ILLINOIS POLLUTION CONTROL BOARD
December 3, 1987

IN THE MATTER OF:	)	
	)	
RCRA UPDATE, USEPA REGULATIONS (1-1-87 THROUGH 6-30-87)	)	R87-26
	)	

FINAL ORDER. ADOPTED RULES.

ORDER OF THE BOARD (by J. Anderson):

On August 20, 1987, the Board proposed to amend the RCRA regulations in this Docket. The proposed regulations appeared on October 16, 1987, at 11 Ill. Reg. 16320. The Board has received public comment as is detailed in the Opinion.

Section 22.4 of the Act governs adoption of regulations establishing the RCRA program in Illinois. Section 22.4(a) provides for quick adoption of regulations which are "identical in substance" to federal regulations; Section 22.4(a) provides that Title VII of the Act and Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the Administrative Procedure Act, it is not subject to first notice or to second notice review by the Joint Committee on Administrative Rules (JCAR). The federal RCRA regulations are found at 40 CFR 260 through 270, and 280. This rulemaking updates Illinois' RCRA regulations to correspond with federal amendments during the period January 1 through June 30, 1987.

The Board hereby adopts the regulatory amendments which follow. The Board will withhold filing of these regulations until after December 17, 1987 to allow time for final review and motions for reconsideration by the agencies involved in the authorization process. The Board has adopted a supporting Opinion this same day.

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

PART 702
RCRA AND UIC PERMIT PROGRAMS

SUBPART A: GENERAL PROVISIONS

SUBPART B: PERMIT APPLICATIONS

SUBPART C: PERMIT CONDITIONS

SUBPART D: ISSUED PERMITS

AUTHORITY: Implementing Section 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 1013, 1022.4 and 1027).

SOURCE: Adopted in R81-32, 47 PCB 93, at 6 Ill. Reg. 12479, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19 at at, 53 PCB 131, 7 Ill. Reg. 14352, effective as noted in 35 Ill. Adm. Code 700.106; amended in R84-9 at 9 Ill. Reg. 11926, effective July 24, 1985; amended in R85-23 at 10 Ill. Reg. 13274, effective July 29, 1986; amended in R86-1 at 10 Ill. Reg. 14083, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6131, effective March 24, 1987; amended in R87-5 at 11 Ill. Reg. 19376, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. , effective .

SUBPART A: GENERAL PROVISIONS

Section 702.104 References

a) When used in 35 Ill. Adm. Code 702, 703 and 704, the following publication is incorporated by reference:

~~"Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods" (1980), EPA publication number SW-846 (First Edition, 1980, as updated by Revision A (August, 1980), B (July, 1981) and C (February, 1982)) or (Second Edition, 1982). The first edition of SW-846 is no longer in print. Revisions A and B are available from EPA, Office of Solid Waste, (WH-565B), 401 M Street, S.W., Washington, D.C. 20460. Revision C is available from NTIS, 5285 Port Royal Road, Springfield, Virginia 22161. The second edition of SW-846 includes material from the first edition and Revision A, B, and C in a reorganized format. It is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783-3238 on a subscription basis, and future updates will automatically be mailed to the subscriber.~~

~~b) The reference listed in paragraph (a) is also available for inspection at the Office of the Federal Register, 1100 L Street, N.W., Washington, D.C. 20408, and at the Office of the Pollution Control Board, 309 W. Washington, Suite 200, Chicago, Illinois 60606.~~

NTIS. Available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4600:

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication number SW-846 (Second Edition, 1982 as amended by Update I (April, 1984) and Update II (April, 1985)) (Document number PB 87-120-291)

b) This Section incorporates no later editions or amendments.)

(Board Note: See 40 CFR ~~122.20~~ 270.6 (1987).)

(Source: Amended at 12 Ill. Reg. , effective)

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

PART 703
RCRA PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

SUBPART B: PROHIBITIONS

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

SUBPART D: APPLICATIONS

SUBPART E: SHORT TERM AND PHASED PERMITS

SUBPART F: PERMIT CONDITIONS

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 1022.4 and 1027).

