbamate</u>
<u>U004</u>	<u>98-86-2</u>	<u>Ethanone, 1-phenyl-</u>
U043	75-01-4	Ethene, chloro-
U042	110-75-8	Ethene, (2-chloroethoxy)-
U078	75-35-4	Ethene, 1,1-dichloro-
U079	156-60-5	Ethene, 1,2-dichloro-, (E)-
U210	127-18-4	Ethene, tetrachloro-
U228	79-01-6	Ethene, trichloro-
U112	141-78-6	Ethyl acetate (I)
U113	140-88-5	Ethyl acrylate (I)
U238	51-79-6	Ethyl carbamate (urethane)
U117	60-29-7	Ethyl ether
U114	P 111-54-6	Ethylenebisdithiocarbamic acid, salts and esters
U067	106-93-4	Ethylene dibromide
U077	107-06-2	Ethylene dichloride
U359	110-80-5	Ethylene glycol monoethyl ether
U115	75-21-8	Ethylene oxide (I,T)
U116	96-45-7	Ethylenethiourea
U076	75-34-3	Ethylidene dichloride
U118	97-63-2	Ethyl methacrylate
U119	62-50-0	Ethyl methanesulfonate
<u>U407</u>	<u>14324-55-1</u>	<u>Ethyl Ziram</u>
<u>U396</u>	<u>14484-64-1</u>	<u>Ferbam</u>
U120	206-44-0	Fluoranthene
U122	50-00-0	Formaldehyde
U123	64-18-6	Formic acid (C,T)
U124	110-00-9	Furan (I)
U125	98-01-1	2-Furancarboxaldehyde (I)
U147	108-31-6	2,5-Furandione
U213	109-99-9	Furan, tetrahydro- (I)
U125	98-01-1	Furfural (I)
U124	110-00-9	Furfuran (I)
U206	18883-66-4	Glucopyranose, 2-deoxy-2-(3-methyl-3-nitrosoureido)-, D-
U206	18883-66-4	D-Glucose, 2-deoxy-2-[[[(methylnitrosoamino)-carbonyl]-amino]-

U126	765-34-4	Glycidylaldehyde
U163	70-25-7	Guanidine, N-methyl-N'-nitro-N-nitroso-
U127	118-74-1	Hexachlorobenzene
U128	87-68-3	Hexachlorobutadiene
U130	77-47-4	Hexachlorocyclopentadiene
U131	67-72-1	Hexachloroethane
U132	70-30-4	Hexachlorophene
U243	1888-71-7	Hexachloropropene
U133	302-01-2	Hydrazine (R,T)
U086	1615-80-1	Hydrazine, 1,2-diethyl-
U098	57-14-7	Hydrazine, 1,1-dimethyl-
U099	540-73-8	Hydrazine, 1,2-dimethyl-
U109	122-66-7	Hydrazine, 1,2-diphenyl-
U134	7664-39-3	Hydrofluoric acid (C,T)
U134	7664-39-3	Hydrogen fluoride (C,T)
U135	7783-06-4	Hydrogen sulfide
U135	7783-06-4	Hydrogen sulfide H ₂ S
U096	80-15-9	Hydroperoxide, 1-methyl-1-phenylethyl- (R)
U116	96-45-7	2-Imidazolidinethione
U137	193-39-5	Indeno[1,2,3-cd]pyrene
<u>U375</u>	<u>55406-53-6</u>	<u>3-Iodo-2-propynyl n-butylcarbamate</u>
<u>U396</u>	<u>14484-64-1</u>	<u>Iron, tris(dimethylcarbamodithioato-S,S')-</u>
U190	85-44-9	1,3-Isobenzofurandione
U140	78-83-1	Isobutyl alcohol (I, T)
U141	120-58-1	Isosafrole
U142	143-50-0	Kepone
U143	303-34-4	Lasiocarpene
U144	301-04-2	Lead acetate
U146	1335-32-6	Lead, bis(acetato-O)tetrahydroxytri-
U145	7446-27-7	Lead phosphate
U146	1335-32-6	Lead subacetate
U129	58-89-9	Lindane
U163	70-25-7	MNNG
U147	108-31-6	Maleic anhydride
U148	123-33-1	Maleic hydrazide
U149	109-77-3	Malononitrile
U150	148-82-3	Melphalan
U151	7439-97-6	Mercury
<u>U384</u>	<u>137-42-8</u>	<u>Metam Sodium</u>
U152	126-98-7	Methacrylonitrile (I, T)
U092	124-40-3	Methanamine, N-methyl- (I)
U029	74-83-9	Methane, bromo-
U045	74-87-3	Methane, chloro- (I, T)
U046	107-30-2	Methane, chloromethoxy-
U068	74-95-3	Methane, dibromo-
U080	75-09-2	Methane, dichloro-
U075	75-71-8	Methane, dichlorodifluoro-
U138	74-88-4	Methane, iodo-
U119	62-50-0	Methanesulfonic acid, ethyl ester
U211	56-23-5	Methane, tetrachloro-
U153	74-93-1	Methanethiol (I, T)

U225	75-25-2	Methane, tribromo-
U044	67-66-3	Methane, trichloro-
U121	75-69-4	Methane, trichlorofluoro-
U036	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro- 2,3,3a,4,7,7a-hexahydro-
U154	67-56-1	Methanol (I)
U155	91-80-5	Methapyrilene
U142	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5,5a,5b,6-decachlorooctahydro-
U247	72-43-5	Methoxychlor
U154	67-56-1	Methyl alcohol (I)
U029	74-83-9	Methyl bromide
U186	504-60-9	1-Methylbutadiene (I)
U045	74-87-3	Methyl chloride (I, T)
U156	79-22-1	Methyl chlorocarbonate (I, T)
U226	71-55-6	Methylchloroform
U157	56-49-5	3-Methylcholanthrene
U158	101-14-4	4,4'-Methylenebis(2-chloroaniline)
U068	74-95-3	Methylene bromide
U080	75-09-2	Methylene chloride
U159	78-93-3	Methyl ethyl ketone (MEK) (I, T)
U160	1338-23-4	Methyl ethyl ketone peroxide (R, T)
U138	74-88-4	Methyl iodide
U161	108-10-1	Methyl isobutyl ketone (I)
U162	80-62-6	Methyl methacrylate (I, T)
U161	108-10-1	4-Methyl-2-pentanone (I)
U164	56-04-2	Methylthiouracil
U010	50-07-7	Mitomycin C
<u>U365</u>	<u>2212-67-1</u>	<u>Molinate</u>
U059	20830-81-3	5,12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-tri- deoxy)-alpha-L-lyxo-hexapyranosyl]oxyl]-7,8,9,10-tetra- hydro-6,8,11-trihydroxy-1-methoxy-, (8S-cis)-
U167	134-32-7	1-Naphthalenamine
U168	91-59-8	2-Naphthalenamine
U026	494-03-1	Naphthaleneamine, N,N'-bis(2-chloroethyl)-
U165	91-20-3	Naphthalene
U047	91-58-7	Naphthalene, 2-chloro-
U166	130-15-4	1,4-Naphthalenedione
U236	72-57-1	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl- [1,1'-biphenyl]-4,4'-diyl)bis(azo)bis[5-amino-4- hydroxy]-, tetrasodium salt
<u>U279</u>	<u>63-25-2</u>	<u>1-Naphthalenol, methylcarbamate</u>
U166	130-15-4	1,4-Naphthoquinone
U167	134-32-7	alpha-Naphthylamine
U168	91-59-8	beta-Naphthylamine
U217	10102-45-1	Nitric acid, thallium (1+) salt
U169	98-95-3	Nitrobenzene (I, T)
U170	100-02-7	p-Nitrophenol
U171	79-46-9	2-Nitropropane (I, T)
U172	924-16-3	N-Nitrosodi-n-butylamine
U173	1116-54-7	N-Nitrosodiethanolamine

U174	55-18-5	N-Nitrosodiethylamine
U176	759-73-9	N-Nitroso-N-ethylurea
U177	684-93-5	N-Nitroso-N-methylurea
U178	615-53-2	N-Nitroso-N-methylurethane
U179	100-75-4	N-Nitrosopiperidine
U180	930-55-2	N-Nitrosopyrrolidine
U181	99-55-8	5-Nitro-o-toluidine
U193	1120-71-4	1,2-Oxathiolane, 2,2-dioxide
U058	50-18-0	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-oxide
U115	75-21-8	Oxirane (I,T)
U126	765-34-4	Oxiranecarboxyaldehyde
U041	106-89-8	Oxirane, (chloromethyl)-
U182	123-63-7	Paraldehyde
<u>U391</u>	<u>1114-71-2</u>	<u>Pebulate</u>
U183	608-93-5	Pentachlorobenzene
U184	76-01-7	Pentachloroethane
U185	82-68-8	Pentachloronitrobenzene (PCNB)
See F027	87-86-5	Pentachlorophenol
U161	108-10-1	Pentanol, 4-methyl-
U186	504-60-9	1,3-Pentadiene (I)
U187	62-44-2	Phenacetin
U188	108-95-2	Phenol
U048	95-57-8	Phenol, 2-chloro-
U039	59-50-7	Phenol, 4-chloro-3-methyl-
U081	120-83-2	Phenol, 2,4-dichloro-
U082	87-65-0	Phenol, 2,6-dichloro-
U089	56-53-1	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-
U101	105-67-9	Phenol, 2,4-dimethyl-
U052	1319-77-3	Phenol, methyl-
U132	70-30-4	Phenol, 2,2'-methylenebis[3,4,6-trichloro-
<u>U411</u>	<u>114-26-1</u>	<u>Phenol, 2-(1-methylethoxy)-, methylcarbamate</u>
U170	100-02-7	Phenol, 4-nitro-
See F027	87-86-5	Phenol, pentachloro-
See F027	58-90-2	Phenol, 2,3,4,6-tetrachloro-
See F027	95-95-4	Phenol, 2,4,5-trichloro-
See F027	88-06-2	Phenol, 2,4,6-trichloro-
U150	148-82-3	L-Phenylalanine, 4-[bis(2-chloroethyl)amino]-
U145	7446-27-7	Phosphoric acid, lead (2+) salt (2:3)
U087	3288-58-2	Phosphorodithioic acid, O,O-diethyl S-methyl ester
U189	1314-80-3	Phosphorus sulfide (R)
U190	85-44-9	Phthalic anhydride
U191	109-06-8	2-Picoline
U179	100-75-4	Piperidine, 1-nitroso-
<u>U400</u>	<u>120-54-7</u>	<u>Piperidine, 1,1'-(tetrathiodicarbonothioyl)-bis-</u>
<u>U383</u>	<u>128-03-0</u>	<u>Potassium dimethyldithiocarbamate</u>
<u>U378</u>	<u>51026-28-9</u>	<u>Potassium n-hydroxymethyl-n-methyl-di-thiocarbamate</u>
<u>U377</u>	<u>137-41-7</u>	<u>Potassium n-methyldithiocarbamate</u>
U192	23950-58-5	Pronamide
U194	107-10-8	1-Propanamine (I,T)
U111	621-64-7	1-Propanamine, N-nitroso-N-propyl-

U110	142-84-7	1-Propanamine, N-propyl- (I)
U066	96-12-8	Propane, 1,2-dibromo-3-chloro-
U083	78-87-5	Propane, 1,2-dichloro-
U149	109-77-3	Propanedinitrile
U171	79-46-9	Propane, 2-nitro- (I,T)
U027	108-60-1	Propane, 2,2'-oxybis[2-chloro-
See F027	93-72-1	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-
U193	1120-71-4	1,3-Propane sultone
U235	126-72-7	1-Propanol, 2,3-dibromo-, phosphate (3:1)
U140	78-83-1	1-Propanol, 2-methyl- (I,T)
U002	67-64-1	2-Propanone (I)
U007	79-06-1	2-Propenamide
U084	542-75-6	1-Propene, 1,3-dichloro-
U243	1888-71-7	1-Propene, 1,1,2,3,3,3-hexachloro-
U009	107-13-1	2-Propenenitrile
U152	126-98-7	2-Propenenitrile, 2-methyl- (I,T)
U008	79-10-7	2-Propenoic acid (I)
U113	140-88-5	2-Propenoic acid, ethyl ester (I)
U118	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester
U162	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
<u>U373</u>	<u>122-42-9</u>	<u>Propham</u>
<u>U411</u>	<u>114-26-1</u>	<u>Propoxur</u>
See F027	93-72-1	Propionic acid, 2-(2,4,5-trichlorophenoxy)-
U194	107-10-8	n-Propylamine (I,T)
U083	78-87-5	Propylene dichloride
<u>U387</u>	<u>52888-80-9</u>	<u>Prosulfocarb</u>
U148	123-33-1	3,6-Pyridazinedione, 1,2-dihydro-
U196	110-86-1	Pyridine
U191	109-06-8	Pyridine, 2-methyl-
U237	66-75-1	2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)-amino]-
U164	58-04-2	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U180	930-55-2	Pyrrolidine, 1-nitroso-
U200	50-55-5	Reserpine
U201	108-46-3	Resorcinol
U202	P 81-07-2	Saccharin and salts
U203	94-59-7	Safrole
U204	7783-00-8	Selenious acid
U204	7783-00-8	Selenium dioxide
U205	7488-56-4	Selenium sulfide
U205	7488-56-4	Selenium sulfide SeS ₂ (R,T)
<u>U376</u>	<u>144-34-3</u>	<u>Selenium, tetrakis(dimethyldithiocarbamate)</u>
U015	115-02-6	L-Serine, diazoacetate (ester)
See F027	93-72-1	Silvex (2,4,5-TP)
<u>U379</u>	<u>136-30-1</u>	<u>Sodium dibutyldithiocarbamate</u>
<u>U381</u>	<u>148-18-5</u>	<u>Sodium diethyldithiocarbamate</u>
<u>U382</u>	<u>128-04-1</u>	<u>Sodium dimethyldithiocarbamate</u>
U206	18883-66-4	Streptozotocin
<u>U277</u>	<u>95-06-7</u>	<u>Sulfallate</u>
U103	77-78-1	Sulfuric acid, dimethyl ester
U189	1314-80-3	Sulfur phosphide (R)

See F027	93-76-5	2,4,5-T
<u>U402</u>	<u>1634-02-2</u>	<u>Tetrabutylthiuram disulfide</u>
<u>U207</u>	95-94-3	1,2,4,5-Tetrachlorobenzene
U208	630-20-6	1,1,1,2-Tetrachloroethane
U209	79-34-5	1,1,2,2-Tetrachloroethane
U210	127-18-4	Tetrachloroethylene
See F027	58-90-2	2,3,4,6-Tetrachlorophenol
U213	109-99-9	Tetrahydrofuran (I)
<u>U401</u>	<u>97-74-5</u>	<u>Tetramethylthiuram monosulfide</u>
<u>U366</u>	<u>533-74-4</u>	<u>2H-1,3,5-Thiadiazine- 2-thione, tetrahydro-3,5-dimethyl-</u>
<u>U214</u>	<u>563-68-8</u>	Thallium (I) acetate
U215	6533-73-9	Thallium (I) carbonate
U216	7791-12-0	Thallium (I) chloride
U216	7791-12-0	Thallium chloride TlCl
U217	10102-45-1	Thallium (I) nitrate
U218	62-55-5	Thioacetamide
<u>U410</u>	<u>59669-26-0</u>	<u>Thiodicarb</u>
<u>U153</u>	<u>74-93-1</u>	Thiomethanol (I,T)
<u>U402</u>	<u>1634-02-2</u>	<u>Thioperoxydicarbonic diamide, tetrabutyl</u>
<u>U403</u>	<u>97-77-8</u>	<u>Thioperoxydicarbonic diamide, tetraethyl</u>
<u>U244</u>	<u>137-26-8</u>	Thioperoxydicarbonic diamide [(H ₂ N)C(S)] ₂ S ₂ , tetra- methyl-
<u>U409</u>	<u>23564-05-8</u>	<u>Thiophanate-methyl</u>
<u>U219</u>	<u>62-56-6</u>	Thiourea
U244	137-26-8	Thiram
U220	108-88-3	Toluene
U221	25376-45-8	Toluenediamine
U223	26471-62-5	Toluene diisocyanate (R, T)
U328	95-53-4	o-Toluidine
U353	106-49-0	p-Toluidine
U222	636-21-5	o-Toluidine hydrochloride
<u>U389</u>	<u>2303-17-5</u>	<u>Triallate</u>
<u>U011</u>	<u>61-82-5</u>	<u>1H-1,2,4-Triazol-3-amine</u>
U227	79-00-5	1,1,2-Trichloroethane
U228	79-01-6	Trichloroethylene
U121	75-69-4	Trichloromonofluoromethane
See F027	95-95-4	2,4,5-Trichlorophenol
See F027	88-06-2	2,4,6-Trichlorophenol
<u>U404</u>	<u>121-44-8</u>	<u>Triethylamine</u>
<u>U234</u>	<u>99-35-4</u>	<u>1,3,5-Trinitrobenzene (R,T)</u>
U182	123-63-7	1,3,5-Trioxane, 2,4,6-trimethyl-
U235	126-72-7	Tris(2,3-dibromopropyl) phosphate
U236	72-57-1	Trypan blue
U237	66-75-1	Uracil mustard
U176	759-73-9	Urea, N-ethyl-N-nitroso-
U177	684-93-5	Urea, N-methyl-N-nitroso-
<u>U385</u>	<u>1929-77-7</u>	<u>Vernolate</u>
<u>U043</u>	<u>75-01-4</u>	<u>Vinyl chloride</u>
U248	P 81-81-2	Warfarin, and salts, when present at concentrations of 0.3% or less
U239	1330-20-7	Xylene (I)

U200	50-55-5	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester, (3beta,16beta,17alpha,18beta,20alpha)-
U407	14324-55-1	Zinc, bis(diethylcarbamodithioato-S,S')-
U249	1314-84-7	Zinc phosphide Zn_3P_2 , when present at concentrations of 10% or less

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721. Appendix G Basis for Listing Hazardous Wastes

EPA

hazardous

waste No.

Hazardous constituents for which listed

F001	Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, chlorinated fluorocarbons.
F002	Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, trichlorofluoromethane.
F003	N.A.
F004	Cresols and cresylic acid, nitrobenzene.
F005	Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, 2-ethoxyethanol, benzene, 2-nitropropane.
F006	Cadmium, hexavalent chromium, nickel, cyanide (complexed).
F007	Cyanide (salts).
F008	Cyanide (salts).
F009	Cyanide (salts).
F010	Cyanide (salts).
F011	Cyanide (salts).
F012	Cyanide (complexed).
F019	Hexavalent chromium, cyanide (complexed).
F020	Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amines and other salts.
F021	Penta- and hexachlorodibenzo-p-dioxins; penta- and hexachlorodibenzofurans; pentachlorophenol and its derivatives.
F022	Tetra-, penta- and hexachlorodibenzo-p-dioxins; tetra-, penta- and hexachlorodibenzofurans.
F023	Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amines and other salts.
F024	Chloromethane, dichloromethane, trichloromethane, carbon tetrachloride, chloroethylene, 1,1-dichloroethane, 1,2-dichloroethane, trans-1,2-dichloroethylene, 1,1-dichloroethylene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethylene, 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, tetrachloroethylene, pentachloroethane, hexachloroethane, allyl chloride (3-chloropropene), dichloropropane, dichloropropene, 2-chloro-1,3-butadiene, hexachloro-1,3-butadiene, hexachlorocyclopentadiene, hexachlorocyclohexane, benzene, chlorobenzene, dichlorobenzenes, 1,2,4-trichlorobenzene, tetrachlorobenzenes, pentachlorobenzene, hexachlorobenzene, toluene, naphthalene.
F025	Chloromethane, dichloromethane, trichloromethane; carbon tetrachloride; chloroethylene; 1,1-dichloroethane; 1,2-dichloroethane; trans-1,2-dichloroethylene; 1,1-dichloroethylene; 1,1,1-trichloroethane; 1,1,2-trichloroethane; trichloroethylene; 1,1,1,2-tetrachloroethane; 1,1,2,2-tetrachloroethane; tetrachloroethylene; pentachloroethane; hexachloroethane; allyl chloride (3-chloropropene); dichloropropane; dichloropropene; 2-chloro-1,3-butadiene; hexachloro-1,3-butadiene;

- hexachlorocyclopentadiene; benzene; chlorobenzene; dichlorobenzene; 1,2,4-trichlorobenzene; tetrachlorobenzene; pentachlorobenzene; hexachlorobenzene; toluene; naphthalene.
- F026 Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans.
- F027 Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts.
- F028 Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts.
- F032 Benz(a)anthracene, benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, pentachlorophenol, arsenic, chromium, tetra-, penta-, hexa-, heptachlorodibenzo-p-dioxins, tetra-, penta-, hexa-, heptachlorodibenzofurans.
- F034 Benz(a)anthracene, benzo(k)fluoranthene, benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, naphthalene, arsenic chromium.
- F035 Arsenic, chromium and lead.
- F037 Benzene, benzo(a)pyrene, chrysene, lead, chromium.
- F038 Benzene, benzo(a)pyrene, chrysene, lead, chromium.
- F039 All constituents for which treatment standards are specified for multi-source leachate (wastewaters and non-wastewaters) under 35 Ill. Adm. Code 728. Table B (Constituent Concentrations in Waste).
- K001 Pentachlorophenol, phenol, 2-chlorophenol, p-chloro-m-cresol, 2,4-dimethylphenol, 2,4-dinitrophenol, trichlorophenols, tetrachlorophenols, 2,4-dinitrophenol, cresosote, chrysene, naphthalene, fluoranthene, benzo(b)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, benz(a)anthracene, dibenz(a)anthracene, acenaphthalene.
- K002 Hexavalent chromium, lead.
- K003 Hexavalent chromium, lead.
- K004 Hexavalent chromium.
- K005 Hexavalent chromium, lead.
- K006 Hexavalent chromium.
- K007 Cyanide (complexed), hexavalent chromium.
- K008 Hexavalent chromium.
- K009 Chloroform, formaldehyde, methylene chloride, methyl chloride, paraldehyde, formic acid.
- K010 Chloroform, formaldehyde, methylene chloride, methyl chloride, paraldehyde, formic acid, chloroacetaldehyde.
- K011 Acrylonitrile, acetonitrile, hydrocyanic acid.
- K013 Hydrocyanic acid, acrylonitrile, acetonitrile.
- K014 Acetonitrile, acrylamide.
- K015 Benzyl chloride, chlorobenzene, toluene, benzotrichloride.
- K016 Hexachlorobenzene, hexachlorobutadiene, carbon tetrachloride, hexachloroethane, perchloroethylene.
- K017 Epichlorohydrin, chloroethers [bis(chloromethyl) ether and bis- (2-chloroethyl) ethers], trichloropropane, dichloropropanols.
- K018 1,2-dichloroethane, trichloroethylene, hexachlorobutadiene, hexachlorobenzene.
- K019 Ethylene dichloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, tetrachloroethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane), trichloroethylene, tetrachloroethylene, carbon tetrachloride, chloroform, vinyl chloride, vinylidene chloride.
- K020 Ethylene dichloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, tetrachloro-ethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane), trichloroethylene, tetrachloroethylene, carbon tetrachloride, chloroform, vinyl chloride, vinylidene chloride.
- K021 Antimony, carbon tetrachloride, chloroform.
- K022 Phenol, tars (polycyclic aromatic hydrocarbons).
- K023 Phthalic anhydride, maleic anhydride.
- K024 Phthalic anhydride, 1,4-naphthoquinone.
- K025 Meta-dinitrobenzene, 2,4-dinitrotoluene.
- K026 Paraldehyde, pyridines, 2-picoline.

- K027 Toluene diisocyanate, toluene-2,4-diamine.
K028 1,1,1-trichloroethane, vinyl chloride.
K029 1,2-dichloroethane, 1,1,1-trichloroethane, vinyl chloride, vinylidene chloride, chloroform.
K030 Hexachlorobenzene, hexachlorobutadiene, hexachloroethane, 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane, ethylene dichloride.
K031 Arsenic.
K032 Hexachlorocyclopentadiene.
K033 Hexachlorocyclopentadiene.
K034 Hexachlorocyclopentadiene.
K035 Creosote, chrysene, naphthalene, fluoranthene, benzo(b) fluoranthene, benzo(a)-pyrene, indeno(1,2,3-cd) pyrene, benzo(a)anthracene, dibenzo(a)anthracene, acenaphthalene.
K036 Toluene, phosphorodithioic and phosphorothioic acid esters.
K037 Toluene, phosphorodithioic and phosphorothioic acid esters.
K038 Phorate, formaldehyde, phosphorodithioic and phosphorothioic acid esters.
K039 Phosphorodithioic and phosphorothioic acid esters.
K040 Phorate, formaldehyde, phosphorodithioic and phosphorothioic acid esters.
K041 Toxaphene.
K042 Hexachlorobenzene, ortho-dichlorobenzene.
K043 2,4-dichlorophenol, 2,6-dichlorophenol, 2,4,6-trichlorophenol.
K044 N.A.
K045 N.A.
K046 Lead.
K047 N.A.
K048 Hexavalent chromium, lead.
K049 Hexavalent chromium, lead.
K050 Hexavalent chromium.
K051 Hexavalent chromium, lead.
K052 Lead.
K060 Cyanide, naphthalene, phenolic compounds, arsenic.
K061 Hexavalent chromium, lead, cadmium.
K062 Hexavalent chromium, lead.
K064 Lead, cadmium.
K065 Lead, cadmium.
K066 Lead, cadmium.
K069 Hexavalent chromium, lead, cadmium.
K071 Mercury.
K073 Chloroform, carbon tetrachloride, hexachloroethane, trichloroethane, tetrachloroethylene, dichloroethylene, 1,1,2,2-tetrachloroethane.
K083 Aniline, diphenylamine, nitrobenzene, phenylenediamine.
K084 Arsenic.
K085 Benzene, dichlorobenzenes, trichlorobenzenes, tetrachlorobenzenes, pentachlorobenzene, hexachlorobenzene, benzyl chloride.
K086 Lead, hexavalent chromium.
K087 Phenol, naphthalene.
K088 Cyanide (complexes).
K090 Chromium.
K091 Chromium.
K093 Phthalic anhydride, maleic anhydride.
K094 Phthalic anhydride.
K095 1,1,2-trichloroethane, 1,1,1,2-tetrachloroethane, 1,1,2,2-tetrachloroethane.
K096 1,2-dichloroethane, 1,1,1-trichloroethane, 1,1,2-trichloroethane.

- K097 Chlordane, heptachlor.
 K098 Toxaphene.
 K099 2,4-dichlorophenol, 2,4,6-trichlorophenol.
 K100 Hexavalent chromium, lead, cadmium.
 K101 Arsenic.
 K102 Arsenic.
 K103 Aniline, nitrobenzene, phenylenediamine.
 K104 Aniline, benzene, diphenylamine, nitrobenzene, phnylenediamine.
 K105 Benzene, monochlorobenzene, dichlorobenzenes, 2,4,6-trichlorophenol.
 K106 Mercury.
 K111 2,4-Dinitrotoluene.
 K112 2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
 K113 2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
 K114 2,4-Toluenediamine, o-toluidine, p-toluidine.
 K115 2,4-Toluenediamine.
 K116 Carbon ~~F~~tetrachloride, tetrachloroethylene, chloroform, phosgene.
 K117 Ethylene dibromide.
 K118 Ethylene dibromide.
 K123 Ethylene thiourea.
 K124 Ethylene thiourea.
 K125 Ethylene thiourea.
 K126 Ethylene thiourea.
 K131 Dimethyl sulf~~a~~te, methyl bromide.
 K132 Methyl bromide.
 K136 Ethylene dibromide.
 K141 Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene.
 K142 Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene.
 K143 Benzene, benz(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene.
 K144 Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene.
 K145 Benzene, benz(a)anthracene, benzo(a)pyrene, dibenz(a,h)anthracene, naphthalene.
 K147 Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene.
 K148 Benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene.
 K149 Benzotrichloride, benzyl chloride, chloroform, chloromethane, chlorobenzene, 1,4-dichlorobenzene, hexachlorobenzene, pentachlorobenzene, 1,2,4,5-tetrachlorobenzene, toluene.
 K150 Carbon tetrachloride, chloroform, chloromethane, 1,4-dichlorobenzene, hexachlorobenzene, pentachlorobenzene, 1,2,4,5-tetrachlorobenzene, 1,1,2,2-tetrachloroethane, tetrachloroethylene, 1,2,4-trichlorobenzene.
 K151 Benzene, carbon tetrachloride, chloroform, hexachlorobenzene, pentachlorobenzene, toluene, 1,2,4,5-tetrachlorobenzene, tetrachloroethylene.
 K156 Benomyl, carbaryl, carbendazim, carbofuran, carbosulfan, formaldehyde, methylene chloride, triethylamine.
 K157 Carbon tetrachloride, formaldehyde, methyl chloride, methylene chloride, pyridine, triethylamine.
 K158 Benomyl, carbendazim, carbofuran, carbosulfan, chloroform, methylene chloride.
 K159 Benzene, butylate, EPTC, molinate, pebulate, vernolate.
 K160 Benzene, butylate, EPTC, molinate, pebulate, vernolate.
 K161 Antimony, arsenic, metam-sodium, ziram.

