

ILLINOIS POLLUTION CONTROL BOARD

January 24, 2013

IN THE MATTER OF: )  
RCRA SUBTITLE C UPDATE, USEPA ) R13-5  
AMENDMENTS (January 1, 2012 through ) (Identical-in-Substance  
June 30, 2012) ) Rulemaking - Land

Adopted Rule. Final Order.

OPINION AND ORDER OF THE BOARD (by J.A. Burke):

**SUMMARY OF TODAY'S ACTION**

This opinion and accompanying order adopt amendments that would update the Illinois hazardous waste regulations to include amendments adopted by the United States Environmental Protection Agency (USEPA) during the first half of calendar year 2012. During this time USEPA (1) denied a petition to review an existing exclusion of certain oil-bearing hazardous secondary materials from petroleum refining from the definition of solid waste on April 13, 2012; (2) adopted technical corrections and clarifications to two diverse provisions on April 13, 2012; and (3) amended the analytical methods requirements associated with numerous bodies of regulations, including hazardous wastes, on May 18, 2012. This opinion and order responds to each of these USEPA actions.

The Board has further included limited corrective amendments that are not directly derived from current USEPA amendments. Notably, the Board has proposed the following: (1) correcting punctuation in a hazardous waste listing; and (2) correcting the heading of an appendix to comply with current *Illinois Administrative Code* format requirements.

This is an identical-in-substance rulemaking that updates the Illinois hazardous waste regulations to incorporate revisions to the federal hazardous waste regulations. Sections 7.2 and 22.4(a) of the Act (415 ILCS 5/7.2 and 22.4(a) (2010)) require the Board to adopt regulations that are "identical in substance" to hazardous waste regulations adopted by the USEPA. These USEPA rules implement Subtitle C of the federal Resource Conservation and Recovery Act of 1976 (RCRA Subtitle C) (42 U.S.C. §§ 6921 *et seq.* (2010)). The federal RCRA Subtitle C hazardous waste management (HWM) regulations are found at 40 C.F.R. 260 through 268, 270 through 273, and 279. USEPA adopted the underlying federal hazardous waste amendments during the time period of January 1, 2012 through June 30, 2012.

Section 22.4(a) also provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (5 ILCS 100/5-35 and 5-40 (2010)) do not apply to the Board's adoption of identical-in-substance regulations.

This opinion and order adopt identical-in-substance amendments to 35 Ill. Adm. Code 720, 721, and 726 for public comment. These amendments also make limited non-substantive

corrections and stylistic revisions to segments of the text that are not otherwise affected by the covered federal amendments.

The Board will delay filing the present amendments with the Office of the Secretary of State for 30 days after the date of this opinion and order. This delay is specifically provided by agreement with USEPA to allow USEPA to comment on the adopted amendments before they become effective. After filing, the present amendments will become effective, and they will be published in the *Illinois Register*. The filing of these amendments will occur in advance of the statutory due date of April 13, 2013.

### **FEDERAL ACTIONS CONSIDERED IN THIS RULEMAKING**

The following listing briefly summarizes the federal actions considered in this RCRA Subtitle C update rulemaking:

#### **Docket R13-5: January 1, 2012 through June 30, 2012 Amendments**

USEPA amended the federal hazardous waste regulations twice during the period January 1, 2012 through June 30, 2012. USEPA further made an administrative determination during the period that is worthy of note in this opinion, but which will not require Board action to amend the Illinois regulations. The USEPA actions that require corresponding amendments to the Illinois regulations and the USEPA action that is worthy of note are summarized below:

#### **April 13, 2012 (77 Fed. Reg. 22226): Determination Not to Further Review an Exclusion of Certain Hazardous Secondary Materials from Petroleum Refining That Are Reclaimed in a Petroleum Refining Process**

**Description of the USEPA action:** In response to a petition filed by Earthjustice, USEPA made a final determination that it would not further review an exclusion from the definition of solid waste that it adopted on January 2, 2008 (at 73 Fed. Reg. 57). That exclusion applies to those oil-bearing hazardous secondary materials generated at a petroleum refinery that are inserted into a refining process, so long as the materials are not placed on land or accumulated speculatively, subject to other limitations.

**Necessary Board action in response:** The Board incorporated this exclusion into the Illinois regulations in RCRA Subtitle C Update, USEPA Amendments (January 1, 2008 through June 30, 2008), R09-3 (Nov. 20, 2008). No further Board action is necessary in this regard. Interested person should read the notice that USEPA published in the April 13, 2012 issue of the *Federal Register*. No further discussion of this action will appear in this opinion.

#### **April 13, 2012 (77 Fed. Reg. 22229): Technical Corrections and Clarifications Rule**

**Description of the USEPA action:** USEPA made a limited number of corrections and clarifications to two diverse hazardous waste requirements. The

provisions affected relate to the standards for (1) recyclable materials used in a manner that constitutes disposal; and (2) the hazardous waste listing for K107 waste (column bottoms from production of 1,1-dimethylhydrazine<sup>1</sup> from carboxylic acid hydrazides).

**Necessary Board action in response:** The Board must incorporate the corrections and clarifications into the Illinois regulations.

**May 18, 2012 (77 Fed. Reg. 29758): Modified CWA Analytical Procedures, Some of Which Affect the RCRA Hazardous Waste Regulations**

**Description of the USEPA action:** USEPA approved new and revised methods for use in demonstrating compliance with Clean Water Act (33 U.S.C. §§ 1251 *et seq.*). USEPA has codified the CWA listing of approved analytical methods in 40 C.F.R. 136. The USEPA amendments included revision of an incorporation by reference of one method in the body of the hazardous waste regulations.

**Necessary Board action in response:** The Board must update the language to the incorporation by reference in the Illinois regulations to reflect the USEPA revision. The Board must further ensure that the incorporations by reference of segments of 40 C.F.R. 136 reflect the recent USEPA changes in those segments.

**No Later RCRA Subtitle C (Hazardous Waste) Amendments of Interest**

The Board engages in ongoing monitoring of federal actions. As of the date of this opinion and order, the Board has identified no USEPA actions since June 30, 2012 that further affected the RCRA Subtitle C hazardous waste rules in any way that would require immediate Board attention.

**Summary Listing of the Federal Actions Upon Which Action is Required in This Docket**

Based on the foregoing, the two federal actions that form the basis for Board action in this update docket are the following, listed in chronological order:

Federal Action Date (citation)	Description of the Action
April 13, 2012 (77 Fed. Reg. 22229)	Corrections and clarifications to a limited number of diverse federal provisions.

---

<sup>1</sup> Also referred to as unsymmetrical dimethyl hydrazide, or UDMH, which is a common liquid rocket propellant.

May 18, 2012 (77 Fed. Reg. 29758)	Updates to the CWA analytical procedures, including direct amendment of a hazardous waste provision referencing a CWA method.
-----------------------------------	---

**Other Federal Actions Having a Direct Impact  
on the Illinois RCRA Subtitle C Regulations**

In addition to the amendments to the federal RCRA Subtitle C regulations, amendments to certain other federal regulations occasionally have an effect on the Illinois hazardous waste rules. Most notably, 35 Ill. Adm. Code 720.111(b) includes several incorporations of federal regulations by reference. The incorporated regulations include segments of various USEPA environmental regulations, Nuclear Regulatory Commission (NRC) rules, and United States Department of Transportation (USDOT) hazardous materials transportation regulations that USEPA has incorporated into the federal hazardous waste rules.

The text of the rules also includes citations to federal rules that are not incorporations by reference. Principally, these are citations to the federal source of the segment of the regulations to which the citation is appended. All citations to the *Code of Federal Regulations* throughout the hazardous waste rules are dated with a C.F.R. edition, without regard to whether the citation involves incorporation by reference or not.

The Board has found several updates to incorporations by reference and references and source-citations to segments of the *Code of Federal Regulations*. Discussion that begins on page 12 and Table 3 that begins on page 17 of this opinion and order explain and itemize these revisions more fully.

**PUBLIC COMMENTS**

The Board adopted a proposal for public comment in this matter on November 1, 2012. Notices of Proposed Amendments appeared in the November 26, 2012 issue of the *Illinois Register*, at 36 Ill. Reg. 16475 (Part 720), 16507 (Part 721), and 16542 (Part 726). The Board allowed public comment on this proposal for a minimum of 45 days following that date of publication, until after January 10, 2013.

During the comment period, the Board received one set of comments on the proposal. That set is described as follows:

- PC 1 Exchange of e-mails between Gary Westefer, USEPA Region 5, and Michael McCambridge, Board attorney, dated December 17, 2012 through December 18, 2012.

By PC 1, USEPA Region 5 lists a number of possible inconsistencies between the Illinois regulations and their federal counterparts. The listing is the result of USEPA primacy review of the Illinois regulations. The listing includes provisions in 35 Ill. Adm. Code 703, 724, 725, and 726, some of which are not involved in this proceeding. The Board has docketed PC 1, together

with an additional list of possible inconsistencies submitted on December 20, 2012, in the reserved docket R13-15, which is the next RCRA Subtitle C update in the sequence. The Board will address USEPA's comments in docket R13-15 at one time, rather than deal with any corrections in a piecemeal manner.

The Board further received suggestions for revisions from JCAR. The Board has made a number of revisions to the amendments in response to the JCAR suggestions, and declined to make a number of others.

The Board now considers adoption of the amendments, making any necessary changes made after consideration of the public comments.

The Board will delay filing the adopted amendments with the Office of the Secretary of State for 30 days, particularly to allow additional time for USEPA to review the adopted amendments before they are filed and become effective. If USEPA expressly waives this 30-day review period in writing, the Board could file the adopted amendments prior to expiration of the 30-day period.

At present, it appears that the filing of the adopted amendments will occur well in advance of the April 13, 2013 statutory deadline for completion of the amendments.

## **DISCUSSION**

The following discussion begins with a series of two substantive discussions of the federally derived amendments involved in this docket. A discussion of Board-initiated corrections and clarifying amendments follows discussion of the federal amendments. This series is organized by federal subject matter, appearing in chronological order of the relevant *Federal Register* notices involved. The discussion concludes with a description of the types of deviations that the Board makes from the literal text of federal regulations in adopting identical-in-substance rules.

### **Discussion of the Particular Federal Actions Involved in This Docket**

#### **Technical Corrections and Clarifications—Sections 721.132 and 726.120**

On April 13, 2012 (77 Fed. Reg. 22229), USEPA adopted corrections and clarifications to two diverse hazardous waste provisions. One was a correction to the listing for hazardous waste number K107 in 40 C.F.R. 261.32(a). The other was a clarification in 40 C.F.R. 266.20(b), a provision in the alternative requirements applicable to recycled materials that are used in a manner that constitutes disposal.

The April 13, 2012 USEPA corrections are two of several dozens of corrections originally adopted by USEPA in the Hazardous Waste Technical Corrections and Clarifications Rule (HWTCCR) on March 18, 2010 (at 75 Fed. Reg. 12989). The HWTCCR was a direct final

rule.<sup>2</sup> USEPA withdrew six of the corrections and clarifications involved in the HWTCCR on June 4, 2010.<sup>3</sup> Two of the corrections and clarifications are those that USEPA adopted on April 13, 2012.<sup>4</sup>

Persons wishing to explore the substance of the USEPA corrections and clarifications should refer to the appropriate *Federal Register* notices. The Board's purpose here is to ensure that the Illinois regulations are identical-in-substance to their federal counterparts.

Board action is required only with regard to one of the two USEPA corrections and clarifications of April 13, 2012. The Board corrected the error in the K107 listing upon initial adoption.<sup>5</sup> That leaves only the USEPA clarification of 40 C.F.R. 266.20(b) for the Board to complete in this docket. By that clarification, USEPA added a reference to the one-time notification and certification requirements for an initial shipment of recyclable materials to a processing facility where the materials will ultimately be used in a manner that constitutes disposal. *See* 40 C.F.R. 268.7(b)(6); *see also* 40 C.F.R. 268.7(b)(3) and (b)(4) (the notice and certification requirements for restricted materials that are imposed by subsection (b)(6)). The Board was able to add a corresponding reference to 35 Ill. Adm. Code 728.107(b) in corresponding 35 Ill. Adm. Code 726.120(b) to effect the USEPA correction in the Illinois rules.

---

<sup>2</sup> A direct final rule is a mechanism that USEPA has used to adopt a rule that it views as non-controversial, and which it perceives will elicit no adverse comments. The effective date of the direct final rule is delayed, so that USEPA can withdraw the rule before the effective date if USEPA timely receives significant adverse comments. *See* 75 Fed. Reg. at 12990. The contemporaneous publication of a proposed rule together with the direct final rule forms the basis for USEPA later adopting the rule without initiating a second comment period. 77 Fed. Reg. at 22229; 75 Fed. Reg. 13066, 67 (Mar. 18, 2010).

<sup>3</sup> The remaining corrections and clarifications of the HWTCCR were effective on June 16, 2010. *See* 75 Fed. Reg. at 31716; 75 Fed. Reg. at 12989. The Board adopted those segments in RCRA Subtitle C Update, USEPA Amendments (January 1, 2010 through June 30, 2010), R11-2, RCRA Subtitle C Update, USEPA Amendments (July 1, 2010 through December 31, 2010), R11-16 (Aug. 18, 2011) (consol.).

<sup>4</sup> The other four were segments of the hazardous waste accumulation rule in the hazardous waste generator standards: 40 C.F.R. 262.34(a), (a)(1)(iv)(B), (a)(2), and (a)(5). *See* 75 Fed. Reg. at 31716. USEPA may decide to take action on those four correction and clarifications in the future. *See* 77 Fed. Reg. at 22229.

<sup>5</sup> USEPA adopted this listing at 55 Fed. Reg. 18505 (May 2, 1990), erroneously using "carboxylic acid hydrazines." USEPA corrected "carboxylic acid hydrazines" to "carboxylic acid hydrazides" at 77 Fed. Reg. 22229 (Apr. 13, 2012). The March 18, 2010 corrections, however, included a typographic error, using "carboxylic hydrazides, which is what prompted the USEPA withdrawal of the correction. *See* 75 Fed. Reg. at 31716; 75 Fed. Reg. at 12993, 3002. The Board observed and corrected the original USEPA error when incorporating the original K107 listing into the Illinois regulations. *See* RCRA Update, USEPA Regulations (April 1, 1990 through June 30, 1990) R90-11 (Apr. 11, 1991), slip op. at p. 14.

The Board requested comment on the incorporation of the April 13, 2012 USEPA corrections and clarifications into the Illinois hazardous waste regulations. The Board received no comments in this regard.

### **Updated CWA Analytical Methods—Section 720.111**

On May 18, 2012 (at 77 Fed. Reg. 29758), USEPA updated the analytical methods approved for demonstrating compliance with requirements of the CWA. USEPA has codified the lists of the approved CWA analytical methods in 40 C.F.R. 136. Segments of the May 18, 2012 action revised references to the CWA methods in various other rules, including the list of references in 40 C.F.R. 260.11(a)(1) in the hazardous waste rules. This requires revisions in corresponding 35 Ill. Adm. Code 720.111(a). Further, 35 Ill. Adm. Code 720.111(b) includes an incorporation by reference of 40 C.F.R. 136.3, which USEPA amended in the May 18, 2012 action. *See* 77 Fed. Reg. at 29771-809, 834.

The Board revised the entry for Method 1664 in 35 Ill. Adm. Code 720.111(a) with minimal deviation from the literal federal text of the USEPA amendment of 40 C.F.R. 260.11(a)(1). The non-substantive deviations in format and presentation that the Board has found necessary are summarily listed in Table 2 (which begins on page 16 of this opinion and order). The Board further updated the incorporation by reference of 40 C.F.R. 136.3 in 35 Ill. Adm. Code 720.111(b) to the 2013 edition, which is the latest edition available, and which includes the USEPA amendments of May 18, 2012.

The Board will not further consider the substance of the May 18, 2012 USEPA revisions to the CWA analytical methods in this opinion and order. Persons interested in the substance of the USEPA revisions should refer to the *Federal Register* notice of May 18, 2012.

The Board requested comment on the incorporation of the May 18, 2012 USEPA revisions to the CWA analytical requirements. The Board received no comments in this regard.

### **Discussion of Board-Initiated Corrections and Updates**

The Board routinely examines federal amendments and the base text of rules open for amendments to find any areas that need correction or clarification. JCAR and the Office of the Secretary of State also routinely examine the text and suggest corrections and clarifications. Sometimes suggestions arise from the Illinois Environmental Protection Agency, USEPA, or members of the regulated community. The Board often makes revisions as a result.

The revisions thus made are not directly derived from federal amendments. The Board is ever mindful of the limited discretion authorized in the context of an identical-in-substance proceeding. The Board is limited to (1) “those changes that are necessary for compliance with the Illinois Administrative Code”; (2) “technical changes that in no way change the scope or meaning of any portion of the regulations”; (3) “USEPA rules that are not applicable to persons or facilities in Illinois”; (4) “things which are outside the Board’s normal functions”; and (5) “apparent typographical and grammatical errors.” *See* 415 ILCS 5/7.2(a), (a)(1), (a)(2), and

(a)(7) (2010). Thus, the Board will only make minor, non-substantive corrections and clarifications in this context. These corrections are non-substantive in effect.

The Board is including a number of corrections and clarifications in this docket. The Board has cataloged a small number of necessary corrections and clarifications since the last RCRA Subtitle C update docket, RCRA Subtitle C Update, USEPA Amendments (January 1, 2011 through June 30, 2011), R12-7 (Apr. 19, 2012).

The Board has made a limited number of changes in the text of various rules that are not directly based on USEPA actions during January 1, 2012 through June 30, 2012. The following segments of discussion consider the amendments added by the Board. The Board will not discuss most of the particular corrective amendments in detail. All corrections are itemized in Table 3, which begins on page 17 of this opinion. The following segments briefly discuss what the Board believes are the more salient of the corrections.