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

SUBPART D: APPLICATIONS

Section 703.185 Groundwater Protection Information

The following additional information regarding protection of groundwater is required from owners or operators of hazardous waste surface impoundments, piles, land treatment units and landfills, except as otherwise provided in 35 Ill. Adm. Code 724.190(b).

a) A summary of the groundwater monitoring data obtained during the interim status period under 35 Ill. Adm. Code 725.190 through 725.194, where applicable;

b) Identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including groundwater flow direction and rate, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

c) On the topographic map required under Section 703.183(s), a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under 35 Ill. Adm. Code 724.195, the proposed location of groundwater monitoring wells as required under 35 Ill. Adm. Code 724.197 and, to the extent possible, the information required in paragraph (b);

d) A description of any plume of contamination that has entered the groundwater from a regulated unit at the time that the application is submitted that:

1) Delineates the extent of the plume on the topographic map required under Section 703.183(s);

2) Identifies the concentration of each 35 Ill. Adm. Code 721-~~,~~ - Appendix H constituent throughout the plume or identifies the maximum concentrations of each 35 Ill. Adm. Code 721-~~,~~ -.Appendix H constituent in the plume;

e) Detailed plans and an engineering report describing the proposed groundwater monitoring program to be implemented to meet the requirements of 35 Ill. Adm. Code 724.197;

f) If the presence of hazardous constituents has not been detected in the groundwater at the time of permit application, the owner or operator ~~must~~ shall submit sufficient information, supporting data and analyses to establish a detection monitoring program which meets the requirements of 35 Ill. Adm. Code 724.198. This submission must address the following items as specified under that Section.

1) A proposed list of indicator parameters, waste constituents or reaction products that can provide a reliable indication of the presence of hazardous constituents in the groundwater;

2) A proposed groundwater monitoring system;

3) Background values for each proposed monitoring parameter or constituent, or procedures to calculate such values; and

4) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating groundwater monitoring data;

g) If the presence of hazardous constituents has been detected in the groundwater at the point of compliance at the time of permit application, the owner or operator ~~must~~ shall submit sufficient information, supporting data and analyses to establish a compliance monitoring program which meets the requirements of 35 Ill. Adm. Code 724.199. ~~The~~ Except as provided in 35 Ill. Adm. Code 724.198(h)(5), the owner or operator ~~must~~ shall also submit an engineering feasibility plan for a corrective action program necessary to meet the requirements of 35 Ill. Adm Code 724.200, ~~except as provided in 35 Ill. Adm. Code 724.198(h)(5)~~, unless the owner or operator obtains written authorization in advance from the Agency to submit a proposed permit schedule for submittal of such a plan. To demonstrate compliance with 35 Ill. Adm. Code 724.199, the owner or operator ~~must~~ shall address the following items:

1) A description of the wastes previously handled at the facility;

2) A characterization of the contaminated groundwater, including concentrations of hazardous constituents;

3) A list of hazardous constituents for which compliance monitoring will be undertaken in accordance with 35 Ill. Adm. Code 724.197 and 724.199;

4) Proposed concentration limits for each hazardous constituent, based on the criteria set forth in 35 Ill. Adm. Code 724.194(a), including a justification for establishing any alternate concentration limits;

5) Detailed plans and an engineering report describing the proposed groundwater monitoring system, in accordance with the requirements of 35 Ill. Adm. Code 724.197; and

6) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating groundwater monitoring data;

h) If hazardous constituents have been measured in the groundwater which exceed the concentration limits established under 35 Ill. Adm. Code 724.194, Table 1, or if groundwater monitoring conducted at the time of permit application under 35 Ill. Adm. Code 725.190 through 725.194 at the waste boundary indicates the

presence of hazardous constituents from the facility in groundwater over background concentrations, the owner or operator ~~must~~ shall submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of 35 Ill. Adm. Code 724.200. However, an owner or operator is not required to submit information to establish a corrective action program if it demonstrates to the Agency that alternate concentration limits will protect human health and the environment after considering the criteria listed in 35 Ill. Adm. Code 724.194(b). An owner or operator who is not required to establish a corrective action program for this reason ~~must~~ shall instead submit sufficient information to establish a compliance monitoring program which meets the requirements of paragraph (f) and 35 Ill. Adm. Code 724.199. To demonstrate compliance with 35 Ill. Adm. Code 724.200, the owner or operator ~~must~~ shall address, at a minimum, the following items:

1) A characterization of the contaminated groundwater, including concentrations of hazardous constituents;

2) The concentration limit for each hazardous constituent found in the groundwater as set forth in 35 Ill. Adm. Code 724.194;

3) Detailed plans and an engineering report describing the corrective action to be taken; and

4) A description of how the groundwater monitoring program will assess the adequacy of the corrective action.

5) The permit may contain a schedule for submittal of the information required in subsections (h)(3) and (h)(4) provided the owner or operator obtains written authorization from the Agency prior to submittal of the permit application.

(Board Note: See 40 CFR 270.14(c) (1987).)

(Source: Amended at 12 Ill. Reg. , effective)

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

PART 720
HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

SUBPART B: DEFINITIONS

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. , effective .