N.A.--Waste is hazardous because it fails the test for the characteristic of ignitability, corrosivity or reactivity.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.Appendix H Hazardous Constituents

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
<u>A2213</u>	<u>Ethanimidothioic acid, 2- (dimethyl-amino)-N-hydroxy-2-oxo-, methyl ester</u>	<u>30558-43-1</u>	<u>U394</u>

Acetonitrile	Same	75-05-8	U003
Acetophenone	Ethanone, 1-phenyl-	98-86-2	U004
2-Acetylaminofluorene	Acetamide, N-9H-fluoren-2-yl-	53-96-3	U005
Acetyl chloride	Same	75-36-5	U006
1-Acetyl-2-thiourea	Acetamide, N-(aminothioxomethyl)-	591-08-2	P002
Acrolein	2-Propenal	107-02-8	P003
Acrylamide	2-Propenamamide	79-06-1	U007
Acrylonitrile	2-Propenenitrile	107-13-1	U009
Aflatoxins	Same	1402-68-2	
Aldicarb	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl]oxime	116-06-3	P070
<u>Aldicarb sulfone</u>	<u>Propanal, 2-methyl-2- (methyl-sulfonyl)-, O-[(methylamino)-carbonyl]oxime</u>	<u>1646-88-4</u>	<u>P203</u>
Aldrin	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1-alpha,4-alpha,4a-beta,5-alpha,8-alpha,8a-beta)-	309-00-2	P004
Allyl alcohol	2-Propen-1-ol	107-18-6	P005
Allyl chloride	1-Propene, 3-chloro-	107-18-6	
Aluminum phosphide	Same	20859-73-8	P006
4-Aminobiphenyl	[1,1'-Biphenyl]-4-amine	92-67-1	
5-(Aminomethyl)-3-isoxazolol	3(2H)-Isoxazolone, 5-(aminomethyl)-	2763-96-4	P007
4-Aminopyridine	4-Pyridinamine	504-24-5	P008
Amitrole	1H-1,2,4-Triazol-3-amine	61-82-5	U011
Ammonium vanadate	Vanadic acid, ammonium salt	7803-55-6	U119
Aniline	Benzenamine	62-53-3	U012
Antimony	Same	7440-36-0	
Antimony compounds, N.O.S. (not otherwise specified)			
Aramite	Sulfurous acid, 2-chloroethyl-, 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester	140-57-8	
Arsenic	Arsenic	7440-38-2	
Arsenic compounds, N.O.S.			
Arsenic acid	Arsenic acid H ₃ AsO ₄	7778-39-4	P010
Arsenic pentoxide	Arsenic oxide As ₂ O ₅	1303-28-2	PO11
Arsenic trioxide	Arsenic oxide As ₂ O ₃	1327-53-3	P012
Auramine	Benzenamine, 4,4'-carbonimidoyl-bis[N, N-dimethyl-	492-80-8	U014
Azaserine	L-Serine, diazoacetate (ester)	115-02-6	U015
<u>Barban</u>	<u>Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester</u>	<u>101-27-9</u>	<u>U280</u>
Barium	Same	7440-39-3	
Barium compounds, N.O.S.			
Barium cyanide	Same	542-62-1	P013
<u>Bendiocarb</u>	<u>1,3-Benzodioxol-4-ol-2,2-dimethyl-, methyl carbamate</u>	<u>22781-23-3</u>	<u>U278</u>
<u>Bendiocarb phenol</u>	<u>1,3-Benzodioxol-4-ol-2,2-dimethyl-,</u>	<u>22961-82-6</u>	<u>U364</u>

<u>Benomyl</u>	<u>Carbamic acid, [1- [(butylamino)- carbonyl]-1H-benzimidazol-2-yl]-, methyl ester</u>	<u>17804-35-2</u>	<u>U271</u>
Benz[c]acridine	Same	225-51-4	U016
Benz[a]anthracene	Same	56-55-3	U018
Benzal chloride	Benzene, (dichloromethyl)-	98-87-3	U017
Benzene	Same	71-43-2	U018
Benzeneearsonic acid	Arsonic acid, phenyl-	98-05-5	
Benzidine	[1,1'-Biphenyl]-4,4'-diamine	92-87-5	U021
Benzo[b]fluoranthene	Benz[e]acephenanthrylene	205-99-2	
Benzo[j]fluoranthene	Same	205-82-3	
Benzo(k)fluoranthene	Same	207-08-9	
Benzo[a]pyrene	Same	50-32-8	U022
p-Benzoquinone	2,5-Cyclohexadiene-1,4-dione	106-51-4	U197
Benzotrichloride	Benzene, (trichloromethyl)-	98-07-7	U023
Benzyl chloride	Benzene, (chloromethyl)-	100-44-7	P028
Beryllium powder	Same	7440-41-7	P015
Beryllium compounds, N.O.S.			
<u>Bis(pentamethylene)thiuram tetrasulfide</u>	<u>Piperidine, 1,1'-(tetrathiodicarbono- thioyl)-bis-</u>	<u>120-54-7</u>	<u>U400</u>
Bromoacetone	2-Propanone, 1-bromo-	598-31-2	P017
Bromoform	Methane, tribromo-	75-25-2	U225
4-Bromophenyl phenyl ether	Benzene, 1-bromo-4-phenoxy-	101-55-3	U030
Brucine	Strychnidin-10-one, 2,3-dimethoxy-	357-57-3	P018
<u>Butylate</u>	<u>Carbamothioic acid, bis(2-methyl- propyl)-, S-ethyl ester</u>	<u>2008-41-5</u>	<u>U392</u>
Butyl benzyl phthalate	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	85-68-7	
Cacodylic acid	Arsenic acid, dimethyl-	75-60-5	U136
Cadmium	Same	7440-43-9	
Cadmium compounds, N.O.S.			
Calcium chromate	Chromic acid H ₂ CrO ₄ , calcium salt	13765-19-0	U032
Calcium cyanide	Calcium cyanide Ca(CN) ₂	592-01-8	P021
<u>Carbaryl</u>	<u>1-Naphthalenol, methylcarbamate</u>	<u>63-25-2</u>	<u>U279</u>
<u>Carbendazim</u>	<u>Carbamic acid, 1H-benzimidazol-2- yl, methyl ester</u>	<u>10605-21-7</u>	<u>U372</u>
<u>Carbofuran</u>	<u>7-Benzofuranol, 2,3-dihydro-2,2- dimethyl-, methylcarbamate</u>	<u>1563-66-2</u>	<u>P127</u>
<u>Carbofuran phenol</u>	<u>7-Benzofuranol, 2,3-dihydro-2,2- dimethyl-</u>	<u>1563-38-8</u>	<u>U367</u>
<u>Carbosulfan</u>	<u>Carbamic acid, [(dibutylamino)thio] methyl-, 2,3-dihydro-2,2-dimethyl-7- benzofuranyl ester</u>	<u>55285-14-8</u>	<u>P189</u>
Carbon disulfide	Same	75-15-0	P022
Carbon oxyfluoride	Carbonic difluoride	353-50-4	U033
Carbon tetrachloride	Methane, tetrachloro-	56-23-5	U211
Chloral	Acetaldehyde, trichloro-	75-87-6	U034
Chlorambucil	Benzenebutanoic acid, 4[bis-(2- chloroethyl)amino]-	305-03-3	U035
Chlordane	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-	57-74-9	U036

	2,3,3a,4,7,7a-hexahydro-		
Chlordane, alpha and gamma isomers			U036
Chlorinated benzenes, N.O.S.			
Chlorinated ethane, N.O.S.			
Chlorinated fluorocarbons, N.O.S.			
Chlorinated naphthalene, N.O.S.			
Chlorinated phenol, N.O.S.			
Chlornaphazine	Naphthalenamine, N,N'-bis(2-chloro-ethyl)-	494-03-1	U026
Chloroacetaldehyde	Acetaldehyde, chloro-	107-20-0	P023
Chloroalkyl ethers, N.O.S.			
p-Chloroaniline	Benzenamine, 4-chloro-	106-47-8	P024
Chlorobenzene	Benzene, chloro-	108-90-7	U037
Chlorobenzilate	Benzeneacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester	510-15-6	U038
p-Chloro-m-cresol	Phenol, 4-chloro-3-methyl-	59-50-7	U039
2-Chloroethyl vinyl ether	Ethene, (2-chloroethoxy)-	110-75-8	U042
Chloroform	Methane, trichloro-	67-66-3	U044
Chloromethyl methyl ether	Methane, chloromethoxy-	107-30-2	U046
beta-Chloronaphthalene	Naphthalene, 2-chloro-	91-58-7	U047
o-Chlorophenol	Phenol, 2-chloro-	95-57-8	U048
1-(o-Chlorophenyl)thiourea	Thiourea, (2-chlorophenyl)-	5344-82-1	P026
Chloroprene	1,3-Butadiene, 2-chloro-	126-99-8	
3-Chloropropionitrile	Propanenitrile, 3-chloro-	542-76-7	P027
Chromium	Same	7440-47-3	
Chromium compounds, N.O.S.			
Chrysene	Same	218-01-9	U050
Citrus red No. 2	2-Naphthalenol, 1-[(2,5-dimethoxyphenyl)azo]-	6358-53-8	
Coal tar creosote	Same	8007-45-2	
Copper cyanide	Copper cyanide CuCN	544-92-3	P029
<u>Copper dimethyldithiocarbamate</u>	<u>Copper, bis(dimethylcarbamo-</u> <u>dithioato-S,S')</u> -	<u>137-29-1</u>	<u>U393</u>
Creosote	Same		U051
Cresols (Cresylic acid)	Phenol, methyl-	1319-77-3	U052
Crotonaldehyde	2-Butenal	4170-30-3	U053
<u>m-Cumenyl methylcarbamate</u>	<u>Phenol, 3-(methylethyl)-, methyl</u> <u>carbamate</u>	<u>64-00-6</u>	<u>P202</u>
Cyanides (soluble salts and complexes), N.O.S.			P030
Cyanogen	Ethanedinitrile	460-19-5	P031
Cyanogen bromide	Cyanogen bromide (CN)Br	506-68-3	U246
Cyanogen chloride	Cyanogen chloride (CN)Cl	506-77-4	P033
Cycasin	Beta-D-glucopyranoside, (methyl-ONN-azoxy)methyl-	14901-08-7	
<u>Cycloate</u>	<u>Carbamothioic acid, cyclohexyl-</u> <u>ethyl-, S-ethyl ester</u>	<u>1134-23-2</u>	<u>U386</u>
2-Cyclohexyl-4,6-dinitrophenol	Phenol, 2-cyclohexyl-4,6-dinitro-	131-89-5	P034
Cyclophosphamide	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-	50-18-0	U058

	oxide		
2,4-D	Acetic acid, (2,4-dichlorophenoxy)-	94-75-7	U240
2,4-D, salts and esters	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters		U240
Daunomycin	5, 12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxo-hexopyranosyl)oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-, 8S-cis-	20830-81-3	U059
<u>Dazomet</u>	<u>2H-1,3,5-thiadiazine-2-thione, tetrahydro-3,5-dimethyl</u>	<u>533-74-4</u>	<u>U366</u>
DDD	Benzene, 1,1'-(2,2-dichloroethylidene)bis[4-chloro-	72-54-8	U060
DDE	Benzene, 1,1'-(dichloroethenylidene)bis[4-chloro-	72-55-9	
DDT	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro-	50-29-3	U061
Diallate	Carbamothioic acid, bis(1-methyl-ethyl)-, S-(2,3-dichloro-2-propenyl) ester	2303-16-4	U062
Dibenz[a,h]acridine	Same	226-36-8	
Dibenz[a,j]acridine	Same	224-42-0	
Dibenz[a,h]anthracene	Same	53-70-3	U063
7H-Dibenzo[c,g]carbazole	Same	194-59-2	
Dibenzo[a,e]pyrene	Naphtho[1,2,3,4-def]chrysene	192-65-4	
Dibenzo[a,h]pyrene	Dibenzo[b,def]chrysene	189-64-0	
Dibenzo[a,i]pyrene	Benzo[rs]pentaphene	189-55-9	U064
1,2-Dibromo-3-chloropropane	Propane, 1,2-dibromo-3-chloro-	96-12-8	U066
Dibutyl phthalate	1,2-Benzenedicarboxylic acid, dibutyl ester	84-74-2	U069
o-Dichlorobenzene	Benzene, 1,2-dichloro-	95-50-1	U070
m-Dichlorobenzene	Benzene, 1,3-dichloro-	541-73-1	U071
p-Dichlorobenzene	Benzene, 1,4-dichloro-	106-46-7	U072
Dichlorobenzene, N.O.S.	Benzene, dichloro-	25321-22-6	
3,3'-Dichlorobenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-	91-94-1	U073
1,4-Dichloro-2-butene	2-Butene, 1,4-dichloro-	764-41-0	U074
Dichlorodifluoromethane	Methane, dichlorodifluoro-	75-71-8	U075
Dichloroethylene, N.O.S.	Dichloroethylene	25323-30-2	
1,1-Dichloroethylene	Ethene, 1,1-dichloro-	75-35-4	U078
1,2-Dichloroethylene	Ethene, 1,2-dichloro-, (E)-	156-60-5	U079
Dichloroethyl ether	Ethane, 1,1'-oxybis[2-chloro-	111-44-4	U025
Dichloroisopropyl ether	Propane, 2,2'-oxybis[2-chloro-	108-60-1	U027
Dichloromethoxyethane	Ethane, 1,1'-[methylenebis(oxy)bis[2-chloro-	111-91-1	U024
Dichloromethyl ether	Methane, oxybis[chloro-	542-88-1	P016
2,4-Dichlorophenol	Phenol, 2,4-dichloro-	120-83-2	U081
2,6-Dichlorophenol	Phenol, 2,6-dichloro-	87-65-0	U082
Dichlorophenylarsine	Arsonous dichloride, phenyl-	696-28-6	P036
Dichloropropane, N.O.S.	Propane, dichloro-	26638-19-7	
Dichloropropanol, N.O.S.	Propanol, dichloro-	26545-73-3	

Dichloropropene, N.O.S.	1-Propene, dichloro-	26952-23-8	
1,3-Dichloropropene	1-Propene, 1,3-dichloro-	542-75-6	U084
Dieldrin	2,7:3,6-Dimethanonaphth[2,3-b]oxi- rene,3,4,5,6,9,9-hexachloro- 1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha,2beta,2aalpha,3beta,6beta,6 aalpha,7beta,7aalpha)-	60-57-1	P037
1,2:3,4-Diepoxybutane	2,2'-Bioxirane	1464-53-5	U085
Diethylarsine	Arsine, diethyl-	692-42-2	P038
<u>Diethylene glycol, dicarbamate</u>	<u>Ethanol, 2,2'-oxybis-, dicarbamate</u>	<u>5952-26-1</u>	<u>U395</u>
1,4-Diethyleneoxide	1,4-Dioxane	123-91-1	U108
Diethylhexyl phthalate	1,2-Benzenedicarboxylic acid, bis(2- ethylhexyl) ester	117-81-7	U028
N,N'-Diethylhydrazine	Hydrazine, 1,2-diethyl-	1615-80-1	U086
O,O-Diethyl-S-methyl dithiophosphate	Phosphorodithioic acid, O,O-diethyl S-methyl ester	3288-58-2	U087
Diethyl-p-nitrophenyl phosphate	Phosphoric acid, diethyl 4-nitro- phenyl ester	311-45-5	P041
Diethyl phthalate	1,2-Benzenedicarboxylic acid, diethyl ester	84-66-2	U088
O,O-Diethyl O-pyrazinyl phosphorothioate	Phosphorothioic acid, O,O-diethyl O- pyrazinyl ester	297-97-2	P040
Diethylstilbestrol	Phenol, 4,4'-(1,2-diethyl-1,2-ethene- diyl)bis-, (E)-	56-53-1	U089
Dihydrosafrole	1,3-Benzodioxole, 5-propyl-	94-58-6	U090
Diisopropylfluorophosphate (DFP)	Phosphorofluoridic acid, bis(1- methylethyl) ester	55-91-4	P043
Dimethoate	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester	60-51-5	P044
<u>Dimetilan</u>	<u>Carbamic acid, dimethyl-, 1- [(dimethylamino) carbonyl]-5-methyl- 1H-pyrazol-3-yl ester</u>	<u>644-64-4</u>	<u>P191</u>
3,3'-Dimethoxybenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'- dimethoxy-	119-90-4	U091
p-Dimethylaminoazobenzene	Benzenamine, N,N-dimethyl-4- (phenylazo)-	60-11-7	U093
7,12-Dimethylbenz[a]anthracene	Benz[a]anthracene, 7,12-dimethyl-	57-97-6	U094
3,3'-Dimethylbenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'- dimethyl-	119-93-7	U095
Dimethylcarbamoyl chloride	Carbamic chloride, dimethyl-	79-44-7	U097
1,1-Dimethylhydrazine	Hydrazine, 1,1-dimethyl-	57-14-7	U098
1,2-Dimethylhydrazine	Hydrazine, 1,2-dimethyl-	540-73-8	U099
alpha, alpha-Dimethylphenethylamine	Benzeneethanamine, alpha, alpha- dimethyl-	122-09-8	P046
2,4-Dimethylphenol	Phenol, 2,4-dimethyl-	105-67-9	U101
Dimethylphthalate	1,2-Benzenedicarboxylic acid, dimethyl ester	131-11-3	U102
Dimethyl sulfate	Sulfuric acid, dimethyl ester	77-78-1	U103
Dinitrobenzene, N.O.S.	Benzene, dinitro-	25154-54-5	
4,6-Dinitro-o-cresol	Phenol, 2-methyl-4,6-dinitro-	534-52-1	P047
4,6-Dinitro-o-cresol salts			P047

2,4-Dinitrophenol	Phenol, 2,4-dinitro-	51-28-5	P048
2,4-Dinitrotoluene	Benzene, 1-methyl-2,4-dinitro-	121-14-2	U105
2,6-Dinitrotoluene	Benzene, 2-methyl-1,3-dinitro-	606-20-2	U106
Dinoseb	Phenol, 2-(1-methylpropyl)-4,6-dinitro-	88-85-7	P020
Di-n-octyl phthalate	1,2-Benzenedicarboxylic acid, dioctyl ester	117-84-0	U107
Diphenylamine	Benzenamine, N-phenyl-	122-39-4	
1,2-Diphenylhydrazine	Hydrazine, 1,2-diphenyl-	122-66-7	U109
Di-n-propylnitrosamine	1-Propanamine, N-nitroso-N-propyl-	621-64-7	U111
<u>Disulfiram</u>	<u>Thioperoxydicarbonic diamide, tetraethyl</u>	<u>97-77-8</u>	<u>U403</u>
Disulfoton	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester	298-04-4	P039
Dithiobiuret	Thioimidodicarbonic diamide [(H ₂ N)C(S)] ₂ NH	541-53-7	P049
Endosulfan	6, 9-Methano-2,4,3-benzodioxathiepen,6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide,	115-29-7	P050
Endothal	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	145-73-3	P088
Endrin	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a alpha,2beta,2abeta,3alpha,6alpha,6abeta,7beta,7aalpha)-,	72-20-8	P051
Endrin metabolites			P051
Epichlorohydrin	Oxirane, (chloromethyl)-	106-89-8	U041
Epinephrine	1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (R)-	51-43-4	P042
<u>EPTC</u>	<u>Carbamothioic acid, dipropyl-, S-ethyl ester</u>	<u>759-94-4</u>	<u>U390</u>
Ethyl carbamate (urethane)	Carbamic acid, ethyl ester	51-79-6	U238
Ethyl cyanide	Propanenitrile	107-12-0	P101
Ethylenebisdithiocarbamic acid	Carbamodithioic acid, 1,2-ethane-diylbis-	111-54-6	U114
Ethylenebisdithiocarbamic acid, salts and esters			U114
Ethylene dibromide	Ethane, 1,2-dibromo-	106-93-4	U067
Ethylene dichloride	Ethane, 1,2-dichloro-	107-06-2	U077
Ethylene glycol monoethyl ether	Ethanol, 2-ethoxy-	110-80-5	U359
Ethyleneimine	Aziridine	151-56-4	P054
Ethylene oxide	Oxirane	75-21-8	U115
Ethylenethiourea	2-Imidazolidinethione	96-45-7	U116
Ethylidene dichloride	Ethane, 1,1-dichloro-	75-34-3	U076
Ethyl methacrylate	2-Propenoic acid, 2-methyl-, ethyl ester	97-63-2	U118
Ethyl methanesulfonate	Methanesulfonic acid, ethyl ester	62-50-0	U119
<u>Ethyl Ziram</u>	<u>Zinc, bis(diethylcarbamodithioato-S,S')</u>	<u>14324-55-1</u>	<u>U407</u>
Famphur	Phosphorothioic acid, O-[4-	52-85-7	P097

	[(dimethylamino)sulfonyl]phenyl O,O-dimethyl ester		
<u>Ferbam</u>	<u>Iron, tris(dimethylcarbamo-</u> <u>dithioato-S,S')</u> -	<u>14484-64-1</u>	<u>U396</u>
Fluoranthene	Same	206-44-0	U120
Fluorine	Same	7782-41-4	P056
Fluoroacetamide	Acetamide, 2-fluoro-	640-19-7	P057
Fluoroacetic acid, sodium salt	Acetic acid, fluoro-, sodium salt	62-74-8	P058
Formaldehyde	Same	50-00-0	U122
<u>Formetanate hydrochloride</u>	<u>Methanimidamide, N,N-dimethyl-N'</u> <u>[3-[(methylamino)carbonyl]oxy]-</u> <u>phenyl]-, monohydrochloride</u>	<u>23422-53-9</u>	<u>P198</u>
Formic acid	Same	64-18-16	U123
<u>Formparanate</u>	<u>Methanimidamide, N,N-dimethyl-N'</u> <u>[2-methyl-4-[(methylamino)-</u> <u>carbonyl]oxy]phenyl]-</u>	<u>17702-57-7</u>	<u>P197</u>
Glycidylaldehyde	Oxiranecarboxaldehyde	765-34-4	U126
Halomethanes, N.O.S.			
Heptachlor	4,7-Methano-1H- indene, 1,4,5,6,7,8,8-heptachloro- 3a,4,7,7a-tetrahydro-	76-44-8	P059
Heptachlor epoxide	2,5-Methano-2H-indeno[1, 2b]oxirene, 2,3,4,5,6,7,7-hepta- chloro-1a,1b,5,5a,6,6a-hexahydro-, (1alpha,1bbeta,2alpha,5alpha,5abeta ,6beta,6alpha)-	1024-57-3	
Heptachlor epoxide (alpha, beta, and gamma isomers)			
Heptachlorodibenzofurans			
Heptachlorodibenzo-p-dioxins			
Hexachlorobenzene	Benzene, hexachloro-	118-74-1	U127
Hexachlorobutadiene	1,3-Butadiene, 1,1,2,3,4,4-hexa- chloro-	87-68-3	U128
Hexachlorocyclo-pentadiene	1,3-Cyclopentadiene, 1,2,3,4,5,5- hexachloro-	77-47-4	U130
Hexachlorodibenzo-p-dioxins			
Hexachlorodibenzofurans			
Hexachloroethane	Ethane, hexachloro-	67-72-1	U131
Hexachlorophene	Phenol, 2,2'-methylenebis[3,4,6-tri- chloro-	70-30-4	U132
Hexachloropropene	1-Propene, 1,1,2,3,3,3-hexachloro-	1888-71-7	U243
Hexaethyltetraphosphate	Tetraphosphoric acid, hexaethyl ester	757-58-4	P062
Hydrazine	Same	302-01-2	U133
Hydrogen cyanide	Hydrocyanic acid	74-90-8	P063
Hydrogen fluoride	Hydrofluoric acid	7664-39-3	U134
Hydrogen sulfide	Hydrogen sulfide H2S	7783-06-4	U135
Indeno[1,2,3-cd]pyrene	Same	193-39-5	U137
<u>3-Iodo-2-propynyl-n-butylcarbamate</u>	<u>Carbamic acid, butyl-, 3-iodo-2-</u> <u>propynyl ester</u>	<u>55406-53-6</u>	<u>U375</u>
Isobutyl alcohol	1-Propanol, 2-methyl-	78-83-1	U140
Isodrin	1,4:5,8-Dimethanonaph-	465-73-6	P060

	thalene, 1, 2, 3, 4, 10, 10-hexachloro- 1, 4, 4a, 5, 8, 8a-hexahydro-, (1alpha, 4alpha, 4abeta, 5beta, 8beta, 8a beta)-,		
<u>Isolan</u>	<u>Carbamic acid, dimethyl-, 3-methyl- 1-(1-methylethyl)-1H-pyrazol-5-yl- ester</u>	<u>119-38-0</u>	<u>P192</u>
Isosafrole	1, 3-Benzodioxole, 5-(1-propenyl)-	120-58-1	U141
Kepone	1, 3, 4-Metheno-2H-cyclobuta[cd]- pentalen-2-one, 1, 1a, 3, 3a, 4, 5, 5, 5a, 5b, 6- decachlorooctahydro-,	143-50-0	U142
Lasiocarpine	2-Butenoic acid, 2-methyl-, 7-[[2, 3- dihydroxy-2-(1-methoxyethyl)-3- methyl-1-oxobutoxy]methyl]- 2, 3, 5, 7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1- alpha(Z), 7(2S*, 3R*), 7aalpha]]-	303-34-1	U143
Lead	Same	7439-92-1	
Lead and compounds, N.O.S.			
Lead acetate	Acetic acid, lead (2+) salt	301-04-2	U144
Lead phosphate	Phosphoric acid, lead (2+) salt (2:3)	7446-27-7	U145
Lead subacetate	Lead, bis(acetato-O)tetrahydroxytri-	1335-32-6	U146
Lindane	Cyclohexane, 1, 2, 3, 4, 5, 6-hexa- chloro-, 1alpha, 2alpha, 3beta, 4alpha, 5alpha, 6b eta)-	58-89-9	U129
Maleic anhydride	2, 5-Furandione	108-31-6	U147
Maleic hydrazide	3, 6-Pyridazinedione, 1, 2-dihydro-	123-33-1	U148
Malononitrile	Propanedinitrile	109-77-3	U149
<u>Manganese dimethyldithiocarbamate</u>	<u>Manganese, bis(dimethylcarbamo- dithioato-S,S')-</u>	<u>15339-36-3</u>	<u>P196</u>
Melphalan	L-Phenylalanine, 4-[bis(2-chloro- ethyl)amino]-	148-82-3	U150
Mercury	Same	7439-97-6	U151
Mercury compounds, N.O.S.			
Mercury fulminate	Fulminic acid, mercury (2+) salt	628-86-4	P065
<u>Metam Sodium</u>	<u>Carbamodithioic acid, methyl-, monosodium salt</u>	<u>137-42-8</u>	<u>U384</u>
Methacrylonitrile	2-Propenenitrile, 2-methyl-	126-98-7	U152
Methapyrilene	1, 2-Ethanediamine, N, N-dimethyl- N'-2-pyridinyl-N'-(2-thienylmethyl)-	91-80-5	U155
<u>Methiocarb</u>	<u>Phenol, (3, 5-dimethyl-4- (methylthio)-, methylcarbamate</u>	<u>2032-65-7</u>	<u>P199</u>
Metholmyl	Ethanimidothioic acid, N-[(methyl- amino)carbonyl]oxy]-, methyl ester	16752-77-5	P066
Methoxychlor	Benzene, 1, 1'-(2, 2, 2-trichloroethyl- idene)bis[4-methoxy-	72-43-5	U247
Methyl bromide	Methane, bromo-	74-83-9	U029
Methyl chloride	Methane, chloro-	74-87-3	U045
Methylchlorocarbonate	Carbonochloridic acid, methyl ester	79-22-1	U156

Methyl chloroform	Ethane, 1,1,1-trichloro-	71-55-6	U226
3-Methylcholanthrene	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-	56-49-5	U157
4,4'-Methylenebis(2-chloroaniline)	Benzenamine, 4,4'-methylenebis[2-chloro-	101-14-4	U158
Methylene bromide	Methane, dibromo-	74-95-3	U068
Methylene chloride	Methane, dichloro-	75-09-2	U080
Methyl ethyl ketone (MEK)	2-Butanone	78-93-3	U159
Methyl ethyl ketone peroxide	2-Butanone, peroxide	1338-23-4	U160
Methyl hydrazine	Hydrazine, methyl-	60-34-4	P068
Methyl iodide	Methane, iodo-	74-88-4	U138
Methyl isocyanate	Methane, isocyanato-	624-83-9	P064
2-Methylactonitrile	Propanenitrile, 2-hydroxy-2-methyl-	75-86-5	P069
Methyl methacrylate	2-Propenoic acid, 2-methyl-, methyl ester	80-62-6	U162
Methyl methanesulfonate	Methanesulfonic acid, methyl ester	66-27-3	
Methyl parathion	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester	298-00-0	P071
Methylthiouracil	4-(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-	56-04-2	U164
<u>Metolcarb</u>	<u>Carbamic acid, methyl-, 3-methyl-phenyl ester</u>	<u>1129-41-5</u>	<u>P190</u>
<u>Mexacarbate</u>	<u>Phenol, 4-(dimethylamino)-3,5-dimethyl-, methylcarbamate (ester)</u>	<u>315-18-4</u>	<u>P128</u>
Mitomycin C	Azirino[2', 3':3, 4]pyrrolo[1, 2-a]indole-4, 7-dione, 6-amino-8-[[aminocarbonyl]oxy]methyl]-1, 1a, 2, 8, 8a, 8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1aalpha, 8beta, 8aalpha, 8balph)]-, 1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester	50-07-7	U010
<u>Molinate</u>	<u>1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester</u>	<u>2212-67-1</u>	<u>U365</u>
MNNG	Guanidine, N-methyl-N'-nitro-N-nitroso-	70-25-7	U163
Mustard gas	Ethane, 1,1'-thiobis[2-chloro-	505-60-2	U165
Naphthalene	Same	91-20-3	U165
1,4-Naphthoquinone	1,4-Naphthalenedione	130-15-4	U166
alpha-Naphthylamine	1-Naphthalenamine	134-32-7	U167
beta-Naphthylamine	2-Naphthalenamine	91-59-8	U168
alpha-Naphthylthiourea	Thiourea, 1-naphthalenyl-	86-88-4	P072
Nickel	Same	7440-02-0	
Nickel compounds, N.O.S.			
Nickel carbonyl	Nickel carbonyl Ni(CO) ₄ , (T-4)-	13463-39-3	P073
Nickel cyanide	Nickel cyanide Ni(CN) ₂	557-19-7	P074
Nicotine	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (S)-	54-11-5	P075
Nicotine salts			P075
Nitric oxide	Nitrogen oxide NO	10102-43-9	P076
p-Nitroaniline	Benzenamine, 4-nitro-	100-01-6	P077
Nitrobenzene	Benzene, nitro-	98-95-3	P078
Nitrogen dioxide	Nitrogen oxide NO ₂	10102-44-0	P078

Nitrogen mustard	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-	51-75-2	
Nitrogen mustard, hydrochloride salt			
Nitrogen mustard N-oxide	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-, N-oxide	126-85-2	
Nitrogen mustard, N-oxide, hydrochloride salt			
Nitroglycerin	1,2,3-Propanetriol, trinitrate	55-63-0	P081
p-Nitrophenol	Phenol, 4-nitro-	100-02-7	U170
2-Nitropropane	Propane, 2-nitro-	79-46-9	U171
Nitrosamines, N.O.S.		35576-91-1	
N-Nitrosodi-n-butylamine	1-Butanamine, N-butyl-N-nitroso-	924-16-3	U172
N-Nitrosodiethanolamine	Ethanol, 2,2'-(nitrosoimino)bis-	1116-54-7	U173
N-Nitrosodiethylamine	Ethanamine, N-ethyl-N-nitroso-	55-18-5	U174
N-Nitrosodimethylamine	Methanamine, N-methyl-N-nitroso-	62-75-9	P082
N-Nitroso-N-ethylurea	Urea, N-ethyl-N-nitroso-	759-73-9	U176
N-Nitrosomethylethylamine	Ethanamine, N-methyl-N-nitroso-	10595-95-6	
N-Nitroso-N-methylurea	Urea, N-methyl-N-nitroso-	684-93-5	U177
N-Nitroso-N-methylurethane	Carbamic acid, methylnitroso-, ethyl ester	615-53-2	U178
N-Nitrosomethylvinylamine	Vinylamine, N-methyl-N-nitroso-	4549-40-0	P084
N-Nitrosomorpholine	Morpholine, 4-nitroso-	59-89-2	
N-Nitrosornicotine	Pyridine, 3-(1-nitroso-2-pyrrolidinyl)-, (S)-	16543-55-8	
N-Nitrosopiperidine	Piperidine, 1-nitroso-	100-75-4	U179
N-Nitrosopyrrolidine	Pyrrolidine, 1-nitroso-	930-55-2	U180
N-Nitrososarcosine	Glycine, N-methyl-N-nitroso-	13256-22-9	
5-Nitro-o-toluidine	Benzenamine, 2-methyl-5-nitro-	99-55-8	U181
Octamethylpyrophosphoramidate	Diphosphoramidate, octamethyl-	152-16-9	P085
Osmium tetroxide	Osmium oxide OsO ₄ , (T-4)	20816-12-0	P087
<u>Oxamyl</u>	<u>Ethanimidothioic acid, 2-(dimethylamino)-N-[[[(methylamino)carbonyl]-oxy]-2-oxo-, methyl ester</u>	<u>23135-22-0</u>	<u>P194</u>
Paraldehyde	1,3,5-Trioxane, 2,4,6-trimethyl-	123-63-7	U182
Parathion	Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester	56-38-2	P089
<u>Pebulate</u>	<u>Carbamothioic acid, butylethyl-, S-propyl ester</u>	<u>1114-71-2</u>	<u>U391</u>
Pentachlorobenzene	Benzene, pentachloro-	608-93-5	U183
Pentachlorodibenzo-p-dioxins			
Pentachlorodibenzofurans			
Pentachloroethane	Ethane, pentachloro-	76-01-7	U184
Pentachloronitrobenzene (PCNB)	Benzene, pentachloronitro-	82-68-8	U185
Pentachlorophenol	Phenol, pentachloro-	87-86-5	See F027
Phenacetin	Acetamide, N-(4-ethoxyphenyl)-	62-44-2	U187
Phenol	Same	108-95-2	U188
Phenylenediamine	Benzenediamine	25265-76-3	
Phenylmercury acetate	Mercury, (acetato-O)phenyl-	62-38-4	P092
Phenylthiourea	Thiourea, phenyl-	103-85-5	P093
Phosgene	Carbonic dichloride	75-44-5	P095

Phosphine	Same	7803-51-2	P096
Phorate	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	298-02-2	P094
Phthalic acid esters, N.O.S.			
Phthalic anhydride	1,3-Isobenzofurandione	85-44-9	U190
<u>Physostigmine</u>	<u>Pyrrolo[2,3-b]indol-5-ol,</u> <u>1,2,3,3a,8,8a-hexahydro-1,3a,8-</u> <u>trimethyl-, methylcarbamate (ester),</u> <u>(3aS-cis)-</u>	<u>57-47-6</u>	<u>P204</u>
<u>Physostigmine salicylate</u>	<u>Benzoic acid, 2-hydroxy-, compound</u> <u>with (3aS-cis)-1,2,3,3a,8,8a-hexa-</u> <u>hydro-1,3a,8-trimethylpyrrolo[2,3-b]-</u> <u>indol-5-yl methylcarbamate ester</u> <u>(1:1)</u>	<u>57-64-7</u>	<u>P188</u>
2-Picoline	Pyridine, 2-methyl-	109-06-8	U191
Polychlorinated biphenyls, N.O.S.			
Potassium cyanide	Same	151-50-8	P098
<u>Potassium dimethyldithiocarbamate</u>	<u>Carbamodithioc acid, dimethyl,</u> <u>potassium salt</u>	<u>128-03-0</u>	<u>U383</u>
<u>Potassium hydroxymethyl-n-methyl-dithio-</u> <u>carbamate</u>	<u>Carbamodithioc acid, (hydroxy-</u> <u>methyl)methyl-, monopotassium salt</u>	<u>51026-28-9</u>	<u>U378</u>
<u>Potassium n-methyldithiocarbamate</u>	<u>Carbamodithioc acid, methyl-mono-</u> <u>potassium salt</u>	<u>137-41-7</u>	<u>U377</u>
Potassium silver cyanide	Argentate(1-), bis(cyano-C)-, potassium)	506-61-6	P099
Potassium pentachlorophenate	Pentachlorophenol, potassium salt	7778736	None
<u>Promecarb</u>	<u>Phenol, 3-methyl-5-(1-methylethyl)-,</u> <u>methyl carbamate</u>	<u>2631-37-0</u>	<u>P201</u>
Pronamide	Benzamide, 3,5-dichloro-N-(1,1-di- methyl-2-propynyl)-	23950-58-5	U192
1,3-Propane sultone	1,2-Oxathiolane, 2,2-dioxide	1120-71-4	U193
<u>Propham</u>	<u>Carbamic acid, phenyl-, 1-methyl-</u> <u>ethyl ester</u>	<u>122-42-9</u>	<u>U373</u>
<u>Propoxur</u>	<u>Phenol, 2-(1-methylethoxy)-, methyl-</u> <u>carbamate</u>	<u>114-26-1</u>	<u>U411</u>
n-Propylamine	1-Propanamine	107-10-8	U194
Propargyl alcohol	2-Propyn-1-ol	107-19-7	P102
Propylene dichloride	Propane, 1,2-dichloro-	78-87-5	U083
1,2-Propylenimine	Aziridine, 2-methyl-	75-55-8	P067
Propylthiouracil	4(1H)-Pyrimidinone, 2,3-dihydro-6- propyl-2-thioxo-	51-52-5	
<u>Prosulfocarb</u>	<u>Carbamothioic acid, dipropyl-,</u> <u>S-(phenylmethyl) ester</u>	<u>52888-80-9</u>	<u>U387</u>
Pyridine	Same	110-86-1	U196
Reserpine	Yohimban-16-carboxylic acid, 11,17- dimethoxy-18-[(3,4,5-trimethoxy- benzoyl)oxy]-, methyl ester, (3beta,16beta,17alpha,18beta,20alpha)-,	50-55-5	U200
Resorcinol	1,3-Benzenediol	108-46-3	U201
Saccharin	1,2-Benzisothiazol-3(2H)-one, 1,1-	81-07-2	U202

	dioxide		
Saccharin salts			U202
Safrole	1,3-Benzodioxole, 5-(2-propenyl)-	94-59-7	U203
Selenium	Same	7782-49-2	
Selenium compounds, N.O.S.			
Selenium dioxide	Selenious acid	7783-00-8	U204
Selenium sulfide	Selenium sulfide SeS ₂	7488-56-4	U205
<u>Selenium, tetrakis(dimethyl- dithiocarbamate</u>	<u>Carbamodithioic acid, dimethyl-, tetraanhydrosulfide with orthothio- selenious acid</u>	<u>144-34-3</u>	<u>U376</u>
Selenourea	Same	630-10-4	P103
Silver	Same	7440-22-4	
Silver compounds, N.O.S.			
Silver cyanide	Silver cyanide AgCN	506-64-9	P104
Silvex (2,4,5-TP)	Propanoic acid, 2-(2,4,5- trichlorophenoxy)-	93-72-1	See F027
Sodium cyanide	Sodium cyanide NaCN	143-33-9	P106
<u>Sodium dibutylthiocarbamate</u>	<u>Carbamodithioic acid, dibutyl-, sodium salt</u>	<u>136-30-1</u>	<u>U379</u>
<u>Sodium diethylthiocarbamate</u>	<u>Carbamodithioic acid, diethyl-, sodium salt</u>	<u>148-18-5</u>	<u>U381</u>
<u>Sodium dimethylthiocarbamate</u>	<u>Carbamodithioic acid, dimethyl-, sodium salt</u>	<u>128-04-1</u>	<u>U382</u>
Sodium pentachlorophenate	Pentachlorophenol, sodium salt	131522	None
Streptozotocin	D-Glucose, 2-deoxy-2-[[methyl- nitrosoamino)carbonyl]amino]-	18883-66-4	U206
Strychnine	Strychnidin-10-one	57-24-9	P108
Strychnine salts			P108
<u>Sulfallate</u>	<u>Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester</u>	<u>95-06-7</u>	<u>U277</u>
TCDD	Dibenzo[b,e][1,4]dioxin, 2,3,7,8- tetrachloro-	1746-01-6	
<u>Tetrabutylthiuram disulfide</u>	<u>Thioperoxydicarbonic diamide, tetra- butyl</u>	<u>1634-02-2</u>	<u>U402</u>
<u>Tetrabutylthiuram monosulfide</u>	<u>Bis(dimethylthiocarbamoyl) sulfide</u>	<u>97-74-5</u>	<u>U401</u>
1,2,4,5-Tetrachlorobenzene	Benzene, 1,2,4,5-tetrachloro-	95-94-3	U207
Tetrachlorodibenzo-p-dioxins			
Tetrachlorodibenzofurans			
Tetrachloroethane, N.O.S.	Ethane, tetrachloro-, N.O.S.	25322-20-7	
1,1,1,2-Tetrachloroethane	Ethane, 1,1,1,2-tetrachloro-	630-20-6	U208
1,1,2,2-Tetrachloroethane	Ethane, 1,1,2,2-tetrachloro-	79-34-5	U209
Tetrachloroethylene	Ethene, tetrachloro-	127-18-4	U210
2,3,4,6-Tetrachlorophenol	Phenol, 2,3,4,6-tetrachloro-	58-90-2	See F027
2,3,4,6-Tetrachlorophenol, potassium salt	Same	53535276	None
2,3,4,6-Tetrachlorophenol, sodium salt	Same	25567559	None
Tetraethylthiopyrophosphate	Thiodiphosphoric acid, tetraethyl ester	3689-24-5	P109
Tetraethyl lead	Plumbane, tetraethyl-	78-00-2	P110
Tetraethylpyrophosphate	Diphosphoric acid, tetraethyl ester	107-49-3	P111
Tetranitromethane	Methane, tetranitro-	509-14-8	P112