The Board requested that the Illinois Environmental Protection Agency (Agency), the Joint Committee on Administrative Rules (JCAR), USEPA and the regulated community review the table and the text of the corrections in the proposal for public comment and comment as necessary. The Board received no specific comments in this regard.

The Board requests ongoing assistance of the Agency, JCAR, and the regulated community in the process of spotting and correcting errors or omissions in the rules. The Board requests that interested persons submit suggestions for the correction of any errors of which they become aware. The Board will catalog the corrections for revisions for consideration in a future proceeding.

**Corrected Punctuation in the K161 Hazardous Waste Listing—Section 721.132(a).**

The Board found a punctuation error in 35 Ill. Adm. Code 721.132(a) in the course of determining that USEPA correction to the text of the K107 listing was already completed in corresponding in 40 C.F.R. 261.32(a). The error was in the unrelated text of the K161 hazardous waste listing. That text did not include a comma before the final element of the series that defines the wastes included in the listing: “Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts.” See 35 Ill. Adm. Code 261.32(a), Organic Chemicals Production Wastes, K161. The Board added the comma before the final element of the series, “and floor sweepings.” The Board’s uses the comma in this way to avoid ambiguity. See Garner, *The Redbook: A Manual on Legal Style* (West Group 2002), § 1.3(a) (at pp. 3-4).

**Corrected Administrative Code Format of Supplementary Materials Headings in the Table of Contents—Table of Contents Entries for Appendices B and C of Part 721.**

The Board repealed Appendices B and C to 35 Ill. Adm. Code 721 in 2006. See UIC Update, USEPA Amendments (January 1, 2005 through June 30, 2005), R06-5, RCRA Subtitle D Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-6, RCRA Subtitle C Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-7 (Jan. 5, 2006) (consol.), slip or. at p. 2000. The *Administrative Code* format requirements mandate marking “(Repealed)” at the end of the heading of a repealed



provision. *See* 1 Ill. Adm. Code 100.310(a) and 100.500(d)(1). Those designations are currently missing from the entries for Appendices B and C in the table of contents for 35 Ill. Adm. Code 721. The Board corrects those format errors and adds the labels in this proceeding.

**Corrected Administrative Code Format of Supplementary Materials Headings in the Text—Appendices A and I of Part 726 and Appendices A through I and K through M and Table A to Part 726.** The codification requirements of the Illinois Administrative Code require that the designations for supplementary materials, such as appendices and tables, appear in capital letters. *See* 1 Ill. Adm. Code 100.310(a)(4)(A). Over the last few years, the Code Unit of the Office of Secretary of State has required that the entire title for an item of supplementary material appear in all capital letters. While the Board does not read the codification regulations to require such,<sup>6</sup> the Board has been converting the titles of appendices, tables, and illustrations to all capital letters.

**Headings of Supplementary Material to Part 721** At the request of JCAR staff, the Board changed the entries for supplementary materials in the table of contents for Part 721 to all capital letters in 2008.<sup>7</sup> *See* RCRA Subtitle C Update, USEPA Amendments (January 1, 2008 through June 30, 2008), R09-3 (Nov. 20, 2008), slip or. at p. 53, slip op. at p. 29-30. The Board similarly changed the headings in the text of Appendices G, Y, and Z at that time. *Id.*, slip or. at pp. 132, 37, 45, slip op. at p. 31. The Board later changed the heading for Appendix H to appear in all capital letters. RCRA Subtitle C Update, USEPA Amendments (January 1, 2010 through June 30, 2010), R11-2, RCRA Subtitle C Update, USEPA Amendments (July 1, 2010 through December 31, 2010), R11-16 (Aug. 18, 2011), slip or. at p. 181, slip op. at p. 125.

At this time, the titles of Appendix A and Appendix I, Tables A, B, and C remain unchanged in the text of the supplementary materials.<sup>8</sup> The Board uses this opportunity to

---

<sup>6</sup> The requirement for marking supplementary materials is that they be “be labeled with a capital letter.” 1 Ill. Adm. Code 100.310(a)(4)(A). The examples given in the rule do not appear in all capital letters. 1 Ill. Adm. Code 100.310(a)(4)(C) (showing “‘Illustration’, ‘Appendix’, ‘Table’, or ‘Exhibit’” as examples). This is to be contrasted with the requirements for major subdivisions of the Administrative Code, which expressly requires that the headings appear “all in capital letters” (*see* 1 Ill. Adm. Code 100.300(c)(1) and 100.310(a)(1)) and gives examples in all capital letters (*see* 1 Ill. Adm. Code 100.300(c)(1) and (c)(3) and 100.310(a)(1) (“TITLE,” “SUBTITLE,” “CHAPTER,” “SUBCHAPTER,” “PART,” and “SUBPART”)).

<sup>7</sup> The complete listing of supplementary materials to 35 Ill. Adm. Code 721 is as follows: Appendices A and B; Appendix C, including Tables A, B, and C; Appendices G and H; Appendix I, including Tables A, B, C, and D; and Appendices J, Y, and Z.

<sup>8</sup> The Board had previously repealed Appendices B, C, and J. *See* UIC Update, USEPA Amendments (January 1, 2005 through June 30, 2005), R06-5, RCRA Subtitle D Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-6, RCRA Subtitle C Update, USEPA Regulations (January 1, 2005 through June 30, 2005 and August 1, 2005), R06-7 (Jan. 5, 2006) (consol.), slip or. at p. 2000; RCRA Subtitle C Update, USEPA Regulations (July 1, 1993 through December 31, 1993), R94-7 (June 23, 1994), slip or. at p. 30.

complete the format change and harmonize the format of the headings for the supplementary materials and their appearance in the table of contents for Part 721. The Board changes the headings format for the following supplementary materials:

721.APPENDIX A	Representative Sampling Methods
721.APPENDIX I	Wastes Excluded by Administrative Action
721.TABLE A	Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Non-Specific Sources
721.TABLE B	Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Specific Sources
721.TABLE C	Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
721.TABLE D	Wastes Excluded by the Board by Adjusted Standard

**Supplementary Material to Part 726** At the request of JCAR staff, the Board changed the entries for supplementary materials in the table of contents for 35 Ill. Adm. Code 726 to all capital letters in 2011. See RCRA Subtitle C Update, USEPA Amendments (January 1, 2010 through June 30, 2010), R11-2, RCRA Subtitle C Update, USEPA Amendments (July 1, 2010 through December 31, 2010), R11-16 (Aug. 18, 2011), slip or. at p. 386, slip op. at pp. 141-42. The Board has not yet had an opportunity to change the format of headings in the text of the supplementary materials.

The Board has used this opportunity and corrected the format of the headings in the text of the supplementary materials to 35 Ill. Adm. Code 726 in this docket. The following table itemizes the headings revised:

726.APPENDIX A	Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals
726.APPENDIX B	Tier I Feed Rate Screening Limits for Total Chlorine
726.APPENDIX C	Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride
726.APPENDIX D	Reference Air Concentrations
726.APPENDIX E	Risk-Specific Doses
726.APPENDIX F	Stack Plume Rise
726.APPENDIX G	Health-Based Limits for Exclusion of Waste-Derived Residues

726.APPENDIX H	Potential PICs for Determination of Exclusion of Waste-Derived Residues
726.APPENDIX I	Methods Manual for Compliance with BIF Regulations
726.APPENDIX J	Guideline on Air Quality Models (Repealed)
726.APPENDIX K	Lead-Bearing Materials that May be Processed in Exempt Lead Smelters
726.APPENDIX L	Nickel or Chromium-Bearing Materials that May Be Processed in Exempt Nickel-Chromium Recovery Furnaces
726.APPENDIX M	Mercury-Bearing Wastes that May Be Processed in Exempt Mercury Recovery Units
726.TABLE A	Exempt Quantities for Small Quantity Burner Exemption

**Corrections to Supplementary Materials to Part 726** A quick review of the supplementary materials to 35 Ill. Adm. Code 726 revealed one obvious omission and one obvious error in their text. The Board is using this opportunity to correct both.

The Chemical Abstract Service (CAS) number is missing from the entry for elemental (free) chlorine in Appendix D. That CAS number is 7782-50-5. *NIST Chemistry WebBook, NIST Standard Reference Database Number 69* (National Institute of Standards and Technology) available online at [webbook.nist.gov/chemistry/](http://webbook.nist.gov/chemistry/) (as accessed Oct. 3, 2012). The Board notes that the CAS number for chlorine is absent from corresponding appendix IV to 40 C.F.R. 266. The Board has added the CAS number.<sup>9</sup>

The fourth-column heading in Appendix E has two unit designations that are three orders of magnitude different from one another. The parenthetical abbreviation “mg/m<sup>3</sup>” designates milligrams per cubic meter, and “µg/m<sup>3</sup>” designates micrograms per cubic meter. Examination of the federal text indicates that USEPA has used “µg/m<sup>3</sup>” in corresponding appendix V to 40 C.F.R. 266. The error arose in 2008 amendments to the Illinois rules, when the Board intended to make the correction, but the “mg/m<sup>3</sup>” entry was not properly deleted. See RCRA Subtitle C Update, USEPA Amendments (March 5, 2005, September 8, 2005, January 1, 2006 through June 30, 2006), R7-5, RCRA Subtitle C Update, USEPA Amendments (July 1, 2006 through December 31, 2006), R07-14 (June 5, 2008), slip or. at p. 631, slip op. at pp. 91, 131, 44.

---

<sup>9</sup> The Chemical Abstract Service (CAS) numbers are also missing from the entries for hexachlorocyclohexane (HxCCH) and hexachlorodibenzo-p-dioxin (HxCDD) in Appendix E. There are several stereoisomers of HxCCH. Similarly, there are several isomers of HxCDD. Each isomer would have its own CAS number. The CAS numbers for HxCCH and HxCDD are absent from corresponding appendix V to 40 C.F.R. 266. The Board cannot add the CAS numbers because doing so would exclude isomers and stereoisomers that USEPA intended to include.

The Board has further revised the spacing in Appendices K and L to 35 Ill. Adm. Code 726 to that used in Appendix M. Appendix K lists items that can be processed in exempt lead smelters. Appendix L lists items that can be processed in exempt nickel-chromium recovery furnaces. Appendix M lists items that can be processed in exempt mercury recovery units. The entries in Appendices K and L are double-spaced, and those in Appendix M are single-spaced. The Board has revised the text of Appendices K and L to use single spacing as appears in Appendix M.

**Updated Code of Federal Regulations and United States Code Citations and Incorporations by Reference.** The Board is using this opportunity to update the *Code of Federal Regulations* and *United States Code* citations throughout the text of the rules. This principally includes updating the version of rules incorporated by reference in 35 Ill. Adm. Code 720.111. Those incorporations by reference include regulations of the Nuclear Regulatory Commission, the U.S. Coast Guard (under delegation by the Department of Homeland Security), USEPA, and the U.S. Department of Transportation have amended various of their regulations that the Board has incorporated by reference in 35 Ill. Adm. Code 720.111(b) for use throughout various segments of the hazardous waste and underground injection control (UIC) regulations.

The Board has updated the citations to Titles 10, 33, and 40 of the *Code of Federal Regulations* to the 2012 edition for the incorporations by reference in 35 Ill. Adm. Code 720.111(b) in this proceeding.<sup>10</sup> The latest edition for Titles 10, 33, and 40 of the *Code of Federal Regulations* is the 2012 version. The latest edition for Title 49 will remain the 2011 version until the Government Printing Office (GPO) makes that title available several weeks after October 1, 2012, the date assigned that title. Should the GPO make the 2012 edition of Title 49 available before final adoption of the present amendments, the Board will update the references to that Title also. Where amendments have occurred to the latest version of the federal regulations since the latest edition of the *Code of Federal Regulations* and before June 30, 2012, the Board has included a citation to the *Federal Register* for those later amendments.

The Board does not evaluate the impact of individual federal amendments on implementation of the hazardous waste and UIC regulations in Illinois. Instead, the Board routinely updates the version of the incorporated *Code of Federal Regulations* provision to the most recent version available for each. This includes inclusion of *Federal Register* citations to the latest version of the *Code of Federal Regulations*, as needed to ensure that all incorporations are as current as possible.

**Requests for Public Comments on the Board-Initiated Corrections and Clarifications Included in this Docket and Ancillary Issues Relating to Appendix IX to Part 721.** The Board requested comment on the various corrective amendments added to this docket. Specifically, the Board requested comment on the following: (1) the corrected punctuation in the K161 hazardous waste listing; (2) the corrected format of headings in the text of supplementary materials to 35 Ill. Adm. Code 721 and 726; (3) the corrections in the substantive text of the supplementary

---

<sup>10</sup> That is with the exception of the incorporation of the 2000 edition of subpart EEE of 40 C.F.R. 63 incorporated by reference for the purposes of 35 Ill. Adm. Code 703.280.

materials to 35 Ill. Adm. Code 726 (addition of the CAS number for chlorine in Appendix D, correction of the fourth-column heading in Appendix E, and revised spacing in Appendices K and L); (4) the updated references to the *Code of Federal Regulations*; and (5) the updates to the Table D inventory of Board-granted hazardous waste delistings. The Board received no comments in these regards.

### **Historical Summaries of the RCRA Subtitle C and UIC Regulations**

The Board formerly included a recitation of a historical summary of the Illinois RCRA Subtitle C and underground injection control (UIC) regulations and programs in the opinion segment of every update to these regulations. The Board ended that practice in RCRA Subtitle C Update, USEPA Amendments (January 1, 2011 through June 30, 2011), R12-7 (Apr. 19, 2012). As a result, no historical summary appears as a segment of this opinion and order. Persons wishing to review the historical summary of the Illinois RCRA Subtitle C and UIC regulations and programs as it stood on December 31, 2011 must consult the Board's website to do so.

### **General Explanations of Board Deviation from the Literal Text of Federal Rules**

When incorporating the federal rules into the Illinois system, the Board cannot always follow their literal text. Some deviation from the literal federal text is unavoidable. There are a variety of reasons that copying the federal text is not possible.

Deviation arises through differences between the federal and state regulatory structure and systems. In Illinois, the responsibilities are divided among several entities—principally between the Board and the Agency.<sup>11</sup> See 415 ILCS 5/4 and 5 (2010). The scope of the particular identical-in-substance mandate may not embrace all aspects of the USEPA action involved in a particular proceeding. Further, the Illinois environmental regulations are organized differently than are the more extensive rules of USEPA, sometimes requiring the Board to adapt many of the federal requirements into segments of the Illinois rules. Finally, the Board must comply with the Illinois Administrative Procedure Act (5 ILCS 100 (2010)) and codification

---

<sup>11</sup> Many other State agencies have some role to play in many functions under the Environmental Protection Act: the Department of Commerce and Community Affairs (see 415 ILCS 5/22, 22.23, 22.34, 25, 27, 55, 55.2, 55.6, 55.7, 55.14, 55.14a, and 55.15 (2010)), the Department of Natural Resources (see 415 ILCS 5/17.1-17.3, 27, and 55.6 (2010)), the Department of Agriculture (see 415 ILCS 5/14.3, 14.6, 22.2, 22.34, 22.35, 39.4, and 55.6 (2010)), the Illinois Department of Transportation (see 415 ILCS 5/3.135, 22.51, 39, and 39.2 (2010)), the Office of the State Fire Marshall (see 415 ILCS 5/22.12, 57.3-57.6, 57.9, and 57.11 (2010)), the Illinois Emergency Management Agency (see 415 ILCS 5/13.6, 25a-1, 25b, and 57.5 (2010)), the Department of Public Health (see 415 ILCS 5/13.2, 22.55, 25d-6, 55.2, and 55.6 (2010)), and the Department of Labor (see 415 ILCS 5/52 (2010)). Although the Board must remain mindful of the roles of every State agency in a particular subject matter area, the major divisions of authority of concern in identical-in-substance proceedings are those between the Board and the Agency.

requirements of the Office of the Secretary of State (1 Ill. Adm. Code 100) when incorporating the federal requirements.

Another source of deviation from the literal federal text of a rule relates to updating incorporations by reference and references and source-citations to federal rules. Sometimes this involves federal rules that are part of the USEPA action that prompts the Board amendments. The Board has incorporated many segments of USEPA rules by reference, so that updating the references completes the amendments without use of the literal text of federal amendments. At other times, the deviation is the result of updated federal regulations that are not directly involved in an underlying USEPA action within the timeframe of the docket. The Board has incorporated federal regulations not directly involved by reference because USEPA has cited to unrelated USEPA rules or rules of other federal agencies. As a result, the Board routinely examines federal regulations that are incorporated by reference or source-cited in the Illinois rules and updates the references and citations to ensure reliance on the most recent versions, unless incorporation of an earlier version is required.

Some deviation also arises through errors in and problems with the federal text itself. The language of many federal rules differs stylistically from the Board's preferences. The Board also sometimes finds segments of federal text that are less than clear or which contain errors. The Board conforms the federal text to the Illinois rules and regulatory scheme and corrects errors found in the text in the course of these routine update rulemakings.

The following discussion segments explain in broad terms some of the changes to the literal text of federal rules that the Board makes on a more routine basis. What follows are general consideration of deviation from the literal text of federal rules that are prompted by three sources: (1) the divisions of authority between the Board and Agency under the Act; (2) routine updating of incorporations by reference of and citations to the *Code of Federal Regulations*; and (3) stylistic changes, clarifications, and corrections routinely made.

The Board will not further discuss changes prompted by three other causes: (1) differences in regulatory structure; (2) the scope of an identical-in-substance mandate, or (3) Illinois rulemaking procedure and codification requirements. The Board includes discussion of deviation caused by these considerations in substantive segments of opinions when issues arise.

**Agency or Board Action.** Section 7.2(a)(5) of the Act requires the Board to specify those portions of the program over which USEPA will retain decision making authority. Based on the general division of functions within the Act and other Illinois statutes, the Board is also to specify which State agency is to make decisions.