SUBPART B: DEFINITIONS

Section 720.111 References

a) When used in 35 Ill. Adm. Code 720 through 725, the following publications are incorporated by reference:

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

"Petroleum Refinery Piping," ANSI B31.3 -- 1976, with addendum B31.3(d) -- 1980.

"Liquid Petroleum Transportation Piping Systems," ANSI B31.4 -- 1974, with addendum B31.4(b) -- 1981.

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

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

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," API Publication 1632, 1983.

"Installation of Underground Petroleum Storage Systems," API Publication 1615 (November 1979).

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

"ASTM Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester," ASTM Standard D-3278-78.

"ASTM Standard Test Methods for Flash Point Pensky-Martens Closed Tester," ASTM Standard D-D-93-79 or D-93-80.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202) 783-3238:

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

~~"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication number SW-846 (Second Edition, 1982 as amended by Update I (April, 1984) and Update II (April, 1985)).~~

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

"Recommended Practice (RP-02-85) Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems."

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, (617) 770-3000:

"Flammable and Combustible Liquids Code" (1977 or 1981).

NTIS. Available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4600:

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication number SW-846 (Second Edition, 1982 as amended by Update I (April, 1984) and Update II (April, 1985)) (Document number PB 87-120-291)

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, (312) 498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

b) This Section incorporates no later editions or amendments.

(Source: Amended at 12 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

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

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

SUBPART D: LISTS OF HAZARDOUS WASTE

Appendix I	Wastes Excluded under Section 720.120 and 720.122
Table A	Wastes Excluded from Non-Specific Sources
Table B	Wastes Excluded from Specific Sources
Table C	Wastes Excluded from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
Appendix J	Method of Analysis for Chlorinated Dibenzo-p-Dioxins and Dibenzofurans
Appendix Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. , effective .

SUBPART A: GENERAL

Section 721.103 Definition of Hazardous Waste

a) A solid waste, as defined in Section 721.102, is a hazardous waste if:

1) It is not excluded from regulation as a hazardous waste under Section 721.104(b); and

2) It meets any of the following criteria;

A) It exhibits any of the characteristics of hazardous waste identified in Subpart C.

B) It is listed in Subpart D and has not been excluded from the lists in Subpart D under 35 Ill. Adm. Code 720.120 and 720.122.

C) It is a mixture of a solid waste and a hazardous waste that is listed in Subpart D solely because it exhibits one or more of the

characteristics of hazardous waste identified in Subpart C unless the resultant mixture no longer exhibits any characteristic of hazardous waste identified in Subpart C.

D) It is a mixture of solid waste and one or more hazardous wastes listed in Subpart D and has not been excluded from this paragraph under 35 Ill. Adm. Code 720.120 and 720.122; however, the following mixtures of solid wastes and hazardous wastes listed in Subpart D are not hazardous wastes (except by application of subsection (a)(2)(A) or (B)) if the generator can demonstrate that the mixture consists of wastewater the discharge of which is subject to regulation under either ~~Section 402 or Section 307(b) of the Clean Water Act (33 U.S.C. 1251)~~ 35 Ill. Adm. Code 309 or 310 (including wastewater at facilities which have eliminated the discharge of wastewater) and;

i) One or more of the following spent solvents listed in Section 721.131 - carbon tetrachloride, tetrachloroethylene, trichloroethylene - provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pre-treatment system does not exceed 1 part per million; or

ii) One or more of the following spent solvents listed in Section 721.131 - methylene chloride, 1,1,1 - trichloroethane, chlorobenzene, o-dichlorobenzene, cresols, cresylic acid, nitrobenzene, toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, spent chlorofluorocarbon solvents - provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pre-treatment system does not exceed 25 parts per million; or

iii) One of the following wastes listed in

Section 721.132 - heat exchanger bundle cleaning sludge from the petroleum refining industry (EPA Hazardous Waste No. K050); or

iv) A discharged commercial chemical product, or chemical intermediate listed in Section 721.133, arising from de minimis losses of these materials from manufacturing operations in which these materials are used as raw materials or are produced in the manufacturing process. For purposes of this subsection, "de minimis" losses include those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves or other devices used to transfer materials); minor leaks of process equipment, storage tanks or containers; leaks from well-maintained pump packings and seals; sample purgings; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing; or

v) Wastewater resulting from laboratory operations containing toxic (T) wastes listed in Subpart D, provided that the annualized average flow of laboratory wastewater does not exceed one percent of total wastewater flow into the headworks of the facility's wastewater treatment or pre-treatment system, or provided that the wastes combined annualized average concentration does not exceed one part per million in the headworks of the facility's wastewater treatment or pre-treatment facility. Toxic (T) wastes used in laboratories that are demonstrated not to be discharged to wastewater are not to be included in this calculation.

b) A solid waste which is not excluded from regulation under subsection (a)(1) becomes a hazardous waste when any of the following events occur:

1) In the case of a waste listed in Subpart D, when the waste first meets the listing description set

forth in Subpart D.