Thallium	Same	7440-28-0	
Thallium compounds			
Thallic oxide	Thallium oxide Tl_2O_3	1314-32-5	P113
Thallium (I) acetate	Acetic acid, thallium (1+) salt	563-68-8	U214
Thallium (I) carbonate	Carbonic acid, dithallium (1+) salt	6533-73-9	U215
Thallium (I) chloride	Thallium chloride $TlCl$	7791-12-0	U216
Thallium (I) nitrate	Nitric acid, thallium (1+) salt	10102-45-1	U217
Thallium selenite	Selenious acid, dithallium (1+) salt	12039-52-0	P114
Thallium (I) sulfate	Sulfuric acid, dithallium (1+) salt	7446-18-6	P115
Thioacetamide	Ethanethioamide	62-55-5	U218
<u>Thiodicarb</u>	<u>Ethanimidothioic acid,</u> <u>N,N'-[thiobis[(methylimino)-</u> <u>carbonyloxy]]-bis-, dimethyl ester</u>	<u>59669-26-0</u>	<u>U410</u>
Thiofanox	2-Butanone, 3,3-dimethyl-1-(methylthio)-, O-[(methylamino)carbonyl]-oxime	39196-18-4	P045
<u>Thiophanate-methyl</u>	<u>Carbamic acid,</u> <u>[1,2-phenylenebis(iminocarbonothioyl)]-bis-, dimethyl ester</u>	<u>23564-05-8</u>	<u>U409</u>
Thiomethanol	Methanethiol	74-93-1	U153
Thiophenol	Benzenethiol	108-98-5	P014
Thiosemicarbazide	Hydrazinecarbothioamide	79-19-6	P116
Thiourea	Same	62-56-6	P219
Thiram	Thioperoxydicarbonic diamide [(H ₂ N)C(S)] ₂ S ₂ , tetramethyl-	137-26-8	U244
<u>Tirpate</u>	<u>1,3-Dithiolane-2-carboxaldehyde,</u> <u>2,4-dimethyl-, O-[(methylamino)-</u> <u>carbonyl] oxime</u>	<u>26419-73-8</u>	<u>P185</u>
Toluene	Benzene, methyl-	108-88-3	U220
Toluenediamine	Benzenediamine, ar-methyl-	25376-45-8	U221
Toluene-2,4-diamine	1,3-Benzenediamine, 4-methyl-	95-80-7	
Toluene-2,6-diamine	1,3-Benzenediamine, 2-methyl-	823-40-5	
Toluene-3,4-diamine	1,2-Benzenediamine, 4-methyl-	496-72-0	
Toluene diisocyanate	Benzene, 1,3-diisocyanatomethyl-	26471-62-5	U223
o-Toluidine	Benzenamine, 2-methyl-	95-53-4	U328
o-Toluidine hydrochloride	Benzenamine, 2-methyl-, hydrochloride	636-21-5	U222
p-Toluidine	Benzenamine, 4-methyl-	106-49-0	U353
Toxaphene	Same	8001-35-2	P123
<u>Triallate</u>	<u>Carbamothioic acid, bis(1-methyl-</u> <u>ethyl)-, S-(2,3,3-trichloro-2-propenyl)</u> <u>ester</u>	<u>2303-17-5</u>	<u>U389</u>
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	120-82-1	
1,1,2-Trichloroethane	Ethane, 1,1,2-trichloro-	79-00-5	U227
Trichloroethylene	Ethene, trichloro-	79-01-6	U228
Trichloromethanethiol	Methanethiol, trichloro-	75-70-7	P118
Trichloromonofluoromethane	Methane, trichlorofluoro-	75-69-4	U121
2,4,5-Trichlorophenol	Phenol, 2,4,5-trichloro-	95-95-4	See F027
2,4,6-Trichlorophenol	Phenol, 2,4,6-trichloro-	88-06-2	See F027

2,4,5-T	Acetic acid, (2,4,5-trichlorophenoxy)-	93-76-5	See F027
Trichloropropane, N.O.S.		25735-29-9	
1,2,3-Trichloropropane	Propane, 1,2,3-trichloro-	96-18-4	
<u>Triethylamine</u>	<u>Ethanamine, N,N-diethyl-</u>	<u>121-44-8</u>	<u>U404</u>
O,O,O-Triethylphosphorothioate	Phosphorothioic acid, O,O,O-triethyl ester	126-68-1	
1,3,5-Trinitrobenzene	Benzene, 1,3,5-trinitro-	99-35-4	U234
Tris(l-aziridiny)phosphine sulfide	Aziridine, 1,1',1"-phosphinothioyl-idynetris-	52-24-4	
Tris(2,3-dibromopropyl) phosphate	1-Propanol, 2,3-dibromo-, phosphate (3:1)	126-72-7	U235
Trypan blue	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl[1,1'-biphenyl]-4,4'-diyl)bis(azo)]bis[5-amino-4-hydroxy-, tetrasodium salt	72-57-1	U236
Uracil mustard	2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-	66-75-1	U237
Vanadium pentoxide	Vanadium oxide V ₂ O ₅	1314-62-1	P120
<u>Vernolate</u>	<u>Carbamothioc acid, dipropyl-, S-propyl ester</u>	<u>1929-77-7</u>	<u>U385</u>
Vinyl chloride	Ethene, chloro-	75-01-4	U043
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations less than 0.3%-	81-81-2	U248
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations greater than 0.3%-	81-81-2	P001
Warfarin salts, when present at concentrations less than 0.3%-			U248
Warfarin salts, when present at concentrations greater than 0.3%-			P001
Zinc cyanide	Zinc cyanide Zn(CN) ₂	557-21-1	P121
Zinc phosphide	Zinc phosphide P ₂ Zn ₃ , when present at concentrations greater than 10%-	1314-84-7	P122
Zinc phosphide	Zinc phosphide P ₂ Zn ₃ , when present at concentrations of 10% or less-	1314-84-7	U249
<u>Ziram</u>	<u>Zinc, bis(dimethylcarbamo-dithioato-S,S')- (T-4)-</u>	<u>137-30-4</u>	<u>P205</u>

Note: The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this Section.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721. Appendix I Wastes Excluded by Administrative Action

Table B Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Specific Sources

Facility Address	Waste Description
Amoco Oil Company Wood River, Illinois	150 million gallons of DAF float from petroleum refining contained in four surge ponds after treatment with the Chemfix stabilization process. This waste contains U.S.-EPA hazardous waste number K048. This exclusion applies to the 150 million gallons of waste after chemical stabilization as long as the mixing ratios of the reagent with the waste are monitored continuously and do not vary outside of the limits presented in the demonstration samples and one grab sample is taken each hour from each treatment unit, composited, and EP toxicity tests performed on each sample. If the levels of lead or total chromium exceed 0.5 ppm in the EP extract, then the waste that was processed during the compositing period is considered hazardous; the treatment residue shall be pumped into bermed cells to ensure that the waste is identifiable in the event that removal is necessary.
USX Steel Corporation Chicago, Illinois	<p>Fully-cured chemically stabilized electric arc furnace dust/sludge (CSEAFD) treatment residue (U.S.-EPA hazardous waste number K061) generated from the primary production of steel after April 29, 1991. This exclusion (for 35,000 tons of CSEAFD per year) is conditioned on the data obtained from USX's full-scale CSEAFD treatment facility. To ensure that hazardous constituents are not present in the waste at levels of regulatory concern once the full-scale treatment facility is in operation, USX shall implement a testing program for the petitioned waste. This testing program must meet the following conditions for the exclusion to be valid:</p> <ol style="list-style-type: none"> <li data-bbox="667 1150 1442 1276">1. Testing: Sample collection and analyses (including quality control (QC) procedures) must be performed according to SW-846 methodologies, incorporated by reference in 35 Ill. Adm. Code 720.111. <ol style="list-style-type: none"> <li data-bbox="760 1308 1442 1755">A. Initial Testing: During the first four weeks of operation of the full scale treatment system, USX shall collect representative grab samples of each treated batch of the CSEAFD and composite the grab samples daily. The daily composites, prior to disposal, must be analyzed for the EP leachate concentrations of all the EP toxic metals, nickel, and cyanide (using distilled water in the cyanide extractions), and the total concentrations of reactive sulfide and reactive cyanide. USX must report the analytical test data, including quality control information, obtained during this initial period no later than 90 days after the treatment of the first full-scale batch. <li data-bbox="760 1787 1442 1877">B. Subsequent Testing: USX shall collect representative grab samples from every treated batch of CSEAFD generated daily and composite

all of the grab samples to produce a weekly composite sample. USX then shall analyze each weekly composite sample for all of the EP toxic metals and nickel. The analytical data, including quality control information, must be compiled and maintained on site for a minimum of three years. These data must be furnished upon request and made available for inspection by any employee or representative of U.S.-EPA or the Agency.

2. Delisting levels: If the EP extract concentrations for chromium, lead, arsenic, or silver exceed 0.315 mg/l; barium exceeds 6.3 mg/l; cadmium or selenium exceed 0.063 mg/l; mercury exceeds 0.0126 mg/l; nickel exceeds 3.15 mg/l; or cyanide exceeds 4.42 mg/l or total reactive cyanide or total reactive sulfide levels exceed 250 mg/kg and 500 mg/kg, respectively, the waste must either be re-treated until it meets these levels or managed and disposed of in accordance with Subpart C of Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.).

3. Data submittal to and enforcement by U.S.-EPA: Within one week of system start-up USX must notify the Section Chief, Delisting Section (see address below) when their full-scale stabilization system is on-line and waste treatment has begun. The data obtained through condition (1)(A) shall be submitted to the Section Chief, Delisting Section, CAD/OSW (OS-333), U.S.-EPA, 401 M Street, S.W., Washington, DC 20460 within the time period specified. At U.S.-EPA's request, USX must submit any other analytical data obtained through conditions (1)(A) or (1)(B) within the time period specified by the Section Chief. Failure to submit the required data obtained from conditions (1)(A) or (1)(B) within the specified time period or maintain the required records for the specified time will be considered by U.S.-EPA, at its decision, sufficient basis to revoke USX's Federal exclusion to the extent directed by U.S.-EPA. All data must be accompanied by the following certification statement: "Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code which include, but may not be limited to, 18 U.S.C. Section 6928), I certify that the information contained in or accompanying this document is true, accurate and complete. As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete. In the event that any of this information is determined by U.S.-

EPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this federal exclusion of wastes will be void as if it never had effect or to the extent directed by U.S.-EPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion."

4. Data Submittal to Agency: The data obtained through condition (1)(A) must be submitted to the Illinois Environmental Protection Agency, Planning and Reporting Section, 2200 Churchill Road, P.O. Box 19276, Springfield, IL 62794-9276 within the time period specified. At Agency's request, USX must submit any other analytical data obtained through conditions (1)(A) or (1)(B) within the time period specified by the Agency. All data must be accompanied by the following certification statement: "Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of Illinois' Environmental Protection Act), I certify that the information contained in or accompanying this document is true, accurate and complete. As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete."
5. Enforcement by the Agency: Whenever the Agency finds that USX has violated the standards in this exclusion, has failed to submit the required data obtained from conditions (1)(A) or (1)(B) within the specified time period, has failed to maintain the required records for the specified time or has submitted false, inaccurate or incomplete data, the Agency may take such action as is allowed by Title VIII of the Act.
6. Notification to the Board: Upon modification, termination, revocation, or other alteration of this exemption by U.S.-EPA, USX shall file a petition, pursuant to Part 102, with this Board requesting that the Board follow the U.S.-EPA action.

Conversion Systems, Inc.
Horsham, Pennsylvania (Sterling,
Illinois operations)

Chemically stabilized electric arc furnace dust (CSEAFD) that is generated by Conversion Systems, Inc. (CSI) (using the Super Detox⁰ treatment process, as modified by CSI to treat electric arc furnace dust (EAFD) (USEPA hazardous waste no. K061)), at the following site and which is disposed of in a RCRA Subtitle D municipal solid waste landfill (MSWLF): Northwestern Steel,

Sterling, Illinois.

CSI must implement a testing program for each site that meets the following conditions:

1. Verification testing requirements: Sample collection and analyses, including quality control procedures, must be performed according to SW-846 methodologies, incorporated by reference in 35 Ill. Adm. Code 720.111.

A. Initial verification testing: During the first 20 days of full-scale operation of a newly-constructed Super Detox⁰ treatment facility, CSI shall analyze a minimum of four composite samples of CSEAFD representative of the full 20-day period. Composite samples must be composed of representative samples collected from every batch generated. The CSEAFD samples must be analyzed for the constituents listed in condition 3 below. CSI shall report the operational and analytical test data, including quality control information, obtained during this initial period no later than 60 days after the generation of the first batch of CSEAFD.

B. Addition of new Super Detox⁰ treatment facilities to the exclusion:

Option 1: If USEPA approves additional facilities, CSI may petition the Board for identical-in substance amendment of this exclusion pursuant to Section 22.4 for the Act and 35 Ill. Adm. Code 102 and 720.120(a), or

Option 2: If USEPA has not approved such amendment, CSI may petition the Board for amendment pursuant to the general rulemaking procedures of Section 27 of the Act and 35 Ill. Adm. Code 102 and 720.120(b); or

Option 3: Alternatively to options 1 or 2 above, CSI may petition the Board for a hazardous waste delisting pursuant to Section 28.1 of the Act and 35 Ill. Adm. Code 106 and 720.122.

If CSI pursues general rulemaking (option 2 above) or hazardous waste delisting (option 3 above), it must demonstrate that the CSEAFD generated by a specific Super Detox⁰ treatment facility consistently meets the delisting levels specified in condition 3 below.

C. Subsequent verification testing: For the approved facility, CSI shall collect and analyze at least one composite sample of CSEAFD each month. The composite samples must be composed of representative samples collected from all batches treated in each month. These monthly

representative samples must be analyzed, prior to the disposal of the CSEAFD, for the constituents listed in condition 3 below. CSI may, at its discretion, analyze composite samples gathered more frequently to demonstrate that smaller batches of waste are nonhazardous.

2. Waste holding and handling: CSI shall store as hazardous all CSEAFD generated until verification testing, as specified in condition 1A or 1C above, as appropriate, is completed and valid analyses demonstrate that condition 3 below is satisfied. If the levels of constituents measured in the samples of CSEAFD do not exceed the levels set forth in condition 3, then the CSEAFD is nonhazardous and may be disposed of in a RCRA Subtitle D municipal solid waste landfill. If constituent levels in a sample exceed any of the delisting levels set forth in condition 3 below, the CSEAFD generated during the time period corresponding to this sample must be retreated until it meets these levels or managed and disposed of as hazardous waste, in accordance with 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, and 733. CSEAFD generated by a new CSI treatment facility must be managed as a hazardous waste prior to the addition of the name and location of the facility to this exclusion pursuant to condition 1C above. After addition of the new facility to the exclusion pursuant to condition 1B above, CSEAFD generated during the verification testing in condition 1A is also non-hazardous if the delisting levels in condition 3 are satisfied.

3. Delisting levels: All leachable concentrations for metals must not exceed the following levels (in parts per million (ppm)): antimony--0.06; arsenic --0.50; barium--7.6; beryllium--0.010; cadmium--0.050; chromium--0.33; lead--0.15; mercury--0.009; nickel--1; selenium--0.16; silver--0.30; thallium--0.020; vanadium--2; and zinc--70. Metal concentrations must be measured in the waste leachate by the method specified in Section 721.124.

4. Changes in operating conditions: After initiating subsequent testing, as described in condition 1C, if CSI significantly changes the stabilization process established under condition 1 (e.g., use of new stabilization reagents), CSI shall seek amendment of this exclusion using one of the options set forth in condition 1B above. After written amendment of this exclusion, CSI may manage CSEAFD wastes generated from the new process as nonhazardous if the wastes meet the delisting levels set forth in condition 3 above.

5. Data submittals: At least one month prior to operation of a new Super Detox^o treatment facility, CSI must notify the Agency in writing when the Super Detox^o treatment facility is scheduled to be on-line. The data obtained through condition 1A must be submitted to the Agency within the time period specified. Records of operating conditions and analytical data from condition 1 must be compiled, summarized, and maintained on site for a minimum of five years. These records and data must be furnished to the Agency upon request

and made available for inspection. Failure to submit the required data within the specified time period or to maintain the required records on site for the specified time will be considered a violation of the Act and Board regulations. All data submitted must be accompanied by a signed copy of the following certification statement to attest to the truth and accuracy of the data submitted:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations, I certify that the information contained in or accompanying this document is true, accurate, and complete.

"As to (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

"In the event that any of this information is determined by the Board or a court of law to be false, inaccurate, or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by the Board or court and that the company will be liable for any actions taken in contravention of the company's obligations under the federal RCRA and Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §§ 9601 et seq.) and corresponding provisions of the Act premised upon the company's reliance on the void exclusion."

BOARD NOTE: The obligations of this exclusion are derived from but also distinct from the obligations under the corresponding federally-granted exclusion of 40 CFR 261, Appendix IX, Table 2.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.Appendix Z Table to Section 721.102

	Table			
	*1	*2	*3	*4
Spent materials (both listed and nonlisted) /characteristics	Yes	Yes	Yes	Yes
Sludges (listed in Section 721.131 or 721.132)	Yes	Yes	Yes	Yes
Sludges (nonlisted) /exhibiting a characteristic of hazardous waste	Yes	Yes	No	Yes

By-products (listed in <u>Section 721.131 or 721.132</u>)	Yes	Yes	Yes	Yes
By-products (non-listed /exhibiting a characteristic of <u>hazardous waste</u>)	Yes	Yes	No	Yes
Commercial chemical products listed in <u>Section 721.133</u> that are not ordinarily applied to the land or burned as fuels	Yes	Yes	No	No
Scrap metal	Yes	Yes	Yes	Yes

Yes - Defined as a solid waste

No - Not defined as a solid waste

*1 - Use constituting disposal (Section 721.102(c)(1))

*2 - Burning for energy recovery or use to produce a fuel (Section 721.102(c)(2))

*3 - Reclamation (Section 721.102(c)(3))

*4 - Speculative accumulation (Section 721.102(c)(4))

BOARD NOTE: Derived from Table 1 to 40 CFR 261.2(c)(4) (1994).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

PART 722
STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART A: GENERAL

Section

722.110 Purpose, Scope and Applicability

722.111 Hazardous Waste Determination

722.112 USEPA Identification Numbers

SUBPART B: THE MANIFEST

Section

722.120 General Requirements

722.121 Acquisition of Manifests

722.122 Number of Copies

722.123 Use of the Manifest

SUBPART C: PRE-TRANSPORT REQUIREMENTS

Section

722.130 Packaging

722.131 Labeling

722.132 Marking

- 722.133 Placarding
- 722.134 Accumulation Time

SUBPART D: RECORDKEEPING AND REPORTING

Section

- 722.140 Recordkeeping
- 722.141 Annual Reporting
- 722.142 Exception Reporting
- 722.143 Additional Reporting
- 722.144 Special Requirements for Generators of between 100 and 1000 kilograms per month

SUBPART E: EXPORTS OF HAZARDOUS WASTE

Section

- 722.150 Applicability
- 722.151 Definitions
- 722.152 General Requirements
- 722.153 Notification of Intent to Export
- 722.154 Special Manifest Requirements
- 722.155 Exception Report
- 722.156 Annual Reports
- 722.157 Recordkeeping

SUBPART F: IMPORTS OF HAZARDOUS WASTE

Section

- 722.160 Imports of Hazardous Waste

SUBPART G: FARMERS

Section

- 722.170 Farmers

722.Appendix A Hazardous Waste Manifest

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

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R84-9 at 9 Ill. Reg. 11950, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1131, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14112, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20709, effective December 2, 1986; amended in R86-46 at 11 Ill. Reg. 13555, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19392, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13129, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 452, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18523, effective November 13, 1989; amended in R90-10 at 14 Ill. Reg. 16653, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9644, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14562, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17696, effective November 6, 1992; amended in R93-4 at 17 Ill. Reg. 20822, effective November 22, 1993; amended in R95-6 at 19 Ill. Reg. 9935, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____.

SUBPART A: GENERAL

Section 722.110 Purpose, Scope and Applicability

- a) These regulations establish standards for generators of hazardous waste.
- b) 35 Ill. Adm. Code 721.105(c) and (d) must be used to determine the applicability of provisions of this Part that are dependent on calculations of the quantity of hazardous waste generated per month.
- ~~bc)~~ A generator who treats, stores or disposes of hazardous waste on-site must only comply with the following Sections of this Part with respect to that waste: Section 722.111 for determining whether or not the generator has a hazardous waste, Section 722.112 for obtaining an EPA identification number, Section 722.140(c) and (d) for recordkeeping, Section 722.143 for additional reporting and, if applicable, Section 722.170 for farmers.
- ~~ed)~~ Any person who imports hazardous waste into the United States must comply with the standards applicable to generators established in this Part.
- ~~de)~~ A farmer who generates waste pesticides which are hazardous waste and who complies with all of the requirements of Section 722.151 is not required to comply with other standards in this Part, or 35 Ill. Adm. Code 702, 703, 724 725 or 728 with respect to such pesticides.
- ~~ef)~~ A person who generates a hazardous waste as defined by 35 Ill. Adm. Code 721 is subject to the compliance requirements and penalties prescribed in Title VIII and XII of the Environmental Protection Act if he does not comply with the requirements of this Part.
- ~~fg)~~ An owner or operator who initiates a shipment of hazardous waste from a treatment, storage or disposal facility must comply with the generator standards established in this Part.

BOARD NOTE: The provisions of Section 722.134 are applicable to the on-site accumulation of hazardous waste by generators. Therefore, the provisions of Section 722.134 only apply to owners or operators who are shipping hazardous waste which they generated at that facility. A generator who treats, stores or disposes of hazardous waste on-site must comply with the applicable standards and permit requirements set forth in 35 Ill. Adm. Code 702, 703, 724, 725, 726 and 728.

~~g) 35 Ill. Adm. Code 700 contains rules on application of other Board regulations.~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 722.111 Hazardous Waste Determination

A person who generates a solid waste, as defined in 35 Ill. Adm. Code 721.102, shall determine if that waste is a hazardous waste using the following method:

- a) The person should first determine if the waste is excluded from regulation under 35 Ill. Adm. Code 721.104.
- b) The person should then determine if the waste is listed as a hazardous waste in 35 Ill. Adm. Code 721.Subpart D.

(Board Note: Even if a waste is listed, the generator still has an opportunity under 35 Ill. Adm. Code 720.122 and 40 CFR 260.22 (1986) to demonstrate that the waste from the generator's particular facility or operation is not a hazardous waste.

- c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in 35 Ill. Adm. Code 721.Subpart D, the generator shall then determine whether the waste is identified in 35 Ill. Adm. Code 721.Subpart C by either:
 - 1) Testing the waste according to the methods set forth in 35 Ill. Adm. Code 721.Subpart C, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or
 - 2) Applying knowledge of the hazard characteristic of the waste in light of the materials or processes used.
- d) If the generator determines that the waste is hazardous, the generator shall refer to 35 Ill. Adm. Code 724, 725, ~~and 728~~, and 733 for possible exclusions or restrictions pertaining to the management of the specific waste.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

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

SUBPART A: GENERAL PROVISIONS

Section

- 724.101 Purpose, Scope and Applicability
- 724.103 Relationship to Interim Status Standards

SUBPART B: GENERAL FACILITY STANDARDS

Section

- 724.110 Applicability
- 724.111 Identification Number
- 724.112 Required Notices
- 724.113 General Waste Analysis
- 724.114 Security
- 724.115 General Inspection Requirements
- 724.116 Personnel Training
- 724.117 General Requirements for Ignitable, Reactive or Incompatible Wastes
- 724.118 Location Standards
- 724.119 Construction Quality Assurance Program

SUBPART C: PREPAREDNESS AND PREVENTION

Section

- 724.130 Applicability
- 724.131 Design and Operation of Facility
- 724.132 Required Equipment
- 724.133 Testing and Maintenance of Equipment
- 724.134 Access to Communications or Alarm System
- 724.135 Required Aisle Space
- 724.137 Arrangements with Local Authorities

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section

- 724.150 Applicability
- 724.151 Purpose and Implementation of Contingency Plan
- 724.152 Content of Contingency Plan
- 724.153 Copies of Contingency Plan
- 724.154 Amendment of Contingency Plan
- 724.155 Emergency Coordinator
- 724.156 Emergency Procedures

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section

- 724.170 Applicability
- 724.171 Use of Manifest System
- 724.172 Manifest Discrepancies
- 724.173 Operating Record
- 724.174 Availability, Retention and Disposition of Records
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SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

Section

- 724.190 Applicability
- 724.191 Required Programs
- 724.192 Groundwater Protection Standard
- 724.193 Hazardous Constituents
- 724.194 Concentration Limits
- 724.195 Point of Compliance
- 724.196 Compliance Period
- 724.197 General Groundwater Monitoring Requirements
- 724.198 Detection Monitoring Program
- 724.199 Compliance Monitoring Program
- 724.200 Corrective Action Program
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SUBPART G: CLOSURE AND POST-CLOSURE

Section

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- 724.211 Closure Performance Standard
- 724.212 Closure Plan; Amendment of Plan
- 724.213 Closure; Time Allowed For Closure

- 724.214 Disposal or Decontamination of Equipment, Structures and Soils
- 724.215 Certification of Closure
- 724.216 Survey Plat
- 724.217 Post-closure Care and Use of Property
- 724.218 Post-closure Plan; Amendment of Plan
- 724.219 Post-closure Notices
- 724.220 Certification of Completion of Post-closure Care

SUBPART H: FINANCIAL REQUIREMENTS

Section

- 724.240 Applicability
- 724.241 Definitions of Terms As Used In This Subpart
- 724.242 Cost Estimate for Closure
- 724.243 Financial Assurance for Closure
- 724.244 Cost Estimate for Post-closure Care
- 724.245 Financial Assurance for Post-closure Care
- 724.246 Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care
- 724.247 Liability Requirements
- 724.248 Incapacity of Owners or Operators, Guarantors or Financial Institutions
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SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section

- 724.270 Applicability
- 724.271 Condition of Containers
- 724.272 Compatibility of Waste With Container
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- 724.274 Inspections
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SUBPART J: TANK SYSTEMS

Section

- 724.290 Applicability
- 724.291 Assessment of Existing Tank System's Integrity
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AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11964, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6138, effective March 24, 1987; amended in R86-28 at 11 Ill. Reg. 8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13,

1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17702, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6973, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12487, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17601, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9951, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____.

SUBPART A: GENERAL PROVISIONS

Section 724.101 Purpose, Scope and Applicability

- a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste.
- b) The standards in this Part apply to owners and operators of all facilities that treat, store, or dispose of hazardous waste, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.
- c) The requirements of this Part apply to a person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434, 33 U.S.C. 1401) only to the extent they are included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141. A "RCRA permit" is a permit required by Section 21(f) of the Environmental Protection Act and 35 Ill. Adm. Code 703.121.

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

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

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

- e) The requirements of this Part apply to the owner or operator of a POTW (publicly owned treatment works) that treats, stores, or disposes of hazardous waste only to the extent included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141.
- f) This subsection corresponds with 40 CFR 264.1(f), which provides that the federal regulations do not apply to T/S/D activities in authorized states, except under limited, enumerated circumstances. This statement maintains structural consistency with U-S-EPA rules.
- g) The requirements of this Part do not apply to:

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

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

- 2) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4) (except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739).
- 3) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134.
- 4) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170.
- 5) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110.
- 6) The owner or operator of an elementary neutralization unit or a wastewater treatment unit, as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.Table T) or reactive (D003) waste to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 724.117(b).
- 7) This subsection corresponds with 40 CFR 264.1(g)(7), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

~~7)~~ Immediate response:

- A) Except as provided in subsection (g)(8)(B) below, a person engaged in treatment or containment activities during immediate response to any of the following situations:
- i) A discharge of a hazardous waste;
 - ii) An imminent and substantial threat of a discharge of hazardous waste;
 - iii) A discharge of a material that becomes a hazardous waste when discharged.
- B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 724.Subparts C and D.
- C) Any person that is covered by subsection (g)(8)(A) above and that continues or initiates hazardous waste treatment or containment activities after the

immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities.

- _____89) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.
- _____910) The addition of absorbent materials to waste in a container (as defined in 35 Ill. Adm. Code 720) or the addition of waste to absorbent material in a container, provided these actions occur at the time waste is first placed in the container, and Sections 724.117(b), 724.271, and 724.272 are complied with.
- 11) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:
- A) Batteries, as described in 35 Ill. Adm. Code 733.102;
- B) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- C) Thermostats, as described in 35 Ill. Adm. Code 733.104.
- h) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Section 724.980 Applicability

- a) The requirements of this Subpart apply, effective ~~December 6, 1995~~ **October 6, 1996**, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers subject to 724.Subparts I, J, or K, except as Section 724.101 and subsection (b) below provide otherwise.

BOARD NOTE: U-S-EPA adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995), 60 Fed. Reg. 56952 (Nov. 13, 1995), and 61 Fed. Reg. 28508 (June 5, 1996), U-S-EPA delayed the effective date until ~~December 6, 1995~~ **October 6, 1996**. If action by U-S-EPA or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that the 724.Subpart CC rules be enforceable to the extent that they become more stringent than the federal regulations upon which they are based.

- b) The requirements of this Subpart do not apply to the following waste management units at the facility:

- 1) A waste management unit that holds hazardous waste placed in the unit before ~~December 6, 1995~~ **October 6, 1996**, and in which no hazardous waste is added to the unit on or after this date.
 - 2) A container that has a design capacity less than or equal to 0.1 m³ (3.5 ft³ or 26.4 gal).
 - 3) A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - 4) A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - 5) A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA sections 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or state authorities.
 - 6) A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.
- c) For the owner and operator of a facility subject to this Subpart and who received a final RCRA permit prior to ~~December 6, 1995~~ **October 6, 1996**, the requirements of this Subpart shall be incorporated into the permit when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705. Until such date when the owner and operator receives a final permit incorporating the requirements of this Subpart, the owner and operator is subject to the requirements of 35 Ill. Adm. Code 725.Subpart CC.
- d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 724.989(i) are stayed for a tank or container used for the management of hazardous waste generated by organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions:
- 1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.
 - 2) The owner or operator prepares documentation, in accordance with Section 724.989(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 724.984 through 724.987 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated

by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above.