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 some identical-in-substance rules, certain decisions pertaining to a permit application are not appropriate for the Agency to consider. In determining the general division of authority between the Agency and the Board, the following factors should be considered:

1. Whether the entity making the decision is applying a Board regulation, or taking action contrary to, *i.e.*, “waiving,” a Board regulation. It generally takes some form of Board action to “waive” a Board regulation.
2. Whether there is a clear standard for action such that the Board can give meaningful review to an Agency decision.
3. Whether the action would result in exemption from the permit requirement itself. If so, Board action is generally required.
4. Whether the decision amounts 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 decisions: variance, adjusted standard, general and 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). There often are differences in the nomenclature for these decisions between the USEPA and Board regulations.

**Routine Board Stylistic Changes, Clarifications, and Corrections.** In addition to the amendments derived from federal amendments, the Board often makes necessary alterations in the text of various passages of the existing rules as provisions are opened for update in response to USEPA actions. This involves correcting deficiencies, clarifying provisions, and making other changes that are necessary to establish a clear set of rules that closely parallel the corresponding federal requirements within the codification scheme of the *Illinois Administrative Code*.

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, spelling, and cross-reference format throughout the opened text. The Board changed “who” to “that” and “he” or “she” 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 “must” for “shall”; capitalized the section headings and corrected their format where necessary; and corrected punctuation within sentences.

In addition, 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,” “must” is used when an action is required by the rule, without regard to whether the action is required of the subject of the sentence or not. “Shall” is no longer used, since this word is not used in everyday language. Thus, where a federal rule uses “shall,” the Board substitutes “must.” This is a break from our former practice where “shall” was used when the subject of a sentence has a duty to do something. “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.”

The Joint Committee on Administrative Rules has requested that the Board refer to the United States Environmental Protection Agency in the same manner 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 has decided to refer to the United States Environmental Protection Agency as “USEPA.” The Board will continue this conversion in future rulemakings as additional sections become open to amendment. The Board will further convert “EPA” used in federal text to “USEPA,” where USEPA is clearly intended.

The Board has assembled tables to aid in the location of these alterations and to briefly outline their intended purpose. These are explained in the introductory paragraph of the following opinion segment.

**Tables of Deviations from the Federal Text and Corrections to and Clarifications of the Base Text**

The tables below list numerous corrections and amendments that are not based on current federal amendments. Table 1 (beginning immediately below) outlines federal amendments of June 13, 2011 that are not necessary in this docket, with summary explanation why the Board need take no action with regard to each. Table 2 (beginning on page 16) includes deviations that the Board has made in the base text involved today’s amendments. Table 3 (beginning on page 17) contains corrections and clarifications that the Board has made in the base text involved in today’s amendments. The amendments listed in Table 3 are not directly derived from the current federal amendments. Table 4 (beginning on page 25 below) is a listing of revisions made to the text of the amendments from that proposed and set forth in the Board’s opinion and order of November 1, 2012. Table 4 indicates the changes made, as well as the source that suggested each of the changes. Table 5 (on page 25 below) indicates suggested revisions that the Board has not made in adopting these amendments. Each entry gives a brief explanation why the Board did not incorporate the suggested change. Some of the entries in these tables are discussed further in appropriate segments of the general discussion beginning at page 5 of this opinion.

**Table 1:  
Federal Amendment That Is  
Not Necessary in This Docket**

Provision Citations 40 C.F.R./ 35 Ill. Adm. Code	USEPA Amendment/ Explanation Why Not Made in This Docket
--	---



261.32(a), organic chemicals production wastes, K107/ 721.132(a), organic chemicals production wastes, K107	The Board corrected “carboxylic acid hydrazines” to “carboxylic acid hydrazides” upon initial adoption of this hazardous waste listing. See the discussion that begins on page 5 of this opinion and order.
--	---

**Table 2:  
Deviations from the Literal Text of the Federal Amendments**

Illinois Section	40 C.F.R. Section	Revision(s)
720.111(a), NTIS, “Method 1664”	260.11(c)(2)	Retained the existing structure that defines the documents in a single sentence; added the missing opening parenthesis before “SGT-HEM; Nonpolar Material)” in the document title; moved “February 1999” to follow “Revision A”; did not change “EPA-821/R98-002” to “EPA-821-R-98-002”; retained “NTIS document number PB99-121949”; moved “February 2010” to follow “Revision B”; changed “EPA-821/R98-002” to “EPA-821-R-98-002”; added “USEPA publication number” before “EPA-821/R10-001”; added “NTIS document number PB2011-100735.”

**Table 3:  
Board Housekeeping Amendments**

Section	Source	Revision(s)
720.111(a), NTIS, “Method 1664” Board note	Board	Changed the web address for obtaining Clean Water Act analytical methods from USEPA; added a statement of the alternative availability of Revision A from the NSCEP website.
720.111(b), 10 C.F.R. 20.2006	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.

720.111(b), Table II, column 2 in appendix B to 10 C.F.R. 20	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix G to 40 C.F.R. 10	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 10 C.F.R. 71	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 10 C.F.R. 71.5	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 33 C.F.R. 153.203	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 3.2	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 3.3	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 3.10	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 3.2000	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 51.100(ii)	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix W to 40 C.F.R. 51	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix B to 40 C.F.R. 52.741	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 60	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), subpart VV of 40 C.F.R. 60	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix A to 40 C.F.R. 3.2	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.

720.111(b), 40 C.F.R. 61	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), subpart V of 40 C.F.R. 61	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), subpart FF of 40 C.F.R. 61	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 63	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), subpart EEE 40 C.F.R. 63 (second entry only)	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), Method 401 in appendix A to 40 C.F.R. 63	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix C to 40 C.F.R. 63	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix D to 40 C.F.R. 63	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 136.3	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 144.70	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 232.2	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 257	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 258	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 260.21	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix I to 40 C.F.R. 260	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.

720.111(b), 40 C.F.R. 261.151	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix III to 40 C.F.R. 261	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 262.53	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 262.54	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 262.55	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 262.56	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 262.57	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix A to 40 C.F.R. 262	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 264.151	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix I to 40 C.F.R. 264	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix IV to 40 C.F.R. 264	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix V to 40 C.F.R. 264	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix VI to 40 C.F.R. 264	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix I to 40 C.F.R. 265	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix III to 40 C.F.R. 265	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix IV to 40 C.F.R. 265	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.

720.111(b), appendix V to 40 C.F.R. 265	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), appendix IX to 40 C.F.R. 266	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 267.151	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 270.5	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 761	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 761.3	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 761.60	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 761.65	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 40 C.F.R. 761.70	Board	Updated the <i>Code of Federal Regulations</i> citation to the latest edition available.
720.111(b), 49 C.F.R. 171	Board	Updated the <i>Code of Federal Regulations</i> citation to include a <i>Federal Register</i> citation to revisions since the latest edition available.
720.111(b), 49 C.F.R. 171.8	Board	Updated the <i>Code of Federal Regulations</i> citation to include a <i>Federal Register</i> citation to revisions since the latest edition available.
720.111(b), 49 C.F.R. 172	Board	Updated the <i>Code of Federal Regulations</i> citation to include <i>Federal Register</i> citations to revisions (three) since the latest edition available.
720.111(b), 49 C.F.R. 173	Board	Updated the <i>Code of Federal Regulations</i> citation to include <i>Federal Register</i> citations to revisions (four) since the latest edition available.
720.111(b), 49 C.F.R. 174	Board	Updated the <i>Code of Federal Regulations</i> citation to include <i>Federal Register</i> citations to revisions (two) since the latest edition available.

720.111(b), 49 C.F.R. 175	Board	Updated the <i>Code of Federal Regulations</i> citation to include a <i>Federal Register</i> citation to revisions since the latest edition available.
720.111(b), 49 C.F.R. 176	Board	Updated the <i>Code of Federal Regulations</i> citation to include a <i>Federal Register</i> citation to revisions since the latest edition available.
720.111(b), 49 C.F.R. 177	Board	Updated the <i>Code of Federal Regulations</i> citation to include a <i>Federal Register</i> citation to revisions since the latest edition available.
720.111(b), 49 C.F.R. 179	Board	Updated the <i>Code of Federal Regulations</i> citation to include a <i>Federal Register</i> citation to revisions since the latest edition available.
720.111(b), 49 C.F.R. 180	Board	Removed the parenthetical “as amended through January 3, 2007”; added “(2011) to update the <i>United States Code</i> citation to the latest edition available.
720.111(c), “section 11 of the Atomic Energy Act”	Board	Removed the parenthetical “as amended through January 3, 2007”; added “(2011) to update the <i>United States Code</i> citation to the latest edition available.
720.111(c), “sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and Cosmetic Act”	Board	Removed “Pub. L. 99-145; removed the parenthetical “as amended through January 3, 2007”; added “(2011) to update the <i>United States Code</i> citation to the latest edition available.
720.111(c), “section 1412 of the Department of Defense Authorization Act of 1986”	Board	Updated the <i>United States Code</i> citation to the latest edition available.
721 table of contents, entry for Appendix B	Board	Added “(Repealed)” at the end of the title.
721 table of contents, entry for Appendix C	Board	Added “(Repealed)” at the end of the title.
721.132(a), organic chemicals production wastes, K161	Board	Added a comma after “dust” to offset the final element of the series.

721.Appendix A heading	Board	Changed “721.Appendix A” to upper-case “721.APPENDIX A.”
721.Appendix I, Table A heading	Board	Changed “721.Appendix I” to upper-case “721.APPENDIX I”; changed “Table A” to upper-case “TABLE A.”
721.Appendix I, Table B heading	Board	Changed “721.Appendix I” to upper-case “721.APPENDIX I”; changed “Table B” to upper-case “TABLE B.”
721.Appendix I, Table C heading	Board	Changed “721.Appendix I” to upper-case “721.APPENDIX I”; changed “Table C” to upper-case “TABLE C.”
721.Appendix I, Table D heading	Board	Changed “721.Appendix I” to upper-case “721.APPENDIX I”; changed “Table D” to upper-case “TABLE D.”
721.Appendix I, Table D, AS 91-1	Board	Corrected the docket number format “AS91-1” to the Board’s standard format “AS 91-1”; changed “February 6, 1992, and modified at 133 PCB 189, April 23 1992” to “(Feb. 6, 1992 and Apr. 23, 1992)”; changed “treated K061 waste” to “Chemically stabilized electric arc furnace dust (K061 waste).”
721.Appendix I, Table D, AS 91-3	Board	Corrected the docket number format “AS91-3” to the Board’s standard format “AS 91-3”; changed “February 6, 1992, and modified at 133 PCB 189, April 23 1992” to “(Feb. 6, 1992 and Apr. 23, 1992)”; changed “treated K061 waste” to “Chemically stabilized electric arc furnace dust (K061 waste).”
721.Appendix I, Table D, AS 93-7	Board	Corrected the docket number format “AS93-7” to the Board’s standard format “AS 93-7”; changed “February 17, 1994, as modified March 17, 1994” to “(Feb. 17, 1994, Mar. 17, 1994, and Dec. 14, 1994)”; changed “Treated K062 waste” to “Chemically stabilized waste pickling liquor (K062 waste).”

721.Appendix I, Table D, AS 94-10	Board	Corrected the docket number format “AS91-3” to the Board’s standard format “AS 91-3”; changed “December 14, 1994, as modified on February 16, 1995” to “(Dec. 14, 1994 and Feb. 16, 1995)”; changed “Treated F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes” to “Sludge from the treatment of multiple hazardous wastes (F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes).”
726.Appendix A heading	Board	Changed “726.Appendix A” to upper-case “726.APPENDIX A.”
726.Appendix B heading	Board	Changed “726.Appendix B” to upper-case “726.APPENDIX B.”
726.Appendix C heading	Board	Changed “726.Appendix C” to upper-case “726.APPENDIX C.”
726.Appendix D heading	Board	Changed “726.Appendix D” to upper-case “726.APPENDIX D.”
726.Appendix D, chlorine (free)	Board	Added the missing CAS number “7782-50-5” in the second column.
726.Appendix E heading	Board	Changed “726.Appendix E” to upper-case “726.APPENDIX E.”
726.Appendix E column four heading	Board	Removed the incorrect and superfluous unit designation “(mg/m <sup>3</sup> ).”
726.Appendix E, 1,2-dibromo-3-chloro-propane	Board, JCAR	Changed the double soft hyphen in “chloropropane” to a single soft hyphen. See the entry in Table 4 below.
726.Appendix F heading	Board	Changed “726.Appendix F” to upper-case “726.APPENDIX F.”
726.Appendix G heading	Board	Changed “726.Appendix G” to upper-case “726.APPENDIX G.”
726.Appendix H heading	Board	Changed “726.Appendix H” to upper-case “726.APPENDIX H.”
726.Appendix I heading	Board	Changed “726.Appendix I” to upper-case “726.APPENDIX I.”



726.Appendix K heading	Board	Changed “726.Appendix K” to upper-case “726.APPENDIX K.”
726.Appendix K	Board	Changed the listings of excluded items to appear single spaced.
726.Appendix L heading	Board	Changed “726.Appendix L” to upper-case “726.APPENDIX L.”
726.Appendix L	Board	Changed the listings of excluded items to appear single spaced.
726.Appendix M heading	Board	Changed “726.Appendix M” to upper-case “726.APPENDIX M.”
726.Table A heading	Board	Changed “726.Table A” to upper-case “726.TABLE A.”

**Table 4:  
Revisions to the Text of the Proposed Amendments in Final Adoption**

Section Revised	Source(s) of Revision(s)	Revision(s)
720.111(b), 49 CFR 173	JCAR	Removed the duplicate entry for “77 Fed. Reg. 37962 (June 25, 2012).”
726.Appendix E, column four heading	JCAR	Removed the erroneous “(mg/m <sup>2</sup> ).”
726.Appendix E, 1,2-dibromo-3-chloropropane	Board, JCAR	Changed the double soft hyphen in “chloropropane” to a single soft hyphen. See the entry in Table 5 below.

**Table 5:  
Requested Revisions to the Text of the Proposed Amendments  
Not Made in Final Adoption**

Section Affected	Source(s) of Request: Requested Revision(s)	Explanation
720.111(a) generally	JCAR: Change the smart quotation marks throughout to straight quotation marks (66 quoted titles).	The Board consistently uses smart quotation marks.

720.111(a), “OECD,” “OECD Guidance Manual”	JCAR: Change “Amended” to lower- case “amended” in the document title.	The word “Amended” is capitalized in the document title.
720.111(a), “OECD,” “OECD Guidance Manual,” Annex A: OECD Decision c(2001)107/FINAL”	JCAR: Change “Amended” to lower- case “amended” in the document title.	The word “Amended” is capitalized in the document title.
720.111(a), “USEPA, Region 6,” “EPA RCRA Delisting Program— Guidance Manual for the Petitioner”	JCAR: Add spaces before and after the em- dash to change “Delisting Program— Guidance Manual” to “Delisting Program — Guidance Manual.”	The Board consistently uses the book style, rather than the word-processor style, for em-dashes, since Microsoft Word does not need spaces to allow word wrapping. See B. Garner, <i>The Redbook: A Manual on Legal Style</i> (2002), ¶ 1.50 at p. 30.
720.111(b), “49 CFR 173.50”	JCAR: Add spaces before and after the em- dash to change “Class 1—Definitions” to “Class 1 — Definitions.”	See the explanation in the entry for 720.111(a), “USEPA, Region 6,” “EPA RCRA Delisting Program— Guidance Manual for the Petitioner” in this Table 5.
720.111(b), “49 CFR 173.115”	JCAR: Add spaces before and after the em- dash to change “Class 2, Divisions 2.1, 2.2, and 2.3—Definitions” to “Class 2, Divisions 2.1, 2.2, and 2.3 — Definitions.”	See the explanation in the entry for 720.111(a), “USEPA, Region 6,” “EPA RCRA Delisting Program— Guidance Manual for the Petitioner” in this Table 5.
720.Appendix A, generally	JCAR: Change the smart quotation marks to straight quotation marks (two quoted method titles).	See the explanation in the entry for 720.111(a), generally in this Table 5.
720.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 1	JCAR: Change the smart quotation marks to straight quotation marks (one quoted title).	See the explanation in the entry for 720.111(a) generally in this Table 5.

720.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 3	JCAR: Add spaces before and after the em-dashes (12 appearances).	See the explanation in the entry for 720.111(a), “USEPA, Region 6,” “EPA RCRA Delisting Program—Guidance Manual for the Petitioner” in this Table 5.
720.Appendix I, Table B, “Conversion Systems, Inc.,” ¶ 5	JCAR: Change the smart quotation marks to straight quotation marks (three defined phrases).	See the explanation in the entry for 720.111(a), generally in this Table 5.
721.Table C Table C	JCAR: Change “Off-Specification” to plural “Off-Specifications” (without strikeout or underlining).	The singular “Off-Specification” appears in the title of corresponding 40 C.F.R. 261, appendix IX, Table 4.
726.120(a)(2)	JCAR: Change the smart quotation marks to straight quotation marks (one defined phrase).	See the explanation in the entry for 720.111(a), generally in this Table 5.
726.120(b)	JCAR: Change the smart apostrophe to a straight apostrophe in the possessive “public’s.”	The Board prefers to use a smart apostrophe for possessives.
726.Appendix E, 1,2-dibromo-3-chloropropane	JCAR: Change the soft hyphen in “chloro-propane” to a hyphen and space in “chloro- propane.”	A soft hyphen is appropriate to allow a long segment of a chemical name to break between moieties. See the entry in Table 4 above.
726.Appendix E, 1,2-dichloropropene	JCAR: Change “0.000050” in the third column to “0.00005.”	The existing text reflects the two-significant-digit accuracy required by the corresponding entry in appendix V to 40 C.F.R. 266.
726.Appendix E, 2,3,7,8-tetrachlorodibenzo-p-dioxin	JCAR: Change the soft hyphen in “tetrachloro” to a hard hyphen in “tetra-chloro.”	See the explanation in the entry for 726.Appendix E, 1,2-dibromo-3-chloropropane in this Table 5.