2) In the case of a mixture of solid waste and one or more listed hazardous wastes, when a hazardous waste listed in Subpart D is first added to the solid waste.

3) In the case of any other waste (including a waste mixture), when the waste exhibits any of the characteristics identified in Subpart C.

c) Unless and until it meets the criteria of subsection (d):

1) A hazardous waste will remain a hazardous waste.

2) Specific inclusions and exclusions

A) Except as otherwise provided in subsection (c)(2)(B), any solid waste generated from the treatment, storage or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust or leachate (but not including precipitation run-off), is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.)

B) The following solid wastes are not hazardous even though they are generated from the treatment, storage or disposal of a hazardous waste, unless they exhibit one or more of the characteristics of hazardous waste:

i) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC Codes 331 and 332) (Standard Industrial Codes, as defined and incorporated by reference in 35 Ill. Adm. Code 720.110 and 720.111).

ii) Wastes from burning any of the materials exempted from regulation by Section 721.106(a)(3)(~~D~~E),(F),(G), ~~or~~ (H) or (I).

d) Any solid waste described in subsection (c) is not a hazardous waste if it meets the following criteria:

1) In the case of any solid waste, it does not exhibit any of the characteristics of hazardous waste identified in Subpart C.

2) In the case of a waste which is a listed waste under Subpart D, contains a waste listed under Subpart D or is derived from a waste listed in Subpart D, it also has been excluded from subsection (c) under 35 Ill. Adm. Code 720.120 and 720.122.

(Source: Amended at 12 Ill. Reg. , effective)

Section 721.106 Requirements for Recyclable Materials

a) Recyclable materials:

1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters and storage facilities of subsections (b) and (c), except for the materials listed in subsections (a)(2) and (a)(3). Hazardous wastes that are recycled will be known as "recyclable materials".

2) The following recyclable materials are not subject to the requirements of this Section but are regulated under 35 Ill. Adm. Code 726.Subparts C through G and all applicable provisions in 35 Ill. Adm. Code 702, 703 and 705.

A) Recyclable materials used in a manner constituting disposal (35 Ill. Adm. Code 726.Subpart C);

B) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under 35 Ill. Adm. Code 724 or 725.Subpart O (35 Ill. Adm. Code 726.Subpart D.)

C) Used oil that exhibits one or more of the characteristics of hazardous waste and is burned for energy recovery in boilers or industrial furnaces that are not regulated under 35 Ill. Adm. Code 724 or 725.Subpart O. (35 Ill. Adm. Code 726.Subpart E);

D) Recyclable materials from which precious metals are reclaimed (35 Ill. Adm. Code 726.Subpart F);

E) Spent lead-acid batteries that are being reclaimed (35 Ill. Adm. Code 726.Subpart G).

3) The following recyclable materials are not subject to regulation under 35 Ill. Adm. Code 722 through 726, 728, or 702, 703 or 705 and are not subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:

A) Industrial etnyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in 35 Ill. Adm. Code 722.158:

i) A person initiating a shipment for reclamation in a foreign country, and any intermediary arranging for the shipment, shall comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153, 722.156(a)(1) through (a)(4), (a)(6) and (b), and 722.157, shall export such materials only upon consent of the receiving country and in conformance with the USEPA Acknowledgement of Consent as defined in 35 Ill. Adm. Code 722.Subpart E, and shall provide a copy of the USEPA Acknowledgement of Consent to the shipment to the transporter transporting the shipment for export;

ii) Transporters transporting a shipment for export shall not accept a shipment if the transporter knows the shipment does not conform to the USEPA Acknowledgement of Consent, shall ensure that a copy of the USEPA Acknowledgement of Consent accompanies the shipment and shall ensure that it is delivered to the facility designated by the person initiating the shipment.

B) Used batteries (or used battery cells) returned to a battery manufacturer for regeneration;

C) Used oil that exhibits one or more of the characteristics of hazardous waste but is recycled in some other manner than being burned for energy recovery;

D) Scrap metal;

E) Fuels produced from the refining of oil-bearing hazardous wastes along with normal process streams at a petroleum refining

facility if such wastes result from normal petroleum refining, production and transportation practices;

F) Oil reclaimed from hazardous waste resulting from normal petroluem refining, production and transportation practices, which oil is to be refined along with normal process streams at a petroleum refining facility;

G) Coke and coal tar from the iron and steel industry that contains USEPA hazardous waste number K087 (decanter tank tar sludge from coking operations) (Section 721.132) from the iron and steel production process;