- 3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) above. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 724.989 Recordkeeping Requirements

- a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the following information as applicable:
- 1) Documentation for each cover installed on a tank in accordance with the requirements of Section 724.984(b)(2) or (b)(3) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in 35 Ill. Adm. Code 725.991(c).
 - 2) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of Section 724.985(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in 35 Ill. Adm. Code 725.986(e).
 - 3) Documentation for each enclosure used to control air emissions from containers in accordance with the requirements of Section 724.986(b)(2)(A) that includes information prepared by the owner or operator or provided by the manufacturer or vendor describing the enclosure design, and certification by the owner or operator that the enclosure meets the specifications listed in Section 724.986(b)(2)(B).
 - 4) Documentation for each closed-vent system and control device installed in accordance with the requirements of Section 724.987 that includes:
 - A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis as specified in subsection (a)(4)(B) below or by performance tests as specified in subsection (a)(4)(C) below when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.
 - B) If a design analysis is used, then design documentation as specified in Section 724.935(b)(4). The documentation shall include information prepared by the owner or operator or provided by the control device manufacturer or vendor that describes the control device design in accordance with Section 724.935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.

- C) If performance tests are used, then a performance test plan as specified in Section 724.935(b)(3) and all test results.
 - D) Information as required by Section 724.935(c)(1) and (c)(2).
- 5) Records for all Method 27 tests performed by the owner or operator for each container used to meet the requirements of Section 724.986(b)(1)(C).
 - 6) Records for all visual inspections conducted in accordance with the requirements of Section 724.988.
 - 7) Records for all monitoring for detectable organic emissions conducted in accordance with the requirements of Section 724.988.
 - 8) Records of the date of each attempt to repair a leak, repair methods applied, and the date of successful repair.
 - 9) Records for all continuous monitoring conducted in accordance with the requirements of Section 724.988.
 - 10) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 724.987(c)(3)(B).
 - 11) Records for all inspections of each cover installed on a tank in accordance with the requirements of Section 724.984(b)(2) or (b)(3) that includes information as listed in 35 Ill. Adm. Code 725.991(c).
- b) An owner or operator electing to use air emission controls for a tank in accordance with the conditions specified in Section 724.984(c) shall record the following information:
 - 1) Date and time each waste sample is collected for direct measurement of maximum organic vapor pressure in accordance with Section 724.983(c).
 - 2) Results of each determination of the maximum organic vapor pressure of the waste in a tank performed in accordance with Section 724.983(c).
 - 3) Records specifying the tank dimensions and design capacity.
 - c) An owner or operator electing to use air emission controls for a tank in accordance with the requirements of Section 724.991 shall record the information required by Section 724.991(c).
 - d) An owner or operator electing not to use air emission controls for a particular tank, surface impoundment, or container subject to this Subpart in accordance with the conditions specified in Section 724.982(c) shall record the information used by the owner or operator for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of Section 724.983.

- e) An owner or operator electing to comply with requirements in accordance with Section 724.982(c)(2)(E) or Section 724.982(c)(2)(F) shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.
- f) An owner or operator designating a cover as unsafe to inspect and monitor pursuant to 35 Ill. Adm. Code 725.989(f)(5) or difficult to inspect and monitor pursuant to 35 Ill. Adm. Code 725.989(f)(6) shall record in a log that is kept in the facility operating record the following information:
- 1) A list of identification numbers for tanks with covers that are designated as unsafe to inspect and monitor in accordance with the requirements of 35 Ill. Adm. Code 725.989(f)(5), an explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.
 - 2) A list of identification numbers for tanks with covers that are designated as difficult to inspect and monitor in accordance with the requirements of 35 Ill. Adm. Code 725.989(f)(6), an explanation for each cover stating why the cover is difficult to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.
- g) All records required by subsections (a) through (f) above, except as required in subsections (a)(1) through (a)(4), shall be maintained in the operating record for a minimum of 3 years. All records required by subsections (a)(1) through (a)(4) above shall be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service.
- h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 720.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.
- i) For each tank or container not using air emission controls specified in Sections 724.984 through 724.987 in accordance with the conditions specified in Section 724.980(d), the owner or operator shall record and maintain the following information:
- 1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 724.980(d)(1).
 - 2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:
 - A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the tank, the purpose and placement of this tank in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the tanks.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the container or group of containers, the purpose and placement of this container or group of containers in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the containers.
- 3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) above in the tanks or containers identified pursuant to subsection (i)(2) above would create an undue safety hazard if the air emission controls specified in Sections 724.984 through 724.987 were installed and operated on these waste management units. This explanation must include the following information:
- A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under Section 724.984(g), would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.
- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under Section 724.986(d), would not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

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

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

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17548, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9566, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, _____.

SUBPART A: GENERAL PROVISIONS

Section 725.101 Purpose, Scope and Applicability

- a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.
- b) Except as provided in Section 725.980(b), the standards in this Part and 35 Ill. Adm. Code 724.652 and 724.653 apply to owners and operators of facilities that treat, store, or dispose of hazardous waste that have fully complied with the requirements for interim status under Section 3005(e) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) and 35 Ill. Adm. Code 703, until either a permit is issued under Section 3005 of the Resource Conservation and Recovery Act or Section 21(f) of the Environmental Protection Act, or until applicable closure and post-closure responsibilities under this Part are fulfilled, and to those owners and operators of facilities in existence on November 19, 1980, that have failed to provide timely notification as required by Section 3010(a) of RCRA or that have failed to file Part A of the Permit Application, as required by 40 CFR 270.10(e) and (g) or 35 Ill. Adm. Code 703.150 and 703.152. These standards apply to all treatment, storage, or disposal of

hazardous waste at these facilities after November 19, 1980, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.105.

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

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

- 1) A person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434; 33 U.S.C. 1401);

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

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

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

- 5) The owner or operator of a facility permitted, licensed, or registered by Illinois to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105;
- 6) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4), except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739;
- 7) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134, except to the extent the requirements are included in 35 Ill. Adm. Code 722.134;
- 8) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170;
- 9) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110;
- 10) The owner or operator of an elementary neutralization unit or a wastewater treatment unit as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is

diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728. Table T) or reactive (D003) waste in order to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 725.117(b);

- 11) Immediate response:
- A) Except as provided in subsection (c)(11)(B) below, a person engaged in treatment or containment activities during immediate response to any of the following situations:
 - i) A discharge of a hazardous waste;
 - ii) An imminent and substantial threat of a discharge of a hazardous waste;
 - iii) A discharge of a material that becomes a hazardous waste when discharged.
 - B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 725. Subparts C and D.
 - C) Any person that is covered by subsection (c)(11)(A) above that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities.
- 12) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.
- 13) The addition of absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) or the addition of waste to the absorbent material in a container, provided that these actions occur at the time that the waste is first placed in the containers and Sections 725.117(b), 725.271, and 725.272 are complied with.
- 14) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:
- A) Batteries, as described in 35 Ill. Adm. Code 733.102;
 - B) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
 - C) Thermostats, as described in 35 Ill. Adm. Code 733.104.
- d) The following hazardous wastes must not be managed at facilities subject to regulation under this Part: hazardous waste numbers F020, F021, F022, F023, F026, or F027 unless:
- 1) The wastewater treatment sludge is generated in a surface impoundment as part of the plant's wastewater treatment system;

- 2) The waste is stored in tanks or containers;
 - 3) The waste is stored or treated in waste piles that meet the requirements of 35 Ill. Adm. Code 724.350(c) and all other applicable requirements of 725.Subpart L;
 - 4) The waste is burned in incinerators that are certified pursuant to the standards and procedures in Section 725.452; or
 - 5) The waste is burned in facilities that thermally treat the waste in a device other than an incinerator and that are certified pursuant to the standards and procedures in Section 725.483.
- e) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728, and the 35 Ill. Adm. Code 728 standards are considered material conditions or requirements of the interim status standards of this Part.
- f) Other bodies of regulations may apply a person, facility, or activity, such as 35 Ill. Adm. Code 809 (special waste hauling), 35 Ill. Adm. Code 807 or 810 through 817 (solid waste landfills), 35 Ill. Adm. Code 848 or 849 (used and scrap tires), or 35 Ill. Adm. Code 1420 through 1422 (potentially infectious medical waste), depending on the provisions of those other regulations.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS,
SURFACE IMPOUNDMENTS, AND CONTAINERS

Section 725.980 Applicability

- a) The requirements of this Subpart apply, effective ~~December 6, 1995~~ **October 6, 1996**, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers that are subject to ~~either~~ 725.Subparts I, J, or K, except as Section 725.101 and subsection (b) below provide otherwise.

BOARD NOTE: U-S-EPA adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995), 60 Fed. Reg. 56952 (Nov. 13, 1995), and 61 Fed. Reg. 28508 (June 5, 1996), U-S-EPA delayed the effective date until ~~December 6, 1995~~ **October 6, 1996**. If action by U-S-EPA or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that ~~the~~ 725.Subpart CC ~~rules~~ be enforceable to the extent that ~~they~~ it become more stringent than the federal regulations upon which they are based.

- b) The requirements of this Subpart do not apply to the following waste management units at the facility:
- 1) A waste management unit that holds hazardous waste placed in the unit before ~~December 6, 1995~~ **October 6, 1996** and in which no hazardous waste is added to the unit on or after this date.
 - 2) A container that has a design capacity less than or equal to 0.1 m³ (3.5 ft³ or 26.4 gal).

- 3) A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - 4) A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - 5) A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA sections 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or state authorities.
 - 6) A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.
- c) For the owner and operator of a facility subject to this Subpart who has received a final RCRA permit prior to ~~December 6, 1995~~ October 6, 1996, the following requirements apply:
- 1) The requirements of 35 Ill. Adm. Code 724.Subpart CC must be incorporated into the permit when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705.
 - 2) Until the date when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705, the owner and operator is subject to the requirements of this Subpart.
- d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 725.990(i) are stayed for a tank or container used for the management of hazardous waste generated by organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions:
- 1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.
 - 2) The owner or operator prepares documentation, in accordance with Section 725.990(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 725.985 through 725.988 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated

by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above.

- 3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) above. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 725.982 Schedule for Implementation of Air Emission Standards

- a) ~~_____~~ An owners or operators of a facilities in existence on December 6, 1995 October 6, 1996 and subject to 725.Subparts I, J, and/or K shall meet the following requirements:
- 1) The owner or operator shall install and begin operation of all control equipment required by this Subpart by ~~December 6, 1995~~ October 6, 1996, except as provided in subsection (a)(2) below.
 - 2) When control equipment required by this Subpart cannot be installed and in operation by ~~December 6, 1995~~ October 6, 1996, the owner or operator shall:
 - A) Install and begin operation of the control equipment as soon as possible, but in no case later than December 8, 1997.
 - B) Prepare an implementation schedule that includes the following information: specific calendar dates for award of contracts or issuance of purchase orders for the control equipment, initiation of on-site installation of the control equipment, completion of the control equipment installation, and performance of any testing to demonstrate that the installed equipment meets the applicable standards of this Subpart.
 - C) For facilities subject to the recordkeeping requirements of Section 725.173, the owner or operator shall enter the implementation schedule specified in subsection (a)(2)(B) above in the operating record no later than ~~December 6, 1995~~ October 6, 1996.
 - D) For facilities not subject to Section 725.173 above, the owner or operator shall enter the implementation schedule specified in subsection (a)(2)(B) of this section in a permanent, readily available file located at the facility no later than ~~December 6, 1995~~ October 6, 1996.
- b) An owner or operator of a facilities in existence on the effective date of statutory or regulatory amendments under the Act that render the facility subject to 725.Subparts I, J, or K shall meet the following requirements:
- 1) The owner or operator shall install and begin operation of all control equipment required by this Subpart by the effective date of the amendment, except as provided in subsection (b)(2) below.

- 2) When control equipment required by this Subpart cannot be installed and begin operation by the effective date of the amendment, the owner or operator shall:
- A) Install and operate the control equipment as soon as possible, but in no case later than 30 months after the effective date of the amendment; and
 - B) Maintenance of implementation schedule.
 - i) For facilities subject to the recordkeeping requirements of Section 725.173, enter and maintain the implementation schedule specified in subsection (a)(2)(B) above in the operating record no later than the effective date of the amendment, or
 - ii) For facilities not subject to Section 725.173, the owner or operator shall enter and maintain the implementation schedule specified in subsection (a)(2)(B) above in a permanent, readily available file, located at the facility site, no later than the effective date of the amendment.
- c) The Agency may elect to extend the implementation date for control equipment at a facility, on a case by case basis, to a date later than December 8, 1997:
- 1) When special circumstances that are beyond the facility owner's or operator's control delay installation or operation of control equipment, and
 - 2) The owner or operator has made all reasonable and prudent attempts to comply with the requirements of this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 725.990 Recordkeeping Requirements

- a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the following information as applicable:
- 1) Documentation for each cover installed on a tank in accordance with the requirements of Section 725.985(b)(2) or (b)(3) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in Section 725.991(c).
 - 2) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of Section 725.986(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in Section 725.986(e).
 - 3) Documentation for each enclosure used to control air emissions from containers in accordance with the requirements of Section 725.987(b)(2)(A) that includes information prepared by the owner or operator or provided by the manufacturer or

vendor describing the enclosure design, and certification by the owner or operator that the enclosure meets the specifications listed in Section 725.987(b)(2)(B).

- 4) Documentation for each closed-vent system and control device installed in accordance with the requirements of Section 725.988 that includes:
 - A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis, as specified in subsection (a)(4)(B) below, or by performance tests, as specified in subsection (a)(4)(C) below, when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.
 - B) If a design analysis is used, then design documentation as specified in Section 725.935(b)(4). The documentation must include information prepared by the owner or operator or provided by the control device manufacturer or vendor that describes the control device design in accordance with Section 725.935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.
 - C) If performance tests are used, then a performance test plan as specified in Section 725.935(b)(3) and all test results.
 - D) Information as required by Sections 725.935(c)(1) and 725.935(c)(2).
 - 5) Records for all Method 27 tests performed by the owner or operator for each container used to meet the requirements of Section 725.987(b)(1)(C).
 - 6) Records for all visual inspections conducted in accordance with the requirements of Section 725.989.
 - 7) Records for all monitoring for detectable organic emissions conducted in accordance with the requirements of Section 725.989.
 - 8) Records of the date of each attempt to repair a leak, repair methods applied, and the date of successful repair.
 - 9) Records for all continuous monitoring conducted in accordance with the requirements of Section 725.989.
 - 10) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 725.988(c)(3)(B).
 - 11) Records for all inspections of each cover installed on a tank in accordance with the requirements of Section 725.985(b)(2) or (b)(3) that includes information as listed in Section 725.991(c).
- b) An owner or operator electing to use air emission controls for a tank in accordance with the conditions specified in Section 725.985(c) shall record the following information:

- 1) The date and time each waste sample is collected for direct measurement of maximum organic vapor pressure in accordance with Section 725.984(c).
 - 2) The results of each determination for the maximum organic vapor pressure of the waste in the tank performed in accordance with Section 725.984(c).
 - 3) The records specifying the tank dimensions and design capacity.
- c) An owner or operator electing to use air emission controls for a tank in accordance with the requirements of Section 725.991 shall record the information required by Section 725.991(c).
- d) An owner or operator electing not to use air emission controls for a particular tank, surface impoundment, or container subject to this Subpart in accordance with the conditions specified in Section 725.983(c) shall record the information used by the owner or operator for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of Section 725.984.
- e) An owner or operator electing to comply with requirements in accordance with Section 725.983(c)(2)(E) or (c)(2)(F) shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.
- f) An owner or operator designating a cover as unsafe to inspect and monitor pursuant to Section 725.989(f)(5) or difficult to inspect and monitor pursuant to Section 725.989(f)(6) shall record in a log that is kept in the facility operating record the following information:
- 1) A list of identification numbers for tanks with covers that are designated as unsafe to inspect and monitor in accordance with the requirements of Section 725.989(f)(5), an explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.
 - 2) A list of identification numbers for tanks with covers that are designated as difficult to inspect and monitor in accordance with the requirements of Section 725.989(f)(6), an explanation for each cover stating why the cover is difficult to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.
- g) All records required by subsections (a) through (f) above, except as required in subsections (a)(1) through (a)(4) above, must be maintained in the operating record for a minimum of 3 years. All records required by subsections (a)(1) through (a)(4) above must be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service.
- h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV, or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 270.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.

- i) For each tank or container not using air emission controls specified in Sections 725.985 through 725.988 in accordance with the conditions specified in Section 725.980(d), the owner or operator shall record and maintain the following information:
- 1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 725.980(d)(1).
 - 2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:
 - A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the tank, the purpose and placement of this tank in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the tanks.
 - B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the container or group of containers, the purpose and placement of this container or group of containers in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the containers.
 - 3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) above in the tanks or containers identified pursuant to subsection (i)(2) above would create an undue safety hazard if the air emission controls specified in Sections 725.985 through 725.988 were installed and operated on these waste management units. This explanation must include the following information:
 - A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under Section 725.985(g), would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.
 - B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under Section 725.987(d), would not address those situations in which evacuation of containers

equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

PART 726
STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTE
AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C: RECYCLABLE MATERIALS USED IN A MANNER
CONSTITUTING DISPOSAL

Section

- 726.120 Applicability
- 726.121 Standards applicable to generators and transporters of materials used in a manner that constitutes disposal
- 726.122 Standards applicable to storers, who are not the ultimate users, of materials that are to be used in a manner that constitutes disposal
- 726.123 Standards Applicable to Users of Materials that are Used in a Manner that Constitutes Disposal

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

Section

- 726.130 Applicability (Repealed)
- 726.131 Prohibitions (Repealed)
- 726.132 Standards applicable to generators of hazardous waste fuel (Repealed)
- 726.133 Standards applicable to transporters of hazardous waste fuel (Repealed)
- 726.134 Standards applicable to marketers of hazardous waste fuel (Repealed)
- 726.135 Standards applicable to burners of hazardous waste fuel (Repealed)
- 726.136 Conditional exemption for spent materials and by-products exhibiting a characteristic of hazardous waste (Repealed)

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY (Repealed)

Section

- 726.140 Applicability (Repealed)
- 726.141 Prohibitions (Repealed)
- 726.142 Standards applicable to generators of used oil burned for energy recovery (Repealed)
- 726.143 Standards applicable to marketers of used oil burned for energy recovery (Repealed)
- 726.144 Standards applicable to burners of used oil burned for energy recovery (Repealed)

SUBPART F: RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL
RECOVERY

Section

- 726.170 Applicability and requirements

SUBPART G: SPENT LEAD-ACID BATTERIES BEING RECLAIMED

Section

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726.Table A Exempt Quantities for Small Quantity Burner Exemption

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

SOURCE: Adopted in R85-22 at 10 Ill. Reg. 1162, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14156, effective August 12, 1986; amended in R87-26 at 12 Ill. Reg. 2900, effective January 15, 1988; amended in R89-1 at 13 Ill. Reg. 18606, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14533, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9727, effective June 17, 1991; amended in R91-13 at 16 Ill. Reg. 9858, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5865, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20904, effective November 22, 1993; amended in R94-7 at 18 Ill. Reg. 12500, effective July 29, 1994; amended in R95-6 at 19 Ill. Reg. 10006, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, _____.

SUBPART G: SPENT LEAD-ACID BATTERIES BEING RECLAIMED

Section 726.180 Applicability and requirements

- a) The regulations of this Subpart apply to a persons ~~who~~that reclaims (including regeneration) spent lead-acid batteries that are recyclable materials ("spent batteries"). A ~~persons who~~that generates, transports, or collects spent batteries, or ~~who~~that stores spent batteries (other than spent batteries that are to be regenerated), but one that does not reclaim them batteries, ~~are~~is not subject to regulation under 35 Ill. Adm. Code 722 through 726 or 35 Ill. Adm. Code 702, 703, or 705, and also are not subject to the requirements of Section 3010 of the Resource Conservation and Recovery Act.
- b) Owners or operators of facilities that store spent batteries before reclaiming them batteries (other than spent batteries that are to be regenerated) are subject to the following requirements.
- 1) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act;
 - 2) All applicable provisions in 35 Ill. Adm. Code 724.Subparts A, B (but not 35 Ill. Adm. Code 724.113 (waste analysis)), C,D,E (but not 35 Ill. Adm. Code 724.171 or 724.172 dealing with the use of the manifest and manifest discrepancies), and F through L;
 - 3) All applicable provisions in 35 Ill. Adm. Code 725.Subparts A, B (but not 35 Ill. Adm. Code 725.113 (waste analysis)), C,D,E (but not 35 Ill. Adm. Code 725.171 and 725.172 dealing with the use of the manifest and manifest discrepancies), and F through L;
 - 4) All applicable provisions in 35 Ill. Adm. Code 702, 703 and 705.
- c) Spent lead-acid batteries that are not managed under this Part, are subject to management under 35 Ill. Adm. Code 733.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS
AND INDUSTRIAL FURNACES

Section 726.203 Interim Status Standards for Burners

- a) Purpose, scope, applicability.
- 1) General.
 - A) The purpose of this Section is to establish minimum national standards for owners and operators of "existing" BIFs that burn hazardous waste where such standards define the acceptable management of hazardous waste during the period of interim status. The standards of this Section apply to owners and operators of existing facilities until either a permit is issued under Section 726.202(d) or until closure responsibilities identified in this Section are fulfilled.

- B) "Existing" or "in existence" means a BIF for which the owner or operator filed a certification of precompliance with U.S.-EPA pursuant to 40 CFR 266.103(b), incorporated by reference in subsection (b) below; provided, however, that U.S.-EPA has not determined that the certification is invalid.
 - C) If a BIF is located at a facility that already has a RCRA permit or interim status, then the owner or operator shall comply with the applicable regulations dealing with permit modifications in 35 Ill. Adm. Code 703.280 or changes in interim status in 35 Ill. Adm. Code 703.155.
- 2) Exemptions. The requirements of this Section do not apply to hazardous waste and facilities exempt under Sections 726.200(b) or 726.208.
 - 3) Prohibition on burning dioxin-listed wastes. The following hazardous waste listed for dioxin and hazardous waste derived from any of these wastes must not be burned in a BIF operating under interim status: U.S.-EPA hazardous waste numbers F020, F021, F022, F023, F026 and F027.
 - 4) Applicability of 35 Ill. Adm. Code 725 standards. Owners and operators of BIFs that burn hazardous waste and are operating under interim status are subject to the following provisions of 35 Ill. Adm. Code 725, except as provided otherwise by this Section:
 - A) In Subpart A of this Part (General), 35 Ill. Adm. Code 725.104;
 - B) In Subpart B of this Part (General facility standards), 35 Ill. Adm. Code 725.111 through 725.117;
 - C) In Subpart C of this Part (Preparedness and prevention), 35 Ill. Adm. Code 725.131 through 725.137;
 - D) In Subpart D of this Part (Contingency plan and emergency procedures), 35 Ill. Adm. Code 725.151 through 725.156;
 - E) In Subpart E of this Part (Manifest system, recordkeeping and reporting), 35 Ill. Adm. Code 725.171 through 725.177, except that 35 Ill. Adm. Code 725.171, 725.172 and 725.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources;
 - F) In Subpart G of this Part (Closure and post-closure), 35 Ill. Adm. Code 725.211 through 725.215;
 - G) In Subpart H of this Part (Financial requirements), 35 Ill. Adm. Code 725.241, 725.242, 725.243 and 725.247 through 725.251, except that the State of Illinois and the Federal government are exempt from the requirements of 35 Ill. Adm. Code 725.Subpart H; and
 - H) In Subpart BB of this Part (Air emission standards for equipment leaks), except 35 Ill. Adm. Code 725.950(a).

- 5) Special requirements for furnaces. The following controls apply during interim status to industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see subsection (a)(5)(B) above) at any location other than the hot end where products are normally discharged or where fuels are normally fired:
- A) Controls.
 - i) The hazardous waste must be fed at a location where combustion gas temperatures are at least 1800° F;
 - ii) The owner or operator shall determine that adequate oxygen is present in combustion gases to combust organic constituents in the waste and retain documentation of such determination in the facility record;
 - iii) For cement kiln systems, the hazardous waste must be fed into the kiln; and
 - iv) The HC controls of Section 726.204(f) or subsection (c)(5) below apply upon certification of compliance under subsection (c) below, irrespective of the CO level achieved during the compliance test.
 - B) Burning hazardous waste solely as an ingredient. A hazardous waste is burned for a purpose other than "solely as an ingredient" if it meets either of these criteria:
 - i) The hazardous waste has a total concentration of nonmetal compounds listed in 35 Ill. Adm. Code 721. Appendix H, exceeding 500 ppm by weight, as fired and so is considered to be burned for destruction. The concentration of nonmetal compounds in a waste as-generated may be reduced to the 500 ppm limit by bona fide treatment that removes or destroys nonmetal constituents. Blending for dilution to meet the 500 ppm limit is prohibited and documentation that the waste has not been impermissibly diluted must be retained in the facility record; or
 - ii) The hazardous waste has a heating value of 5,000 Btu/lb or more, as fired, and so is considered to be burned as fuel. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. Blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and documentation that the waste has not been impermissibly blended must be retained in the facility record.
- 6) Restrictions on burning hazardous waste that is not a fuel. Prior to certification of compliance under subsection (c) below, owners and operators shall not feed hazardous waste that has a heating value less than 5000 Btu/lb, as generated, (except that the

heating value of a waste as-generated may be increased to above the 5,000 Btu/lb limit by bona fide treatment; however blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and records must be kept to document that impermissible blending has not occurred) in a BIF, except that:

- A) Hazardous waste may be burned solely as an ingredient; or
 - B) Hazardous waste may be burned for purposes of compliance testing (or testing prior to compliance testing) for a total period of time not to exceed 720 hours; or
 - C) Such waste may be burned if the Agency has documentation to show that, prior to August 21, 1991:
 - i) The BIF was operating under the interim status standards for incinerators or thermal treatment units, 35 Ill. Adm. Code 725.Subparts O or P; and
 - ii) The BIF met the interim status eligibility requirements under 35 Ill. Adm. Code 703.153 for 35 Ill. Adm. Code 725.Subparts O or P; and
 - iii) Hazardous waste with a heating value less than 5,000 Btu/lb was burned prior to that date; or
 - D) Such waste may be burned in a halogen acid furnace if the waste was burned as an excluded ingredient under 35 Ill. Adm. Code 721.102(e) prior to February 21, 1991, and documentation is kept on file supporting this claim.
- 7) Direct transfer to the burner. If hazardous waste is directly transferred from a transport vehicle to a BIF without the use of a storage unit, the owner or operator shall comply with Section 726.211.
- b) Certification of precompliance.
- 1) The Board incorporates by reference 40 CFR 266.103(b)(1992); amended at 57 Fed. Reg. 38564, August 25, 1992. This Section incorporates no later editions or amendments.
 - 2) Certain owners and operators were required to file a certification of precompliance with U.S.-EPA by August 21, 1991, pursuant to 40 CFR 266.103(b). No separate filing is required with the Agency.
- c) Certification of compliance. The owner or operator shall conduct emissions testing to document compliance with the emissions standards of Sections 726.204(b) through (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above under the procedures prescribed by this subsection, except under extensions of time provided by subsection (c)(7) below. Based on the compliance test, the owner or operator shall submit to the Agency, on or before August 21, 1992, a complete and accurate "certification of compliance" (under subsection (c)(4) below) with those emission standards establishing limits on the operating parameters specified in subsection (c)(1) below.

- 1) Limits on operating conditions. The owner or operator shall establish limits on the following parameters based on operations during the compliance test (under procedures prescribed in subsection (c)(4)(D) below) or as otherwise specified and include these limits with the certification of compliance. The BIF must be operated in accordance with these operating limits and the applicable emissions standards of Section 726.204(b) through (e), 726.205, 726.206, 726.207 and subsection (a)(5)(A)(iv) above at all times when there is hazardous waste in the unit.
- A) Feed rate of total hazardous waste and (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)), pumpable hazardous waste;
- B) Feed rate of each metal in the following feedstreams:
- i) Total feedstreams, except that industrial furnaces that must comply with the alternative metals implementation approach under subsection (c)(3)(B) below must specify limits on the concentration of each metal in collected PM in lieu of feed rate limits for total feedstreams; and facilities that comply with Tier I or Adjusted Tier I metals feed rate screening limits may set their operating limits at the metal feed rate screening limits determined under subsection 726.206(b) or (e);
- BOARD NOTE: Federal subsections 266.103(c)(1)(ii)(A)(1) and (c)(1)(ii)(A)(2) are condensed into the above subsection.
- ii) Total hazardous waste feed (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)); and
- iii) Total pumpable hazardous waste feed (unless complying with Tier I or Adjusted Tier I metals feed rate screening limits under subsection 726.206 (b) or (e));
- C) Total feed rate of total chlorine and chloride in total feed streams, except that facilities that comply with Tier I or Adjusted Tier I feed rate screening limits may set their operating limits at the total chlorine and chloride feed rate screening limits determined under subsection 726.207(b)(1) or (e);
- D) Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited;
- E) CO concentration, and where required, HC concentration in stack gas. When complying with the CO controls of Section 726.204(b), the CO limit is 100 ppmv, and when complying with the HC controls of Section 726.204(c), the HC limit is 20 ppmv. When complying with the CO controls of Section 726.204(c), the CO limit is established based on the compliance test;
- F) Maximum production rate of the device in appropriate units when producing normal product unless complying with Tier I or Adjusted Tier I feed rate screening limits for chlorine under subsection 726.207(b)(1) or (e) and for all

metals under subsection 726.207(b) or (e), and the uncontrolled particulate emissions do not exceed the standard under subsection 726.205;

- G) Maximum combustion chamber temperature where the temperature measurement is as close to the combustion zone as possible and is upstream of any quench water injection, (unless complying with the Tier I adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));
- H) Maximum flue gas temperature entering a PM control device (unless complying with Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));
- I) For systems using wet scrubbers, including wet ionizing scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)):
 - i) Minimum liquid to flue gas ratio;
 - ii) Minimum scrubber blowdown from the system or maximum suspended solids content of scrubber water; and
 - iii) Minimum pH level of the scrubber water;
- J) For systems using venturi scrubbers, the minimum differential gas pressure across the venturi (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));
- K) For systems using dry scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)):
 - i) Minimum caustic feed rate; and
 - ii) Maximum flue gas flow rate;
- L) For systems using wet ionizing scrubbers or electrostatic precipitators (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)):
 - i) Minimum electrical power in kVA to the precipitator plates; and
 - ii) Maximum flue gas flow rate;
- M) For systems using fabric filters (baghouses), the minimum pressure drop (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)).

- 2) Prior notice of compliance testing. At least 30 days prior to the compliance testing required by subsection (c)(3) below, the owner or operator shall notify the Agency and submit the following information:
- A) General facility information including:
 - i) U-S-EPA facility ID number;
 - ii) Facility name, contact person, telephone number and address;
 - iii) Person responsible for conducting compliance test, including company name, address and telephone number, and a statement of qualifications;
 - iv) Planned date of the compliance test;
 - B) Specific information on each device to be tested including:
 - i) A Description of BIF;
 - ii) A scaled plot plan showing the entire facility and location of the BIF;
 - iii) A description of the APCS;
 - iv) Identification of the continuous emission monitors that are installed, including: CO monitor; Oxygen monitor; HC monitor, specifying the minimum temperature of the system and, if the temperature is less than 150° C, an explanation of why a heated system is not used (see subsection (c)(5) below) and a brief description of the sample gas conditioning system;
 - v) Indication of whether the stack is shared with another device that will be in operation during the compliance test; and
 - vi) Other information useful to an understanding of the system design or operation; and
 - C) Information on the testing planned, including a complete copy of the test protocol and QA/QC plan, and a summary description for each test providing the following information at a minimum:
 - i) Purpose of the test (e.g., demonstrate compliance with emissions of PM); and
 - ii) Planned operating conditions, including levels for each pertinent parameter specified in subsection (c)(1) above.
- 3) Compliance testing.

- A) General. Compliance testing must be conducted under conditions for which the owner or operator has submitted a certification of precompliance under subsection (b) above and under conditions established in the notification of compliance testing required by subsection (c)(2) above. The owner or operator may seek approval on a case-by-case basis to use compliance test data from one unit in lieu of testing a similar on-site unit. To support the request, the owner or operator shall provide a comparison of the hazardous waste burned and other feedstreams, and the design, operation, and maintenance of both the tested unit and the similar unit. The Agency shall provide a written approval to use compliance test data in lieu of testing a similar unit if the Agency finds that the hazardous wastes, devices and the operating conditions are sufficiently similar, and the data from the other compliance test is adequate to meet the requirements of this subsection (c).
- B) Special requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCS shall comply with one of the following procedures for testing to determine compliance with the metals standards of Section 726.206(c) or (d):
- i) The special testing requirements prescribed in "Alternative Method for Implementing Metals Controls" in Section 726.Appendix I; or
 - ii) Stack emissions testing for a minimum of 6 hours each day while hazardous waste is burned during interim status. The testing must be conducted when burning normal hazardous waste for that day at normal feed rates for that day and when the APCS is operated under normal conditions. During interim status, hazardous waste analysis for metals content must be sufficient for the owner or operator to determine if changes in metals content affect the ability of the unit to meet the metals emissions standards established under Section 726.206(c) or (d). Under this option, operating limits (under subsection (c)(1) above) must be established during compliance testing under this subsection (c)(3) only on the following parameters: Feed rate of total hazardous waste; Total feed rate of total chlorine and chloride in total feed streams; Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited; CO concentration, and where required, HC concentration in stack gas; Maximum production rate of the device in appropriate units when producing normal product; or
 - iii) Conduct compliance testing to determine compliance with the metals standards to establish limits on the operating parameters of subsection (c)(1) above only after the kiln system has been conditioned to enable it to reach equilibrium with respect to metals fed into the system and metals emissions. During conditioning, hazardous waste and raw materials having the same metals content as will be fed during the compliance test must be fed at the feed rates that will be fed during the compliance test.
- C) Conduct of compliance testing.