726.Appendix I	JCAR: Change the smart quotation marks to straight quotation marks (one quoted title).	See the explanation in the entry for 720.111(a) generally in this Table 5.
----------------	--	--

### **ORDER**

The Board directs the Clerk to file the following adopted amendments to 35 Ill. Adm. Code 720, 721, and 726 with the Office of the Secretary of State, after delaying 30 days after the date of this opinion and order to allow USEPA review of the adopted amendments, that these amendments may become effective and that Notices of Adopted Amendments will appear in the *Illinois Register*:

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
720.104	Electronic Reporting

SUBPART B: DEFINITIONS AND REFERENCES

Section	
720.110	Definitions
720.111	References

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section	
720.120	Rulemaking
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 and Non-Waste Determinations
720.131	Solid Waste Determinations
720.132	Boiler Determinations
720.133	Procedures for Determinations
720.134	Non-Waste Determinations
720.140	Additional Regulation of Certain Hazardous Waste Recycling Activities on a Case-by-Case Basis

- 720.141 Procedures for Case-by-Case Regulation of Hazardous Waste Recycling Activities
- 720.142 Notification Requirement for Hazardous Secondary Materials
- 720.143 Legitimate Recycling of Hazardous Secondary Materials
- 720.APPENDIX A Overview of Federal RCRA Subtitle C (Hazardous Waste) Regulations (Repealed)

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

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

amended in R09-16/R10-4 at 34 Ill. Reg. 18535, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 17672, effective October 14, 2011; amended in R12-7 at 36 Ill. Reg. 8740, effective June 4, 2012; amended in R13-5 at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: DEFINITIONS AND REFERENCES

### Section 720.111 References

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

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

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

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

BOARD NOTE: Also available on the Internet for download and viewing as a PDF file at the following Internet address:  
[http://www.acgme.org/acWebsite/about/ab\\_ACGMEglossary.pdf](http://www.acgme.org/acWebsite/about/ab_ACGMEglossary.pdf).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Method 1664, ~~Revision A~~, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; ~~Non-polar~~ Nonpolar Material) by Extraction and Gravimetry,” Revision A, February 1999, USEPA publication number EPA-821/R-98-002, NTIS document number PB99-121949, or Revision B, February 2010, USEPA publication number EPA-821/R-10-001, NTIS document number PB2011-100735, USEPA-approved for Appendix I to 35 Ill. Adm. Code 721.

BOARD NOTE: Also available on the Internet for free download as a PDF document from the USEPA website at: [www.epa.gov/water/scitech/methods/cwa/methods\\_index.cfm](http://www.epa.gov/water/scitech/methods/cwa/methods_index.cfm). Revision A is also from the USEPA, National Service Center for Environmental Publications (NSCEP) website at [www.epa.gov/nscep/index.html](http://www.epa.gov/nscep/index.html).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Method 0050 (December 1996) (Isokinetic HCl/Cl<sub>2</sub> Emission Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.207.

Method 0051 (December 1996) (Midget Impinger HCl/Cl<sub>2</sub> Emission Sampling Train), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721, Appendix I to 35 Ill. Adm. Code 726, and 35 Ill. Adm. Code 726.207.

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

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

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

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

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

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

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

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

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

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

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

Method 9012B (November 2004) (Total and Amenable Cyanide (Automated Colorimetric, with Off-Line Distillation)), USEPA-approved for Appendix I to 35 Ill. Adm. Code 721 and 35 Ill. Adm. Code 728.140, 728.144,

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

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

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

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

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

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

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

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

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

OECD Guidance Manual. "Guidance Manual for the Implementation of Council Decision C(2001)107/FINAL, as Amended, on the Control of Transboundary Movements of Wastes Destined for Recovery Operations," 2009 (also called "Guidance Manual for the Control of Transboundary Movements of Recoverable Materials" in OECD documents), but only the following segments, which set forth the substantive requirements

of OECD decision C(2001)107/FINAL, as amended by C(2004)20, C(2005)141, and C(2008)156:

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

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

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

BOARD NOTE: The OECD Guidance Manual is available online from OECD at [www.oecd.org/dataoecd/57/1/42262259.pdf](http://www.oecd.org/dataoecd/57/1/42262259.pdf). The OECD and the Basel Convention consider the OECD Guidance Manual unofficial text of these documents. Despite this unofficial status, the Board has chosen to follow USEPA’s lead and incorporate the OECD Guidance Manual by reference, instead of separately incorporating the OECD decision C(2001)107/FINAL (with its subsequent amendments: OECD decisions C(2001)107/ADD1, C(2004)20, C(2005)141, and C(2008)156) and the Basel Convention by reference. Use of the OECD Guidance Manual eases reference to the documents, increases access to the

documents, and facilitates future updates to this incorporation by reference. All references to “OECD C(2001)107/FINAL” in the text of 35 Ill. Adm. Code 722 refer to both the OECD decision and the Basel Convention that the OECD decision references. The OECD Guidance Manual includes as Annex A the full text of OECD document C(2001)107/FINAL, with amendments, and Annexes B and C set forth lists of wastes subject to Green control procedures and wastes subject to Amber control procedures, respectively, which consolidate the wastes from C(2001)107/FINAL together with those from the Basel Convention.

OECD Guideline for Testing of Chemicals, “Ready Biodegradability,” Method 301B (July 17, 1992), “CO<sub>2</sub> Evolution (Modified Sturm Test),” referenced in 35 Ill. Adm. Code 724.414.

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

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

USDOD. Available from the United States Department of Defense:

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

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

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

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

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

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



for download in pdf format from <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>.

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

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

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

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

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

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

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

“EPA RCRA Delisting Program—Guidance Manual for the Petitioner,” March 23, 2000, referenced in Section 720.122.

USGSA. Available from the United States Government Services Administration:

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

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

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

10 CFR 20.2006-~~(2011)~~ (2012) (Transfer for Disposal and Manifests), referenced in 35 Ill. Adm. Code 702.110, 726.425, and 726.450.

Table II, column 2 in appendix B to 10 CFR 20-~~(2011)~~ (2012) (Water Effluent Concentrations), referenced in 35 Ill. Adm. Code 702.110, 730.103, and 730.151.

Appendix G to 10 CFR 20-~~(2011)~~ (2012) (Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests), referenced in 35 Ill. Adm. Code 726.440.

10 CFR 71-~~(2011)~~ (2012) (Packaging and Transportation of Radioactive Material), referenced generally in 35 Ill. Adm. Code 726.430.

10 CFR 71.5-~~(2011)~~ (2012) (Transportation of Licensed Material), referenced in 35 Ill. Adm. Code 726.425.

33 CFR 153.203-~~(2011)~~ (2012) (Procedure for the Notice of Discharge), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

40 CFR 3.2-~~(2011)~~ (2012) (How Does This Part Provide for Electronic Reporting?), referenced in Section 720.104.

40 CFR 3.3-~~(2011)~~ (2012) (What Definitions Are Applicable to This Part?), referenced in Section 720.104.

40 CFR 3.10-~~(2011)~~ (2012) (What Are the Requirements for Electronic Reporting to EPA?), referenced in Section 720.104.

40 CFR 3.2000-~~(2011)~~ (2012) (What Are the Requirements Authorized State, Tribe, and Local Programs' Reporting Systems Must Meet?), referenced in Section 720.104.

40 CFR 51.100(ii)-~~(2011)~~ (2012) (Definitions), referenced in 35 Ill. Adm. Code 726.200.

Appendix W to 40 CFR 51-~~(2011)~~ (2012) (Guideline on Air Quality Models), referenced in 35 Ill. Adm. Code 726.204.

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

Appendix B to 40 CFR 52.741-~~(2011)~~ (2012) (VOM Measurement Techniques for Capture Efficiency), referenced in 35 Ill. Adm. Code

703.213, 703.352, 724.982, 724.984, 724.986, 724.989, 725.983, 725.985, 725.987, and 725.990.

40 CFR 60-~~(2011)~~ (2012) (Standards of Performance for New Stationary Sources), referenced generally in 35 Ill. Adm. Code 724.964, 724.980, 725.964, and 725.980.

Subpart VV of 40 CFR 60-~~(2011)~~ (2012) (Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry), referenced in 35 Ill. Adm. Code 724.989 and 725.990.

Appendix A to 40 CFR 60-~~(2011)~~ (2012) (Test Methods), referenced generally in 35 Ill. Adm. Code 726.205 (in addition to the references cited below for specific methods):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 CFR 61-~~(2011)~~ (2012) (National Emission Standards for Hazardous Air Pollutants), referenced generally in 35 Ill. Adm. Code 725.933, 725.964, and 725.980.

Subpart V of 40 CFR 61-~~(2011)~~ (2012) (National Emission Standard for Equipment Leaks (Fugitive Emission Sources)), referenced in 35 Ill. Adm. Code 724.989 and 725.990.

Subpart FF of 40 CFR 61-~~(2011)~~ (2012) (National Emission Standard for Benzene Waste Operations), referenced in 35 Ill. Adm. Code 724.982 and 725.983.

40 CFR 63-~~(2011)~~ (2012) (National Emission Standards for Hazardous Air Pollutants for Source Categories), referenced generally in 35 Ill. Adm. Code 725.933, 725.964, and 725.980.

Subpart RR of 40 CFR 63-~~(2011)~~ (2012) (National Emission Standards for Individual Drain Systems), referenced in 35 Ill. Adm. Code 724.982, 724.984, 724.985, 725.983, 725.985, and 725.986.

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

Subpart EEE of 40 CFR 63-~~(2011)~~ (2012) (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors) (includes 40 CFR 63.1206 (When and How Must You Comply with the Standards and Operating Requirements?), 63.1215 (What are the Health-Based Compliance Alternatives for Total Chlorine?), 63.1216 (What are the Standards for Solid-Fuel Boilers that Burn Hazardous Waste?), 63.1217 (What are the Standards for Liquid-Fuel Boilers that Burn Hazardous Waste?), 63.1218 (What are the Standards for Hydrochloric Acid Production Furnaces that Burn Hazardous Waste?), 63.1219 (What are the Replacement Standards for Hazardous Waste Incinerators?), 63.1220 (What are the Replacement Standards for Hazardous Waste-Burning Cement Kilns?), and 63.1221 (What are the Replacement Standards for Hazardous Waste-Burning Lightweight Aggregate Kilns?)), referenced in Appendix A to 35 Ill. Adm. Code 703 and 35 Ill. Adm. Code 703.155, 703.205, 703.208, 703.221, 703.232, 703.320, 703.280, 724.440, 724.701, 724.950, 725.440, and 726.200.

Method 301 (Field Validation of Pollutant Measurement Methods from Various Waste Media) in appendix A to 40 CFR 63-~~(2011)~~ (2012) (Test Methods), referenced in 35 Ill. Adm. Code 725.984.

Appendix C to 40 CFR 63-~~(2011)~~ (2012) (Determination of the Fraction Biodegraded (Fbio) in a Biological Treatment Unit), referenced in 35 Ill. Adm. Code 725.984.

Appendix D to 40 CFR 63-~~(2011)~~ (2012) (Test Methods), referenced in 35 Ill. Adm. Code 725.984.

40 CFR 136.3 (Identification of Test Procedures)-~~(2011)~~ (2012), referenced in 35 Ill. Adm. Code 702.110, 704.150, 704.187, and 730.103.

40 CFR 144.70-~~(2011)~~ (2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 704.240.

40 CFR 232.2-~~(2011)~~ (2012) (Definitions), referenced in 35 Ill. Adm. Code 721.104.

40 CFR 257-~~(2011)~~ (2012) (Criteria for Classification of Solid Waste Disposal Facilities and Practices), referenced in 35 Ill. Adm. Code 739.181.

40 CFR 258-~~(2011)~~ (2012) (Criteria for Municipal Solid Waste Landfills), referenced in 35 Ill. Adm. Code 739.181.

40 CFR 260.21-~~(2011)~~ (2012) (Alternative Equivalent Testing Methods), referenced in Section 720.121.

Appendix I to 40 CFR 260-~~(2011)~~ (2012) (Overview of Subtitle C Regulations), referenced in Appendix A to 35 Ill. Adm. Code 720.

40 CFR 261.151-~~(2011)~~ (2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 721.251.

Appendix III to 40 CFR 261-~~(2011)~~ (2012) (Chemical Analysis Test Methods), referenced in 35 Ill. Adm. Code 704.150 and 704.187.

40 CFR 262.53-~~(2011)~~ (2012) (Notification of Intent to Export), referenced in 35 Ill. Adm. Code 722.153.

40 CFR 262.54-~~(2011)~~ (2012) (Special Manifest Requirements), referenced in 35 Ill. Adm. Code 722.154.

40 CFR 262.55-~~(2011)~~ (2012) (Exception Reports), referenced in 35 Ill. Adm. Code 722.155.

40 CFR 262.56-~~(2011)~~ (2012) (Annual Reports), referenced in 35 Ill. Adm. Code 722.156.

40 CFR 262.57-~~(2011)~~ (2012) (Recordkeeping), referenced in 35 Ill. Adm. Code 722.157.

Appendix to 40 CFR 262-~~(2011)~~ (2012) (Uniform Hazardous Waste Manifest and Instructions (EPA Forms 8700-22 and 8700-22A and Their Instructions)), referenced in Appendix A to 35 Ill. Adm. Code 722 and 35 Ill. Adm. Code 724.986 and 725.987.

40 CFR 264.151-~~(2011)~~ (2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 724.251 and 727.240.

Appendix I to 40 CFR 264-~~(2011)~~ (2012) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 724.

Appendix IV to 40 CFR 264-~~(2011)~~ (2012) (Cochran's Approximation to the Behrens-Fisher Students' T-Test), referenced in Appendix D to 35 Ill. Adm. Code 724.

Appendix V to 40 CFR 264-~~(2011)~~ (2012) (Examples of Potentially Incompatible Waste), referenced in Appendix E to 35 Ill. Adm. Code 724 and 35 Ill. Adm. Code 727.270.

Appendix VI to 40 CFR 264-~~(2011)~~ (2012) (Political Jurisdictions in Which Compliance with § 264.18(a) Must Be Demonstrated), referenced in 35 Ill. Adm. Code 703.306 and 724.118.

Appendix I to 40 CFR 265-~~(2011)~~ (2012) (Recordkeeping Instructions), referenced in Appendix A to 35 Ill. Adm. Code 725.

Appendix III to 40 CFR 265-~~(2011)~~ (2012) (EPA Interim Primary Drinking Water Standards), referenced in Appendix C to 35 Ill. Adm. Code 725.

Appendix IV to 40 CFR 265-~~(2011)~~ (2012) (Tests for Significance), referenced in Appendix D to 35 Ill. Adm. Code 725.

Appendix V to 40 CFR 265-~~(2011)~~ (2012) (Examples of Potentially Incompatible Waste), referenced in 35 Ill. Adm. Code 725.277, 725.330, 725.357, 725.382, and 725.413 and Appendix E to 35 Ill. Adm. Code 725.

Appendix IX to 40 CFR 266-~~(2011)~~ (2012) (Methods Manual for Compliance with the BIF Regulations), referenced generally in Appendix I to 35 Ill. Adm. Code 726.



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

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

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

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

40 CFR 267.151-~~(2011)~~ (2012) (Wording of the Instruments), referenced in 35 Ill. Adm. Code 727.240.

40 CFR 270.5-~~(2011)~~ (2012) (Noncompliance and Program Reporting by the Director), referenced in 35 Ill. Adm. Code 703.305.

40 CFR 761-~~(2011)~~ (2012) (Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions), referenced generally in 35 Ill. Adm. Code 728.145.

40 CFR 761.3-~~(2011)~~ (2012) (Definitions), referenced in 35 Ill. Adm. Code 728.102 and 739.110.

40 CFR 761.60-~~(2011)~~ (2012) (Disposal Requirements), referenced in 35 Ill. Adm. Code 728.142.

40 CFR 761.65-~~(2011)~~ (2012) (Storage for Disposal), referenced in 35 Ill. Adm. Code 728.150.

40 CFR 761.70-~~(2011)~~ (2012) (Incineration), referenced in 35 Ill. Adm. Code 728.142.

Subpart B of 49 CFR 107 (2011) (Exemptions), referenced generally in 35 Ill. Adm. Code 724.986 and 725.987.

49 CFR 171 (2011), as amended at 77 Fed. Reg. 37962 (June 25, 2012) (General Information, Regulations, and Definitions), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 171.3 (2011) (Hazardous Waste), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 171.8 (2011), as amended at 77 Fed. Reg. 37962 (June 25, 2012) (Definitions and Abbreviations), referenced in 35 Ill. Adm. Code 733.118, 733.138, 733.152, 733.155, and 739.143.

49 CFR 171.15 (2011) (Immediate Notice of Certain Hazardous Materials Incidents), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 171.16 (2011) (Detailed Hazardous Materials Incident Reports), referenced in 35 Ill. Adm. Code 723.130 and 739.143.

49 CFR 172 (2011), as amended at 76 Fed. Reg. 81396 (Dec. 28, 2011); 76 Fed. Reg. 82163 (Dec. 30, 2012); 77 Fed. Reg. 37962 (June 25, 2012) (Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements), referenced generally in 35 Ill. Adm. Code 722.131, 722.132, 724.986, 725.987, 733.114, 733.118, 733.134, 733.138, 733.152, 733.155, and 739.143.

49 CFR 172.304 (2011) (Marking Requirements), referenced in 35 Ill. Adm. Code 722.132.

Subpart F of 49 CFR 172 (2011) (Placarding), referenced in 35 Ill. Adm. Code 722.133.

49 CFR 173 (2011), as amended at 76 Fed. Reg. 81396 (Dec. 28, 2011); 76 Fed. Reg. 82163 (Dec. 30, 2012); 77 Fed. Reg. 37962 (June 25, 2012) (Shippers—General Requirements for Shipments and Packages), referenced generally in 35 Ill. Adm. Code 721.104, 722.130, 724.986, 724.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 173.2 (2011) (Hazardous Materials Classes and Index to Hazard Class Definitions), referenced in 35 Ill. Adm. Code 733.152.

49 CFR 173.12 (2011) (Exceptions for Shipments of Waste Materials), referenced in 35 Ill. Adm. Code 724.416, 724.986, and 725.987.