H) Petroleum refining wastes.

i) Hazardous waste fuel produced from oil-bearing hazardous wastes from petroleum refining, production or transportation practices, or produced from oil reclaimed from such hazardous wastes, where such hazardous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil so long as the resulting fuel meets the used oil specification under 35 Ill. Adm. Code 726.140(e) and so long as no other hazardous wastes are used to produce the hazardous waste fuel;

ii) Hazardous waste fuel produced from oil-bearing hazardous waste from petroleum refining production and transportation practices, where such hazardous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

iii) Oil reclaimed from oil-bearing hazardous wastes from petroleum refining, production and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

I) Petroleum coke produced from petroleum refinery hazardous wastes containing oil at the same facility at which such wastes were

generated, unless the resulting coke product exceeds one or more of the characteristics of hazardous waste in Subpart C.

b) Generators and transporters of recyclable materials are subject to the applicable requirements of 35 Ill. Adm. Code 722 and 723 and the notification requirements under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a).

c) Storage and recycling:

1) Owners or operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of 35 Ill. Adm. Code 724 and 725.Subparts A through L, 726, 728, 702, 703 and 705 and the notification requirement under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a). (The recycling process itself is exempt from regulation.)

2) Owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to the following requirements, except as provided in subsection (a).

A) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act.

B) 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies)

(Source: Amended at 12 Ill. Reg. , effective)

SUBPART D: LISTS OF HAZARDOUS WASTE

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

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

a) Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in subsections (e) or (f).

b) Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsections (e) or (f).

c) Any container or inner liner removed from a container that has been used to hold any commercial chemical product or manufacturing chemical intermediate having the generic names listed in subsection (e), or any container or inner liner removed from a container that has been used to hold any off-specification chemical product and manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) unless:

1) The container or inner liner has been triple rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate;

2) The container or inner liner has been cleansed by another method that has been shown in the scientific literature, or by tests conducted by the generator, to achieve equivalent removal; or

3) In the case of a container, the inner liner that prevented contact of the commercial chemical product or manufacturing chemical intermediate with the container, has been removed.

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

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

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

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

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

Hazardous Waste No.	Substance
P023	Acetaldehyde, chloro-
P002	Acetamide, N-(aminothioxomethyl)-
P057	Acetamide, 2-fluoro-
P058	Acetic acid, fluoro-, sodium salt
P066	Acetimedic acid, N-[(methylcarbamoyl)oxy]thio-, methyl ester
P001	3-(alpha-acetonylbenzyl)-4-hydroxycoumarin and salts, when present at concentrations greater than 0.3%
P002	1-Acetyl-2-thiourea
P003	Acrolein
P070	Aldicarb
P004	Aldrin
P005	Allyl alcohol
P006	Aluminum phosphide
P007	5-(Aminomethyl)-3-isoxazolol
P008	4-Aminopyridine
P009	Ammonium picrate (R)
P119	Ammonium vanadate
P010	Arsenic acid
P012	Arsenic (III) oxide
P011	Arsenic (V) oxide
P011	Arsenic pentoxide
P012	Arsenic trioxide
P038	Arsine, diethyl-

P054	Aziridine
P013	Barium cyanide
P024	Benzenamine, 4-chloro-
P077	Benzenamine, 4-nitro-
P028	Benzene, (chloromethyl)-
P042	1,2-Benzenediol, 4-[1-hydroxy-2-(methyl-amino)ethyl]-
P014	Benzenethiol
P028	Benzyl chloride
P015	Beryllium dust
P016	Bis(chloromethyl) ether
P017	Bromoacetone
P018	Brucine
P021	Calcium cyanide
P123	Camphene, octachloro-
P103	Carbamidoselensoic acid
P022	Carbon bisulfide
P022	Carbon disulfide
P095	Carbonyl chloride
P033	Chlorine cyanide
P023	Chloroacetaldehyde
P024	p-Chloroaniline
P026	1-(o-Chlorophenyl)thiourea
P027	3-Chloropropionitrile
P029	Copper cyanides
P030	Cyanides (soluble cyanide salts), not elsewhere specified
P031	Cyanogen
P033	Cyanogen chloride
P036	Dichlorophenylarsine
P037	Dieldrin
P038	Diethylarsine
P039	O,O-Diethyl S-[2-(ethylthio)ethyl] phosphoro-dithioate
P041	Diethyl-p-nitrophenyl phosphate
P040	O,O-Diethyl O-pyrazinyl phosphorothioate
P043	Diisopropyl fluorophosphate
P044	Dimethoate
P045	3,3-Dimethyl-1-(methylthio)-2-butanone, O-[(methylamino) carbonyl] oxime
P071	O,O-Dimethyl O-p-nitrophenyl phosphorothioate
P082	Dimethylnitrosamine
P046	alpha, alpha-Dimethylphenethylamine
P047	4,6-Dinitro-o-cresol and salts
P034	4,6-Dinitro-o-cyclohexylphenol
P048	2,4-Dinitrophenol
P020	Dinoseb
P085	Diphosphoramide, octamethyl-
P039	Disulfoton
P049	2,4-Dithiobiuret
P109	Dithiopyrophosphoric acid, tetraethyl ester
P050	Endosulfan
P088	Endothall
P051	Endrin