- i) If compliance with all applicable emissions standards of Sections 726.204 through 726.207 is not demonstrated simultaneously during a set of test runs, the operating conditions of additional test runs required to demonstrate compliance with remaining emissions standards must be as close as possible to the original operating conditions.
 - ii) Prior to obtaining test data for purposes of demonstrating compliance with the applicable emissions standards of Sections 726.204 through 726.207 or establishing limits on operating parameters under this Section, the facility must operate under compliance test conditions for a sufficient period to reach steady-state operations. Industrial furnaces that recycle collected PM back into the furnace and that comply with subsections (c)(3)(B)(i) or (c)(3)(B)(ii) above, however, need not reach steady state conditions with respect to the flow of metals in the system prior to beginning compliance testing for metals.
 - iii) Compliance test data on the level of an operating parameter for which a limit must be established in the certification of compliance must be obtained during emissions sampling for the pollutant(s) (i.e., metals, PM, HCl/chlorine gas, organic compounds) for which the parameter must be established as specified by subsection (c)(1) above.
- 4) Certification of compliance. Within 90 days of completing compliance testing, the owner or operator shall certify to the Agency compliance with the emissions standards of Sections 726.204(b), (c) and (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above. The certification of compliance must include the following information:
- A) General facility and testing information including:
 - i) U-S-EPA facility ID number;
 - ii) Facility name, contact person, telephone number and address;
 - iii) Person responsible for conducting compliance testing, including company name, address and telephone number, and a statement of qualifications;
 - iv) Date(s) of each compliance test;
 - v) Description of BIF tested;
 - vi) Person responsible for QA/QC, title and telephone number, and statement that procedures prescribed in the QA/QC plan submitted under Section 726.203(c)(2)(C) have been followed, or a description of any changes and an explanation of why changes were necessary.

- vii) Description of any changes in the unit configuration prior to or during testing that would alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) above and an explanation of why the changes were necessary;
 - viii) Description of any changes in the planned test conditions prior to or during the testing that alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) above and an explanation of why the changes were necessary; and
 - ix) The complete report on results of emissions testing.
- B) Specific information on each test including:
- i) Purpose(s) of test (e.g., demonstrate conformance with the emissions limits for PM, metals, HCl, chlorine gas and CO);
 - ii) Summary of test results for each run and for each test including the following information: Date of run; Duration of run; Time-weighted average and highest hourly rolling average CO level for each run and for the test; Highest hourly rolling average HC level, if HC monitoring is required for each run and for the test; If dioxin and furan testing is required under Section 726.204(e), time-weighted average emissions for each run and for the test of chlorinated dioxin and furan emissions, and the predicted maximum annual average ground level concentration of the toxicity equivalency factor (defined in Section 726.200(g)); Time-weighted average PM emissions for each run and for the test; Time-weighted average HCl and chlorine gas emissions for each run and for the test; Time-weighted average emissions for the metals subject to regulation under Section 726.206 for each run and for the test; and QA/QC results.
- C) Comparison of the actual emissions during each test with the emissions limits prescribed by Sections 726.204(b), (c) and (e), 726.205, 726.206 and 726.207 and established for the facility in the certification of precompliance under subsection (b) above.
- D) Determination of operating limits based on all valid runs of the compliance test for each applicable parameter listed in subsection (c)(1) above using eitherone of the following procedures:
- i) Instantaneous limits. A parameter must be measured and recorded on an instantaneous basis (i.e., the value that occurs at any time) and the operating limit specified as the time-weighted average during all runs of the compliance test; ~~or.~~
 - ii) Hourly rolling average basis. The limit for a parameter must be established and continuously monitored on an hourly rolling average basis, as defined in Section 726.200(g). The operating limit for the parameter must be established based on compliance test data as the

average over all test runs of the highest hourly rolling average value for each run.

- iii) Rolling average limits for carcinogenic metals and lead. Feed rate limits for the carcinogenic metals and lead must be established either on an hourly rolling average basis as prescribed by subsection (c)(4)(D)(ii) above or on (up to) a 24 hour rolling average basis. If the owner or operator elects to use an averaging period from 2 to 24 hours: The feed rate of each metal must be limited at any time to ten times the feed rate that would be allowed on a hourly rolling average basis; The continuous monitor is as defined in Section 726.200(g). And the operating limit for the feed rate of each metal must be established based on compliance test data as the average over all test runs of the highest hourly rolling average feed rate for each run.
- iv) Feed rate limits for metals, total chlorine and chloride and ash. Feed rate limits for metals, total chlorine and chloride and ash are established and monitored by knowing the concentration of the substance (i.e., metals, chloride/chlorine and ash) in each feedstream and the flow rate of the feedstream. To monitor the feed rate of these substances, the flow rate of each feedstream must be monitored under the continuous monitoring requirements of subsections (c)(4)(D)(i) through (c)(4)(D)(iii) above.

- E) Certification of compliance statement. The following statement must accompany the certification of compliance:

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

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

- 5) Special requirements for HC monitoring systems. When an owner or operator is required to comply with the HC controls provided by Sections 726.204(c) or subsection (a)(5)(A)(iv) above, a conditioned gas monitoring system may be used in conformance with specifications provided in Section 726.Appendix I provided that the

owner or operator submits a certification of compliance without using extensions of time provided by subsection (c)(7) below. ~~However, owners or operators of facilities electing to comply with the alternative hydrocarbon provision of Section 726.204(f) and requesting a time extension under Section 726.219(b) may establish the baseline HC level and comply with the interim HC limit established by the time extension using a conditioned gas monitoring system if the Board determines that the owner or operator has also demonstrated a good faith effort to operate a heated monitoring system but found it to be impracticable.~~

- 6) Special operating requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCS must:
 - A) When complying with the requirements of subsection (c)(3)(B)(i) above, comply with the operating requirements prescribed in "Alternative Method to Implement the Metals Controls" in Section 726.Appendix I; and
 - B) When complying with the requirements of subsection (c)(3)(B)(ii) above, comply with the operating requirements prescribed by that subsection.

- 7) Extensions of time.
 - A) If the owner or operator does not submit a complete certification of compliance for all of the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 by August 21, 1992, the owner or operator shall either:
 - i) Stop burning hazardous waste and begin closure activities under subsection (l) below for the hazardous waste portion of the facility; or
 - ii) Limit hazardous waste burning only for purposes of compliance testing (and pretesting to prepare for compliance testing) a total period of 720 hours for the period of time beginning August 21, 1992, submit a notification to the Agency by August 21, 1992 stating that the facility is operating under restricted interim status and intends to resume burning hazardous waste, and submit a complete certification of compliance by August 23, 1993; or
 - iii) Obtain a case-by-case extension of time under subsection (c)(7)(B) below.
 - B) Case-by-case extensions of time. See Section 726.219.

- 8) Revised certification of compliance. The owner or operator may submit at any time a revised certification of compliance (recertification of compliance) under the following procedures:
 - A) Prior to submittal of a revised certification of compliance, hazardous waste must not be burned for more than a total of 720 hours under operating conditions that exceed those established under a current certification of

compliance, and such burning must be conducted only for purposes of determining whether the facility can operate under revised conditions and continue to meet the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207;

- B) At least 30 days prior to first burning hazardous waste under operating conditions that exceed those established under a current certification of compliance, the owner or operator shall notify the Agency and submit the following information:
- i) U.S.-EPA facility ID number, and facility name, contact person, telephone number and address;
 - ii) Operating conditions that the owner or operator is seeking to revise and description of the changes in facility design or operation that prompted the need to seek to revise the operating conditions;
 - iii) A determination that, when operating under the revised operating conditions, the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 are not likely to be exceeded. To document this determination, the owner or operator shall submit the applicable information required under subsection (b)(2) above; and
 - iv) Complete emissions testing protocol for any pretesting and for a new compliance test to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 when operating under revised operating conditions. The protocol shall include a schedule of pre-testing and compliance testing. If the owner or operator revises the scheduled date for the compliance test, the owner or operator shall notify the Agency in writing at least 30 days prior to the revised date of the compliance test;
- C) Conduct a compliance test under the revised operating conditions and the protocol submitted to the Agency to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207; and
- D) Submit a revised certification of compliance under subsection (c)(4) above.
- d) Periodic Recertifications. The owner or operator shall conduct compliance testing and submit to the Agency a recertification of compliance under provisions of subsection (c) above within three years from submitting the previous certification or recertification. If the owner or operator seeks to recertify compliance under new operating conditions, the owner or operator shall comply with the requirements of subsection (c)(8) above.
- e) Noncompliance with certification schedule. If the owner or operator does not comply with the interim status compliance schedule provided by subsections (b), (c) and (d) above, hazardous waste burning must terminate on the date that the deadline is missed, closure activities must begin under subsection (l) below, and hazardous waste burning must not resume except under an operating permit issued under 35 Ill. Adm. Code 703.232. For purposes of compliance with the closure provisions of subsection (l) below and 35 Ill. Adm. Code 725.212(d)(2) and

725.213, the BIF has received "the known final volume of hazardous waste" on the date the deadline is missed.

- f) Start-up and shut-down. Hazardous waste (except waste fed solely as an ingredient under the Tier I (or adjusted Tier I) feed rate screening limits for metals and chloride/chlorine) must not be fed into the device during start-up and shut-down of the BIF, unless the device is operating within the conditions of operation specified in the certification of compliance.
- g) Automatic waste feed cutoff. During the compliance test required by subsection (c)(3) above and upon certification of compliance under subsection (c) above, a BIF must be operated with a functioning system that automatically cuts off the hazardous waste feed when the applicable operating conditions specified in subsections (c)(1)(A) and (c)(1)(E) through (c)(1)(M) above deviate from those established in the certification of compliance. In addition:
 - 1) To minimize emissions of organic compounds, the minimum combustion chamber temperature (or the indicator of combustion chamber temperature) that occurred during the compliance test must be maintained while hazardous waste or hazardous waste residues remain in the combustion chamber, with the minimum temperature during the compliance test defined as either:
 - A) If compliance with the combustion chamber temperature limit is based on a hourly rolling average, the minimum temperature during the compliance test is considered to be the average over all runs of the lowest hourly rolling average for each run; or
 - B) If compliance with the combustion chamber temperature limit is based on an instantaneous temperature measurement, the minimum temperature during the compliance test is considered to be the time-weighted average temperature during all runs of the test; and
 - 2) Operating parameters limited by the certification of compliance must continue to be monitored during the cutoff, and the hazardous waste feed must not be restarted until the levels of those parameters comply with the limits established in the certification of compliance.
- h) Fugitive emissions. Fugitive emissions must be controlled by:
 - 1) Keeping the combustion zone totally sealed against fugitive emissions; or
 - 2) Maintaining the combustion zone pressure lower than atmospheric pressure; or
 - 3) An alternate means of control that the owner or operator demonstrates provides fugitive emissions control equivalent to maintenance of combustion zone pressure lower than atmospheric pressure. Support for such demonstration must be included in the operating record.
- i) Changes. A BIF must cease burning hazardous waste when combustion properties, or feed rates of the hazardous waste, other fuels or industrial furnace feedstocks, or the BIF design or operating conditions deviate from the limits specified in the certification of compliance.
- j) Monitoring and Inspections.

- 1) The owner or operator shall monitor and record the following, at a minimum, while burning hazardous waste:
 - A) Feed rates and composition of hazardous waste, other fuels and industrial furnace feed stocks, and feed rates of ash, metals, and total chlorine and chloride as necessary to ensure conformance with the certification of precompliance or certification of compliance;
 - B) CO, oxygen and, if applicable, HC, on a continuous basis at a common point in the BIF downstream of the combustion zone and prior to release of stack gases to the atmosphere in accordance with the operating limits specified in the certification of compliance. CO, HC and oxygen monitors must be installed, operated and maintained in accordance with methods specified in Section 726. Appendix I; and
 - C) Upon the request of the Agency, sampling and analysis of the hazardous waste (and other fuels and industrial furnace feed stocks as appropriate) and the stack gas emissions must be conducted to verify that the operating conditions established in the certification of precompliance or certification of compliance achieve the applicable standards of Sections 726.204, 726.205, 726.206 and 726.207.
- 2) The BIF and associated equipment (pumps, valves, pipes, fuel storage tanks, etc.) must be subjected to thorough visual inspection when they contain hazardous waste, at least daily for leaks, spills, fugitive emissions and signs of tampering.
- 3) The automatic hazardous waste feed cutoff system and associated alarms must be tested at least once every 7 days when hazardous waste is burned to verify operability, unless the owner or operator can demonstrate that weekly inspections will unduly restrict or upset operations and that less frequent inspections will be adequate. Support for such demonstration must be included in the operating record. At a minimum, operational testing must be conducted at least once every 30 days.
- 4) These monitoring and inspection data must be recorded and the records must be placed in the operating log.
- k) Recordkeeping. The owner or operator shall keep in the operating record of the facility all information and data required by this Section until closure of the BIF unit.
- l) Closure. At closure, the owner or operator shall remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters and scrubber sludges) from the BIF and shall comply with 35 Ill. Adm. Code 725.211 through 725.215.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 726.204 Standards to Control Organic Emissions

- a) DRE standard.

- 1) General. Except as provided in subsection (a)(3) below, a BIF burning hazardous waste must achieve a DRE of 99.99% for all organic hazardous constituents in the waste feed. To demonstrate conformance with this requirement, 99.99% DRE must be demonstrated during a trial burn for each principal organic hazardous constituent (POHC) designated (under subsection (a)(2) below) in its permit for each waste feed. DRE is determined for each POHC from the following equation:

$$\text{DRE} = 100(I - O)/I$$

where:

I = Mass feed rate of one POHC in the hazardous waste fired to the BIF; and

O = Mass emission rate of the same POHC present in stack gas prior to release to the atmosphere.

- 2) Designation of POHCs. POHCs are those compounds for which compliance with the DRE requirements of this Section must be demonstrated in a trial burn in conformance with procedures prescribed in 35 Ill. Adm. Code 703.232. One or more POHCs must be designated by the Agency for each waste feed to be burned. POHCs must be designated based on the degree of difficulty of destruction of the organic constituents in the waste and on their concentrations or mass in the waste feed considering the results of waste analyses submitted with Part B of the permit application. POHCs are most likely to be selected from among those compounds listed in 35 Ill. Adm. Code 721.Appendix H that are also present in the normal waste feed. However, if the applicant demonstrates to the Agency that a compound not listed in 35 Ill. Adm. Code 721.Appendix H or not present in the normal waste feed is a suitable indicator of compliance with the DRE requirements of this Section, that compound must be designated as a POHC. Such POHCs need not be toxic or organic compounds.
- 3) Dioxin-listed waste. A BIF burning hazardous waste containing (or derived from) U-S-EPA Hazardous Wastes Nos. F020, F021, F022, F023, F026 or F027 must achieve a destruction and removal efficiency (DRE) of 99.9999% for each POHC designated (under subsection (a)(2) above) in its permit. This performance must be demonstrated on POHCs that are more difficult to burn than tetra-, penta- and hexachlorodibenzo-p-dioxins and dibenzofurans. DRE is determined for each POHC from the equation in subsection (a)(1) above. In addition, the owner or operator of the BIF shall notify the Agency of intent to burn U-S-EPA Hazardous Waste Nos. F020, F021, F022, F023, F026 or F027.
- 4) Automatic waiver of DRE trial burn. Owners and operators of boilers operated under the special operating requirements provided by Section 726.210 are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.
- 5) Low risk waste. Owners and operators of BIFs that burn hazardous waste in compliance with the requirements of Section 726.209(a) are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.

- b) CO standard.

- 1) Except as provided in subsection (c) below, the stack gas concentration of CO from a BIF burning hazardous waste cannot exceed 100 ppmv on an hourly rolling average basis (i.e., over any 60 minute period), continuously corrected to 7 percent oxygen, dry gas basis.
 - 2) CO and oxygen must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Section 726. Appendix I.
 - 3) Compliance with the 100 ppmv CO limit must be demonstrated during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). To demonstrate compliance, the highest hourly rolling average CO level during any valid run of the trial burn or compliance test must not exceed 100 ppmv.
- c) Alternative CO standard.
- 1) The stack gas concentration of CO from a BIF burning hazardous waste may exceed the 100 ppmv limit provided that stack gas concentrations of HCs do not exceed 20 ppmv, except as provided by subsection (f) below for certain industrial furnaces.
 - 2) HC limits must be established under this Section on an hourly rolling average basis (i.e., over any 60 minute period), reported as propane, and continuously corrected to 7 percent oxygen, dry gas basis.
 - 3) HC must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Hydrocarbons for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Section 726. Appendix I. CO and oxygen must be continuously monitored in conformance with subsection (b)(2) above.
 - 4) The alternative CO standard is established based on CO data during the trial burn (for a new facility) and the compliance test (for an interim status facility). The alternative CO standard is the average over all valid runs of the highest hourly average CO level for each run. The CO limit is implemented on an hourly rolling average basis, and continuously corrected to 7 percent oxygen, dry gas basis.
- d) Special requirements for furnaces. Owners and operators of industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see Section 726.203(a)(5)(B)) at any location other than the end where products are normally discharged and where fuels are normally fired must comply with the HC limits provided by subsections (c) above or (f) below irrespective of whether stack gas CO concentrations meet the 100 ppmv limit of subsection (b) above.
- e) Controls for dioxins and furans. Owners and operators of BIFs that are equipped with a dry PM control device that operates within the temperature range of 450 through 750° F, and industrial furnaces operating under an alternative HC limit established under subsection (f) below shall conduct a site-specific risk assessment as follows to demonstrate that emissions of chlorinated dibenzo-p-dioxins and dibenzofurans do not result in an increased lifetime cancer risk to the hypothetical maximum exposed individual (MEI) exceeding 1×10^{-5} (1 in 100,000):

- 1) During the trial burn (for new facilities or an interim status facility applying for a permit) or compliance test (for interim status facilities), determine emission rates of the tetra-octa congeners of chlorinated dibenzo-p-dioxins (PCDDs) and dibenzofurans (CDDs/CDFs) using Method 23, "Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans (PCDFs) from Stationary Sources", in Section 726. Appendix I;
- 2) Estimate the 2,3,7,8-TCDD toxicity equivalence of the tetra-octa CDDs/CDFs congeners using "Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners" in Section 726. Appendix I. Multiply the emission rates of CDD/CDF congeners with a toxicity equivalence greater than zero (see the procedure) by the calculated toxicity equivalence factor to estimate the equivalent emission rate of 2,3,7,8-TCDD;
- 3) Conduct dispersion modeling using methods recommended in 40 CFR 51, Appendix W, as incorporated by reference at 35 Ill. Adm. Code 720.111 ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), the "Hazardous Waste Combustion Air Quality Screening Procedure", provided in Appendix I, or in "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" (incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration of 2,3,7,8-TCDD equivalents determined under subsection (e)(2) above. The maximum annual average on-site concentration must be used when a person resides on-site; and
- 4) The ratio of the predicted maximum annual average ground level concentration of 2,3,7,8-TCDD equivalents to the risk-specific dose (RSD) for 2,3,7,8-TCDD provided in Section 726. Appendix E (2.2×10^{-7}) must not exceed 1.0.

~~f) Alternative HC limit for furnaces with organic matter in raw material. For industrial furnaces that cannot meet the 20 ppmv HC limit because of organic matter in normal raw material, the Agency shall establish an alternative HC limit on a case by case basis (under a Part B permit proceeding) at a level that ensures that flue gas HC (and CO) concentrations when burning hazardous waste are not greater than when not burning hazardous waste (the baseline HC level) provided that the owner or operator complies with the following requirements. However, cement kilns equipped with a by pass duct meeting the requirements of subsection (g) below are not eligible for an alternative HC limit.~~

- ~~1) The owner or operator shall demonstrate that the facility is designed and operated to minimize HC emissions from fuels and raw materials, and that the facility is producing normal products under normal operating conditions feeding normal feedstocks and fuels when the baseline HC (and CO) level is determined. The baseline HC level is defined as the average over all valid test runs of the highest hourly rolling average value for each run when the facility does not burn hazardous waste, adjusted as appropriate to consider the variability of hydrocarbon levels under good combustion operating conditions. The baseline CO level is determined based on the test runs used to establish the baseline HC level and is defined as the average over all test runs of the highest hourly rolling average CO value for each run. More than one baseline level must be determined if the facility operates under different modes that generate significantly different HC (and CO) levels;~~

- ~~2) The owner or operator shall develop an approach to monitor over time changes in the operation of the facility that could reduce the baseline HC level;~~
- ~~3) The owner or operator shall conduct emissions testing during the trial burn to:~~
- ~~A) Determine the baseline HC (and CO) level;~~
- ~~B) Demonstrate that, when hazardous waste is burned, HC (and CO) levels do not exceed the baseline level; and~~
- ~~C) Identify the types and concentrations of organic compounds listed in 35 Ill. Adm. Code 721.Appendix H, that are emitted and conduct dispersion modeling to predict the maximum annual average ground level concentration of each organic compound. On site ground level concentrations must be considered for this evaluation if a person resides on site.~~
- ~~i) Sampling and analysis of organic emissions must be conducted using procedures prescribed by the Agency pursuant to 35 Ill. Adm. Code 703.208(a).~~
- ~~ii) Dispersion modeling must be conducted according to procedures provided by subsection (e)(2) above; and~~
- ~~D) Demonstrate that maximum annual average ground level concentrations of the organic compounds identified in subsection (f)(3)(C) above do not exceed the following levels:~~
- ~~i) For the noncarcinogenic compounds listed in Section 726.Appendix D, the levels established in that Section;~~
- ~~ii) For the carcinogenic compounds listed in Section 726.Appendix E, the sum for all compounds of the ratios of the actual ground level concentration to the level established in that Section cannot exceed 1.0. To estimate the health risk from chlorinated dibenzo p dioxins and dibenzofuran congeners, use the procedures prescribed by subsection (e)(3) above to estimate the 2,3,7,8 TCDD toxicity equivalence of the congeners.~~
- ~~iii) For compounds not listed in Section 726.Appendix D or 726.Appendix E, 0.1 mg/m³ (micrograms per cubic meter).~~
- ~~4) All HC levels specified under this subsection are to be monitored and reported as specified in subsections (c)(1) and (c)(2) above.~~
- ~~gf) Monitoring CO and HC in the by-pass duct of a cement kiln. Cement kilns may comply with the CO and HC limits provided by subsections (b), (c) and (d) above by monitoring in the by-pass duct provided that:~~
- ~~1) Hazardous waste is fired only into the kiln and not at any location downstream from the kiln exit relative to the direction of gas flow; and~~

2) The by-pass duct diverts a minimum of 10% of kiln off-gas into the duct.

— ~~hg~~) Use of emissions test data to demonstrate compliance and establish operating limits. Compliance with the requirements of this Section must be demonstrated simultaneously by emissions testing or during separate runs under identical operating conditions. Further, data to demonstrate compliance with the CO and HC limits of this Section or to establish alternative CO or HC limits under this Section must be obtained during the time that DRE testing, and where applicable, CDD/CDF testing under subsection (e) above and comprehensive organic emissions testing under subsection (f) above is conducted.

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

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

PART 728
LAND DISPOSAL RESTRICTIONS

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

SOURCE: Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16508, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; [amendment withdrawn at 15 Ill. Reg. 14716, October 11, 1991](#); [amended in R91-13 at 16 Ill. Reg. 9619, effective June 9, 1992](#); amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20692, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6799, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12203, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17563, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9660, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, _____.

SUBPART A: GENERAL

Section 728.101 Purpose, Scope and Applicability

- a) This Part identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed.
- b) Except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721, the requirements of this Part apply to persons that generate or transport hazardous waste and to owners and operators of hazardous waste treatment, storage, and disposal facilities.
- c) Restricted wastes may continue to be land disposed as follows:
 - 1) Where persons have been granted an extension to the effective date of a prohibition under Subpart C or pursuant to Section 728.105, with respect to those wastes covered by the extension;
 - 2) Where persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;
 - 3) Wastes that are hazardous only because they exhibit a hazardous characteristic and that are otherwise prohibited from land disposal under this Part are not prohibited from land disposal if the wastes:
 - A) Are disposed into a nonhazardous or hazardous waste injection well, as defined in 35 Ill. Adm. Code 704.106(a);
 - B) Do not exhibit any prohibited characteristic of hazardous waste at the point of injection; and
 - C) If, at the point of generation, the injected wastes include D001 High TOC subcategory wastes or D012-D017 pesticide wastes that are prohibited under Section 728.117(c), those wastes have been treated to meet the treatment standards of Section 728.140 prior to injection.

- d) This Part does not affect the availability of a waiver under Section 121(d)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. §§ 9601 et seq.).
- e) The following hazardous wastes are not subject to any provision of this Part:
- 1) Wastes generated by small quantity generators of less than 100 kg of non-acute hazardous waste or less than 1 kg of acute hazardous waste per month, as defined in 35 Ill. Adm. Code 721.105;
 - 2) Waste pesticides that a farmer disposes of pursuant to 35 Ill. Adm. Code 722.170;
 - 3) Wastes identified or listed as hazardous after November 8, 1984, for which U.S.-EPA has not promulgated land disposal prohibitions or treatment standards²;
 - 4) De minimis losses to wastewater treatment systems of commercial chemical product or chemical intermediates that are ignitable (D001) or corrosive (D002) or that are organic constituents that exhibit the characteristic of toxicity (D012-D043) and that contain underlying hazardous constituents, as defined in Section 728.102 of this Part, are not considered to be prohibited wastes. "De minimis" is defined as losses from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers or leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purging; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing²;
 - 5) Land disposal prohibitions for hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability (D001), corrosivity (D002), or organic toxicity (D012 through D043) that are mixed with other plant wastewaters at facilities whose ultimate discharge is subject to regulation under the CWA (including wastewaters at facilities that have eliminated the discharge of wastewater), provided that the annualized flow of laboratory wastewater into the facility's headwork does not exceed one percent or that the laboratory wastes' combined annualized average concentration does not exceed one part per million in the facility's headworks.
- f) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) is exempt from Sections 728.107 and 268.150 for the hazardous wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.
- 1) Batteries, as described in 35 Ill. Adm. Code 733.102;
 - 2) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
 - 3) Thermostats, as described in 35 Ill. Adm. Code 733.104.
- fg) This Part is cumulative with the land disposal restrictions of 35 Ill. Adm. Code 729. The Environmental Protection Agency (Agency) shall not issue a wastestream authorization

pursuant to 35 Ill. Adm. Code 709 or Sections 22.6 or 39(h) of the Environmental Protection Act [415 ILCS 5/22.6 or 39-6(h)] unless the waste meets the requirements of this Part as well as 35 Ill. Adm. Code 729.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 728. Table T Treatment Standards for Hazardous Wastes

Note: The treatment standards that heretofore appeared in tables in Sections 728.141, 728.142, and 728.143 have been consolidated into this table.

Waste Code

Waste Description and Treatment or Regulatory Subcategory¹

Regulated Hazardous Constituent		Wastewaters	Nonwastewaters
Common Name	CAS ² Number	Concentration mg/l ³ ; or Technology Code ⁴	Concentration in mg/kg ³ unless noted as "mg/l TCLP"; or Technology Code ⁴
D001 Ignitable Characteristic Wastes, except for the Section 721.121(a)(1) High TOC Subcategory, that are managed in non-CWA or non-CWA-equivalent or non-Class I SDWA systems.			
NA	NA	DEACT and meet Section 728.148 standards; or RORGS; or CMBST	DEACT and meet Section 728.148 standards; or RORGS; or CMBST
D001 Ignitable Characteristic Wastes, except for the Section 721.121(a)(1) High TOC Subcategory, that are managed in CWA or CWA-equivalent or Class I SDWA systems			
NA	NA	DEACT	DEACT
D001 High TOC Ignitable Characteristic Liquids Subcategory based on 35 Ill. Adm. Code 721.121(a)(1) - Greater than or equal to 10% total organic carbon. (Note: This subcategory consists of nonwastewaters only.)			
NA	NA	NA	RORGS; or CMBST
D002 Corrosive Characteristic Wastes that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems.			
NA	NA	DEACT and meet Section 728.148 standards	DEACT and meet Section 728.148 standards
D002 Corrosive Characteristic Wastes that are managed in CWA, CWA equivalent, or Class I SDWA systems.			

NA	NA	DEACT	DEACT
D002, D004, D005, D006, D007, D008, D009, D010, D011			
Radioactive high level wastes generated during the reprocessing of fuel rods.			
(Note: This subcategory consists of nonwastewaters only.)			
Corrosivity (pH)	NA	NA	HLVIT
Arsenic	7440-38-2	NA	HLVIT
Barium	7440-39-3	NA	HLVIT
Cadmium	7440-43-9	NA	HLVIT
Chromium (Total)	7440-47-3	NA	HLVIT
Lead	7439-92-1	NA	HLVIT
Mercury	7439-97-6	NA	HLVIT
Selenium	7782-49-2	NA	HLVIT
Silver	7440-22-4	NA	HLVIT
D003			
Reactive Sulfides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).			
NA	NA	DEACT	DEACT
D003			
Explosive subcategory based on 35 Ill. Adm. Code 721.123(a)(6), (a)(7), and (a)(8).			
NA	NA	DEACT	DEACT
D003			
Other Reactives Subcategory based on 35 Ill. Adm. Code 721.123(a)(1).			
NA	NA	DEACT	DEACT
D003			
Water Reactive Subcategory based on 35 Ill. Adm. Code 721.123(a)(2), (a)(3), and (a)(4).			
(Note: This subcategory consists of nonwastewaters only.)			
NA	NA	NA	DEACT
D003			
Reactive Cyanides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).			
Cyanides (Total) ⁷	57-12-5	--	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
D004			
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for arsenic based on the extraction procedure (EP) in SW-846 Method 1310.			
Arsenic	7440-38-2	5.0	5.0 mg/l EP
Arsenic; alternate ⁶ standard for nonwastewaters only.	7440-38-2	NA	5.0 mg/l TCLP
D005			
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for barium based on the extraction procedure (EP) in SW-846 Method 1310.			
Barium	7440-39-3	100	100 mg/l TCLP

D006

Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for cadmium based on the extraction procedure (EP) in SW-846 Method 1310.

Cadmium	7440-43-9	1.0	1.0 mg/l TCLP
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D006

Cadmium Containing Batteries Subcategory

(Note: This subcategory consists of nonwastewaters only.)

Cadmium	7440-43-9	NA	RTHRM
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D007

Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for chromium based on the extraction procedure (EP) in SW-846 Method 1310.

Chromium (Total)	7440-47-3	5.0	5.0 mg/l TCLP
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D008

Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for lead based on the extraction procedure (EP) in SW-846 Method 1310.

Lead	7439-92-1	5.0	5.0 mg/l EP
Lead; alternate ⁶ standard for nonwastewaters only	7439-92-1	NA	5.0 mg/l TCLP

D008

Lead Acid Batteries Subcategory

(Note: This standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180).)

(Note: This subcategory consists of nonwastewaters only.)

Lead	7439-92-1	NA	RLEAD
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D008

Radioactive Lead Solids Subcategory

(Note: These lead solids include, but are not limited to, all forms of lead shielding and other elemental forms of lead. These lead solids do not include treatment residuals such as hydroxide sludges, other wastewater treatment residuals, or incinerator ashes that can undergo conventional pozzolanic stabilization, nor do they include organo-lead materials that can be incinerated and stabilized as ash.)

(Note: This subcategory consists of nonwastewaters only.)

Lead	7439-92-1	NA	MACRO
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D009

Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain greater than or equal to 260 mg/kg total mercury that also contain organics and are not incinerator residues.

(High Mercury-Organic Subcategory)

Mercury	7439-97-6	NA	IMERC; or RMERC
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D009

Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain greater than or equal to 260 mg/kg total mercury that are inorganic, including incinerator residues and residues from RMERC.