49 CFR 173.28 (2011) (Reuse, Reconditioning, and Remanufacture of Packagings), referenced in 35 Ill. Adm. Code 725.273.

49 CFR 173.50 (2011) (Class 1—Definitions), referenced in 35 Ill. Adm. Code 721.124.

49 CFR 173.54 (2011) (Forbidden Explosives), referenced in 35 Ill. Adm. Code 721.124.

49 CFR 173.115 (2011) (Class 2, Divisions 2.1, 2.2, and 2.3—Definitions), referenced in 35 Ill. Adm. Code 721.121.

49 CFR 174 (2011), as amended at 76 Fed. Reg. 81396 (Dec. 28, 2011); 77 Fed. Reg. 37962 (June 25, 2012) (Carriage by Rail), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 175 (2011), as amended at 76 Fed. Reg. 82163 (Dec. 30, 2012) (Carriage by Aircraft), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 176 (2011), as amended at 76 Fed. Reg. 82163 (Dec. 30, 2012) (Carriage by Vessel), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 177 (2011), as amended at 76 Fed. Reg. 75470 (Dec. 2, 2011) (Carriage by Public Highway), referenced generally in 35 Ill. Adm. Code 733.118, 733.138, 733.152, and 739.143.

49 CFR 178 (2011) (Specifications for Packagings), referenced generally in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 179 (2011), as amended at 77 Fed. Reg. 37962 (June 25, 2012) (Specifications for Tank Cars), referenced in 35 Ill. Adm. Code 721.104, 722.130, 724.416, 724.986, 725.416, 725.987, 733.118, 733.138, 733.152, and 739.143.

49 CFR 180 (2011), as amended at 77 Fed. Reg. 37962 (June 25, 2012) (Continuing Qualification and Maintenance of Packagings), referenced generally in 35 Ill. Adm. Code 724.986, 725.987, 733.118, 733.138, 733.152, and 739.143.

c) Federal Statutes:

Section 11 of the Atomic Energy Act of 1954 (42 USC 2014), ~~as amended through January 3, 2007~~ (2011), referenced in 35 Ill. Adm. Code 721.104 and 726.310.

Sections 201(v), 201(w), and 512(j) of the Federal Food, Drug, and Cosmetic Act (FFDCA; 21 USC 321(v), 321(w), and 360b(j)), ~~as amended through January 3, 2007~~ (2011), referenced in Section 720.110 and 35 Ill. Adm. Code 733.109.

Section 1412 of the Department of Defense Authorization Act of 1986; ~~Pub. L. 99-145~~ (50 USC 1521(j)(1)), ~~as amended through January 3, 2007~~ (2011), referenced in 35 Ill. Adm. Code 726.301.

d) This Section incorporates no later editions or amendments.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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
721.121	Characteristic of Ignitability
721.122	Characteristic of Corrosivity
721.123	Characteristic of Reactivity
721.124	Toxicity Characteristic

## SUBPART D: LISTS OF HAZARDOUS WASTE

Section	
721.130	General
721.131	Hazardous Wastes from Nonspecific Sources
721.132	Hazardous Waste from Specific Sources
721.133	Discarded Commercial Chemical Products, Off-Specification Species, Container Residues, and Spill Residues Thereof
721.135	Wood Preserving Wastes

## SUBPART E: EXCLUSIONS AND EXEMPTIONS

Section	
721.138	Exclusion of Comparable Fuel and Syngas Fuel
721.139	Conditional Exclusion for Used, Broken CRTs and Processed CRT Glass Undergoing Recycling
721.140	Conditional Exclusion for Used, Intact CRTs Exported for Recycling
721.141	Notification and Recordkeeping for Used, Intact CRTs Exported for Reuse

## SUBPART H: FINANCIAL REQUIREMENTS FOR MANAGEMENT OF EXCLUDED HAZARDOUS SECONDARY MATERIALS

Section	
721.240	Applicability
721.241	Definitions of Terms as Used in This Subpart
721.242	Cost Estimate
721.243	Financial Assurance Condition
721.247	Liability Requirements
721.248	Incapacity of Owners or Operators, Guarantors, or Financial Institutions
721.249	Use of State-Required Mechanisms
721.250	State Assumption of Responsibility
721.251	Wording of the Instruments
721.APPENDIX A	Representative Sampling Methods
721.APPENDIX B	Method 1311 Toxicity Characteristic Leaching Procedure (TCLP) <u>(Repealed)</u>
721.APPENDIX C	Chemical Analysis Test Methods <u>(Repealed)</u>
	721.TABLE A Analytical Characteristics of Organic Chemicals (Repealed)
	721.TABLE B Analytical Characteristics of Inorganic Species (Repealed)
	721.TABLE C Sample Preparation/Sample Introduction Techniques (Repealed)
721.APPENDIX G	Basis for Listing Hazardous Wastes
721.APPENDIX H	Hazardous Constituents
721.APPENDIX I	Wastes Excluded by Administrative Action
	721.TABLE A Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Non-Specific Sources
	721.TABLE B Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Specific Sources

- 721.TABLE C Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
- 721.TABLE D Wastes Excluded by the Board by Adjusted Standard
- 721.APPENDIX J Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)
- 721.APPENDIX Y Table to Section 721.138: Maximum Contaminant Concentration and Minimum Detection Limit Values for Comparable Fuel Specification
- 721.APPENDIX Z Table to Section 721.102: Recycled Materials that Are Solid Waste

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

SOURCE: Adopted in R81-22 at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22 at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18 at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19 at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 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. 10963, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 275, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7615, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17531, effective September 28, 1998; amended in R98-21/R99-2/R99-7 at 23 Ill. Reg. 1718, effective January 19, 1999; amended in R99-15 at 23 Ill. Reg. 9135, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9481, effective June 20, 2000; amended in R01-3 at 25 Ill. Reg. 1281, effective January 11, 2001; amended in R01-21/R01-23 at 25 Ill. Reg. 9108, effective July 9, 2001; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6584, effective April 22, 2002; amended in R03-18 at 27 Ill. Reg. 12760, effective July

17, 2003; amended in R04-16 at 28 Ill. Reg. 10693, effective July 19, 2004; amended in R05-8 at 29 Ill. Reg. 6003, effective April 13, 2005; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 2992, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 791, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 11786, effective July 14, 2008; amended in R09-3 at 33 Ill. Reg. 986, effective December 30, 2008; amended in R09-16/R10-4 at 34 Ill. Reg. 18611, effective November 12, 2010; amended in R11-2/R11-16 at 35 Ill. Reg. 17734, effective October 14, 2011; amended in R13-5 at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: LISTS OF HAZARDOUS WASTE

### Section 721.132 Hazardous Waste from Specific Sources

- a) 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 Appendix I of this Part.

USEPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
---------------------------------	------------------------------	----------------

#### Wood Preservation Process Wastes:

K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.	(T)
------	---	-----

#### Inorganic Pigments Production Wastes:

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 Production Wastes:		
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 di-nitrotoluene via nitration of toluene.	(C, T)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of di-nitrotoluene.	(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 toluenediamine 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)
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K158	Baghouse dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K159	Organics from the treatment of thiocarbamate wastes.	(T)
K161	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.)	(R, T)
K174	Wastewater treatment sludges from the production of ethylene dichloride or vinyl chloride monomer (including sludges that result from commingled ethylene dichloride or vinyl chloride monomer wastewater and other wastewater), unless the sludges meet the following conditions: (1) the sludges are disposed of in a RCRA Subtitle C (42 USC 6921-6939e) or non-hazardous landfill licensed or permitted by a state or the federal government; (2) the sludges are not otherwise placed on the land prior to final disposal; and (3) the generator maintains documentation demonstrating that the waste was either disposed of in an on-site landfill or consigned	(T)

to a transporter or disposal facility that provided a written commitment to dispose of the waste in an off-site landfill. Upon a showing by the government that a respondent in any enforcement action brought to enforce the requirements of Subtitle C of this Part managed wastewater treatment sludges from the production of vinyl chloride monomer or ethylene dichloride, the respondent must demonstrate that it meets the conditions of the exclusion that are set forth above. In doing so, the respondent must provide appropriate documentation that the terms of the exclusion were met (e.g., contracts between the generator and the landfill owner or operator, invoices documenting delivery of waste to landfill, etc.).

K175 Wastewater treatment sludges from the production of vinyl chloride monomer using mercuric chloride catalyst in an acetylene-based process. (T)

Inorganic Chemicals Production Wastes:

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)

K176 Baghouse filters from the production of antimony oxide, including filters from the production of intermediates (e.g., antimony metal or crude antimony oxide). (E)

K177 Slag from the production of antimony oxide that is speculatively accumulated or disposed of, including slag from the production of intermediates (e.g., antimony metal or crude antimony oxide). (T)

K178 Residues from manufacturing and manufacturing-site storage of ferric chloride from acids formed during the production of titanium dioxide using the chloride-ilmenite process. (T)

K181 Nonwastewaters from the production of dyes or pigments (T)

(including nonwastewaters commingled at the point of generation with nonwastewaters from other processes) that, at the point of generation, contain mass loadings of any of the constituents identified in subsection (c) of this Section that are equal to or greater than the corresponding subsection (c) levels, as determined on a calendar year basis. These wastes will not be hazardous if the nonwastewaters are managed in one of the following ways:

- 1) They are disposed of in a municipal solid waste landfill unit that is subject to the design criteria in 35 Ill. Adm. Code 811.303 through 811.309 and 811.315 through 811.317 and Subpart E of 35 Ill. Adm. Code 811 or 35 Ill. Adm. Code 814.302 and 814.402;
- 2) They are disposed of in a hazardous waste landfill unit that is subject to either 35 Ill. Adm. Code 724.401 or 725.401;
- 3) They are disposed of in other municipal solid waste landfill units that meet the design criteria in 35 Ill. Adm. Code 811.303 through 811.309 and 811.315 through 811.317 and Subpart E of 35 Ill. Adm. Code 811 or 35 Ill. Adm. Code 814.302 and 814.402, 35 Ill. Adm. Code 724.401, or 35 Ill. Adm. Code 725.401; or
- 4) They are treated in a combustion unit that is permitted under 415 ILCS 5/39(d), or an onsite combustion unit that is permitted under 415 ILCS 5/39.5.

For the purposes of this listing, dyes or pigments production is defined in subsection (b)(1) of this Section. Subsection (d) of this Section describes the process for demonstrating that a facility's nonwastewaters are not K181 waste. This listing does not apply to wastes that are otherwise identified as hazardous under Sections 721.121 through 721.124 and 721.131 through 721.133 at the point of generation. Also, the listing does not apply to wastes generated before any annual mass loading limit is met, as set forth in subsection (c) of this Section.

## Pesticides Production Wastes:

K031	By-product salts generated in the production of MSMA and cacodylic acid.	(T)
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 Production Wastes:

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 Wastes:

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)
K169	Crude oil storage tank sediment from petroleum refining operations.	(T)
K170	Clarified slurry oil tank sediment or in-line filter/separation solids from petroleum refining operations.	(T)
K171	Spent hydrotreating catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media).	(I, T)
K172	Spent hydrorefining catalyst from petroleum refining operations, including guard beds used to desulfurize feeds to other catalytic reactors (this listing does not include inert support media).	(I, T)
Iron and Steel Production Wastes:		
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 Aluminum Production Wastes:		
K088	Spent potliners from primary aluminum reduction.	(T)
Secondary Lead Production Wastes:		
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 Production Wastes:

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 organo-arsenic 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 Wastes:

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)

Coke Production Wastes:

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)

- b) Listing-specific definition: For the purposes of the K181 hazardous waste listing in subsection (a) of this Section, “dyes or pigments production” includes manufacture of the following product classes: dyes, pigments, and FDA-certified colors that are in the azo, triarylmethane, perylene, and anthraquinone classes. Azo products include azo, monoazo, diazo, triazo, polyazo, azoic, benzidine, and pyrazolone products. Triarylmethane products include both triarylmethane and

triphenylmethane products. Wastes that are not generated at a dyes or pigments manufacturing site, such as wastes from the offsite use, formulation, and packaging of dyes or pigments, are not included in the K181 listing.

- c) K181 listing levels. Nonwastewaters containing constituents in amounts equal to or exceeding the following levels during any calendar year are subject to the K181 hazardous waste listing in subsection (a) of this Section, unless the conditions in the K181 hazardous waste listing are met:

Constituent	Chemical Abstracts No.	Mass Levels (kg/yr)
Aniline	62-53-3	9,300
o-Anisidine	90-04-0	110
4-Chloroaniline	106-47-8	4,800
p-Cresidine	120-71-8	660
2,4-Dimethylaniline	95-68-1	100
1,2-Phenylenediamine	95-54-5	710
1,3-Phenylenediamine	108-45-2	1,200

- d) Procedures for demonstrating that dyes or pigments nonwastewaters are not K181 waste. The procedures described in subsections (d)(1) through (d)(3) and (d)(5) of this Section establish when nonwastewaters from the production of dyes or pigments would not be hazardous. (These procedures apply to wastes that are not disposed of in landfill units or treated in combustion units, as specified in subsection (a) of this Section). If the nonwastewaters are disposed of in landfill units or treated in combustion units as described in subsection (a) of this Section, then the nonwastewaters are not hazardous. In order to demonstrate that it is meeting the landfill disposal or combustion conditions contained in the K181 waste listing description, the generator must maintain documentation as described in subsection (d)(4) of this Section.

- 1) Determination based on no K181 waste constituents. A generator that has knowledge (e.g., knowledge of constituents in wastes based on prior sampling and analysis data or information about raw materials used, production processes used, and reaction and degradation products formed) that its waste contains none of the K181 waste constituents (see subsection (c) of this Section) can use its knowledge to determine that its waste is not K181 waste. The generator must document the basis for all such determinations on an annual basis and keep each annual documentation for three years.
- 2) Determination for generated quantities of 1,000 tonnes (1,000 metric tons) per year or less for wastes that contain K181 waste constituents. If the

total annual quantity of dyes or pigments nonwastewaters generated is 1,000 tonnes or less, the generator can use knowledge of the wastes (e.g., knowledge of constituents in wastes based on prior analytical data or information about raw materials used, production processes used, and reaction and degradation products formed) to conclude that annual mass loadings for the K181 constituents are below the listing levels of subsection (c) of this Section. To make this determination, the generator must fulfill the following conditions:

- A) Each year, the generator must document the basis for determining that the annual quantity of nonwastewaters expected to be generated will be less than 1,000 tonnes;
  - B) The generator must track the actual quantity of nonwastewaters generated from January 1 through December 31 of each calendar year. If, at any time within the year, the actual waste quantity exceeds 1,000 tonnes, the generator must comply with the requirements of subsection (d)(3) of this Section for the remainder of that calendar year;
  - C) The generator must keep a running total of the K181 waste constituent mass loadings over the course of the calendar year; and
  - D) The generator must keep the following records on site for the three most recent calendar years in which the hazardous waste determinations were made:
    - i) The quantity of dyes or pigments nonwastewaters generated;
    - ii) The relevant process information used; and
    - iii) The calculations performed to determine annual total mass loadings for each K181 waste constituent in the nonwastewaters during the year.
- 3) Determination for generated quantities greater than 1,000 tonnes per year for wastes that contain K181 constituents. If the total annual quantity of dyes or pigments nonwastewaters generated is greater than 1,000 tonnes, the generator must perform each of the following steps in order to make a determination that its waste is not K181 waste:
- A) The generator must determine which K181 waste constituents (see subsection (c) of this Section) are reasonably expected to be present in the wastes based on knowledge of the wastes (e.g., based on prior sampling and analysis data or information about raw

materials used, production processes used, and reaction and degradation products formed);

- B) If 1,2-phenylenediamine is present in the wastes, the generator can use either knowledge of the wastes or sampling and analysis procedures to determine the level of this constituent in the wastes. For determinations based on use of knowledge of the wastes, the generator must comply with the procedures for using knowledge of the wastes described in subsection (d)(2) of this Section and keep the records described in subsection (d)(2)(D) of this Section. For determinations based on sampling and analysis, the generator must comply with the sampling and analysis and recordkeeping requirements described in subsection (d)(3)(C) of this Section;
- C) The generator must develop a waste sampling and analysis plan (or modify an existing plan) to collect and analyze representative waste samples for the K181 waste constituents reasonably expected to be present in the wastes. At a minimum, the plan must include the following elements:
- i) A discussion of the number of samples needed to characterize the wastes fully;
  - ii) The planned sample collection method to obtain representative waste samples;
  - iii) A discussion of how the sampling plan accounts for potential temporal and spatial variability of the wastes; and
  - iv) A detailed description of the test methods to be used, including sample preparation, clean up (if necessary), and determinative methods;
- D) The generator must collect and analyze samples in accordance with the waste sampling and analysis plan, and the plan must fulfill the following requirements:
- i) The sampling and analysis must be unbiased, precise, and representative of the wastes; and
  - ii) The analytical measurements must be sufficiently sensitive, accurate, and precise to support any claim that the constituent mass loadings are below the listing levels of subsection (c) of this Section;
- E) The generator must record the analytical results;

- F) The generator must record the waste quantity represented by the sampling and analysis results;
- G) The generator must calculate constituent-specific mass loadings (product of concentrations and waste quantity);
- H) The generator must keep a running total of the K181 waste constituent mass loadings over the course of the calendar year;
- I) The generator must determine whether the mass of any of the K181 waste constituents listed in subsection (c) of this Section generated between January 1 and December 31 of any calendar year is below the K181 waste listing levels;
- J) The generator must keep the following records on site for the three most recent calendar years in which the hazardous waste determinations are made:
  - i) The sampling and analysis plan;
  - ii) The sampling and analysis results (including quality assurance or quality control data);
  - iii) The quantity of dyes or pigments nonwastewaters generated; and
  - iv) The calculations performed to determine annual mass loadings; and
- K) The generator must conduct non-hazardous waste determinations annually to verify that the wastes remain non-hazardous.
  - i) The annual testing requirements are suspended after three consecutive successful annual demonstrations that the wastes are non-hazardous. The generator can then use knowledge of the wastes to support subsequent annual determinations.
  - ii) The annual testing requirements are reinstated if the manufacturing or waste treatment processes generating the wastes are significantly altered, resulting in an increase of the potential for the wastes to exceed the listing levels.
  - iii) If the annual testing requirements are suspended, the generator must keep records of the process knowledge

information used to support a non-hazardous determination. If testing is reinstated, the generator must retain a description of the process change.