P042	Epinephrine
P046	Ethanamine, 1,1-dimethyl-2-phenyl-
P084	Ethenamine, N-methyl-N-nitroso-
P101	Ethyl cyanide
P054	Etnylenimine
P097	Famphur
P056	Fluorine
P057	Fluoroacetamide
P058	Fluoroacetic acid, sodium salt
P065	Fulminic acid, mercury (II) salt (R,T)
P059	Heptachlor
P051	1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo, endo-1, 4:5, 8-dimethanonaphthalene
P037	1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo, exo-1, 4:5, 8-dimethanonapnthalene
P060	1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-endo, endo-dimethanonaphthalene
P004	1,2,3,4,10,10,-Hexachloro-1,4,4a,5,8,8a-nexahydro-1,4:5,8-endo, exo-dimethanonaphthalene
P060	Hexachlorohexahydro-exo,exo-dimethanonaphthalene
P062	Hexaethyl tetraphosphate
P116	Hydrazinecarbothioamide
P068	Hydrazine, methyl-
P063	Hydrocyanic acid
P063	Hydrogen cyanide
P096	Hydrogen phosphide
P064	Isocyanic acid, methyl ester
P007	3(2H)-Isoxazolone, 5-(aminomethyl)-
P092	Mercury, phenyl-, acetate
P065	Mercury fulminate (R,T)
P016	Methane, oxybis(chloro-
P112	Methane, tetranitro- (R)
P118	Methanethiol, trichloro-
P059	4,7-Methano-1H-indene,1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-
P066	Methomyl
P067	2-Methylaziridine
P068	Methyl hydrazine
P064	Methyl isocyanate
P069	2-Methyllactonitrile
P071	Methyl parathion
P072	alpha-Naphthylthiourea
P073	Nickel carbonyl
P074	Nickel cyanide
P074	Nickel (II) cyanide
P073	Nickel tetracarbonyl
P075	Nicotine and salts
P076	Nitric oxide
P077	p-Nitroaniline

P078	Nitrogen dioxide
P076	Nitrogen (II) oxide
P078	Nitrogen (IV) oxide
P081	Nitroglycerine (R)
P082	N-Nitrosodimethylamine
P084	N-Nitrosomethylvinylamine
P050	5-Norbornene-2,3-dimethanol, 1,4,5,6,7,7-hexachloro, cyclic sulfite
P085	Octamethylpyrophosphoramide
P087	Osmium oxide
P087	Osmium tetroxide
P088	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid
P089	Parathion
P034	Phenol, 2-cyclohexyl-4,6-dinitro-
P048	Phenol, 2,4-dinitro-
P047	Phenol, 2,4,-dinitro-6-methyl-
P020	Phenol, 2,4-dinitro-6-(1-methylpropyl)-
P009	Phenol, 2,4,6-trinitro-, ammonium salt (R)
P036	Phenyl dichloroarsine
P092	Phenylmercuric acetate
P093	N-Phenylthiourea
P094	Phorate
P095	Phosgene
P096	Phosphine
P041	Phosphoric acid, diethyl p-nitrophenyl ester
P044	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl]ester
P043	Phosphorofluoric acid, bis(1-methylethyl)ester
P094	Phosphorothioic acid, O,O-diethyl S-(ethylthio)methyl ester
P089	Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl) ester
P040	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester
P097	Phosphorothioic acid, O,O-dimethyl O-[p-((dimethylamino)-sulfonyl)phenyl]ester
P110	Plumbane, tetraethyl-
P098	Potassium cyanide
P099	Potassium silver cyanide
P070	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl]oxime
P101	Propanenitrile
P027	Propanentrile, 3-chloro-
P069	Propanenitrile, 2-hydroxy-2-methyl-
P081	1,2,3-Propanetriol, trinitrate- (R)
P017	2-Propanone, 1-bromo-
P102	Propargyl alcohol
P003	2-Propenal
P005	2-Propen-1-ol
P067	1,2-Propylenimine
P102	2-Propyn-1-ol
P008	4-Pyridinamine
P075	Pyridine, (S)-3-(1-methy-2-pyrrolidinyl)-, and