(High Mercury-Inorganic Subcategory)

Mercury	7439-97-6	NA	RMERC
D009 Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain less than 260 mg/kg total mercury. (Low Mercury Subcategory)			
Mercury	7439-97-6	NA	0.20 mg/l TCLP
All D009 wastewaters.			
Mercury	7439-97-6	0.20	NA
D009 Elemental mercury contaminated with radioactive materials. (Note: This subcategory consists of nonwastewaters only.)			
Mercury	7439-97-6	NA	AMLGM
D009 Hydraulic oil contaminated with Mercury Radioactive Materials Subcategory. (Note: This subcategory consists of nonwastewaters only.)			
Mercury	7439-97-6	NA	IMERC
D010 Wastes that exhibit, or are expected to exhibit, the characteristic or toxicity for selenium based on the extraction procedure (EP) in SW-846 Method 1310.			
Selenium	7782-49-2	1.0	5.7 mg/l TCLP
D011 Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for silver based on the extraction procedure (EP) in SW-846 Method 1310.			
Silver	7440-22-4	5.0	5.0 mg/l TCLP
D012 Wastes that are TC for Endrin based on the TCLP in SW-846 Method 1311.			
Endrin	72-20-8	BIODG; or INCIN	0.13 and meet Section 728.148 standards
Endrin aldehyde	7421-93-4	BIODG; or INCIN	0.13 and meet Section 728.148 standards
D013 Wastes that are TC for Lindane based on the TCLP in SW-846 Method 1311.			

alpha-BHC	319-84-6	CARBN; or INCIN	0.066 and meet Section 728.148 standards
beta-BHC	319-85-7	CARBN; or INCIN	0.066 and meet Section 728.148 standards
delta-BHC	319-86-8	CARBN; or INCIN	0.066 and meet Section 728.148 standards
gamma-BHC (Lindane)	58-89-9	CARBN; or INCIN	0.066 and meet Section 728.148 standards
 D014			
Wastes that are TC for Methoxychlor based on the TCLP in SW-846 Method 1311.			
Methoxychlor	72-43-5	WETOX or INCIN	0.18 and meet Section 728.148 standards
 D015			
Wastes that are TC for Toxaphene based on the TCLP in SW-846 Method 1311.			
Toxaphene	8001-35-2	BIODG or INCIN	2.6 and meet Section 728.148 standards
 D016			
Wastes that are TC for 2,4-D (2,4-Dichlorophenoxyacetic acid) based on the TCLP in SW-846 Method 1311.			
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	CHOXD, BIODG, or INCIN	10 and meet Section 728.148 standards
 D017			
Wastes that are TC for 2,4,5-TP (Silvex) based on the TCLP in SW-846 Method 1311.			
2,4,5-TP (Silvex)	93-72-1	CHOXD or INCIN	7.9 and meet Section 728.148 standards
 D018			
Wastes that are TC for Benzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Benzene	71-43-2	0.14 and meet Section 728.148 standards	10 and meet Section 728.148 standards
 D019			
Wastes that are TC for Carbon tetrachloride based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Carbon tetrachloride	56-23-5	0.057 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards

D020

Wastes that are TC for Chlordane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Chlordane (alpha and gamma isomers)	57-74-9	0.0033 and meet Section 728.148 standards	0.26 and meet Section 728.148 standards
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D021

Wastes that are TC for Chlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Chlorobenzene	108-90-7	0.057 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D022

Wastes that are TC for Chloroform based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Chloroform	67-66-3	0.046 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D023

Wastes that are TC for o-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

o-Cresol	95-48-7	0.11 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
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D024

Wastes that are TC for m-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
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D025

Wastes that are TC for p-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
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D026

Wastes that are TC for Cresols (Total) based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Cresol-mixed isomers (Cresylic acid) (sum of o-, m-, and p-cresol concentrations)	1319-77-3	0.88 and meet Section 728.148 standards	11.2 and meet Section 728.148 standards
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D027

Wastes that are TC for p-Dichlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

p-Dichlorobenzene (1,4-Dichloro- benzene)	106-46-7	0.090 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D028

Wastes that are TC for 1,2-Dichloroethane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

1,2-Dichloroethane	107-06-2	0.21 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D029

Wastes that are TC for 1,1-Dichloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

1,1-Dichloroethylene	75-35-4	0.025 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D030

Wastes that are TC for 2,4-Dinitrotoluene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

2,4-Dinitrotoluene	121-14-2	0.32 and meet Section 728.148 standards	140 and meet Section 728.148 standards
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D031

Wastes that are TC for Heptachlor based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Heptachlor	76-44-8	0.0012 and meet Section 728.148 standards	0.066 and meet Section 728.148 standards
Heptachlor epoxide	1024-57-3	0.016 and meet Section 728.148 standards	0.066 and meet Section 728.148 standards

D032

Wastes that are TC for Hexachlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachlorobenzene	118-74-1	0.055 and meet Section 728.148 standards	10 and meet Section 728.148 standards
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D033

Wastes that are TC for Hexachlorobutadiene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachlorobutadiene	687-68-3	0.055 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
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D034

Wastes that are TC for Hexachloroethane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachloroethane	67-72-1	0.055 and meet Section 728.148 standards	30 and meet Section 728.148 standards
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D035

Wastes that are TC for Methyl ethyl ketone based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Methyl ethyl ketone	78-93-3	0.28 and meet Section 728.148 standards	36 and meet Section 728.148 standards
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D036

Wastes that are TC for Nitrobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Nitrobenzene	98-95-3	0.068 and meet Section 728.148 standards	14 and meet Section 728.148 standards
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D037

Wastes that are TC for Pentachlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Pentachlorophenol	87-86-5	0.089 and meet Section 728.148 standards	7.4 and meet Section 728.148 standards
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D038

Wastes that are TC for Pyridine based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Pyridine	110-86-1	0.014 and meet Section 728.148 standards	16 and meet Section 728.148 standards
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D039

Wastes that are TC for Tetrachloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Tetrachloroethylene	127-18-4	0.056 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D040

Wastes that are TC for Trichloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Trichloroethylene	79-01-6	0.054 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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D041

Wastes that are TC for 2,4,5-Trichlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

2,4,5-Trichlorophenol	95-95-4	0.18 and meet Section 728.148 standards	7.4 and meet Section 728.148 standards
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D042

Wastes that are TC for 2,4,6-Trichlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

2,4,6-Trichlorophenol	88-06-2	0.035 and meet Section 728.148 standards	7.4 and meet Section 728.148 standards
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D043

Wastes that are TC for Vinyl chloride based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Vinyl chloride	75-01-4	0.27 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
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F001, F002, F003, F004 & F005

F001, F002, F003, F004, or F005 solvent wastes that contain any combination of one or more of the following spent solvents: acetone, benzene, n-butyl alcohol, carbon disulfide, carbon tetrachloride, chlorinated fluorocarbons, chlorobenzene, o-cresol, m-cresol, p-cresol, cyclohexanone, o-dichlorobenzene, 2-ethoxyethanol, ethyl acetate, ethyl benzene, ethyl ether, isobutyl alcohol, methanol, methylene chloride, methyl ethyl ketone, methyl isobutyl ketone, nitrobenzene, 2-nitropropane, pyridine, tetrachloroethylene, toluene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, trichloroethylene, trichloromonofluoromethane, or xylenes (except as specifically noted in other subcategories). See further details of these listings in 35 Ill. Adm. Code 721.131

Acetone	67-64-1	0.28	160
n-Butyl alcohol	71-36-3	5.6	2.6
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlorobenzene	108-90-7	0.057	6.0
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Cresol-mixed isomers (Cresylic acid)	1319-77-3	0.88	11.2
(sum of o-, m-, and p-cresol concentrations)			
Cyclohexanone	108-94-1	0.36	NA
o-Dichlorobenzene	95-50-1	0.088	6.0
Ethyl acetate	141-78-6	0.34	33
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
Isobutyl alcohol	78-83-1	5.6	170
Methanol	67-56-1	5.6	NA
Methylene chloride	75-9-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Nitrobenzene	98-95-3	0.068	14
Pyridine	110-86-1	0.014	16
Tetrachloroethylene	127-18-4	0.056	6.0
Toluene	108-88-3	0.080	10
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
Trichloroethylene	79-01-6	0.054	6.0
Trichloromonofluoromethane	75-69-4	0.020	30
Xylenes-mixed isomers	1330-20-7	0.32	30
(sum of o-, m-, and p-xylene concentrations)			

F001, F002, F003, F004 & F005

F003 and F005 solvent wastes that contain any combination of one or more of the following three solvents as the only listed F001 through F005 solvents: carbon disulfide, cyclohexanone, or methanol. (Formerly Section 728.141(c))

Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
Cyclohexanone	108-94-1	0.36	0.75 mg/l TCLP
Methanol	67-56-1	5.6	0.75 mg/l TCLP

F001, F002, F003, F004 & F005

F005 solvent waste containing 2-Nitropropane as the only listed F001 through F005 solvent.

2-Nitropropane	79-46-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
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F001, F002, F003, F004 & F005

F005 solvent waste containing 2-Ethoxyethanol as the only listed F001 through F005 solvent.

2-Ethoxyethanol	110-80-5	BIODG; or INCIN	INCIN
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F006

Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning or stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F007

Spent cyanide plating bath solutions from electroplating operations.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F008

Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F009

Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F010

Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.

Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.88	NA

F011

Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F012

Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F019

Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30

F020, F021, F022, F023, F026

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives, excluding wastes from the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (i.e., F020); (2) pentachlorophenol,

or of intermediates used to produce its derivatives (i.e., F021); (3) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F022).

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenols, excluding wastes from equipment used only for the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (F023); (2) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F026).

HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzo-furans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzo-furans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzo-furans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Pentachlorophenol	87-86-5	0.089	7.4

F027

Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)

HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzo-furans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzo-furans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzo-furans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Pentachlorophenol	87-86-5	0.089	7.4

F028

Residues resulting from the incineration or thermal treatment of soil contaminated with U.S.-EPA hazardous waste numbers F020, F021, F023, F026, and F027.

HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzo-furans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzo-furans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzo-furans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Pentachlorophenol	87-86-5	0.089	7.4

F024

Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor clean-out wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts, and wastes listed in 35 Ill. Adm. Code 721.131 or 721.132.)

All F024 wastes	NA	INCIN	INCIN
2-Chloro-1,3-butadiene	126-99-8	0.057	0.28
3-Chloropropylene	107-05-1	0.036	30
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Hexachloroethane	67-72-1	0.055	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

F025

Condensed light ends from the production of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

F025 - Light Ends Subcategory

Carbon tetrachloride	56-23-6	0.057	6.0
Chloroform	67-66-3	0.046	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

F025

Spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

F025 - Spent Filters or Aids and Desiccants Subcategory

Carbon tetrachloride	56-23-5	0.067	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

F037

Petroleum refinery primary oil/water/solids separation sludge-Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludge generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing.

Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.032	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

F038

Petroleum refinery secondary (emulsified) oil/water/solids separation sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges and floats generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges and floats generated in one or more additional units after wastewaters have been treated in aggressive biological units) and F037, K048, and K051 are not included in this listing.

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

F039

Leachate (liquids that have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under 728.Subpart D. (Leachate resulting from the disposal of one or more of the following U.S.-EPA hazardous wastes and no other hazardous wastes retains its U.S.-EPA hazardous waste numbers: F020, F021, F022, F026, F027, or F028.).

Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	NA
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
delta-BHC	319-86-8	0.023	0.066
gamma-BHC	58-89-9	0.0017	0.066
Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Benzo(a)pyrene	50-32-8	0.061	3.4
Bromodichloromethane	75-27-4	0.35	15
Methyl bromide (Bromomethane)	74-83-9	0.11	15
4-Bromophenyl phenyl ether	101-55-3	0.055	15
n-Butyl alcohol	71-36-3	5.6	2.6
Butyl benzyl phthalate	85-68-7	0.017	28
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	2.5
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
p-Chloroaniline	106-47-8	0.46	16
Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzilate	510-15-6	0.10	NA
2-Chloro-1,3-butadiene	126-99-8	0.057	NA
Chlorodibromomethane	124-48-1	0.057	15
Chloroethane	75-00-3	0.27	6.0
bis(2-Chloroethoxy)methane	111-91-1	0.036	7.2
bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0
bis(2-Chloroisopropyl)ether	39638-32-9 108-60-1	0.055	7.2
p-Chloro-m-cresol	59-50-7	0.018	14
Chloromethane (Methyl chloride)	74-87-3	0.19	30

2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Cyclohexanone	108-94-1	0.36	NA
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087
p,p'-DDE	72-55-9	0.031	0.087
o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-8	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14
2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
Di-n-propyl nitrosamine	621-64-7	0.40	14

1,4-Dioxane	123-91-1	NA	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	13
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	NA
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1-31-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-8	0.12	NA
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzo-furans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepone	143-50-8	0.0011	0.13
Methacrylonitrile	126-98-7	0.24	84
Methanol	67-56-1	5.6	NA
Methapyrilene	91-80-5	0.081	1.5
Methoxychlor	72-43-5	0.25	0.18
3-Methylcholanthrene	56-49-5	0.0055	15
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methyl methacrylate	80-62-6	0.14	160

Methyl methanesulfonate	66-27-3	0.018	NA
Methyl parathion	298-00-0	0.014	4.6
Naphthalene	91-20-3	0.059	5.6
2-Naphthylamine	91-59-8	0.52	NA
p-Nitroaniline	100-01-6	0.028	28
Nitrobenzene	98-95-3	0.068	14
5-Nitro-o-toluidine	99-55-8	0.32	28
p-Nitrophenol	100-02-7	0.12	29
N-Nitrosodiethylamine	55-18-5	0.40	28
N-Nitrosodimethylamine	62-75-9	0.40	NA
N-Nitroso-di-n-butylamine	924-16-3	0.40	17
N-Nitrosomethylethylamine	10595-95-6	0.40	2.3
N-Nitrosomorpholine	59-89-2	0.40	2.3
N-Nitrosopiperidine	100-75-4	0.013	35
N-Nitrosopyrrolidine	930-55-2	0.013	35
Parathion	56-38-2	0.014	4.6
Total PCBs	1336-36-3	0.10	10
(sum of all PCB isomers, or all Aroclors)			
Pentachlorobenzene	608-93-5	0.055	10
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PcCDFs (All Pentachlorodibenzo-furans)	NA	0.000035	0.001
Pentachloronitrobenzene	82-68-8	0.055	4.8
Pentachlorophenol	87-86-5	0.089	7.4
Phenacetin	62-44-2	0.081	16
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Phorate	298-02-2	0.021	4.6
Phthalic anhydride	85-44-9	0.055	NA
Pronamide	23950-58-5	0.093	1.5
Pyrene	129-00-0	0.067	8.2
Pyridine	110-86-1	0.014	16
Safrole	94-59-7	0.081	22
Silvex (2,4,5-TP)	93-72-1	0.72	7.9
2,4,5-T	93-76-5	0.72	7.9
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzo-furans)	NA	0.000063	0.001
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Bromoform (Tribromomethane)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0

1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Trichloromonofluoromethane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
tris(2,3-Dibromopropyl) phosphate	126-72-7	0.11	NA
Vinyl chloride	75-01-4	0.27	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Antimony	7440-36-0	1.9	2.1 mg/l TCLP
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Barium	7440-39-3	1.2	7.6 mg/l TCLP
Beryllium	7440-41-7	0.82	NA
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	NA
Fluoride	16964-48-8	35	NA
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	0.15	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
Silver	7440-22-4	0.43	0.30 mg/l TCLP
Sulfide	8496-25-8	14	NA
Thallium	7440-28-0	1.4	NA
Vanadium	7440-62-2	4.3	NA

K001

Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.

Naphthalene	91-20-3	0.059	5.6
Pentachlorophenol	87-86-5	0.089	7.4
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.690.37 mg/l TCLP	

K002

Wastewater treatment sludge from the production of chrome yellow and orange pigments.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K003

Wastewater treatment sludge from the production of molybdate orange pigments.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K004

Wastewater treatment sludge from the production of zinc yellow pigments.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K005

Wastewater treatment sludge from the production of chrome green pigments.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.25	90

K006

Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous).

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K006

Wastewater treatment sludge from the production of chrome oxide green pigments (hydrated).

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA

K007

Wastewater treatment sludge from the production of iron blue pigments.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.25	90

K008

Oven residue from the production of chrome oxide green pigments.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K009

Distillation bottoms from the production of acetaldehyde from ethylene.

Chloroform	67-66-3	0.046	6.0
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K010

Distillation side cuts from the production of acetaldehyde from ethylene.

Chloroform	67-66-3	0.046	6.0
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K011

Bottom stream from the wastewater stripper in the production of acrylonitrile.

Acetonitrile	75-05-8	5.6	1.8
Acrylonitrile	107-13-1	0.24	84
Acrylamide	79-06-1	19	23
Benzene	71-43-2	0.14	10
Cyanide (Total)	57-12-5	1.2	590

K013

Bottom stream from the acetonitrile column in the production of acrylonitrile.

Acetonitrile	75-05-8	5.6	1.8
Acrylonitrile	107-13-1	0.24	84
Acrylamide	79-06-1	19	23
Benzene	71-43-2	0.14	10
Cyanide (Total)	57-12-5	1.2	590

K014

Bottoms from the acetonitrile purification column in the production of acrylonitrile.

Acetonitrile	75-05-8	5.6	1.8
Acrylonitrile	107-13-1	0.24	84
Acrylamide	79-06-1	19	23
Benzene	71-43-2	0.14	10
Cyanide (Total)	57-12-5	1.2	590

K015

Still bottoms from the distillation of benzyl chloride.

Anthracene	120-12-7	0.059	3.4
Benzal chloride	98-87-3	0.055	6.0
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Phenanthrene	85-01-8	0.059	5.6
Toluene	108-88-3	0.080	10
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.9	85.0 mg/l TCLP

K016

Heavy ends or distillation residues from the production of carbon tetrachloride.

Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
Hexachloroethane	67-72-1	0.055	30
Tetrachloroethylene	127-18-4	0.056	6.0

K017

Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.

bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
1,2-Dichloropropane	78-87-5	0.85	18
1,2,3-Trichloropropane	96-18-4	0.85	30

K018

Heavy ends from the fractionation column in ethyl chloride production.

Chloroethane	75-00-3	0.27	6.0
Chloromethane	74-87-3	0.19	NA
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	NA	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0

K019

Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.

bis(2-Chloroethyl)ether	111-44-14	0.033	6.0
Chlorobenzene	108-90-7	0.057	6.0
Chloroform	67-66-3	0.046	6.0
p-Dichlorobenzene	106-46-7	0.090	NA
1,2-Dichloroethane	107-06-2	0.21	6.0
Fluorene	86-73-7	0.059	NA
Hexachloroethane	67-72-1	0.055	30
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	NA
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0

K020

Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.

1,2-Dichloroethane	107-06-2	0.21	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0

K021

Aqueous spent antimony catalyst waste from fluoromethanes production.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Antimony	7440-36-0	1.9	2.1 mg/l TCLP

K021

Aqueous spent antimony catalyst waste from fluoromethanes production.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Antimony	7440-36-0	1.9	2.1 mg/l TCLP

K022

Distillation bottom tars from the production of phenol or acetone from cumene.

Toluene	108-88-3	0.080	10
Acetophenone	96-86-2	0.010	9.7
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	13
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	13
Phenol	108-95-2	0.039	6.2
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
K023			
Distillation light ends from the production of phthalic anhydride from naphthalene.			
Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28
K024			
Distillation bottoms from the production of phthalic anhydride from naphthalene.			
Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28
K025			
Distillation bottoms from the production of nitrobenzene by the nitration of benzene.			
NA	NA	LLEXT fb SSTRP fb CARBN; or INCIN	INCIN
K026			
Stripping still tails from the production of methyl ethyl pyridines.			
NA	NA	INCIN	INCIN
K027			
Centrifuge and distillation residues from the toluene diisocyanate production.			
NA	NA	CARBN; or INCIN	CMBST
K028			
Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.			

1,1-Dichloroethane	75-34-3	0.059	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	NA	6.0
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Cadmium	7440-43-9	0.69	NA
Chromium(Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

K029

Waste from the product steam stripper in the production of 1,1,1-trichloroethane.

Chloroform	67-66-3	0.046	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

K030

Column bodies or heavy ends from the combined production of trichloroethylene and perchloroethylene.

o-Dichlorobenzene	95-50-1	0.088	NA
p-Dichlorobenzene	106-46-7	0.090	NA
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	NA	30
Pentachlorobenzene	608-93-5	NA	10
Pentachloroethane	76-01-7	NA	6.0
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19

K031

By-product salts generated in the production of MSMA and cacodylic acid.

Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
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K032

Wastewater treatment sludge from the production of chlordane.

Hexachlorocyclopentadiene	77-47-4	0.057	2.4
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066

K033

Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.

Hexachlorocyclopentadiene	77-47-4	0.057	2.4
K034			
Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.			
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
K035			
Wastewater treatment sludges generated in the production of creosote.			
Acenaphthene	83-32-9	NA	3.4
Anthracene	120-12-7	NA	3.4
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Dibenz(a,h)anthracene	53-70-3	NA	8.2
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	NA	3.4
Indeno(1,2,3-cd)pyrene	193-39-5	NA	3.4
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
K036			
Still bottoms from toluene reclamation distillation in the production of disulfoton.			
Disulfoton	298-04-4	0.017	6.2
K037			
Wastewater treatment sludges from the production of disulfoton.			
Disulfoton	298-04-4	0.017	6.2
Toluene	108-88-3	0.080	10
K038			
Wastewater from the washing and stripping of phorate production.			
Phorate	298-02-2	0.021	4.6
K039			
Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.			
NA	NA	CARBON; or INCIN	CMBST
K040			
Wastewater treatment sludge from the production of phorate.			
Phorate	298-02-2	0.021	4.6

K041

Wastewater treatment sludge from the production of toxaphene.

Toxaphene	8001-35-2	0.0095	2.6
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K042

Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.

o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
1,2,4-Trichlorobenzene	120-82-1	0.055	19

K043

2,6-Dichlorophenol waste from the production of 2,4-D.

2,4-Dichlorophenol	120-83-2	0.044	14
2,6-Dichlorophenol	187-65-0	0.044	14
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Pentachlorophenol	87-86-5	0.089	7.4
Tetrachloroethylene	127-18-4	0.056	6.0
HxCDDs (All Hexachlorodibenzo- p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzo- furans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo- p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzo- furans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo- p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzo- furans)	NA	0.000063	0.001

K044

Wastewater treatment sludges from the manufacturing and processing of explosives.

NA	NA	DEACT	DEACT
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K045

Spent carbon from the treatment of wastewater containing explosives.

NA	NA	DEACT	DEACT
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K046

Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.

Lead	7439-92-1	0.69	0.37 mg/l TCLP
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K047

Pink or red water from TNT operations.

NA	NA	DEACT	DEACT
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K048

Dissolved air flotation (DAF) float from the petroleum refining industry.

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-33	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

K049

Slop oil emulsion solids from the petroleum refining industry.

Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Carbon disulfide	75-15-0	3.8	NA
Chrysene	2218-01-9	0.059	3.4
2,4-Dimethylphenol	105-67-9	0.036	NA
Ethylbenzene	100-41-4	0.057	10
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Cyanides (Total) ⁷	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

K050

Heat exchanger bundle cleaning sludge from the petroleum refining industry.

Benzo(a)pyrene	50-32-8	0.061	3.4
Phenol	108-95-2	0.039	6.2
Cyanides (Total) ⁷	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

K051

API separator sludge from the petroleum refining industry.

Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benz(a)anthracene	56-55-3	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	2218-01-9	0.059	3.4
Di-n-butyl phthalate	105-67-9	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	1068-88-3	0.08	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene con- centrations)	1330-20-7	0.32	30
Cyanides (Total) ⁷	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

K052

Tank bottoms (leaded) from the petroleum refining industry.

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77	5.6
p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77	5.6
2,4-Dimethylphenol	105-67-9	0.036	NA
Ethylbenzene	100-41-4	0.057	10
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Toluene	108-88-3	0.08	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

K060

Ammonia still lime sludge from coking operations.

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
Naphthalene	91-20-3	0.059	5.6
Phenol	108-95-2	0.039	6.2
Cyanides (Total) ⁷	57-12-5	1.2	590

K061

Emission control dust or sludge from the primary production of steel in electric furnaces.

Antimony	7440-36-0	NA	2.1 mg/l TCLP
Arsenic	7440-38-2	NA	5.0 mg/l TCLP
Barium	7440-39-3	NA	7.6 mg/l TCLP
Beryllium	7440-41-7	NA	0.014 mg/l TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	NA	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	NA	0.16 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP
Thallium	NA	NA	0.078 mg/l TCLP
Zinc	7440-66-6	NA	5.3 mg/l TCLP

K062

Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	NA

K069

Emission control dust or sludge from secondary lead smelting. - Calcium sulfate (Low Lead) Subcategory

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K069

Emission control dust or sludge from secondary lead smelting. - Non-Calcium sulfate (High Lead) Subcategory

NA	NA	NA	RLEAD
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K071

K071 (Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used) nonwastewaters that are residues from RMERC.

Mercury	7439-97-6	NA	0.20 mg/l TCLP
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K071

K071 (Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used) nonwastewaters that are not residues from RMERC.

Mercury	7439-97-6	NA	0.025 mg/l TCLP
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K071

All K071 wastewaters.

Mercury	7439-97-6	0.15	NA
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K073

Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachloroethane	67-72-1	0.055	30
Tetrachloroethylene	127-18-4	0.058	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0

K083

Distillation bottoms from aniline production.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
Cyclohexanone	108-94-1	0.36	NA
Diphenylamine	122-39-4	0.92	13
(difficult to distinguish from diphenylnitrosamine)			
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	13
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

K084

Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
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K085

Distillation or fractionation column bottoms from the production of chlorobenzenes.

Benzene	71-43-2	0.14	10
Chlorobenzene	108-90-7	0.057	6.0
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Total PCBs	1336-36-3	0.10	10
(sum of all PCB isomers, or all Aroclors)			
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
1,2,4-Trichlorobenzene	120-82-1	0.055	19

K086

Solvent wastes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.

Acetone	67-64-1	0.28	160
Acetophenone	96-86-2	0.010	9.7
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
n-Butyl alcohol	71-36-3	5.6	2.6
Butylbenzyl phthalate	85-68-7	0.017	28
Cyclohexanone	108-94-1	0.36	NA
o-Dichlorobenzene	95-50-1	0.088	6.0
Diethyl phthalate	84-66-2	0.20	28
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
Di-n-octyl phthalate	117-84-0	0.017	28
Ethyl acetate	141-78-6	0.34	33
Ethylbenzene	100-41-4	0.057	10
Methanol	67-56-1	5.6	NA
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methylene chloride	75-09-2	0.089	30
Naphthalene	91-20-3	0.059	5.6
Nitrobenzene	98-95-3	0.068	14
Toluene	108-88-3	0.080	10
1,1,1-Trichloroethane	71-55-6	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁷	57-12-5	1.2	590
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K087

Decanter tank tar sludge from coking operations.

Acenaphthylene	208-96-8	0.059	3.4
Benzene	71-43-2	0.14	10
Chrysene	218-01-9	0.059	3.4
Fluoranthene	206-44-0	0.068	3.4
Indenol(1,2,3-cd)pyrene	193-39-5	0.0055	3.4
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K093

Distillation light ends from the production of phthalic anhydride from ortho-xylene.

Phthalic anhydride (measured as Phthalic acid or erephthalic acid)	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28

K094

Distillation bottoms from the production of phthalic anhydride from ortho-xylene.

Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28

K095

Distillation bottoms from the production of 1,1,1-trichloroethane.

Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

K096

Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.

m-Dichlorobenzene	541-73-1	0.036	6.0
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

K097

Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.

Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.068
Hexachlorocyclopentadiene	77-47-4	0.057	2.4

K098

Untreated process wastewater from the production of toxaphene.

Toxaphene	8001-35-2	0.0095	2.6
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K099

Untreated wastewater from the production of 2,4-D.

2,4-Dichlorophenoxyacetic acid	94-75-7	0.72	10
HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzo-furans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzo-furans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzo-furans)	NA	0.000063	0.001

K100

Waste leaching solution from acid leaching of emission control dust or sludge from secondary lead smelting.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K101

Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

o-Nitroaniline	88-74-4	0.27	14
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.69	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

K102

Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

o-Nitrophenol	88-75-5	0.028	13
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.69	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

K103

Process residues from aniline extraction from the production of aniline.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2

K104

Combined wastewater streams generated from nitrobenzene or aniline production.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Cyanides (Total) ⁷	57-12-5	1.2	590

K105

Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.

Benzene	71-43-2	0.14	10
Chlorobenzene	108-90-7	0.057	6.0
2-Chlorophenol	95-57-8	0.044	5.7
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Phenol	108-95-2	0.039	6.2
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4

K106

K106 (wastewater treatment sludge from the mercury cell process in chlorine production) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury.

Mercury	7439-97-6	NA	RMERC
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K106

K106 (wastewater treatment sludge from the mercury cell process in chlorine production) nonwastewaters that contain less than 260 mg/kg total mercury that are residues from RMERC.

Mercury	7439-97-6	NA	0.20 mg/l TCLP
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K106

Other K106 nonwastewaters that contain less than 260 mg/kg total mercury and are not residues from RMERC.

Mercury	7439-97-6	NA	0.025 mg/l TCLP
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K106

All K106 wastewaters.

Mercury	7439-97-6	0.15	NA
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K107

Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	INCIN; or CHOXD fb CARBN; or BIODG fb CARBN	INCIN
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K108

Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	INCIN; or CHOXD fb CARBN; or BIODG fb CARBN	INCIN
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K109

Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	INCIN; or CHOXD fb CARBN; or BIODG fb CARBN	INCIN
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K110

Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	INCIN; or CHOXD fb CARBN; or BIODG fb CARBN	INCIN
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K111

Product washwaters from the production of dinitrotoluene via nitration of toluene

2,4-Dinitrotoluene	121-1-1	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28

K112

Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.

NA	NA	INCIN; or CHOXD fb CARBN; or BIODG fb CARBN	INCIN
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K113

Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.

NA	NA	CARBN; or INCIN	CMBST
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K114

Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.

NA	NA	CARBN; or INCIN	CMBST
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K115

Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.

Nickel	7440-02-0	3.98	5.0 mg/l TCLP
NA	NA	CARBN; or INCIN	CMBST

K116

Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.

NA	NA	CARBN; or INCIN	CMBST
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K117

Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.

Methyl bromide (Bromomethane)	74-83-9	0.11	15
Chloroform	67-66-3	0.046	6.0
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15

K118

Spent absorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.

Methyl bromide (Bromomethane)	74-83-9	0.11	15
Chloroform	67-66-3	0.046	6.0
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15

K123

Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.

NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN
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K124

Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.

NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN
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K125

Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.

NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN
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K126

Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.

NA	NA	INCIN; or CHOXD fb (BIODG or CARBN)	INCIN
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K131

Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.

Methyl bromide (Bromomethane)	74-83-9	0.11	15
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K132

Spent absorbent and wastewater separator solids from the production of methyl bromide.

Methyl bromide (Bromomethane)	74-83-9	0.11	15
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K136

Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.

Methyl bromide (Bromomethane)	74-83-9	0.11	15
Chloroform	67-66-3	0.046	6.0
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15

K141

Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations).

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-2-8	0.061	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4

K142

Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Ideno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4

K143

Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Chrysene	218-01-9	0.059	3.4

K144

Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2

K145

Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	6.2
Naphthalene	91-20-3	0.059	5.6

K147

Tar storage tank residues from coal tar refining.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4

K148

Residues from coal tar distillation, including, but not limited to, still bottoms.

Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4

K149

Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillations of benzyl chloride.)

Chlorobenzene	108-90-7	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Chloromethane	74-87-3	0.19	30
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
Toluene	108-88-3	0.080	10

K150

Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Chloromethane	74-87-3	0.19	30
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
1,1,2,2- Tetrachloroethane	79-34-5	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19

K151

Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Benzene	71-43-2	0.14	10
Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
Tetrachloroethylene	127-18-4	0.056	6.0
Toluene	108-88-3	0.080	10
P001			
Warfarin, & salts, when present at concentrations greater than 0.3%			
Warfarin	81-81-2	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
P002			
1-Acetyl-2-thiourea			
1-Acetyl-2-thiourea	591-08-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P003			
Acrolein			
Acrolein	107-02-6	0.29	CMBST
P004			
Aldrin			
Aldrin	309-00-2	0.021	0.068
P005			
Allyl alcohol			
Allyl alcohol	107-18-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
P006			
Aluminum phosphide			
Aluminum phosphide	20859-73-6	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
P007			
5-Aminomethyl-3-isoxazolol			
5-Aminomethyl-3-isoxazolol	2763-96-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P008			
4-Aminopyridine			

4-Aminopyridine	504-24-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P009 Ammonium picrate Ammonium picrate	131-74-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
P010 Arsenic acid Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P011 Arsenic pentoxide Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P012 Arsenic trioxide Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P013 Barium cyanide Barium Cyanides (Total) ⁷ Cyanides (Amenable) ⁷	7440-39-3 57-12-5 57-12-5	NA 1.2 0.86	7.6 mg/l TCLP 590 30
P014 Thiophenol (Benzene thiol) Thiophenol (Benzene thiol)	108-98-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P015 Beryllium dust Beryllium	7440-41-7	RMETL; or RTHRM	RMETL; or RTHRM
P016 Dichloromethyl ether (Bis(chloromethyl)ether) Dichloromethyl ether	542-88-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P017 Bromoacetone Bromoacetone	598-31-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN

P018				
Brucine				
Brucine	357-57-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P020				
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)				
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	2.5	
P021				
Calcium cyanide				
Cyanides (Total) ⁷	57-12-5	1.2	590	
Cyanides (Amenable) ⁷	57-12-5	0.86	30	
P022				
Carbon disulfide				
Carbon disulfide	75-15-0	3.8	INCIN	
Carbon disulfide; alternate ⁶ standard for nonwastewaters only	75-15-0	NA	4.8 mg/l TCLP	
P023				
Chloroacetaldehyde				
Chloroacetaldehyde	107-20-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P024				
p-Chloroaniline				
p-Chloroaniline	106-47-8	.046	16	
P026				
1-(o-Chlorophenyl)thiourea				
1-(o-Chlorophenyl)thiourea	5344-82-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P027				
3-Chloropropionitrile				
3-Chloropropionitrile	542-76-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P028				
Benzyl chloride				
Benzyl chloride	100-44-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	

P029				
Copper cyanide				
	Cyanides (Total) ⁷	57-12-5	1.2	590
	Cyanides (Amenable) ⁷	57-12-5	0.86	30
P030				
Cyanides (soluble salts and complexes)				
	Cyanides (Total) ⁷	57-12-5	1.2	590
	Cyanides (Amenable) ⁷	57-12-5	0.86	30
P031				
Cyanogen				
	Cyanogen	460-19-5	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN
P033				
Cyanogen chloride				
	Cyanogen chloride	506-77-4	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN
P034				
2-Cyclohexyl-4,6-dinitrophenol				
	2-Cyclohexyl-4,6-dinitrophenol	131-89-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P036				
Dichlorophenylarsine				
	Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P037				
Dieldrin				
	Dieldrin	60-57-1	0.017	0.13
P038				
Diethylarsine				
	Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P039				
Disulfoton				
	Disulfoton	298-04-4	0.017	6.2
P040				
O,O-Diethyl-O-pyrazinyl-phosphorothioate				
	O,O-Diethyl-O-pyrazinyl- phosphorothioate	297-97-2	CARBN; or INCIN	CMBST
P041				
Diethyl-p-nitrophenyl phosphate				
	Diethyl-p-nitrophenyl phosphate	311-45-5	CARBN; or INCIN	CMBST

P042	Epinephrine				
	Epinephrine	51-43-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P043	Diisopropylfluorophosphate (DFP)				
	Diisopropylfluorophosphate (DFP)	55-91-4	CARBN; or INCIN	CMBST	
P044	Dimethoate				
	Dimethoate	60-51-5	CARBN; or INCIN	CMBST	
P045	Thiofanox				
	Thiofanox	39196-18-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P046	alpha, alpha-Dimethylphenethylamine				
	alpha, alpha-Dimethylphenethyl- amine	122-09-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P047	4,6-Dinitro-o-cresol				
	4,6-Dinitro-o-cresol	543-52-1	0.28	160	
P047	4,6-Dinitro-o-cresol salts				
	NA	NA	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P048	2,4-Dinitrophenol				
	2,4-Dinitrophenol	51-28-5	0.12	160	
P049	Dithiobiuret				
	Dithiobiuret	541-53-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P050	Endosulfan				

Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1031-07-8	0.029	0.13
P051			
Endrin			
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
P054			
Aziridine			
Aziridine	151-56-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P056			
Fluorine			
Fluoride (measured in wastewaters only)	16964-48-8	35	ADGAS fb NEUTR
P057			
Fluoroacetamide			
Fluoroacetamide	640-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P058			
Fluoroacetic acid, sodium salt			
Fluoroacetic acid, sodium salt	62-74-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P059			
Heptachlor			
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
P060			
Isodrin			
Isodrin	465-73-6	0.021	0.066
P062			
Hexaethyl tetraphosphate			
Hexaethyl tetraphosphate	757-58-4	CARBN; or INCIN	CMBST
P063			
Hydrogen cyanide			
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30

P064

Isocyanic acid, ethyl ester

Isocyanic acid, ethyl ester

624-83-9

(WETOX or
CHOXD) fb
CARBN; or INCIN

INCIN

P065

P065 (mercury fulminate) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.