- 4) Recordkeeping for the landfill disposal and combustion exemptions. For the purposes of meeting the landfill disposal and combustion condition set out in the K181 waste listing description in subsection (a) of this Section, the generator must maintain on site for three years documentation demonstrating that each shipment of waste was received by a landfill unit that is subject to or which meets the landfill design standards set out in the listing description or that the waste was treated in combustion units, as specified in the listing description in subsection (a) of this Section.
- 5) Waste holding and handling. During the interim period, from the point of generation to completion of the hazardous waste determination, the generator must store the wastes appropriately. If the wastes are determined to be hazardous and the generator has not complied with the hazardous waste storage requirements of 35 Ill. Adm. Code 722.134 during the interim period, the generator could be subject to an enforcement action for improper hazardous waste management.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section ~~721.Appendix A~~ 721.APPENDIX A Representative Sampling Methods**

The methods and equipment used for sampling waste materials will vary with the form and consistency of the waste materials to be sampled. Samples collected using the sampling protocols listed below, for sampling waste with properties similar to the indicated materials, are considered by USEPA to be representative of the waste.

Extremely viscous liquid: ASTM D 140–70 (Standard Practice for Sampling Bituminous Materials), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Crushed or powdered material: ASTM D 346–75 (Standard Practice for Collection and Preparation of Coke Samples for Laboratory Analysis), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Soil or rock-like material: ASTM D 420–69 (Guide to Site Characterization for Engineering, Design, and Construction Purposes), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Soil-like material: ASTM D 1452–65 (Standard Practice for Soil Investigation and Sampling by Auger Borings), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Fly ash-like material: ASTM D2234–76 (Standard Practice for Collection of a Gross Sample of Coal), incorporated by reference in 35 Ill. Adm. Code 720.111(a).

Containerized liquid wastes: “Composite Liquid Waste Sampler (COLIWASA).”

Liquid waste in pits, ponds, lagoons, and similar reservoirs: “Pond Sampler.”

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~721.Appendix I~~ 721.APPENDIX I Wastes Excluded by Administrative Action**

**Table A ~~Section 721.TABLE A~~ TABLE A Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Non-Specific Sources**

---

Facility Address	Waste Description
------------------	-------------------

---

(None excluded from an Illinois source at this time)

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~721.Appendix I~~ 721.APPENDIX I Wastes Excluded by Administrative Action**

**Table B ~~Section 721.TABLE B~~ TABLE B Wastes Excluded by USEPA pursuant to 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 USEPA 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 TCLP 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 must be pumped into bermed cells to ensure that the waste is identifiable in the event that removal is necessary.

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 Detox® 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 using appropriate methods. As applicable to the method-defined parameters of concern, analyses requiring the use of methods in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” USEPA publication number EPA-530/SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111(a), must be used without substitution. As applicable, the EPA-530/SW-846 methods might include Methods 0010, 0011, 0020, 0023A, 0030, 0031, 0040, 0050, 0051, 0060, 0061, 1010A, 1020B, 1110A, 1310B, 1311, 1312, 1320, 1330A, 9010C, 9012B, 9040C, 9045D, 9060A, 9070A (uses USEPA Method 1664, Rev. A), 9071B, and 9095B.

A. Initial verification testing: During the first 20 days of full-scale operation of a newly-constructed Super Detox® treatment facility, CSI must 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 must 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 Detox® 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 Subpart D of 35 Ill. Adm. Code 104 and 35 Ill. Adm. Code 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 Detox® treatment facility consistently meets the delisting levels specified in condition 3 below.

C. Subsequent verification testing: For the approved facility, CSI must 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 non-hazardous.

2. Waste holding and handling: CSI must store as hazardous all CSEAFD generated until verification testing, as specified in condition 1A or 1C above, 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 non-hazardous 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 728, 733, 738, and 739. 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 pursuant to condition 1 (e.g., use of new stabilization reagents), CSI must 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 non-hazardous 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® treatment facility, CSI must notify the Agency in writing when the Super Detox® 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 USC 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 table 2 of appendix IX to 40 CFR 261.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~721.Appendix I~~ 721.APPENDIX I Wastes Excluded by Administrative Action**

**~~Table C~~ Section 721.TABLE C Wastes Excluded by USEPA pursuant to 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof**

---

Facility Address

Waste Description

---

(None excluded from an Illinois source at this time)

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

~~Section 721. Appendix I~~ **721.APPENDIX I Wastes Excluded by Administrative Action**

~~Table D~~ **TABLE D Wastes Excluded by the Board by Adjusted Standard**

The Board has entered the following orders on petitions for adjusted standards for delisting, pursuant to 35 Ill. Adm. Code 720.122.

~~AS91-1~~ — ~~Petition of Keystone Steel and Wire Co. for Hazardous Waste Delisting, February 6, 1992, and modified at 133 PCB 189, April 23, 1992. (Treated K061 waste)~~

AS 91-1 Petition of Keystone Steel & Wire Co. for Hazardous Waste Delisting, AS 91-1 (Feb. 6, 1992 and Apr. 23, 1992). (Chemically stabilized electric arc furnace dust (K061 waste).)

~~AS91-3~~ — ~~Petition of Peoria Disposal Co. for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, February 6 and March 11, 1993. (Treated F006 waste)~~

AS 91-3 Petition of Peoria Disposal Company for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 91-3 (Feb. 4, 1993 and Mar. 11, 1993). (Chemically stabilized wastewater treatment sludges from electroplating, anodizing, chemical milling and etching, and circuit board manufacturing (F006 waste).)

~~AS93-7~~ — ~~Petition of Keystone Steel & Wire Co. for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, February 17, 1994, as modified March 17, 1994. (Treated K062 waste)~~

AS 93-7 Petition of Keystone Steel & Wire Company for an Adjusted Standard from 35 Ill. Adm. Code 721.132, AS 93-7 (Feb. 17, 1994, Mar. 17, 1994, and Dec. 14, 1994). (Chemically stabilized waste pickling liquor (K062 waste).)

~~AS94-10~~ — ~~Petition of Envirite Corporation for an Adjusted Standard from Subpart D of 35 Ill. Adm. Code 721, December 14, 1994, as modified on February 16, 1995. (Treated F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes)~~

AS 94-10 Petition of Envirite Corporation for an Adjusted Standard from 35 Ill. Adm. Code 721.Subpart D, AS 94-10 (Dec. 14, 1994 and Feb. 16, 1995). (Sludge from the treatment of multiple hazardous wastes (F006, F007, F008, F009, F011, F012, F019, K002, K003, K004, K005, K006, K007, K008, and K062 wastes).)

(Source: Amended at 37 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 A: GENERAL

Section  
 726.102      Electronic Reporting

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

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  
726.180           Applicability and Requirements

**SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS AND  
INDUSTRIAL FURNACES**

Section  
726.200           Applicability  
726.201           Management Prior to Burning  
726.202           Permit Standards for Burners  
726.203           Interim Status Standards for Burners  
726.204           Standards to Control Organic Emissions  
726.205           Standards to Control PM  
726.206           Standards to Control Metals Emissions  
726.207           Standards to Control HCl and Chlorine Gas Emissions  
726.208           Small Quantity On-Site Burner Exemption  
726.209           Low Risk Waste Exemption  
726.210           Waiver of DRE Trial Burn for Boilers  
726.211           Standards for Direct Transfer  
726.212           Regulation of Residues  
726.219           Extensions of Time

**SUBPART M: MILITARY MUNITIONS**

Section  
726.300           Applicability  
726.301           Definitions  
726.302           Definition of Solid Waste  
726.303           Standards Applicable to the Transportation of Solid Waste Military Munitions  
726.304           Standards Applicable to Emergency Responses  
726.305           Standards Applicable to the Storage of Solid Waste Military Munitions  
726.306           Standards Applicable to the Treatment and Disposal of Waste Military Munitions

**SUBPART N: CONDITIONAL EXEMPTION FOR LOW-LEVEL MIXED  
WASTE STORAGE, TREATMENT, TRANSPORTATION AND DISPOSAL**

Section  
726.310           Definitions  
726.320           Storage and Treatment Conditional Exemption  
726.325           Wastes Eligible for a Storage and Treatment Conditional Exemption for Low-  
Level Mixed Waste

726.330	Conditions to Qualify for and Maintain a Storage and Treatment Conditional Exemption
726.335	Treatment Allowed by a Storage and Treatment Conditional Exemption
726.340	Loss of a Storage and Treatment Conditional Exemption and Required Action
726.345	Reclaiming a Lost Storage and Treatment Conditional Exemption
726.350	Recordkeeping for a Storage and Treatment Conditional Exemption
726.355	Waste No Longer Eligible for a Storage and Treatment Conditional Exemption
726.360	Applicability of Closure Requirements to Storage Units
726.405	Transportation and Disposal Conditional Exemption
726.410	Wastes Eligible for a Transportation and Disposal Conditional Exemption
726.415	Conditions to Qualify for and Maintain a Transportation and Disposal Conditional Exemption
726.420	Treatment Standards for Eligible Waste
726.425	Applicability of the Manifest and Transportation Condition
726.430	Effectiveness of a Transportation and Disposal Exemption
726.435	Disposal of Exempted Waste
726.440	Containers Used for Disposal of Exempted Waste
726.445	Notification
726.450	Recordkeeping for a Transportation and Disposal Conditional Exemption
726.455	Loss of a Transportation and Disposal Conditional Exemption and Required Action
726.460	Reclaiming a Lost Transportation and Disposal Conditional Exemption
726.APPENDIX A	Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals
726.APPENDIX B	Tier I Feed Rate Screening Limits for Total Chlorine
726.APPENDIX C	Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride
726.APPENDIX D	Reference Air Concentrations
726.APPENDIX E	Risk-Specific Doses
726.APPENDIX F	Stack Plume Rise
726.APPENDIX G	Health-Based Limits for Exclusion of Waste-Derived Residues
726.APPENDIX H	Potential PICs for Determination of Exclusion of Waste-Derived Residues
726.APPENDIX I	Methods Manual for Compliance with BIF Regulations
726.APPENDIX J	Guideline on Air Quality Models (Repealed)
726.APPENDIX K	Lead-Bearing Materials that May be Processed in Exempt Lead Smelters
726.APPENDIX L	Nickel or Chromium-Bearing Materials that May Be Processed in Exempt Nickel-Chromium Recovery Furnaces
726.APPENDIX M	Mercury-Bearing Wastes that May Be Processed in Exempt Mercury Recovery Units
726.TABLE A	Exempt Quantities for Small Quantity Burner Exemption

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

**SOURCE:** Adopted in 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. 11263, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 754, effective December 16, 1997; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 18042, effective September 28, 1998; amended in R99-15 at 23 Ill. Reg. 9482, effective July 26, 1999; amended in R00-13 at 24 Ill. Reg. 9853, effective June 20, 2000; amended in R02-1/R02-12/R02-17 at 26 Ill. Reg. 6667, effective April 22, 2002; amended in R03-7 at 27 Ill. Reg. 4200, effective February 14, 2003; amended in R03-18 at 27 Ill. Reg. 12916, effective July 17, 2003; amended in R06-5/R06-6/R06-7 at 30 Ill. Reg. 3700, effective February 23, 2006; amended in R06-16/R06-17/R06-18 at 31 Ill. Reg. 1096, effective December 20, 2006; amended in R07-5/R07-14 at 32 Ill. Reg. 12741, effective July 14, 2008; amended in R11-2/R11-16 at 35 Ill. Reg. 18117, effective October 14, 2011; amended in R13-5 at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### SUBPART C: RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

##### **Section 726.120 Applicability**

- a) The regulations of this Subpart C apply to recyclable materials that are applied to or placed on the land in either of the following ways:
  - 1) Without mixing with any other substances; or
  - 2) After mixing or combination with any other substances. These materials will be referred to throughout this Subpart C as “materials used in a manner that constitutes disposal.”
  
- b) A product produced for the general public’s use that is used in a manner that constitutes disposal and which contains recyclable material is not presently subject to regulation under this Subpart C if the recyclable materials have undergone a chemical reaction in the course of producing the products so as to become inseparable by physical means and if such products meet the applicable treatment standards in Subpart D of 35 Ill. Adm. Code 728 (or applicable prohibition levels in 35 Ill. Adm. Code 728.132 or 728.139, where no treatment standards have been established) for each recyclable material (i.e., hazardous waste) that it contains, and the recycler complies with 35 Ill. Adm. Code 728.107(b)(6).
  
- c) Anti-skid and deicing uses of slags that are generated from high temperature metals recovery (HTMR) processing of hazardous wastes K061, K062, and F006 in a manner constituting disposal are not covered by the exemption in subsection (b) of this Section, and such uses of these materials remain subject to regulation.

- d) Fertilizers that contain recyclable materials are not subject to regulation provided that the following conditions are fulfilled:
- 1) They are zinc fertilizers excluded from the definition of solid waste according to 35 Ill. Adm. Code 721.104(a)(21); or
  - 2) They meet the applicable treatment standards in Subpart D of 35 Ill. Adm. Code 728 for each hazardous waste that they contain.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 726. Appendix 726. APPENDIX A Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals**

I-A

Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic Metals for Facilities in Noncomplex Terrain

Values for Urban Areas

TESH (m)	Antimony (g/hr)	Barium (g/hr)	Lead (g/hr)	Mercury (g/hr)	Silver (g/hr)	Thallium (g/hr)
4	60.	10000.	18.	60.	600.	60.
6	68.	11000.	20.	68.	680.	68.
8	76.	13000.	23.	76.	760.	76.
10	86.	14000.	26.	86.	860.	86.
12	96.	17000.	30.	96.	960.	96.
14	110.	18000.	34.	110.	1100.	110.
16	130.	21000.	36.	130.	1300.	130.
18	140.	24000.	43.	140.	1400.	140.
20	160.	27000.	46.	160.	1600.	160.
22	180.	30000.	54.	180.	1800.	180.
24	200.	34000.	60.	200.	2000.	200.
26	230.	39000.	68.	230.	2300.	230.
28	260.	43000.	78.	260.	2600.	260.
30	300.	50000.	90.	300.	3000.	300.
35	400.	66000.	110.	400.	4000.	400.
40	460.	78000.	140.	460.	4600.	460.
45	600.	100000.	180.	600.	6000.	600.
50	780.	130000.	230.	780.	7800.	780.
55	960.	170000.	300.	960.	9600.	960.
60	1200.	200000.	360.	1200.	12000.	1200.
65	1500.	250000.	430.	1500.	15000.	1500.
70	1700.	280000.	500.	1700.	17000.	1700.

75	1900.	320000.	580.	1900.	19000.	1900.
80	2200.	360000.	640.	2200.	22000.	2200.
85	2500.	400000.	760.	2500.	25000.	2500.
90	2800.	460000.	820.	2800.	28000.	2800.
95	3200.	540000.	960.	3200.	32000.	3200.
100	3600.	600000.	1100.	3600.	36000.	3600.
105	4000.	680000.	1200.	4000.	40000.	4000.
110	4600.	780000.	1400.	4600.	46000.	4600.
115	5400.	860000.	1600.	5400.	54000.	5400.
120	6000.	1000000.	1800.	6000.	60000.	6000.

## I-B

Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic  
Metals for Facilities in Noncomplex Terrain

## Values for Rural Areas

TESH (m)	Antimony (g/hr)	Barium (g/hr)	Lead (g/hr)	Mercury (g/hr)	Silver (g/hr)	Thallium (g/hr)
4	31.	5200.	9.4	31.	310.	31.
6	36.	6000.	11.	36.	360.	36.
8	40.	6800.	12.	40.	400.	40.
10	46.	7800.	14.	46.	460.	46.
12	58.	9600.	17.	58.	580.	58.
14	68.	11000.	21.	68.	680.	68.
16	86.	14000.	26.	86.	860.	86.
18	110.	18000.	32.	110.	1100.	110.
20	130.	22000.	40.	130.	1300.	130.
22	170.	28000.	50.	170.	1700.	170.
24	220.	36000.	64.	220.	2200.	220.
26	280.	46000.	82.	280.	2800.	280.
28	350.	58000.	100.	350.	3500.	350.
30	430.	76000.	130.	430.	4300.	430.
35	720.	120000.	210.	720.	7200.	720.
40	1100.	180000.	320.	1100.	11000.	1100.
45	1500.	250000.	460.	1500.	15000.	1500.
50	2000.	330000.	600.	2000.	20000.	2000.
55	2600.	440000.	780.	2600.	26000.	2600.
60	3400.	580000.	1000.	3400.	34000.	3400.
65	4600.	760000.	1400.	4600.	46000.	4600.
70	5400.	900000.	1600.	5400.	54000.	5400.
75	6400.	1100000.	1900.	6400.	64000.	6400.
80	7600.	1300000.	2300.	7600.	76000.	7600.
85	9400.	1500000.	2800.	9400.	94000.	9400.
90	11000.	1800000.	3300.	11000.	110000.	11000.

95	13000.	2200000.	3900.	13000.	130000.	13000.
100	15000.	2600000.	4600.	15000.	150000.	15000.
105	18000.	3000000.	5400.	18000.	180000.	18000.
110	22000.	3600000.	6600.	22000.	220000.	22000.
115	26000.	4400000.	7800.	26000.	260000.	26000.
120	31000.	5000000.	9200.	31000.	310000.	31000.