	salts
P111	Pyrophosphoric acid, tetraethyl ester
P103	Selenourea
P104	Silver cyanide
P105	Sodium azide
P106	Sodium cyanide
P107	Strontium sulfide
P108	Strychnidin-10-one, and salts
P018	Strychnidin-10-one, 2,3-dimethoxy-
P108	Strychnine and salts
P115	Sulfuric acid, thallium(I) salt
P109	Tetraethyldithiopyrophosphate
P110	Tetraethyl lead
P111	Tetraethylpyrophosphate
P112	Tetranitromethane (R)
P062	Tetraphosphoric acid, hexaethyl ester
P113	Thallic oxide
P113	Thallium (III) oxide
P114	Thallium (I) selenite
P115	Thallium (I) sulfate
P045	Thiofanox
P049	Thioimidodicarbonic diamide
P014	Thiophenol
P116	Thiosemicarbazide
P026	Thiourea, (2-chlorophenyl)-
P072	Thiourea, 1-naphthalenyl-
P093	Thiourea, phenyl-
P123	Toxaphene
P118	Trichloromethanethiol
P119	Vanadic acid, ammonium salt
P120	Vanadium pentoxide
P120	Vanadium(V) oxide
P001	Warfarin, when present at concentration greater than 0.3%.
P121	Zinc cyanide
P122	Zinc phosphide,when present at concentrations greater than 10% (R,T)

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

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

Hazardous Waste No.	Substance
U001	Acetaldehyde (I)
U034	Acetaldehyde, trichloro-
U187	Acetamide, N-(4-ethoxyphenyl)-
U005	Acetamide, N-9H-fluoren-2-yl-
U112	Acetic acid, ethyl ester (I)
U144	Acetic acid, lead salt
U214	Acetic acid, thallium(I) salt
U002	Acetone (I)
U003	Acetonitrile (I,T)
U248	3-(alpha-Acetonylbenzyl)-4-hydroxycoumarin and salts, when present at concentrations of 0.3% or less
U004	Acetophenone
U005	2-Acetylaminofluorene
U006	Acetyl chloride (C,R,T)
U007	Acrylamide
U008	Acrylic acid (I)
U009	Acrylontrile
U150	Alanine, 3-[p-bis(2-chloroethyl)amino] phenyl-, L-
U328	2-Amino-1-methylbenzene
U353	4-Amino-1-methylbenzene
U011	Amitrole
U012	Aniline (I,T)
U014	Auramine
U015	Azaserine
U010	Azirino(2',3':3,4)pyrrolo(1,2-a)indole-4,7-dione, 6-amino-8-[((aminocarbonyl)oxy)methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-,
U157	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-
U016	Benz(c)acridine
U016	3,4-Benzacridine
U017	Benzal chloride
U018	Benz[a]anthracene
U018	1,2-Benzanthracene
U094	1,2-Benzanthracene, 7,12-dimethyl-
U012	Benzenamine (I,T)
U014	Benzenamine, 4,4'-carbonimidoylbis(N,N-dimethyl-
U049	Benzenamine, 4-chloro-2-methyl-
U093	Benzenamine, N,N'-dimethyl-4-phenylazo-
U158	Benzenamine, 4,4'-methylenebis(2-chloro-
U222	Benzenamine, 2-methyl-, hydrochloride
U181	Benzenamine, 2-methyl-5-nitro
U019	Benzene (I,T)
U038	Benzeneacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy, ethyl ester
U030	Benzene, 1-bromo-4-phenoxy-
U037	Benzene, chloro-
U190	1,2-Benzenedicarboxylic acid anhydride
U028	1,2-Benzenedicarboxylic acid, [bis(2-ethyl-