Mercury

7439-97-6

NA

IMERC

P065

P065 (mercury fulminate) nonwastewaters that are either incinerator residues or are residues from RMERC; and contain greater than or equal to 260 mg/kg total mercury.

Mercury

7339-97-6

NA

RMERC

P065

P065 (mercury fulminate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.

Mercury

7439-97-6

NA

0.20 mg/l TCLP

P065

P065 (mercury fulminate) nonwastewaters that are incinerator residues and contain less than 260 mg/kg total mercury.

Mercury

7439-97-6

NA

0.025 mg/l TCLP

P065

All P065 (mercury fulminate) wastewaters.

Mercury

7439-97-6

0.15

NA

P066

Methomyl

Methomyl

16752-77-5

(WETOX or
CHOXD) fb
CARBN; or INCIN

INCIN

P067

2-Methyl-aziridine

2-Methyl-aziridine

75-55-8

(WETOX or
CHOXD) fb
CARBN; or INCIN

INCIN

P068

Methyl hydrazine

Methyl hydrazine

60-34-4

CHOXD; CHRED;
CARBN; BIODG;
or INCINCHOXD; CHRED,
or CMBST

P069

2-Methylactonitrile

2-Methylacetonitrile	75-86-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P070 Aldicarb			
Aldicarb	116-06-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P071 Methyl parathion			
Methyl parathion	298-00-0	0.014	4.6
P072 1-Naphthyl-2-thiourea			
1-Naphthyl-2-thiourea	86-88-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P073 Nickel carbonyl			
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
P074 Nickel cyanide			
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
P075 Nicotine and salts			
Nicotine and salts	54-11-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P076 Nitric oxide			
Nitric oxide	10102-43-9	ADGAS	ADGAS
P077 p-Nitroaniline			
p-Nitroaniline	100-01-6	0.028	28
P078 Nitrogen dioxide			
Nitrogen dioxide	10102-44-0	ADGAS	ADGAS
P081 Nitroglycerin			

Nitroglycerin	55-63-0	CHOXD; CHRED; CARBN; BIODG or INCIN	CHOXD; CHRED; or CMBST
P082 N-Nitrosodimethylamine			
N-Nitrosodimethylamine	62-75-9	0.40	2.3
P084 N-Nitrosomethylvinylamine			
N-Nitrosomethylvinylamine	4549-40-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P085 Octamethylpyrophosphoramid			
Octamethylpyrophosphoramid	152-16-9	CARBN; or INCIN	CMBST
P087 Osmium tetroxide			
Osmium tetroxide	20816-12-0	RMETL; or RTHRM	RMETL; or RTHRM
P088 Endothall			
Endothall	145-73-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
P089 Parathion			
Parathion	56-38-2	0.014	4.6
P092 P092 (phenyl mercuric acetate) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.			
Mercury	7439-97-6	NA	IMERC; or RMERC
P092 P092 (phenyl mercuric acetate) nonwastewaters that are either incinerator residues or are residues from RMERC; and still contain greater than or equal to 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	RMERC
P092 P092 (phenyl mercuric acetate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	0.20 mg/l TCLP
P092 P092 (phenyl mercuric acetate) nonwastewaters that are incinerator residues and contain less than 260 mg/kg total mercury.			

Mercury	7439-97-6	NA	0.025 mg/l TCLP
P092 All P092 (phenyl mercuric acetate) wastewaters.			
Mercury	7439-97-6	0.15	NA
P093 Phenylthiourea			
Phenylthiourea	103-85-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P094 Phorate			
Phorate	298-02-2	0.021	4.6
P095 Phosgene			
Phosgene	75-44-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P096 Phosphine			
Phosphine	7803-51-2	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
P097 Famphur			
Famphur	52-85-7	0.017	15
P098 Potassium cyanide.			
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
P099 Potassium silver cyanide			
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Silver	7440-22-4	0.43	0.30 mg/l TCLP
P101 Ethyl cyanide (Propanenitrile)			
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
P102 Propargyl alcohol			

Propargyl alcohol	107-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
P103 Selenourea			
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
P104 Silver cyanide			
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
Silver	7440-22-4	0.43	0.30 mg/l TCLP
P105 Sodium azide			
Sodium azide	26628-22-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
P106 Sodium cyanide			
Cyanides (Total) ⁷	57-12-5	1.2	590
Cyanides (Amenable) ⁷	57-12-5	0.86	30
P108 Strychnine and salts			
Strychnine and salts	57-24-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P109 Tetraethyldithiopyrophosphate			
Tetraethyldithiopyrophosphate	3689-24-5	CARBN; or INCIN	CMBST
P110 Tetraethyl lead			
lead	7439-92-1	0.69	0.37 mg/l TCLP
P111 Tetraethylpyrophosphate			
Tetraethylpyrophosphate	107-49-3	CARBN; or INCIN	CMBST
P112 Tetranitromethane			
Tetranitromethane	509-14-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
P113 Thallic oxide			

Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
P114 Thallium selenite Selenium	7782-49-2	0.82	0.16 mg/l TCLP
P115 Thallium (I) sulfate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
P116 Thiosemicarbazide Thiosemicarbazide	79-19-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P118 Trichloromethanethiol Trichloromethanethiol	75-70-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P119 Ammonium vanadate Vanadium (measured in wastewaters only)	7440-62-2	4.3	STABL
P120 Vanadium pentoxide Vanadium (measured in wastewaters only)	7440-62-2	4.3	STABL
P121 Zinc cyanide Cyanides (Total) ⁷ Cyanides (Amenable) ⁷	57-12-5 57-12-5	1.2 0.86	590 30
P122 Zinc phosphide Zn ₃ P ₂ , when present at concentrations greater than 10% Zinc Phosphide	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
P123 Toxaphene Toxaphene	8001-35-2	0.0095	2.6
U001 Acetaldehyde			

Acetaldehyde	75-07-0	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U002 Acetone			
Acetone	67-64-1	0.28	160
U003 Acetonitrile			
Acetonitrile	75-05-8	5.6	INCIN
Acetonitrile; alternate ⁶ standard for nonwastewaters only	75-05-8	NA	1.8
U004 Acetophenone			
Acetophenone	98-86-2	0.010	9.7
U005 2-Acetylaminofluorene			
2-Acetylaminofluorene	53-96-3	0.059	140
U006 Acetyl chloride			
Acetyl chloride	75-36-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U007 Acrylamide			
Acrylamide	79-06-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U008 Acrylic acid			
Acrylic acid	79-10-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U009 Acrylonitrile			
Acrylonitrile	107-13-1	0.24	84
U010 Mitomycin C			
Mitomycin C	50-07-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN

U011	Amitrole			
	Amitrole	61-82-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U012	Aniline			
	Aniline	62-53-3	0.81	14
U014	Auramine			
	Auramine	492-80-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U015	Azaserine			
	Azaserine	115-02-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U016	Benz(c)acridine			
	Benz(c)acridine	225-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U017	Benzal chloride			
	Benzal chloride	98-87-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U018	Benz(a)anthracene			
	Benz(a)anthracene	56-55-3	0.059	3.4
U019	Benzene			
	Benzene	71-43-2	0.14	10
U020	Benzenesulfonyl chloride			
	Benzenesulfonyl chloride	98-09-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U021	Benzidine			

Benzidine	92-87-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U022 Benzo(a)pyrene Benzo(a)pyrene	50-32-8	0.061	3.4
U023 Benzotrichloride Benzotrichloride	98-07-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U024 bis(2-Chloroethoxy)methane bis(2-Chloroethoxy)methane	111-91-1	0.036	7.2
U025 bis(2-Chloroethyl)ether bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
U026 Chlornaphazine Chlornaphazine	494-03-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U027 bis(2-Chloroisopropyl)ether bis(2-Chloroisopropyl)ether	30638-32-9 <u>108-60-1</u>	0.055	7.2
U028 bis(2-Ethylhexyl)phthalate bis(2-Ethylhexyl)phthalate	117-81-7	0.28	28
U029 Methyl bromide (Bromomethane) Methyl bromide (Bromomethane)	74-83-9	0.11	15
U030 4-Bromophenyl phenyl ether 4-Bromophenyl phenyl ether	101-55-3	0.055	15
U031 n-Butyl alcohol n-Butyl alcohol	71-36-3	5.6	2.6
U032 Calcium chromate			

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
U033 Carbon oxyfluoride			
Carbon oxyfluoride	353-50-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U034 Trichloroacetaldehyde (Chloral)			
Trichloroacetaldehyde (Chloral)	75-87-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U035 Chlorambucil			
Chlorambucil	305-03-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U036 Chlordane			
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
U037 Chlorobenzene			
Chlorobenzene	108-90-7	0.057	6.0
U038 Chlorobenzilate			
Chlorobenzilate	510-15-6	0.10	INCIN
U039 p-Chloro-m-cresol			
p-Chloro-m-cresol	59-50-7	0.018	14
U041 Epichlorohydrin (1-Chloro-2,3-epoxypropane)			
Epichlorohydrin (1-Chloro-2,3- epoxypropane)	106-89-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U042 2-Chloroethyl vinyl ether			
2-Chloroethyl vinyl ether	110-75-8	0.062	INCIN
U043 Vinyl chloride			
Vinyl chloride	75-01-4	0.27	6.0

U044			
Chloroform			
Chloroform	67-66-3	0.046	6.0
U045			
Chloromethane (Methyl chloride)			
Chloromethane (Methyl chloride)	74-87-3	0.19	30
U046			
Chloromethyl methyl ether			
Chloromethyl methyl ether	107-30-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U047			
2-Chloronaphthalene			
2-Chloronaphthalene	91-58-7	0.055	5.6
U048			
2-Chlorophenol			
2-Chlorophenol	95-57-8	0.044	5.7
U049			
4-Chloro-o-toluidine hydrochloride			
4-Chloro-o-toluidine hydrochloride	3165-93-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U050			
Chrysene			
Chrysene	218-01-9	0.059	3.4
U051			
Creosote			
Naphthalene	91-20-3	0.059	5.6
Pentachlorophenol	87-86-5	0.089	7.4
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
U052			
Cresols (Cresylic acid)			

o-Cresol	95-48-7	0.11	5.6
m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77	5.6
p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77	5.6
Cresol-mixed isomers (Cresylic acid) (sum of o-, m-, and p-cresol concentrations)	1319-77-3	0.88	11.2
U053			
Crotonaldehyde			
Crotonaldehyde	4170-30-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U055			
Cumene			
Cumene	98-82-8	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U056			
Cyclohexane			
Cyclohexane	110-82-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U057			
Cyclohexanone			
Cyclohexanone	108-94-1	0.36	CMBST
Cyclohexanone; alternate ⁶ standard for nonwastewaters only	108-94-1	NA	0.75 mg/l TCLP
U058			
Cyclophosphamide			
Cyclophosphamide	50-18-0	CARBN; or INCIN	CMBST
U059			
Daunomycin			
Daunomycin	20830-81-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U060			
DDD			
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
U061			
DDT			

o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087
p,p'-DDE	72-55-9	0.031	0.087
U062			
Diallate			
Diallate	2303-16-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U063			
Dibenz(a,h)anthracene			
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
U064			
Dibenz(a,i)pyrene			
Dibenz(a,i)pyrene	189-55-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U066			
1,2-Dibromo-3-chloropropane			
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
U067			
Ethylene dibromide (1,2-Dibromoethane)			
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
U068			
Dibromomethane			
Dibromomethane	74-95-3	0.11	15
U069			
Di-n-butyl phthalate			
Di-n-butyl phthalate	84-74-2	0.057	28
U070			
o-Dichlorobenzene			
o-Dichlorobenzene	95-50-1	0.088	6.0
U071			
m-Dichlorobenzene			
m-Dichlorobenzene	541-73-1	0.036	6.0
U072			
p-Dichlorobenzene			

p-Dichlorobenzene	106-46-7	0.090	6.0
U073			
3,3'-Dichlorobenzidine			
3,3'-Dichlorobenzidine	91-94-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U074			
1,4-Dichloro-2-butene			
cis-1,4-Dichloro-2-butene	1476-11-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
trans-1,4-Dichloro-2-butene	764-41-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U075			
Dichlorodifluoromethane			
Dichlorodifluoromethane	75-71-8	0.23	7.2
U076			
1,1-Dichloroethane			
1,1-Dichloroethane	75-34-3	0.059	6.0
U077			
1,2-Dichloroethane			
1,2-Dichloroethane	107-06-2	0.21	6.0
U078			
1,1-Dichloroethylene			
1,1-Dichloroethylene	75-35-4	0.025	6.0
U079			
1,2-Dichloroethylene			
trans-1,2-Dichloroethylene	156-60-5	0.054	30
U080			
Methylene chloride			
Methylene chloride	75-09-2	0.089	30
U081			
2,4-Dichlorophenol			
2,4-Dichlorophenol	120-83-2	0.044	14
U082			
2,6-Dichlorophenol			
2,6-Dichlorophenol	87-65-0	0.044	14
U083			
1,2-Dichloropropane			

1,2-Dichloropropane	78-87-5	0.85	18
U084			
1,3-Dichloropropylene			
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
U085			
1,2:3,4-Diepoxybutane			
1,2:3,4-Diepoxybutane	1464-53-5	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U086			
N,N'-Diethylhydrazine			
N,N'-Diethylhydrazine	1615-80-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U087			
O,O-Diethyl S-methyldithiophosphate			
O,O-Diethyl S-methyldithio- phosphate	3288-58-2	CARBN; or INCIN	CMBST
U088			
Diethyl phthalate			
Diethyl phthalate	84-66-2	0.20	28
U089			
Diethyl stilbestrol			
Diethyl stilbestrol	56-53-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U090			
Dihydrosafrole			
Dihydrosafrole	94-58-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U091			
3,3'-Dimethoxybenzidine			
3,3'-Dimethoxybenzidine	119-90-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U092			
Dimethylamine			

Dimethylamine	124-40-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U093 p-Dimethylaminoazobenzene			
p-Dimethylaminoazobenzene	60-11-7	0.13	INCIN
U094 7,12-Dimethylbenz(a)anthracene			
7,12-Dimethylbenz(a)anthracene	57-97-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U095 3,3'-Dimethylbenzidine			
3,3'-Dimethylbenzidine	119-93-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U096 alpha, alpha-Dimethyl benzyl hydroperoxide			
alpha, alpha-Dimethyl benzyl hydroperoxide	80-15-9	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U097 Dimethylcarbamoyl chloride			
Dimethylcarbamoyl chloride	79-44-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U098 1,1-Dimethylhydrazine			
1,1-Dimethylhydrazine	57-14-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U099 1,2-Dimethylhydrazine			
1,2-Dimethylhydrazine	540-73-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U101 2,4-Dimethylphenol			
2,4-Dimethylphenol	105-67-9	0.036	14
U102 Dimethyl phthalate			

Dimethyl phthalate	131-11-3	0.047	28
U103 Dimethyl sulfate			
Dimethyl sulfate	77-78-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U105 2,4-Dinitrotoluene			
2,4-Dinitrotoluene	121-14-2	0.32	140
U106 2,6-Dinitrotoluene			
2,6-Dinitrotoluene	606-20-2	0.55	28
U107 Di-n-octyl phthalate			
Di-n-octyl phthalate	117-84-0	0.017	28
U108 1,4-Dioxane			
1,4-Dioxane	123-91-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
1,4-Dioxane; alternate ⁶ standard for nonwastewaters only	123-91-1	NA	170
U109 1,2-Diphenylhydrazine			
1,2-Diphenylhydrazine	122-66-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
1,2-Diphenylhydrazine; alternate ⁶ standard for wastewaters only	122-66-7	0.087	NA
U110 Dipropylamine			
Dipropylamine	142-84-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U111 Di-n-propylnitrosamine			
Di-n-propylnitrosamine	621-64-7	0.40	14
U112 Ethyl acetate			
Ethyl acetate	141-78-8	0.34	33

U113	Ethyl acrylate			
	Ethyl acrylate	140-88-5	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U114	Ethylenebisdithiocarbamic acid salts and esters			
	Ethylenebisdithiocarbamic acid	111-54-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U115	Ethylene oxide			
	Ethylene oxide	75-21-8	(WETOX or CHOXD) fb CARBN; or INCIN	CHOXD; or INCIN
	Ethylene oxide; alternate ⁶ standard for wastewaters only	75-21-8	0.12	NA
U116	Ethylene thiourea			
	Ethylene thiourea	96-45-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U117	Ethyl ether			
	Ethyl ether	60-29-7	0.12	160
U118	Ethyl methacrylate			
	Ethyl methacrylate	97-63-2	0.14	160
U119	Ethyl methane sulfonate			
	Ethyl methane sulfonate	62-50-0	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U120	Fluoranthene			
	Fluoranthene	206-44-0	0.068	3.4
U121	Trichloromonofluoromethane			
	Trichloromonofluoromethane	75-69-4	0.020	30
U122	Formaldehyde			

Formaldehyde	50-00-0	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U123 Formic acid Formic acid	64-18-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U124 Furan Furan	110-00-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U125 Furfural Furfural	98-01-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U126 Glycidylaldehyde Glycidylaldehyde	765-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U127 Hexachlorobenzene Hexachlorobenzene	118-74-1	0.055	10
U128 Hexachlorobutadiene Hexachlorobutadiene	87-68-3	0.055	5.6
U129 Lindane alpha-BHC beta-BHC delta-BHC gamma-BHC (Lindane)	319-84-6 319-85-7 319-86-8 58-89-9	0.00014 0.00014 0.023 0.0017	0.066 0.066 0.066 0.066
U130 Hexachlorocyclopentadiene Hexachlorocyclopentadiene	77-47-4	0.057	2.4
U131 Hexachloroethane Hexachloroethane	67-72-1	0.055	30

U132	Hexachlorophene			
	Hexachlorophene	70-30-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U133	Hydrazine			
	Hydrazine	302-01-2	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U134	Hydrogen fluoride			
	Fluoride (measured in wastewaters only)	16964-48-8	35	ADGAS fb NEUTR; or NEUTR
U135	Hydrogen sulfide			
	Hydrogen sulfide	7783-06-4	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
U136	Cacodylic acid			
	Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
U137	Indeno(1,2,3-cd)pyrene			
	Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4
U138	Iodomethane			
	Iodomethane	74-88-4	0.19	65
U140	Isobutyl alcohol			
	Isobutyl alcohol	78-83-1	5.6	170
U141	Isosafrole			
	Isosafrole	120-58-1	0.081	2.6
U142	Kepone			
	Kepone	143-50-8	0.0011	0.13
U143	Lasiocarpine			

Lasiocarpine	303-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U144 Lead acetate Lead	7439-92-1	0.69	0.37 mg/l TCLP
U145 Lead phosphate Lead	7439-92-1	0.69	0.37 mg/l TCLP
U146 Lead subacetate Lead	7439-92-1	0.69	0.37 mg/l TCLP
U147 Maleic anhydride Maleic anhydride	108-31-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U148 Maleic hydrazide Maleic hydrazide	123-33-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U149 Malononitrile Malononitrile	109-77-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U150 Melphalan Melphalan	148-82-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U151 U151 (mercury) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury. Mercury	7439-97-6	NA	RMERC
U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only. Mercury	7439-97-6	NA	0.20 mg/l TCLP
U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are not residues from RMERC only.			

Mercury	7439-97-6	NA	0.025 mg/l TCLP
U151 All U151 (mercury) wastewater.			
Mercury	7439-97-6	0.15	NA
U151 Element Mercury Contaminated with Radioactive Materials			
Mercury	7439-97-6	NA	AMLGM
U152 Methacrylonitrile			
Methacrylonitrile	126-98-7	0.24	84
U153 Methanethiol			
Methanethiol	74-93-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U154 Methanol			
Methanol	67-56-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
Methanol; alternate ⁶ set of standards for both wastewaters and nonwastewaters	67-56-1	5.6	0.75 mg/l TCLP
U155 Methapyrilene			
Methapyrilene	91-80-5	0.081	1.5
U156 Methyl chlorocarbonate			
Methyl chlorocarbonate	79-22-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U157 3-Methylcholanthrene			
3-Methylcholanthrene	56-49-5	0.0055	15
U158 4,4'-Methylene bis(2-chloroaniline)			
4,4'-Methylene bis(2-chloro- aniline)	101-14-4	0.50	30
U159 Methyl ethyl ketone			

Methyl ethyl ketone	78-93-3	0.28	36
U160 Methyl ethyl ketone peroxide Methyl ethyl ketone peroxide	1338-23-4	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U161 Methyl isobutyl ketone Methyl isobutyl ketone	108-10-1	0.14	33
U162 Methyl methacrylate Methyl methacrylate	80-62-6	0.14	160
U163 N-Methyl-N'-nitro-N-nitrosoguanidine N-Methyl-N'-nitro-N-nitroso- guanidine	70-25-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U164 Methylthiouracil Methylthiouracil	56-04-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U165 Naphthalene Naphthalene	91-20-3	0.059	5.6
U166 1,4-Naphthoquinone 1,4-Naphthoquinone	130-15-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U167 1-Naphthylamine 1-Naphthylamine	134-32-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U168 2-Naphthylamine 2-Naphthylamine	91-59-8	0.52	INCIN
U169 Nitrobenzene			

Nitrobenzene	98-95-3	0.068	14
U170 p-Nitrophenol			
p-Nitrophenol	100-02-7	0.12	29
U171 2-Nitropropane			
2-Nitropropane	79-46-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U172 N-Nitrosodi-n-butylamine			
N-Nitrosodi-n-butylamine	924-16-3	0.40	17
U173 N-Nitrosodiethanolamine			
N-Nitrosodiethanolamine	1116-54-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U174 N-Nitrosodiethylamine			
N-Nitrosodiethylamine	55-18-5	0.40	28
U176 N-Nitroso-N-ethylurea			
N-Nitroso-N-ethylurea	759-73-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U177 N-Nitroso-N-methylurea			
N-Nitroso-N-methylurea	684-93-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U178 N-Nitroso-N-methylurethane			
N-Nitroso-N-methylurethane	615-53-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U179 N-Nitrosopiperidine			
N-Nitrosopiperidine	100-75-4	0.013	35
U180 N-Nitrosopyrrolidine			
N-Nitrosopyrrolidine	930-55-2	0.013	35

U181				
5-Nitro-o-toluidine				
5-Nitro-o-toluidine	99-55-8	0.32	28	
U182				
Paraldehyde				
Paraldehyde	123-63-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U183				
Pentachlorobenzene				
Pentachlorobenzene	608-93-5	0.055	10	
U184				
Pentachloroethane				
Pentachloroethane	76-01-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
Pentachloroethane; alternate ⁶ standards for both wastewaters and nonwastewaters	76-01-7	0.055	6.0	
U185				
Pentachloronitrobenzene				
Pentachloronitrobenzene	82-68-8	0.055	4.8	
U186				
1,3-Pentadiene				
1,3-Pentadiene	504-60-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U187				
Phenacetin				
Phenacetin	62-44-2	0.081	16	
U188				
Phenol				
Phenol	108-95-2	0.039	6.2	
U189				
Phosphorus sulfide				
Phosphorus sulfide	1314-80-3	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN	
U190				
Phthalic anhydride				

Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28
U191 2-Picoline 2-Picoline	109-06-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U192 Pronamide Pronamide	23950-58-5	0.093	1.5
U193 1,3-Propane sultone 1,3-Propane sultone	1120-71-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U194 n-Propylamine n-Propylamine	107-10-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U196 Pyridine Pyridine	110-86-1	0.014	16
U197 p-Benzoquinone p-Benzoquinone	106-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U200 Reserpine Reserpine	50-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U201 Resorcinol Resorcinol	108-46-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U202 Saccharin and salts			

Saccharin	81-07-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U203 Safrole			
Safrole	94-59-7	0.081	22
U204 Selenium dioxide			
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
U205 Selenium sulfide			
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
U206 Streptozotocin			
Streptozotocin	18883-66-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U207 1,2,4,5-Tetrachlorobenzene			
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
U208 1,1,1,2-Tetrachloroethane			
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
U209 1,1,2,2-Tetrachloroethane			
1,1,2,2-Tetrachloroethane	79-34-5	0.057	6.0
U210 Tetrachloroethylene			
Tetrachloroethylene	127-18-4	0.056	6.0
U211 Carbon tetrachloride			
Carbon tetrachloride	56-23-5	0.057	6.0
U213 Tetrahydrofuran			
Tetrahydrofuran	109-99-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U214 Thallium (I) acetate			

Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U215 Thallium (I) carbonate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U216 Thallium (I) chloride Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U217 Thallium (I) nitrate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U218 Thioacetamide Thioacetamide	62-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U219 Thiourea Thiourea	62-56-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U220 Toluene Toluene	108-88-3	0.080	10
U221 Toluenediamine Toluenediamine	25376-45-8	CARBN; or INCIN	CMBST
U222 o-Toluidine hydrochloride o-Toluidine hydrochloride	636-21-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U223 Toluene diisocyanate Toluene diisocyanate	26471-62-5	CARBN; or INCIN	CMBST
U225 Bromoform (Tribromomethane) Bromoform (Tribromomethane)	75-25-2	0.63	15

U226				
1,1,1-Trichloroethane				
1,1,1-Trichloroethane	71-55-6	0.054		6.0
U227				
1,1,2-Trichloroethane				
1,1,2-Trichloroethane	79-00-5	0.054		6.0
U228				
Trichloroethylene				
Trichloroethylene	79-01-6	0.054		6.0
U234				
1,3,5-Trinitrobenzene				
1,3,5-Trinitrobenzene	99-35-4	(WETOX or CHOXD) fb CARBN; or INCIN		INCIN
U235				
tris-(2,3-Dibromopropyl)-phosphate				
tris-(2,3-Dibromopropyl)- phosphate	126-72-7	0.11		0.10
U236				
Trypan Blue				
Trypan Blue	72-57-1	(WETOX or CHOXD) fb CARBN; or INCIN		INCIN
U237				
Uracil mustard				
Uracil mustard	66-75-1	(WETOX or CHOXD) fb CARBN; or INCIN		INCIN
U238				
Urethane (Ethyl carbamate)				
Urethane (Ethyl carbamate)	51-79-6	(WETOX or CHOXD) fb CARBN; or INCIN		INCIN
U239				
Xylenes				
Xylenes-mixed isomers (sum of o-, m-, and p-xylene con- centrations)	1330-20-7	0.32		30
U240				
2,4-D (2,4-Dichlorophenoxyacetic acid)				

2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10
2,4-D (2,4-Dichlorophenoxyacetic acid) salts and esters	NA	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U243			
Hexachloropropylene			
Hexachloropropylene	1888-71-7	0.035	30
U244			
Thiram			
Thiram	137-26-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U246			
Cyanogen bromide			
Cyanogen bromide	506-68-3	CHOXD; WETOX; or INCIN	CHOXD; WETOX; or INCIN
U247			
Methoxychlor			
Methoxychlor	72-43-5	0.25	0.18
U248			
Warfarin, & salts, when present at concentrations of 0.3% or less			
Warfarin	81-81-2	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U249			
Zinc phosphide, Zn ₃ P ₂ , when present at concentrations of 10% or less			
Zinc Phosphide	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
U328			
o-Toluidine			
o-Toluidine	95-53-4	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destruction
U353			
p-Toluidine			
p-Toluidine	106-49-0	INCIN; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	INCIN; or Thermal Destruction

U359

2-Ethoxyethanol

2-Ethoxyethanol

110-80-5

INCIN; or CHOXD
fb (BIODG or
CARBN); or
BIODG fb CARBN

CMBST

Notes:

- 1 The waste descriptions provided in this table do not replace waste descriptions in 35 Ill. Adm. Code 721. Descriptions of Treatment or Regulatory Subcategories are provided, as needed, to distinguish between applicability of different standards.
- 2 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts or esters, the CAS number is given for the parent compound only.
- 3 Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.
- 4 All treatment standards expressed as a Technology Code or combination of Technology Codes are explained in detail in 35 Ill. Adm. Code 728. Table C, "Technology Codes and Descriptions of Technology-Based Standards". "fb" inserted between waste codes denotes "followed by", so that the first-listed treatment is followed by the second-listed treatment. ";" separates alternative treatment schemes.
- 5 Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 35 Ill. Adm. Code 728.140(d). All concentration standards for nonwastewaters are based on analysis of grab samples.
- 6 Where an alternate treatment standard or set of alternate standards has been indicated, a facility may comply with this alternate standard, but only for the Treatment or Regulatory Subcategory or physical form (i.e., wastewater or nonwastewater) specified for that alternate standard.
- 7 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical or Chemical Methods", U.S.-EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

NA means not applicable.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 728. Table U Universal Treatment Standards (UTS)

Nonwastewater
Standard

Regulated Constituent-Common Name	CAS ¹ No.	Wastewater Standard Concentration (in mg/l ²)	Concentration (in mg/kg ³ unless noted as "mg/l TCLP")
Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	1.8
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylamide	79-06-1	19	23
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
delta-BHC	319-86-8	0.023	0.066
gamma-BHC	58-89-9	0.0017	0.066
Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzal chloride	98-87-3	0.055	6.0

Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Benzo(a)pyrene	50-32-8	0.061	3.4
Bromodichloromethane	75-27-4	0.35	15
Methyl bromide (Bromomethane)	74-83-9	0.11	15
4-Bromophenyl phenyl ether	101-55-3	0.055	15
n-Butyl alcohol	71-36-3	5.6	2.6
Butyl benzyl phthalate	85-68-7	0.017	28
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	2.5
Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
Carbon tetrachloride	56-23-5	0.057	6.0
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
p-Chloroaniline	106-47-8	0.46	16
Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzilate	510-15-6	0.10	NA
2-Chloro-1,3-butadiene	126-99-8	0.057	0.28
Chlorodibromomethane	124-48-1	0.057	15
Chloroethane	75-00-3	0.27	6.0
bis(2-Chloroethoxy)methane	111-91-1	0.036	7.2
bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0

bis(2-Chloroisopropyl)ether	108-60-1	0.055	7.2
p-Chloro-m-cresol	59-50-7	0.018	14
2-Chloroethyl vinyl ether	110-75-8	0.062	NA
Chloromethane (Methyl chloride)	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77	5.6
p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77	5.6
Cyclohexanone	108-94-1	0.36	0.75 mg/l TCLP
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087
p,p'-DDE	72-55-9	0.031	0.087
o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2

Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-8	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14
2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28

p-Dimethylaminoazobenzene	60-11-7	0.13	NA
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	NA	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	13
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	13
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1-31-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-8	0.12	NA
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066

Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachlorodibenzo- p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro- dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepone	143-50-8	0.0011	0.13
Methacrylonitrile	126-98-7	0.24	84
Methanol	67-56-1	5.6	0.75 mg/l TCLP
Methapyrilene	91-80-5	0.081	1.5
Methoxychlor	72-43-5	0.25	0.18
3-Methylcholanthrene	56-49-5	0.0055	15
4,4-Methylene bis(2-chloro- aniline)	101-14-4	0.50	30
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methyl methacrylate	80-62-6	0.14	160
Methyl methansulfonate	66-27-3	0.018	NA

Methyl parathion	298-00-0	0.014	4.6
Naphthalene	91-20-3	0.059	5.6
2-Naphthylamine	91-59-8	0.52	NA
o-Nitroaniline	88-74-4	0.27	14
p-Nitroaniline	100-01-6	0.028	28
Nitrobenzene	98-95-3	0.068	14
5-Nitro-o-toluidine	99-55-8	0.32	28
o-Nitrophenol	88-75-5	0.028	13
p-Nitrophenol	100-02-7	0.12	29
N-Nitrosodiethylamine	55-18-5	0.40	28
N-Nitrosodimethylamine	62-75-9	0.40	2.3
N-Nitroso-di-n-butylamine	924-16-3	0.40	17
N-Nitrosomethylethylamine	10595-95-6	0.40	2.3
N-Nitrosomorpholine	59-89-2	0.40	2.3
N-Nitrosopiperidine	100-75-4	0.013	35
N-Nitrosopyrrolidine	930-55-2	0.013	35
Parathion	56-38-2	0.014	4.6
Total PCBs (sum of all PCB isomers, or all Aroclors)	1336-36-3	0.10	10
Pentachlorobenzene	608-93-5	0.055	10
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachloroethane	76-01-7	0.055	6.0
Pentachloronitrobenzene	82-68-8	0.055	4.8
Pentachlorophenol	87-86-5	0.089	7.4

Phenacetin	62-44-2	0.081	16
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Phorate	298-02-2	0.021	4.6
Phthalic acid	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28
Pronamide	23950-58-5	0.093	1.5
Pyrene	129-00-0	0.067	8.2
Pyridine	110-86-1	0.014	16
Safrole	94-59-7	0.081	22
Silvex (2,4,5-TP)	93-72-1	0.72	7.9
2,4,5-T (2,4,5-Trichloro- phenoxyacetic acid)	93-76-5	0.72	7.9
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
TCDDs (All Tetrachlorodibenzo- p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro- dibenzofurans)	NA	0.000063	0.001
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Bromoform (Tribromomethane)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19

1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Trichloromonofluoromethane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
tris-(2,3-Dibromopropyl) phosphate	126-72-7	0.11	0.10
Vinyl chloride	75-01-4	0.27	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Antimony	7440-36-0	1.9	2.1 mg/l TCLP
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Barium	7440-39-3	1.2	7.6 mg/l TCLP
Beryllium	7440-41-7	0.82	0.014 mg/l TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total) ⁴	57-12-5	1.2	590
Cyanides (Amenable) ⁴	57-12-5	0.86	30
Fluoride	16964-48-8	35	NA
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury-Nonwastewater from Retort	7439-97-6	NA	0.20 mg/l TCLP
Mercury-All Others	7439-97-6	0.15	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

Selenium	7782-49-2	0.82	0.16 mg/l TCLP
Silver	7440-22-4	0.43	0.30 mg/l TCLP
Sulfide	8496-25-8	14	NA
Thallium	7440-28-0	1.4	0.078 mg/l TCLP
Vanadium ⁵	7440-62-2	4.3	0.23 mg/l TCLP
Zinc ⁵	7440-66-6	2.61	5.3 mg/l TCLP

- 1 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts or esters, the CAS number is given for the parent compound only.
- 2 Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.
- 3 Except for metals (EP or TCLP) and cyanides (total and amenable), the nonwastewater treatment standards expressed as a concentration were established, in part, based on incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 40 CFR 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.
- 4 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", U.S.-EPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.
- 5 Vanadium and zinc are not "underlying hazardous constituents" in characteristic wastes, according to the definition at Section 728.102(i).