## I-C

Tier I and Tier II Feed Rate and Emissions Screening Limits for Noncarcinogenic  
Metals for Facilities in Complex Terrain

Values for Urban and Rural Areas

TESH (m)	Antimony (g/hr)	Barium (g/hr)	Lead (g/hr)	Mercury (g/hr)	Silver (g/hr)	Thallium (g/hr)
4	14.	2400.	4.3	14.	140.	14.
6	21.	3500.	6.2	21.	210.	21.
8	30.	5000.	9.2	30.	300.	30.
10	43.	7600.	13.	43.	430.	43.
12	54.	9000.	17.	54.	540.	54.
14	68.	11000.	20.	68.	680.	68.
16	78.	13000.	24.	78.	780.	78.
18	86.	14000.	26.	86.	860.	86.
20	96.	16000.	29.	96.	960.	96.
22	100.	18000.	32.	100.	1000.	100.
24	120.	19000.	35.	120.	1200.	120.
26	130.	22000.	36.	130.	1300.	130.
28	140.	24000.	43.	140.	1400.	140.
30	160.	27000.	46.	160.	1600.	160.
35	200.	33000.	58.	200.	2000.	200.
40	240.	40000.	72.	240.	2400.	240.
45	300.	50000.	90.	300.	3000.	300.
50	360.	60000.	110.	360.	3600.	360.
55	460.	76000.	140.	460.	4600.	460.
60	580.	94000.	170.	580.	5800.	580.
65	680.	110000.	210.	680.	6800.	680.
70	780.	130000.	240.	780.	7800.	780.
75	860.	140000.	260.	860.	8600.	860.
80	960.	160000.	290.	960.	9600.	960.
85	1100.	180000.	330.	1100.	11000.	1100.
90	1200.	200000.	360.	1200.	12000.	1200.
95	1400.	230000.	400.	1400.	14000.	1400.
100	1500.	260000.	460.	1500.	15000.	1500.
105	1700.	280000.	500.	1700.	17000.	1700.
110	1900.	320000.	580.	1900.	19000.	1900.

115	2100.	360000.	640.	2100.	21000.	2100.
120	2400.	400000.	720.	2400.	24000.	2400.

## I-D

Tier I and Tier II Feed Rate and Emissions Screening Limits for Carcinogenic  
Metals for Facilities in Noncomplex Terrain

TESH (m)	Values for use in urban areas				Values for use in rural areas			
	Arsenic (g/hr)	Cadmium (g/hr)	Chromium (g/hr)	Beryllium (g/hr)	Arsenic (g/hr)	Cadmium (g/hr)	Chromium (g/hr)	Beryllium (g/hr)
4	0.46	1.1	0.17	0.82	0.24	0.58	0.086	0.43
6	0.54	1.3	0.19	0.94	0.28	0.66	0.10	0.50
8	0.60	1.4	0.22	1.1	0.32	0.76	0.11	0.56
10	0.68	1.6	0.24	1.2	0.36	0.86	0.13	0.64
12	0.76	1.8	0.27	1.4	0.43	1.1	0.16	0.78
14	0.86	2.1	0.31	1.5	0.54	1.3	0.20	0.96
16	0.96	2.3	0.35	1.7	0.68	1.6	0.24	1.2
18	1.1	2.6	0.40	2.0	0.82	2.0	0.30	1.5
20	1.2	3.0	0.44	2.2	1.0	2.5	0.37	1.9
22	1.4	3.4	0.50	2.5	1.3	3.2	0.48	2.4
24	1.6	3.9	0.58	2.8	1.7	4.0	0.60	3.0
26	1.8	4.3	0.64	3.2	2.1	5.0	0.76	3.9
28	2.0	4.8	0.72	3.6	2.7	6.4	0.98	5.0
30	2.3	5.4	0.82	4.0	3.5	8.2	1.2	6.2
35	3.0	6.8	1.0	5.4	5.4	13.	1.9	9.6
40	3.6	9.0	1.3	6.8	8.2	20.	3.0	15.
45	4.6	11.	1.7	8.6	11.	28.	4.2	21.
50	6.0	14.	2.2	11.	15.	37.	5.4	28.
55	7.6	18.	2.7	14.	20.	50.	7.2	36.
60	9.4	22.	3.4	17.	27.	64.	9.6	48.
65	11.	28.	4.2	21.	36.	86.	13.	64.
70	13.	31.	4.6	24.	43.	100.	15.	76.
75	15.	36.	5.4	27.	50.	120.	18.	90.
80	17.	40.	6.0	30.	60.	140.	22.	110.
85	19.	46.	6.8	34.	72.	170.	26.	130.
90	22.	50.	7.8	39.	86.	200.	30.	150.
95	25.	58.	9.0	44.	100.	240.	36.	180.
100	28.	68.	10.	50.	120.	290.	43.	220.
105	32.	76.	11.	56.	140.	340.	50.	260.
110	36.	86.	13.	64.	170.	400.	60.	300.
115	40.	96.	15.	72.	200.	480.	72.	360.
120	46.	110.	17.	82.	240.	580.	86.	430.

I-E  
Tier I and Tier II Feed Rate and Emissions Screening Limits for Carcinogenic  
Metals for Facilities in Complex Terrain

Values for Use in Urban and Rural Areas

TESH (m)	Arsenic (g/hr)	Cadmium (g/hr)	Chromium (g/hr)	Beryllium (g/hr)
4	0.11	0.26	0.040	0.20
6	0.16	0.39	0.058	0.29
8	0.24	0.58	0.086	0.43
10	0.35	0.82	0.13	0.62
12	0.43	1.0	0.15	0.76
14	0.50	1.3	0.19	0.94
16	0.60	1.4	0.22	1.1
18	0.68	1.6	0.24	1.2
20	0.76	1.8	0.27	1.3
22	0.82	1.9	0.30	1.5
24	0.90	2.1	0.33	1.6
26	1.0	2.4	0.36	1.8
28	1.1	2.7	0.40	2.0
30	1.2	3.0	0.44	2.2
35	1.5	3.7	0.54	2.7
40	1.9	4.6	0.68	3.4
45	2.4	5.4	0.84	4.2
50	2.9	6.8	1.0	5.0
55	3.5	8.4	1.3	6.4
60	4.3	10.	1.5	7.8
65	5.4	13.	1.9	9.6
70	6.0	14.	2.2	11.
75	6.8	16.	2.4	12.
80	7.6	18.	2.7	13.
85	8.2	20.	3.0	15.
90	9.4	23.	3.4	17.
95	10.	25.	4.0	19.
100	12.	28.	4.3	21.
105	13.	32.	4.8	24.
110	15.	35.	5.4	27.
115	17.	40.	6.0	30.
120	19.	44.	6.4	33.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 726-Appendix 726.APPENDIX B Tier I Feed Rate Screening Limits for Total Chlorine**

## Tier I Feed Rate Screening Limits for Total Chlorine

TESH (m)	Noncomplex Terrain Urban (g/hr)	Noncomplex Terrain Rural (g/hr)	Complex Terrain (g/hr)
4	82.	42.	19.
6	91.	48.	28.
8	100.	53.	41.
10	120.	62.	58.
12	130.	77.	72.
14	150.	91.	91.
16	170.	120.	110.
18	190.	140.	120.
20	210.	180.	130.
22	240.	230.	140.
24	270.	290.	160.
26	310.	370.	170.
28	350.	470.	190.
30	390.	580.	210.
35	530.	960.	260.
40	620.	1400.	330.
45	820.	2000.	400.
50	1100.	2600.	480.
55	1300.	3500.	620.
60	1600.	4600.	770.
65	2000.	6200.	910.
70	2300.	7200.	1100.
75	2500.	8600.	1200.
80	2900.	10000.	1300.
85	3300.	12000.	1400.
90	3700.	14000.	1600.
95	4200.	17000.	1800.
100	4800.	21000.	2000.
105	5300.	24000.	2300.
110	6200.	29000.	2500.
115	7200.	35000.	2800.
120	8200.	41000.	3200.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 726. Appendix 726.APPENDIX C Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride**

TESH (m)	Noncomplex Terrain Urban areas		Noncomplex Terrain Rural areas		Complex Terrain Urban and rural areas	
	Chlorine Gas (g/hr)	HCl (g/hr)	Chlorine Gas (g/hr)	HCl (g/hr)	Chlorine gas (g/hr)	HCl (g/hr)
4	82.	1400.	42.	730.	19.	330.
6	91.	1600.	48.	830.	28.	490.
8	100.	1800.	53.	920.	41.	710.
10	120.	2000.	62.	1100.	58.	1000.
12	130.	2300.	77.	1300.	72.	1300.
14	150.	2600.	91.	1600.	91.	1600.
16	170.	2900.	120.	2000.	110.	1800.
18	190.	3300.	140.	2500.	120.	2000.
20	210.	3700.	180.	3100.	130.	2300.
22	240.	4200.	230.	3900.	140.	2400.
24	270.	4800.	290.	5000.	160.	2800.
26	310.	5400.	370.	6500.	170.	3000.
28	350.	6000.	470.	8100.	190.	3400.
30	390.	6900.	580.	10000.	210.	3700.
35	530.	9200.	960.	17000.	260.	4600.
40	620.	11000.	1400.	25000.	330.	5700.
45	820.	14000.	2000.	35000.	400.	7000.
50	1100.	18000.	2600.	46000.	480.	8400.
55	1300.	23000.	3500.	61000.	620.	11000.
60	1600.	29000.	4600.	81000.	770.	13000.
65	2000.	34000.	6200.	110000.	910.	16000.
70	2300.	39000.	7200.	130000.	1100.	18000.
75	2500.	45000.	8600.	150000.	1200.	20000.
80	2900.	50000.	10000.	180000.	1300.	23000.
85	3300.	58000.	12000.	220000.	1400.	25000.
90	3700.	66000.	14000.	250000.	1600.	29000.
95	4200.	74000.	17000.	300000.	1800.	32000.
100	4800.	84000.	21000.	360000.	2000.	35000.
105	5300.	92000.	24000.	430000.	2300.	39000.
110	6200.	110000.	29000.	510000.	2500.	45000.
115	7200.	130000.	35000.	610000.	2800.	50000.
120	8200.	140000.	41000.	720000.	3200.	56000.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### **Section 726. Appendix 726. APPENDIX D Reference Air Concentrations**

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

Constituent	CAS No.	RAC ( $\mu\text{g}/\text{m}^3$ )
-------------	---------	----------------------------------



Acetaldehyde	75-07-0	10
Acetonitrile	75-05-8	10
Acetophenone	98-86-2	100
Acrolein	107-02-8	20
Aldicarb	116-06-3	1
Aluminum Phosphide	20859-73-8	0.3
Allyl Alcohol	107-18-6	5
Antimony	7440-36-0	0.3
Barium	7440-39-3	50
Barium Cyanide	542-62-1	50
Bromomethane	74-83-9	0.8
Calcium Cyanide	592-01-8	30
Carbon Disulfide	75-15-0	200
Chloral	75-87-6	2
Chlorine (free)		0.4
2-Chloro-1,3-butadiene	126-99-8	3
Chromium III	16065-83-1	1000
Copper Cyanide	544-92-3	5
Cresols	1319-77-3	50
Cumene	98-82-8	1
Cyanide (free)	57-12-15	20
Cyanogen	460-19-5	30
Cyanogen Bromide	506-68-3	80
Di-n-butyl Phthalate	84-74-2	100
o-Dichlorobenzene	95-50-1	10
p-Dichlorobenzene	106-46-7	10
Dichlorodifluoromethane	75-71-8	200
2,4-Dichlorophenol	120-83-2	3
Diethyl Phthalate	84-66-2	800
Dimethoate	60-51-5	0.8
2,4-Dinitrophenol	51-28-5	2
Dinoseb	88-85-7	0.9
Diphenylamine	122-39-4	20
Endosulfan	115-29-1	0.05
Endrin	72-20-8	0.3
Fluorine	7782-41-4	50
Formic Acid	64-18-6	2000
Glycidylaldehyde	765-34-4	0.3
Hexachlorocyclopentadiene	77-47-4	5
Hexachlorophene	70-30-4	0.3
Hydrocyanic Acid	74-90-8	20
Hydrogen Chloride	7647-01-1	7
Hydrogen Sulfide	7783-06-4	3
Isobutyl Alcohol	78-83-1	300
Lead	7439-92-1	0.09

Maleic Anhydride	108-31-6	100
Mercury	7439-97-6	0.3
Methacrylonitrile	126-98-7	0.1
Methomyl	16752-77-5	20
Methoxychlor	72-43-5	50
Methyl Chlorocarbonate	79-22-1	1000
Methyl Ethyl Ketone	78-93-3	80
Methyl Parathion	298-00-0	0.3
Nickel Cyanide	557-19-7	20
Nitric Oxide	10102-43-9	100
Nitrobenzene	98-95-3	0.8
Pentachlorobenzene	608-93-5	0.8
Pentachlorophenol	87-86-5	30
Phenol	108-95-2	30
M-Phenylenediamine	108-45-2	5
Phenylmercuric Acetate	62-38-4	0.075
Phosphine	7803-51-2	0.3
Phthalic Anhydride	85-44-9	2000
Potassium Cyanide	151-50-8	50
Potassium Silver Cyanide	506-61-6	200
Pyridine	110-86-1	1
Selenious Acid	7783-60-8	3
Selenourea	630-10-4	5
Silver	7440-22-4	3
Silver Cyanide	506-64-9	100
Sodium Cyanide	143-33-9	30
Strychnine	57-24-9	0.3
1,2,4,5-Tetrachlorobenzene	95-94-3	0.3
2,3,4,6-Tetrachlorophenol	58-90-2	30
Tetraethyl Lead	78-00-2	0.0001
Tetrahydrofuran	109-99-9	10
Thallic Oxide	1314-32-5	0.3
Thallium	7440-28-0	0.5
Thallium (I) Acetate	563-68-8	0.5
Thallium (I) Carbonate	6533-73-9	0.3
Thallium (I) Chloride	7791-12-0	0.3
Thallium (I) Nitrate	10102-45-1	0.5
Thallium Selenite	12039-52-0	0.5
Thallium (I) Sulfate	7446-18-6	0.075
Thiram	137-26-8	5
Toluene	108-88-3	300
1,2,4-Trichlorobenzene	120-82-1	20
Trichloromonofluoromethane	75-69-4	300
2,4,5-Trichlorophenol	95-95-4	100
Vanadium Pentoxide	1314-62-1	20
Warfarin	81-81-2	0.3

Xylenes	1330-20-7	80
Zinc Cyanide	557-21-1	50
Zinc Phosphide	1314-84-7	0.3

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### ~~Section 726-Appendix~~ 726.APPENDIX E Risk-Specific Doses

BOARD NOTE: These are risk specific doses (RSDs) based on a risk of 1 in 10,000 ( $1 \times 10^{-5}$ ).

Constituent	CAS No.	Unit risk ( $m^3/\mu g$ )	RSD ( $mg/m^3$ )-( $\mu g/m^3$ )
Acrylamide	79-06-1	0.0013	0.0077
Acrylonitrile	107-13-1	0.000068	0.15
Aldrin	309-00-2	0.0049	0.0020
Aniline	62-53-3	0.0000074	1.4
Arsenic	7440-38-2	0.0043	0.0023
Benz(a)anthracene	56-55-3	0.00089	0.011
Benzene	71-43-2	0.0000083	1.2
Benzidine	92-87-5	0.067	0.00015
Benzo(a)pyrene	50-32-8	0.0033	0.0030
Beryllium	7440-41-7	0.0024	0.0042
Bis(2-chloroethyl)ether	111-44-4	0.00033	0.030
Bis(chloromethyl)ether	542-88-1	0.062	0.00016
Bis(2-ethylhexyl)- phthalate	117-81-7	0.00000024	42.
1,3-Butadiene	106-99-0	0.00028	0.036
Cadmium	7440-43-9	0.0018	0.0056
Carbon Tetrachloride	56-23-5	0.000015	0.67
Chlordane	57-74-9	0.00037	0.027
Chloroform	67-66-3	0.000023	0.43
Chloromethane	74-87-3	0.0000036	2.8
Chromium VI	7440-47-3	0.012	0.00083
DDT	50-29-3	0.000097	0.10
Dibenz(a,h)anthracene	53-70-3	0.014	0.00071
<del>1,2-Dibromo-3-chloro-</del> <del>propane</del>	96-12-8	0.0063	0.0016
<u>1,2-Dibromo-3-chloro-</u> <u>propanef</u>			
1,2-Dibromoethane	106-93-4	0.00022	0.045
1,1-Dichloroethane	75-34-3	0.000026	0.38
1,2-Dichloroethane	107-06-2	0.000026	0.38
1,1-Dichloroethylene	75-35-4	0.000050	0.20
1,3-Dichloropropene	542-75-6	0.35	0.000029
Dieldrin	60-57-1	0.0046	0.0022
Diethylstilbestrol	56-53-1	0.14	0.000071