Note: NA means not applicable.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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

PART 733
STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A: GENERAL

Section
733.101

Scope

<u>733.102</u>	<u>Applicability--Batteries</u>
<u>733.103</u>	<u>Applicability--Pesticides</u>
<u>733.104</u>	<u>Applicability--Mercury Thermostats</u>
<u>733.105</u>	<u>Applicability--Household and Conditionally Exempt Small Quantity Generator Waste</u>
<u>733.106</u>	<u>Definitions</u>

SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

<u>Section</u>	
<u>733.110</u>	<u>Applicability</u>
<u>733.111</u>	<u>Prohibitions</u>
<u>733.112</u>	<u>Notification</u>
<u>733.113</u>	<u>Waste Management</u>
<u>733.114</u>	<u>Labeling and Marking</u>
<u>733.115</u>	<u>Accumulation Time Limits</u>
<u>733.116</u>	<u>Employee Training</u>
<u>733.117</u>	<u>Response to Releases</u>
<u>733.118</u>	<u>Off-Site Shipments</u>
<u>733.119</u>	<u>Tracking Universal Waste Shipments</u>
<u>733.120</u>	<u>Exports</u>

SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

<u>Section</u>	
<u>733.130</u>	<u>Applicability</u>
<u>733.131</u>	<u>Prohibitions</u>
<u>733.132</u>	<u>Notification</u>
<u>733.133</u>	<u>Waste Management</u>
<u>733.134</u>	<u>Labeling and Marking</u>
<u>733.135</u>	<u>Accumulation Time Limits</u>
<u>733.136</u>	<u>Employee Training</u>
<u>733.137</u>	<u>Response to Releases</u>
<u>733.138</u>	<u>Off-Site Shipments</u>
<u>733.139</u>	<u>Tracking Universal Waste Shipments</u>
<u>733.140</u>	<u>Exports</u>

SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

<u>Section</u>	
<u>733.150</u>	<u>Applicability</u>
<u>733.151</u>	<u>Prohibitions</u>
<u>733.152</u>	<u>Waste Management</u>
<u>733.153</u>	<u>Accumulation Time Limits</u>
<u>733.154</u>	<u>Response to Releases</u>
<u>733.155</u>	<u>Off-site Shipments</u>
<u>733.156</u>	<u>Exports</u>

SUBPART E: STANDARDS FOR DESTINATION FACILITIES

<u>Section</u>	
<u>733.160</u>	<u>Applicability</u>
<u>733.161</u>	<u>Off-Site Shipments</u>
<u>733.162</u>	<u>Tracking Universal Waste Shipments</u>

SUBPART F: IMPORT REQUIREMENTS

Section
733.170 Imports

SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

Section
733.180 General
733.181 Factors for Petitions to Include Other Wastes

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

SOURCE: Adopted in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 733.101 Scope

- a) This Part establishes requirements for managing the following:
 - 1) Batteries, as described in Section 733.102;
 - 2) Pesticides, as described in Section 733.103; and
 - 3) Thermostats, as described in Section 733.104.
- b) This Part provides an alternative set of management standards in lieu of regulation under 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728.

Section 733.102 Applicability--Batteries

- a) Batteries covered under this Part.
 - 1) The requirements of this Part apply to persons managing batteries, as described in Section 733.106, except those listed in subsection (b) below.
 - 2) Spent lead-acid batteries that are not managed under 35 Ill. Adm. Code 726.Subpart G, are subject to management under this Part.
- b) Batteries not covered under this Part. The requirements of this Part do not apply to persons managing the following batteries:
 - 1) Spent lead-acid batteries that are managed under 35 Ill. Adm. Code 726.Subpart G.
 - 2) Batteries, as described in Section 733.106, that are not yet wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c) below.
 - 3) Batteries, as described in Section 733.106, that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.

- c) Generation of waste batteries.
 - 1) A used battery becomes a waste on the date it is discarded (e.g., when sent for reclamation).
 - 2) An unused battery becomes a waste on the date the handler decides to discard it.

Section 733.103 Applicability--Pesticides

- a) Pesticides covered under this Part. The requirements of this Part apply to persons managing pesticides, as described in Section 733.106, that meet the following conditions, except those listed in subsection (b) below:
 - 1) Recalled pesticides:
 - A) Stocks of a suspended and canceled pesticide that are part of a voluntary or mandatory recall under Section 19(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA; 7 U.S.C. § 136q), including, but not limited to those owned by the registrant responsible for conducting the recall; or
 - B) Stocks of a suspended or cancelled pesticide, or a pesticide that is not in compliance with FIFRA, that are part of a voluntary recall by the registrant.
 - 2) Stocks of other unused pesticide products that are collected and managed as part of a waste pesticide collection program.
- b) Pesticides not covered under this Part. The requirements of this Part do not apply to persons managing the following pesticides:
 - 1) Recalled pesticides described in subsection (a)(1) above, and unused pesticide products described in subsection (a)(2) above, that are managed by farmers in compliance with 35 Ill. Adm. Code 722.170. (35 Ill. Adm. Code 722.170 addresses pesticides disposed of on the farmer's own farm in a manner consistent with the disposal instructions on the pesticide label, providing the container is triple rinsed in accordance with 35 Ill. Adm. Code 721.107(b)(3).);
 - 2) Pesticides not meeting the conditions set forth in subsection (a) above must be managed in compliance with the hazardous waste regulations in 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728;
 - 3) Pesticides that are not wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c) below or those that are not wastes as described in subsection (d) below; and
 - 4) Pesticides that are not hazardous waste. A pesticide is a hazardous waste if it is a waste (subsection (b)(3) above) and either it is listed in 35 Ill. Adm. Code 721.Subpart D or it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.
- c) When a pesticide becomes a waste.

- 1) A recalled pesticide described in subsection (a)(1) above becomes a waste on the first date on which both of the following conditions apply:
 - A) The generator of the recalled pesticide agrees to participate in the recall; and
 - B) The person conducting the recall decides to discard (e.g., burn the pesticide for energy recovery).
 - 2) An unused pesticide product described in subsection (a)(2) above becomes a waste on the date the generator decides to discard it.
- d) Pesticides that are not wastes. The following pesticides are not wastes:
- 1) Recalled pesticides described in subsection (a)(1) above, provided that:
 - A) The person conducting the recall has not made a decision to discard the pesticide (e.g., burn it for energy recovery). Until such a decision is made, the pesticide does not meet the definition of "solid waste" under 35 Ill. Adm. Code 721.102; thus the pesticide is not a hazardous waste and is not subject to hazardous waste requirements, including those of this Part. This pesticide remains subject to the requirements of FIFRA; or
 - B) The person conducting the recall has made a decision to use a management option that, under 35 Ill. Adm. Code 721.102, does not cause the pesticide to be a solid waste (i.e., the selected option is use (other than use constituting disposal) or reuse (other than burning for energy recovery) or reclamation). Such a pesticide is not a solid waste and therefore is not a hazardous waste, and is not subject to the hazardous waste requirements including this Part. This pesticide, including a recalled pesticide that is exported to a foreign destination for use or reuse, remains subject to the requirements of FIFRA.
 - 2) Unused pesticide products described in subsection (a)(2) above, if the generator of the unused pesticide product has not decided to discard them (e.g., burn for energy recovery). These pesticides remain subject to the requirements of FIFRA.

Section 733.104 Applicability--Mercury Thermostats

- a) Thermostats covered under this Part. The requirements of this Part apply to persons managing thermostats, as described in Section 733.106, except those listed in subsection (b) below.
- b) Thermostats not covered under this Part. The requirements of this Part do not apply to persons managing the following thermostats:
 - 1) Thermostats that are not yet wastes under 35 Ill. Adm. Code 721. Subsection (c) below describes when thermostats become wastes.
 - 2) Thermostats that are not hazardous waste. A thermostat is a hazardous waste if it is a waste (subsection (b)(1) above) and it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.

c) Generation of waste thermostats.

- 1) A used thermostat becomes a waste on the date it is discarded (e.g., sent for reclamation).
- 2) An unused thermostat becomes a waste on the date the handler decides to discard it.

Section 733.105 Applicability--Household and Conditionally Exempt Small Quantity Generator Waste

a) Persons managing the wastes listed below may, at their option, manage them under the requirements of this Part:

- 1) Household wastes that are exempt under 35 Ill. Adm. Code 721.104(b)(1) and are also of the same type as the universal wastes defined at Section 733.106; or
- 2) Conditionally exempt small quantity generator wastes that are exempt under 35 Ill. Adm. Code 721.105 and are also of the same type as the universal wastes defined at Section 733.106.

b) Persons that commingle the wastes described in subsections (a)(1) and (a)(2) above together with universal waste regulated under this Part shall manage the commingled waste under the requirements of this Part.

Section 733.106 Definitions

"Battery" means a device consisting of one or more electrically connected electrochemical cells which 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.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in Sections 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 purposes of managing that category of universal waste.

"FIFRA" means the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. §§ 136-136y).

"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.

"Large quantity handler of universal waste" means a universal waste handler (as defined in this Section) that accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.

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

"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 U.S.C. § 321(v)), incorporated by reference in Section 720.111,

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

It is an animal feed under FFDCA Section 201(w) (21 U.S.C. § 321(w)), incorporated by reference in Section 720.111 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 273.6 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 U.S.C. § 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.

"Small quantity handler of universal waste" means a universal waste handler (as defined in this Section) that does not accumulate more than 5,000 kilograms total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time.

"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 the requirements of 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

"Universal waste" means any of the following hazardous wastes that are subject to the universal waste requirements of this Part:

Batteries, as described in Section 733.102;

Pesticides, as described in Section 733.103; and

Thermostats, as described in Section 733.104.

"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 universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean:

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 transfer facility" means any transportation-related facility including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for ten days or less.

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

SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

Section 733.110 Applicability

This Subpart applies to small quantity handlers of universal waste (as defined in Section 733.106).

Section 733.111 Prohibitions

A small quantity handler of universal waste is prohibited from the following acts:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases as provided in Section 733.117 or by managing specific wastes as provided in Section 733.113.

Section 733.112 Notification

A small quantity handler of universal waste is not required to notify the Agency of its universal waste handling activities.

Section 733.113 Waste Management

- a) Universal waste batteries. A small quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
 - 1) A small quantity handler of universal waste shall contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under

reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

- 2) A small quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):
- A) Sorting batteries by type;
 - B) Mixing battery types in one container;
 - C) Discharging batteries so as to remove the electric charge;
 - D) Regenerating used batteries;
 - E) Disassembling batteries or battery packs into individual batteries or cells;
 - F) Removing batteries from consumer products; or
 - G) Removing electrolyte from batteries.
- 3) A small quantity handler of universal waste that removes electrolyte from batteries, or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above, shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.
- A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.
 - B) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid (nonhazardous) waste regulations.
- BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.
- b) Universal waste pesticides. A small quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:

- 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
 - 2) A container that does not meet the requirements of subsection (b)(1) above, provided that the unacceptable container is overpacked in a container that does meet the requirements of subsection (b)(1);
 - 3) A tank that meets the requirements of 35 Ill. Adm. Code 725.Subpart J, except for 35 Ill. Adm. Code 725.297(c), 265.300, and 265.301; or
 - 4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- c) Universal waste thermostats. A small quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) A small quantity handler of universal waste shall contain any universal waste thermostat that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
 - 2) A small quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats provided the handler follows each of the following procedures:
 - A) It removes the ampules in a manner designed to prevent breakage of the ampules;
 - B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);
 - C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
 - D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
 - E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;

- F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;
- G) It stores removed ampules in closed, non-leaking containers that are in good condition;
- H) It packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation.

3) Required hazardous waste determination and further waste management.

A) A small quantity handler of universal waste that removes mercury-containing ampules from thermostats shall determine whether the following exhibit a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C:

- i) Mercury or clean-up residues resulting from spills or leaks; or
- ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining thermostat units).

B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the mercury, residues, or other waste and shall manage it is subject to 35 Ill. Adm. Code 722.

C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.114 Labeling and Marking

A small quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as follows:

- a) Universal waste batteries (i.e., each battery) or a container in which the batteries are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Battery(ies)", "Waste Battery(ies)", or "Used Battery(ies)";
- b) A container (or multiple container package unit), tank, transport vehicle, or vessel in which recalled universal waste pesticides, as described in Section 733.103(a)(1), are contained must be labeled or marked clearly as follows:

- 1) The label that was on or accompanied the product as sold or distributed; and
 - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
- c) A container, tank, or transport vehicle, or vessel in which unused pesticide products, as described in Section 733.103(a)(2), are contained must be labeled or marked clearly as follows:
- (1) Pesticide labeling:
 - A) The label that was on the product when purchased, if still legible;
 - B) If using the labels described in subsection (c)(1)(A) above is not feasible, the appropriate label as required under USDOT regulation 49 CFR 172; or
 - C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) above is not feasible, another label prescribed or designated by the waste pesticide collection program administered or recognized by a state; and
 - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"; and
- d) Universal waste thermostats (i.e., each thermostat) or a container in which the thermostats are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury Thermostat(s)", or "Waste Mercury Thermostat(s)", or "Used Mercury Thermostat(s)".

Section 733.115 Accumulation Time Limits

- a) A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) below are met.
- b) A small quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated or received from another handler if such activity is solely for the purpose of accumulation of such quantities of universal waste as are necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity is solely for the purpose of accumulation of such quantities of universal waste as are necessary to facilitate proper recovery, treatment, or disposal.
- c) A small quantity handler of universal waste that accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways:
 - 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
 - 2) Marking or labeling each individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;

- 3) Maintaining an on-site inventory system that identifies the date each universal waste became a waste or was received;
- 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
- 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

Section 733.116 Employee Training

A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

Section 733.117 Response to Releases

- a) A small quantity handler of universal waste shall immediately contain all releases of universal waste and other residues from universal waste.
- b) A small quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the material resulting from the release and shall manage it in compliance with 35 Ill. Adm. Code 722.

Section 733.118 Off-Site Shipments

- a) A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a small quantity handler of universal waste self-transportes universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of 733.Subpart D while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a small quantity handler of universal waste shall package, label, mark, and placard the shipment and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 172 through 180.
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.

- e) If a small quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:
- 1) Receive the waste back when notified that the shipment has been rejected, or
 - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A small quantity handler of universal waste may reject a shipment containing universal waste or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it shall contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler shall perform either of the following actions:
- 1) Send the shipment back to the originating handler, or
 - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Agency ([Bureau of Land, Illinois EPA, 1001 North Grand Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276](#) (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
- h) If a small quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, state, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.119 Tracking Universal Waste Shipments

A small quantity handler of universal waste is not required to keep records of shipments of universal waste.

Section 733.120 Exports

A small quantity handler of universal waste that sends universal waste to a foreign destination shall:

- a) Comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6), and (b); and 722.157;
- b) Export such universal waste only upon consent of the receiving country and in conformance with the USEPA Acknowledgement of Consent, as defined in 35 Ill. Adm. Code 722.Subpart E; and

- c) Provide a copy of the USEPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.

SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

Section 733.130 Applicability

This subpart applies to large quantity handlers of universal waste (as defined in Section 733.106).

Section 733.131 Prohibitions

A large quantity handler of universal waste is prohibited from the following:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases, as provided in Section 733.137, or by managing specific wastes, as provided in Section 733.133.

Section 733.132 Notification

- a) Written notification of universal waste management.
- 1) Except as provided in subsections (a)(2) and (a)(3) below, a large quantity handler of universal waste shall have sent written notification of universal waste management to the Agency, and received a USEPA Identification Number, before meeting or exceeding the 5,000 kilogram storage limit.
 - 2) A large quantity handler of universal waste that has already notified USEPA or the Agency of its hazardous waste management activities and has received a USEPA Identification Number is not required to renotify under this Section.
 - 3) A large quantity handler of universal waste that manages recalled universal waste pesticides, as described in Section 733.103(a)(1), and that has sent notification to USEPA or the Agency, as required by 40 CFR 165, is not required to notify for those recalled universal waste pesticides under this Section.
- b) This notification must include:
- 1) The universal waste handler's name and mailing address;
 - 2) The name and business telephone number of the person at the universal waste handler's site who should be contacted regarding universal waste management activities;
 - 3) The address or physical location of the universal waste management activities;
 - 4) A list of all of the types of universal waste managed by the handler (e.g, batteries, pesticides, thermostats);

- 5) A statement indicating that the handler is accumulating more than 5,000 kilograms of universal waste at one time and the types of universal waste (e.g, batteries, pesticides, thermostats) the handler is accumulating above this quantity.

BOARD NOTE: At 60 Fed. Reg. 25520-21 (May 11, 1995), USEPA explained that that the generator or consolidation point may use USEPA Form 8700-12 for notification. (To obtain USEPA Form 8700-12 call the Agency at 217-782-6761.) USEPA further explained that it is not necessary for the handler to aggregate the amounts of waste at multiple non-contiguous sites for the purposes of the 5,000 kilogram determination.

Section 733.133 Waste Management

- a) Universal waste batteries. A large quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) A large quantity handler of universal waste shall contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
 - 2) A large quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):
 - A) Sorting batteries by type;
 - B) Mixing battery types in one container;
 - C) Discharging batteries so as to remove the electric charge;
 - D) Regenerating used batteries;
 - E) Disassembling batteries or battery packs into individual batteries or cells;
 - F) Removing batteries from consumer products; or
 - G) Removing electrolyte from batteries.
 - 3) A large quantity handler of universal waste that removes electrolyte from batteries or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.
 - A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of

35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.

- B) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

- b) Universal waste pesticides. A large quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:
- 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
 - 2) A container that does not meet the requirements of subsection (b)(1) above, provided that the unacceptable container is overpacked in a container that does meet the requirements of subsection (b)(1);
 - 3) A tank that meets the requirements of 35 Ill. Adm. Code 725.Subpart J, except for 35 Ill. Adm. Code 725.297(c), 725.300, and 725.301; or
 - 4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- c) Universal waste thermostats. A large quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) A large quantity handler of universal waste shall contain any universal waste thermostat that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
 - 2) A large quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats provided the handler follows each of the following procedures:
 - A) It removes the ampules in a manner designed to prevent breakage of the ampules;

- B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);
- C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
- D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
- E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;
- F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;
- G) It stores removed ampules in closed, non-leaking containers that are in good condition;
- H) It packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation.

3) Required hazardous waste determination and further waste management.

- A) A large quantity handler of universal waste that removes mercury-containing ampules from thermostats shall determine whether the following exhibit a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C:
 - i) Mercury or clean-up residues resulting from spills or leaks; or
 - ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining thermostat units).
- B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the mercury, residues, or other waste and is subject to 35 Ill. Adm. Code 722.
- C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, state or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.134 Labeling and Marking

A large quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as follows:

- a) Universal waste batteries (i.e., each battery), or a container or tank in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Battery(ies)"; or "Waste Battery(ies)"; or "Used Battery(ies)";
- b) A container (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in Section 733.103(a)(1) are contained must be labeled or marked clearly as follows:
 - 1) The label that was on or accompanied the product as sold or distributed; and
 - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
- c) A container, tank, or transport vehicle or vessel in which unused pesticide products, as described in Section 733.103(a)(2), are contained must be labeled or marked clearly as follows:
 - 1) Pesticide labeling:
 - A) The label that was on the product when purchased, if still legible;
 - B) If using the labels described in subsection (c)(1)(A) above is not feasible, the appropriate label as required under the USDOT regulation 49 CFR 172; or
 - C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) above is not feasible, another label prescribed or designated by the pesticide collection program; and
 - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"; and
- d) Universal waste thermostats (i.e., each thermostat) or a container or tank in which the thermostats are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury Thermostat(s)", or "Waste Mercury Thermostat(s)", or "Used Mercury Thermostat(s)".

Section 733.135 Accumulation Time Limits

- a) A large quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) below are met.

- b) A large quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated or received from another handler if such activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity was solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal.
- c) A large quantity handler of universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways:
- 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
 - 2) Marking or labeling the individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
 - 3) Maintaining an on-site inventory system that identifies the date the universal waste being accumulated became a waste or was received;
 - 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
 - 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
 - 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

Section 733.136 Employee Training

A large quantity handler of universal waste shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

Section 733.137 Response to Releases

- a) A large quantity handler of universal waste shall immediately contain all releases of universal waste and other residues from universal waste.
- b) A large quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the material resulting from the release, and is subject to 35 Ill. Adm. Code 722.

Section 733.138 Off-Site Shipments

- a) A large quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a large quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of 733.Subpart D while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a large quantity handler of universal waste shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 172 through 180;
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.
- e) If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:
- 1) Receive the waste back when notified that the shipment has been rejected, or
 - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A large quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it shall contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler shall perform either of the following actions:
- 1) Send the shipment back to the originating handler, or
 - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Agency ([Bureau of Land, Illinois EPA, 1001 North Grand Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276](#) (telephone: 217-782-6761) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
- h) If a large quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, state or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the

waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.139 Tracking Universal Waste Shipments

- a) Receipt of shipments. A large quantity handler of universal waste shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:
- 1) The name and address of the originating universal waste handler or foreign shipper from whom the universal waste was sent;
 - 2) The quantity of each type of universal waste received (e.g., batteries, pesticides, thermostats);
 - 3) The date of receipt of the shipment of universal waste.
- b) Shipments off-site. A large quantity handler of universal waste shall keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent must include the following information:
- 1) The name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent;
 - 2) The quantity of each type of universal waste sent (e.g., batteries, pesticides, thermostats);
 - 3) The date the shipment of universal waste left the facility.
- c) Record retention.
- 1) A large quantity handler of universal waste shall retain the records described in subsection (a) above for at least three years from the date of receipt of a shipment of universal waste.
 - 2) A large quantity handler of universal waste shall retain the records described in subsection (b) above for at least three years from the date a shipment of universal waste left the facility.

Section 733.140 Exports

A large quantity handler of universal waste that sends universal waste to a foreign destination shall:

- a) Comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6), and (b); and 722.157;
- b) Export such universal waste only upon consent of the receiving country and in conformance with the USEPA Acknowledgement of Consent as defined in 35 Ill. Adm. Code 722. Subpart E; and

- c) Provide a copy of the USEPA Acknowledgement of Consent for the shipment to the transporter transporting the shipment for export.

SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

Section 733.150 Applicability

This Subpart applies to universal waste transporters (as defined in Section 733.106).

Section 733.151 Prohibitions

A universal waste transporter is prohibited from the following:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases as provided in Section 733.154.

Section 733.152 Waste Management

- a) A universal waste transporter shall comply with all applicable USDOT regulations in 49 CFR 171 through 180 for transport of any universal waste that meets the definition of hazardous material in 49 CFR 171.8, incorporated by reference in Section 720.111. For purposes of the USDOT regulations, a material is considered a hazardous waste if it is subject to the Hazardous Waste Manifest Requirements of 35 Ill. Adm. Code 722. Because universal waste does not require a hazardous waste manifest, it is not considered hazardous waste under the USDOT regulations.
- b) Some universal waste materials are regulated by the USDOT as hazardous materials because they meet the criteria for one or more hazard classes specified in 49 CFR 173.2, incorporated by reference in Section 720.111. As universal waste shipments do not require a manifest under 35 Ill. Adm. Code 722, they may not be described by the USDOT proper shipping name "hazardous waste, (l) or (s), n.o.s.", nor may the hazardous material's proper shipping name be modified by adding the word "waste".

Section 733.153 Accumulation Time Limits

- a) A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.
- b) If a universal waste transporter stores universal waste for more than ten days, the transporter becomes a universal waste handler and shall comply with the applicable requirements of 733.Subpart B or C while storing the universal waste.

Section 733.154 Response to Releases

- a) A universal waste transporter shall immediately contain all releases of universal waste and other residues from universal wastes.

- b) A universal waste transporter shall determine whether any material resulting from the release is hazardous waste, and if so, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. If the waste is determined to be a hazardous waste, the transporter is subject to 35 Ill. Adm. Code 722.

Section 733.155 Off-site Shipments

- a) A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility, or a foreign destination.
- b) If the universal waste being shipped off-site meets USDOT's definition of hazardous materials under 49 CFR 171.8, incorporated by reference in Section 720.111, the shipment must be properly described on a shipping paper in accordance with the applicable USDOT regulations under 49 CFR part 172.

Section 733.156 Exports

A universal waste transporter transporting a shipment of universal waste to a foreign destination may not accept a shipment if the transporter knows the shipment does not conform to the USEPA Acknowledgment of Consent. In addition the transporter shall ensure the following:

- a) A copy of the USEPA Acknowledgment of Consent accompanies the shipment; and
- b) The shipment is delivered to the facility designated by the person initiating the shipment.

SUBPART E: STANDARDS FOR DESTINATION FACILITIES

Section 733.160 Applicability

- a) The owner or operator of a destination facility (as defined in Section 733.106) is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728, and the notification requirement under section 3010 of RCRA.
- b) The owner or operator of a destination facility that recycles a particular universal waste without storing that universal waste before it is recycled shall comply with 35 Ill. Adm. Code 721.106(c)(2).

Section 733.161 Off-Site Shipments

- a) The owner or operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility, or a foreign destination.
- b) The owner or operator of a destination facility may reject a shipment containing universal waste, or a portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, it shall contact the shipper to notify the shipper of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility shall perform either of the following actions:
- 1) Send the shipment back to the original shipper, or

- 2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.
- c) If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility shall immediately notify the Agency (Bureau of Land, Illinois EPA, 1001 North Grand Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276 (telephone: 217-782-6761) of the illegal shipment, and provide the name, address, and phone number of the shipper. The Agency will provide instructions for managing the hazardous waste.
- d) If the owner or operator of a destination facility receives a shipment of non-hazardous, non-universal waste, the owner or operator may manage the waste in any way that is in compliance with applicable federal or state solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.162 Tracking Universal Waste Shipments

- a) The owner or operator of a destination facility shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:
- 1) The name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent;
 - 2) The quantity of each type of universal waste received (e.g., batteries, pesticides, thermostats);
 - 3) The date of receipt of the shipment of universal waste.
- b) The owner or operator of a destination facility shall retain the records described in subsection (a) above for at least three years from the date of receipt of a shipment of universal waste.

SUBPART F: IMPORT REQUIREMENTS

Section 733.170 Imports

Persons managing universal waste that is imported from a foreign country into the United States are subject to the applicable requirements of this Part immediately after the waste enters the United States, as follows:

- a) A universal waste transporter is subject to the universal waste transporter requirements of 733.Subpart D.
- b) A universal waste handler is subject to the small or large quantity handler of universal waste requirements of 733.Subpart B or C, as applicable.

- c) An owner or operator of a destination facility is subject to the destination facility requirements of 733.Subpart E.

SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

Section 733.180 General

- a) Any person seeking to add a hazardous waste or a category of hazardous waste to this Part may petition for a regulatory amendment as follows:

- 1) If USEPA has already added the waste or category of waste to 40 CFR 273: by identical-in-substance rulemaking, under Section 22.4(a) of the Act, 35 Ill. Adm. Code 101 and 102, 35 Ill. Adm. Code 720.120; or
- 2) If USEPA has not added the waste or category of waste to 40 CFR 273: by general rulemaking, under Sections 22.4(b) and 27 of the Act, 35 Ill. Adm. Code 101 and 102, this Subpart, and 35 Ill. Adm. Code 720.120 and 720.123.

BOARD NOTE: The Board cannot add a hazardous waste or category of hazardous waste to this Part by general rulemaking until USEPA either authorizes the Illinois universal waste regulations or otherwise authorizes the Board to add new categories of universal waste. The Board may, however, add a waste or category of waste by identical-in-substance rulemaking.

- b) Petitions for identical-in-substance rulemaking.

- 1) Any petition for identical-in-substance rulemaking under subsection (a)(1) above must include a copy of the the Federal Register notice(s) of adopted amendments in which USEPA promulgated the addition(s) to 40 CFR 273. The Board will evaluate any petition for identical-in-substance rulemaking based on the Federal Register notice(s).
- 2) If the petitioner desires expedited Board consideration of the proposed amendments to this Part (i.e., adoption within one year of the date of the Federal Register notice), it must explicitly request expedited consideration and set forth the arguments in favor of such consideration.

- c) Petitions for general rulemaking.

- 1) To be successful using the general rulemaking procedure under subsection (a)(2) above, the petitioner must demonstrate to the satisfaction of the Board that each of the following would be true of regulation under the universal waste regulations of this Part:
 - A) It would be appropriate for the waste or category of waste;
 - B) It would improve management practices for the waste or category of waste; and
 - C) It would improve implementation of the hazardous waste program.

- 2) The petition must include the information required by 35 Ill. Adm. Code 720.120(b). The petition should also address as many of the factors listed in Section 733.181 as are appropriate for the waste or waste category addressed in the petition.
- 3) The Board will evaluate petitions for general rulemaking and grant or deny the requested relief using the factors listed in Section 733.181. The decision will be based on the weight of evidence showing that regulation under this Part would fulfill the requirements of subsection (c)(1) above.

Section 733.181 Factors for Petitions to Include Other Wastes

- a) Hazardous waste listing or characteristics. The waste or category of waste, as generated by a wide variety of generators, is listed in 35 Ill. Adm. Code 721.Subpart D, or (if not listed) a proportion of the waste stream exhibits one or more characteristics of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C. (When a characteristic waste is added to the universal waste regulations of this Part by using a generic name to identify the waste category (e.g., batteries), the definition of universal waste in 35 Ill. Adm. Code 720.110 and Section 733.106 will be amended to include only the hazardous waste portion of the waste category (e.g., hazardous waste batteries).) Thus, only the portion of the waste stream that does exhibit one or more characteristics (i.e., is hazardous waste) is subject to the universal waste regulations of this Part;
- b) Generation by a wide variety of types of facilities. The waste or category of waste is not exclusive to a specific industry or group of industries, is commonly generated by a wide variety of types of establishments (including, for example, households, retail and commercial businesses, office complexes, conditionally exempt small quantity generators, small businesses, government organizations, as well as large industrial facilities);
- c) Generation by a large number of generators. The waste or category of waste is generated by a large number of generators (e.g., more than 1,000 nationally) and is frequently generated in relatively small quantities by each generator;
- d) Collection systems to ensure close stewardship. Systems to be used for collecting the waste or category of waste (including packaging, marking, and labeling practices) would ensure close stewardship of the waste;
- e) Waste management standards and risk to human health and the environment. The risk posed by the waste or category of waste during accumulation and transport is relatively low compared to other hazardous wastes, and specific management standards proposed or referenced by the petitioner (e.g., waste management requirements appropriate to be added to Sections 733.113, 733.133, and 733.152; or applicable USDOT requirements) would be protective of human health and the environment during accumulation and transport;
- f) Increased likelihood of diversion of waste from non-hazardous waste management systems. Regulation of the waste or category of waste under this Part will increase the likelihood that the waste will be diverted from non-hazardous waste management systems (e.g., the municipal waste stream, non-hazardous industrial or commercial waste stream, municipal sewer or stormwater systems) to recycling, treatment, or disposal in compliance with Subtitle C of RCRA;

- g) Improved implementation of the hazardous waste program. Regulation of the waste or category of waste under this Part will improve implementation of and compliance with the hazardous waste regulatory program; or
- h) Such other factors as may be appropriate.