Dimethylnitrosamine	62-75-9	0.014	0.00071
2,4-Dinitrotoluene	121-14-2	0.000088	0.11
1,2-Diphenylhydrazine	122-66-7	0.00022	0.045
1,4-Dioxane	123-91-1	0.0000014	7.1
Epichlorohydrin	106-89-8	0.0000012	8.3
Ethylene Oxide	75-21-8	0.00010	0.10
Ethylene Dibromide	106-93-4	0.00022	0.045
Formaldehyde	50-00-0	0.000013	0.77
Heptachlor	76-44-8	0.0013	0.0077
Heptachlor Epoxide	1024-57-3	0.0026	0.0038
Hexachlorobenzene	118-74-1	0.00049	0.020
Hexachlorobutadiene	87-68-3	0.000020	0.50
Alpha-hexachloro- cyclohexane	319-84-6	0.0018	0.0056
Beta-hexachlorocyclo- hexane	319-85-7	0.00053	0.019
Gamma-hexachloro- cyclohexane	58-89-9	0.00038	0.026
Hexachlorocyclo- hexane, Technical		0.00051	0.020
Hexachlorodibenzo-p- dioxin (1,2 Mixture)		1.3	0.0000077
Hexachloroethane	67-72-1	0.0000040	2.5
Hydrazine	302-01-2	0.0029	0.0034
Hydrazine Sulfate	302-01-2	0.0029	0.0034
3-Methylcholanthrene	56-49-5	0.0027	0.0037
Methyl Hydrazine	60-34-4	0.00031	0.032
Methylene Chloride	75-09-2	0.0000041	2.4
4,4'-Methylene-bis-2- chloroaniline	101-14-4	0.000047	0.21
Nickel	7440-02-0	0.00024	0.042
Nickel Refinery Dust	7440-02-0	0.00024	0.042
Nickel Subsulfide	12035-72-2	0.00048	0.021
2-Nitropropane	79-46-9	0.027	0.00037
N-Nitroso-n-butyl- amine	924-16-3	0.0016	0.0063
N-Nitroso-n-methyl- urea	684-93-5	0.086	0.00012
N-Nitrosodiethylamine	55-18-5	0.043	0.00023
N-Nitrosopyrrolidine	930-55-2	0.00061	0.016
Pentachloronitro- benzene	82-68-8	0.000073	0.14
PCBs	1336-36-3	0.0012	0.0083
Pronamide	23950-58-5	0.0000046	2.2
Reserpine	50-55-5	0.0030	0.0033
2,3,7,8-Tetrachloro-	1746-01-6	45.	0.00000022

dibenzo-p-dioxin			
1,1,2,2-Tetrachloroethane	79-34-5	0.000058	0.17
Tetrachloroethylene	127-18-4	0.00000048	21.
Thiourea	62-56-6	0.00055	0.018
1,1,2-Trichloroethane	79-00-5	0.000016	0.63
Trichloroethylene	79-01-6	0.0000013	7.7
2,4,6-Trichlorophenol	88-06-2	0.0000057	1.8
Toxaphene	8001-35-2	0.00032	0.031
Vinyl Chloride	75-01-4	0.0000071	1.4

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 726. Appendix 726.APPENDIX F Stack Plume Rise**

Estimated Plume Rise (in Meters)  
Based on Stack Exit Flow Rate and Gas Temperature

Flow rate (m <sup>3</sup> /sec)	Exhaust Temperature (K°)										
	<325	325- 349	350- 399	400- 449	450- 499	500- 599	600- 699	700- 799	800- 999	1000- 1499	>1499
<0.5	0	0	0	0	0	0	0	0	0	0	0
0.5-0.9	0	0	0	0	0	0	0	0	1	1	1
1.0-1.9	0	0	0	0	1	1	2	3	3	3	4
2.0-2.9	0	0	1	3	4	4	6	6	7	8	9
3.0-3.9	0	1	2	5	6	7	9	10	11	12	13
4.0-4.9	1	2	4	6	8	10	12	13	14	15	17
5.0-7.4	2	3	5	8	10	12	14	16	17	19	21
7.5-9.9	3	5	8	12	15	17	20	22	22	23	24
10.0-12.4	4	6	10	15	19	21	23	24	25	26	27
12.5-14.9	4	7	12	18	22	23	25	26	27	28	29
15.0-19.9	5	8	13	20	23	24	26	27	28	29	31
20.0-24.9	6	10	17	23	25	27	29	30	31	32	34
25.0-29.9	7	12	20	25	27	29	31	32	33	35	36
30.0-34.9	8	14	22	26	29	31	33	35	36	37	39
35.0-39.9	9	16	23	28	30	32	35	36	37	39	41
40.0-49.9	10	17	24	29	32	34	36	38	39	41	42
50.0-59.9	12	21	26	31	34	36	39	41	42	44	46
60.0-69.9	14	22	27	33	36	39	42	43	45	47	49
70.0-79.9	16	23	29	35	38	41	44	46	47	49	51
80.0-89.9	17	25	30	36	40	42	46	48	49	51	54
90.0-99.9	19	26	31	38	42	44	48	50	51	53	56
100.0-119.9	21	26	32	39	43	46	49	52	53	55	58
120.0-139.9	22	28	35	42	46	49	52	55	56	59	61

140.0-159.9	23	30	36	44	48	51	55	58	59	62	65
160.0-179.9	25	31	38	46	50	54	58	60	62	65	67
180.0-199.9	26	32	40	48	52	56	60	63	65	67	70
>199.9	26	33	41	49	54	58	62	65	67	69	73

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~726.Appendix~~ 726.APPENDIX G Health-Based Limits for Exclusion of Waste-Derived Residues**

NOTE 1: Under Section 726.212(b)(2)(A), the health-based concentration limits for Appendix H to 35 Ill. Adm. Code 721 constituents for which a health-based concentration is not provided below is  $2 \times 10^{-6}$  mg/kg (0.000002 mg/kg or 0.002  $\mu$ g/kg).

NOTE 2: The levels specified in this Section and the default level of 0.002  $\mu$ g/kg (0.000002 mg/kg) or the level of detection for constituents, as identified in Note 1, are administratively stayed under the condition, for those constituents specified in Section 726.212(b)(1), that the owner or operator complies with alternative levels defined as the land disposal restriction limits specified in 35 Ill. Adm. Code 728.143 and Table B to 35 Ill. Adm. Code 728 for F039 nonwastewaters. See Section 726.212(b)(2)(A).

**Metals-TCLP Extract Concentration Limits**

Constituent	CAS No.	Concentration limits (mg/L)
Antimony	7440-36-0	1.
Arsenic	7440-38-2	5.
Barium	7440-39-3	100.
Beryllium	7440-41-7	0.007
Cadmium	7440-43-9	1.
Chromium	7440-47-3	5.
Lead	7439-92-1	5.
Mercury	7439-97-6	0.2
Nickel	7440-02-0	70.
Selenium	7782-49-2	1.
Silver	7440-22-4	5.
Thallium	7440-28-0	7.

**Nonmetals-Residue Concentration Limits**

Constituent	CAS No.	Concentration limits for residues (mg/kg)
Acetonitrile	75-05-8	0.2
Acetophenone	98-86-2	4.
Acrolein	107-02-8	0.5
Acrylamide	79-06-1	0.0002
Acrylonitrile	107-13-1	0.0007
Aldrin	309-00-2	0.00002
Allyl alcohol	107-18-6	0.2
Aluminum phosphide	20859-73-8	0.01
Aniline	62-53-3	0.06
Barium cyanide	542-62-1	1.
Benz(a)anthracene	56-55-3	0.0001
Benzene	71-43-2	0.005
Benzidine	92-87-5	0.000001
Bis(2-chloroethyl) ether	111-44-4	0.0003
Bis(chloromethyl) ether	542-88-1	0.000002
Bis(2-ethylhexyl) phthalate	117-81-7	30.
Bromoform	75-25-2	0.7
Calcium cyanide	592-01-8	0.000001
Carbon disulfide	75-15-0	4.
Carbon tetrachloride	56-23-5	0.005
Chlordane	57-74-9	0.0003
Chlorobenzene	108-90-7	1.
Chloroform	67-66-3	0.06
Copper cyanide	544-92-3	0.2
Cresols (Cresylic acid)	1319-77-3	2.
Cyanogen	460-19-5	1.
DDT	50-29-3	0.001
Dibenz(a, h)-anthracene	53-70-3	0.000007
1,2-Dibromo-3-chloropropane	96-12-8	0.00002
p-Dichlorobenzene	106-46-7	0.07.5
Dichlorodifluoromethane	75-71-8	7.
1,1-Dichloroethylene	75-35-4	0.005
2,4-Dichlorophenol	120-83-2	0.1
1,3-Dichloropropene	542-75-6	0.001
Dieldrin	60-57-1	0.00002
Diethyl phthalate	84-66-2	30.
Diethylstilbestrol	56-53-1	0.0000001
Dimethoate	60-51-5	0.03
2,4-Dinitrotoluene	121-14-2	0.0005
Diphenylamine	122-39-4	0.9

1,2-Diphenylhydrazine	122-66-7	0.0005
Endosulfan	115-29-7	0.002
Endrin	72-20-8	0.0002
Epichlorohydrin	106-89-8	0.04
Ethylene dibromide	106-93-4	0.0000001
Ethylene oxide	75-21-8	0.0003
Fluorine	7782-41-4	4.
Formic acid	64-18-6	70.
Heptachlor	76-44-8	0.00008
Heptachlor epoxide	1024-57-3	0.00004
Hexachlorobenzene	118-74-1	0.0002
Hexachlorobutadiene	87-68-3	0.005
Hexachlorocyclopentadiene	77-47-4	0.2
Hexachlorodibenzo-p-dioxins	19408-74-3	0.0000001
Hexachloroethane	67-72-1	0.03
Hydrazine	302-01-1	0.0001
Hydrogen cyanide	74-90-8	0.00007
Hydrogen sulfide	7783-06-4	0.000001
Isobutyl alcohol	78-83-1	10.
Methomyl	16752-77-5	1.
Methoxychlor	72-43-5	0.1
3-Methylcholanthrene	56-49-5	0.00004
4,4'-Methylenebis (2-chloroaniline)	101-14-4	0.002
Methylene chloride	75-09-2	0.05
Methyl ethyl ketone (MEK)	78-93-3	2.
Methyl hydrazine	60-34-4	0.0003
Methyl parathion	298-00-0	0.02
Naphthalene	91-20-3	10.
Nickel cyanide	557-19-7	0.7
Nitric oxide	10102-43-9	4.
Nitrobenzene	98-95-3	0.02
N-Nitrosodi-n-butylamine	924-16-3	0.00006
N-Nitrosodiethylamine	55-18-5	0.000002
N-Nitroso-N-methylurea	684-93-5	0.0000001
N-Nitrosopyrrolidine	930-55-2	0.0002
Pentachlorobenzene	608-93-5	0.03
Pentachloronitrobenzene (PCNB)	82-68-8	0.1
Pentachlorophenol	87-86-5	1.
Phenol	108-95-2	1.
Phenylmercury acetate	62-38-4	0.003
Phosphine	7803-51-2	0.01
Polychlorinated biphenyls, N.O.S	1336-36-3	0.00005
Potassium cyanide	151-50-8	2.
Potassium silver cyanide	506-61-6	7.
Pronamide	23950-58-5	3.
Pyridine	110-86-1	0.04



Reserpine	50-55-5	0.00003
Selenourea	630-10-4	0.2
Silver cyanide	506-64-9	4.
Sodium cyanide	143-33-9	1.
Strychnine	57-24-9	0.01
1,2,4,5-Tetrachlorobenzene	95-94-3	0.01
1,1,2,2-tetrachloroethane	79-34-5	0.002
Tetrachloroethylene	127-18-4	0.7
2,3,4,6-Tetrachlorophenol	58-90-2	0.01
Tetraethyl lead	78-00-2	0.000004
Thiourea	62-56-6	0.0002
Toluene	108-88-3	10.
Toxaphene	8001-35-2	0.005
1,1,2-Trichloroethane	79-00-5	0.006
Trichloroethylene	79-01-6	0.005
Trichloromonofluoromethane	75-69-4	10.
2,4,5-Trichlorophenol	95-95-4	4.
2,4,6-Trichlorophenol	88-06-2	4.
Vanadium pentoxide	1314-62-1	0.7
Vinyl chloride	75-01-4	0.002

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 726-Appendix 726.APPENDIX H Potential PICs for Determination of Exclusion of Waste-Derived Residues**

PICs Found in Stack Effluents

Volatiles

Benzene  
Toluene  
Carbon tetrachloride  
Chloroform  
Methylene chloride  
Trichloroethylene  
Tetrachloroethylene  
1,1,1-Trichloroethane  
Chlorobenzene  
cis-1,4-Dichloro-2-butene  
Bromochloromethane  
Bromodichloromethane  
Bromoform  
Bromomethane  
Methylene bromide  
Methyl ethyl ketone

Semivolatiles

Bis(2-ethylhexyl)phthalate  
Naphthalene  
Phenol  
Diethyl phthalate  
Butyl benzyl phthalate  
2,4-Dimethylphenol  
o-Dichlorobenzene  
m-Dichlorobenzene  
p-Dichlorobenzene  
Hexachlorobenzene  
2,4,6-Trichlorophenol  
Fluoranthene  
o-Nitrophenol  
1,2,4-Trichlorobenzene  
o-Chlorophenol  
Pentachlorophenol

Pyrene  
 Dimethyl phthalate  
 Mononitrobenzene  
 2,6-Toluene diisocyanate  
 Polychlorinated dibenzo-p-dioxins<sup>1</sup>  
 Polychlorinated dibenzo-furans<sup>1</sup>

<sup>1</sup> Analyses for polychlorinated dibenzo-p-dioxins and polychlorinated dibenzo-furans are required only for residues collected from areas downstream of the combustion chamber (e.g., ductwork, boiler tubes, heat exchange surfaces, air pollution control devices, etc.).

BOARD NOTE: Analysis is not required for those compounds that do not have an established F039 nonwastewater concentration limit.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~726.Appendix~~ 726.APPENDIX I Methods Manual for Compliance with BIF Regulations**

The document entitled, "Methods Manual for Compliance with BIF Regulations: Burning Hazardous Waste in Boilers and Industrial Furnaces," December 1990, is available as appendix IX to 40 CFR 266 (Methods Manual for Compliance with the BIF Regulations), incorporated by reference in 35 Ill. Adm. Code 720.111(b). It is also available through NTIS, as described in the incorporation by reference.

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~726.Appendix~~ 726.APPENDIX K Lead-Bearing Materials that May be Processed in Exempt Lead Smelters**

- a) Exempt lead-bearing materials when generated or originally produced by lead-associated industries.

BOARD NOTE: Lead-associated industries are lead smelters, lead-acid battery manufacturing and lead chemical manufacturing (e.g., manufacturing of lead oxide or other lead compounds).

Acid dump/fill solids

Sump mud

Materials from laboratory analyses

Acid filters

Baghouse bags

Clothing (e.g., coveralls, aprons, shoes, hats, gloves)

Sweepings

Air filter bags and cartridges

Respiratory cartridge filters

Shop abrasive

Stacking boards

Waste shipping containers (e.g., cartons, bags, drums, cardboard)

Paper hand towels

Wiping rags and sponges

Contaminated pallets

Water treatment sludges, filter cakes, residues, and solids

Emission control dusts, sludges, filter cakes, residues, and solids from lead-associated industries (e.g., K069 and D008 wastes)

Spent grinds, posts and separators

Spent batteries

Lead oxide and lead oxide residues

Lead plates and groups

Spent battery cases, covers, and vents

Pasting belts

Water filter media

Cheesecloth from pasting rollers

Pasting additive bags

Asphalt paving materials

- b) Exempt lead-bearing materials when generated or originally produced by any industry.

Charging jumpers and clips

Platen abrasive

Fluff from lead wire and cable casings

Lead-based pigments and compounding pigment dust

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 726-Appendix 726.APPENDIX L Nickel or Chromium-Bearing Materials that May be Processed in Exempt Nickel-Chromium Recovery Furnaces**

- a) Exempt nickel or chromium-bearing materials when generated by manufacturers or users of nickel, chromium, or iron.

Baghouse bags

Raney nickel catalyst

Floor sweepings

Air filters

Electroplating bath filters

Wastewater filter media

Wood Pallets

Disposable clothing (coveralls, aprons, hats, and gloves)

Laboratory samples and spent chemicals

Shipping containers and plastic liners from containers or vehicles used to transport nickel or chromium-containing wastes

Respirator cartridge filters

Paper hand towels

- b) Exempt nickel or chromium-bearing materials when generated by any industry.

- Electroplating wastewater treatment sludges (F006)
- Nickel or chromium-containing solutions
- Nickel or chromium-containing catalysts
- Nickel-cadmium and nickel-iron batteries
- Filter cake from wet scrubber system water treatment plants in the specialty steel industry
- Filter cake from nickel-chromium alloy pickling operations

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~726.Appendix~~ 726.APPENDIX M Mercury-Bearing Wastes that May Be Processed in Exempt Mercury Recovery Units**

The following materials are exempt mercury-bearing materials containing less than 500 ppm of Appendix H to 35 Ill. Adm. Code 721 organic constituents, when generated by manufacturers or users of mercury or mercury products:

- Activated carbon
- Decomposer graphite
- Wood
- Paper
- Protective clothing
- Sweepings
- Respiratory cartridge filters
- Cleanup articles
- Plastic bags and other contaminated containers
- Laboratory and process control samples
- K106 and other wastewater treatment plant sludge and filter cake
- Mercury cell sump and tank sludge
- Mercury cell process solids
- Recoverable levels of mercury contained in soil

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section ~~726.Table~~ 726.TABLE A Exempt Quantities for Small Quantity Burner Exemption**

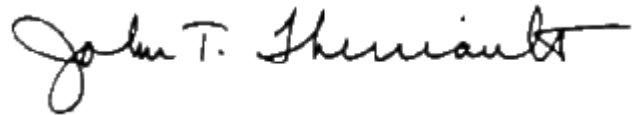
TESH (m)	Allowable Hazardous Waste Burning Rate (gal/mo)	TESH	Allowable Hazardous Waste Burning Rate (gal/mo)
0 to 3.9	0	40.0 to 44.9	210

4.0 to 5.9	13	45.0 to 49.9	260
6.0 to 7.9	18	50.0 to 54.9	330
8.0 to 9.9	27	55.0 to 59.9	400
10.0 to 11.9	40	60.0 to 64.9	490
12.0 to 13.9	48	65.0 to 69.9	610
14.0 to 15.9	59	70.0 to 74.9	680
16.0 to 17.9	69	75.0 to 79.9	760
18.0 to 19.9	76	80.0 to 84.9	850
20.0 to 21.9	84	85.0 to 89.9	960
22.0 to 23.9	93	90.0 to 94.9	1,100
24.0 to 25.9	100	95.0 to 99.9	1,200
26.0 to 27.9	110	100.0 to 104.9	1,300
28.0 to 29.9	130	105.0 to 109.9	1,500
30.0 to 34.9	140	110.0 to 114.9	1,700
35.0 to 39.9	170	115.0 or greater	1,900

(Source: Amended at 37 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion on January 24, 2013, by a vote of 5-0.




---

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board