	hexyl)] ester
U069	1,2-Benzenedicarboxylic acid, dibutyl ester
U088	1,2-Benzenedicarboxylic acid, diethyl ester
U102	1,2-Benzenedicarboxylic acid, dimethyl ester
U107	1,2-Benzenedicarboxylic acid, di-n-octyl ester
U070	Benzene, 1,2-dichloro-
U071	Benzene, 1,3-dichloro-
U072	Benzene, 1,4-dichloro-
U017	Benzene, (dichloromethyl)-
U223	Benzene, 1,3-diisocyanatomethyl- (R,T)
U239	Benzene, dimethyl- (I,T)
U201	1,3-Benzenediol
U127	Benzene, hexachloro-
U056	Benzene, hexahydro-(I)
U188	Benzene, hydroxy-
U220	Benzene, methyl-
U105	Benzene, 1-methyl-1-2,4-dinitro-
U106	Benzene, 1-methyl-2,6-dinitro-
U203	Benzene, 1,2-methylenedioxy-4-allyl-
U141	Benzene, 1,2-methylenedioxy-4-propenyl-
U090	Benzene, 1,2-methylenedioxy-4-propyl-
U055	Benzene, (1-methylethyl)- (I)
U169	Benzene, nitro- (I,T)
U183	Benzene, pentachloro-
U185	Benzene, pentachloronitro-
U020	Benzenesulfonic acid chloride (C,R)
U020	Benzenesulfonyl chloride (C,R)
U207	Benzene, 1,2,4,5-tetrachloro-
U023	Benzene, (trichloromethyl)-(C,R,T)
U234	Benzene, 1,3,5-trinitro- (R,T)
U021	Benzidine
U202	1,2-Benzisothiazolin-3-one, 1,1-dixoide
U120	Benzo[j,k]fluorene
U022	Benzo[a]pyrene
U022	3,4-Benzopyrene
U197	3-Benzoquinone
U023	Benzotrichloride (C,R,T)
U050	1,2-Benzphenanthrene
U085	2,2'-Bioxirane (I,T)
U021	(1,1'-Biphenyl)-4,4'-diamine
U073	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dichloro-
U091	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethoxy-
U095	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethyl-
U024	Bis(2-chloroethoxy) methane
U027	Bis(2-chloroisopropyl) ether
U244	Bis(dimethylthiocarbamoyl) disulfide
U028	Bis(2-ethylhexyl) phthalate
U246	Bromine cyanide
U225	Bromoform
U030	4-Bromophenyl phenyl ether
U128	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	1-Butanamine, N-butyl-N-nitroso-
U035	Butanoic acid, 4-[Bis(2-chloroethyl)amino] benzene-

U031	1-Butanol (I)
U159	Butanone (I,T)
U160	2-Butanone peroxide (R,T)
U053	2-Butenal
U074	2-Butene, 1,4-dichloro- (I,T)
U031	n-Butyl alcohol (I)
U136	Cacodylic acid
U032	Calcium chromate
U238	Carbamic acid, ethyl ester
U178	Carbamic acid, methylnitroso-, ethyl ester
U176	Carbamide, N-ethyl-N-nitroso-
U177	Carbamide, N-methyl-N-nitroso-
U219	Carbamide, thio-
U097	Carbamoyl chloride, dimethyl
U215	Carbonic acid, dithallium (I) salt
U156	Carbonochloridic acid, methyl ester (I,T)
U033	Carbon oxyfluoride (R,T)
U211	Carbon tetrachloride
U033	Carbonyl fluoride (R,T)
U034	Chloral
U035	Chlorambucil
U036	Chlordane, technical
U026	Chlornaphazine
U037	Chlorobenzene
U039	4-Chloro-m-cresol
U041	1-chloro-2,3-epoxypropane
U042	2-Chloroethyl vinyl ether
U044	Chloroform
U046	Chloromethyl methyl ether
U047	beta-Chloronapthalene
U048	o-Chlorophenol
U049	4-chloro-o-toluidine, hydrochloride
U032	Chromic acid, calcium salt
U050	Chrysene
U051	Creosote
U052	Cresols
U052	Cresylic acid
U053	Crotonaldehyde
U055	Cumeme (I)
U246	Cyanogen bromide
U197	1,4-Cyclohexadienedione
U056	Cyclohexane (I)
U057	Cyclohexanone (I)
U130	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
U058	Cyclophosphamide
U240	2,4-D, salts and esters
U059	Daunomycin
U060	DDD
U061	DDT
U142	Decachlorooctahydro-1,3,4-metheno-2H-cyclobuta[c,d]-pentalen-2-one
U062	Diallate
U133	Diamine (R,T)
U221	Diaminotoluene

U063	Dibenz[a,h]anthracene
U063	1,2:5,6-Dibenzanthracene
U064	1,2:7,8-Dibenzopyrene
U064	Dibenz[a,i]pyrene
U066	1,2-Dibromo-3-chloropropane
U069	Dibutyl phthalate
U062	S-(2,3-Dichloroallyl) diisopropylthiocarbamate
U070	o-Dichlorobenzene
U071	m-Dichlorobenzene
U072	p-Dichlorobenzene
U073	3,3'-Dichlorobenzidine
U074	1,4-Dichloro-2-butene (I,T)
U075	Dichlorodifluoromethane
U192	3,5-Dichloro-N-(1,1-dimethyl-2-propynyl) benzamide
U060	Dichlorodiphenyldichloroethane
U061	Dichlorodiphenyltrichloroethane
U078	1,1-Dichloroethylene
U079	1,2-Dichloroethylene
U025	Dichloroethyl ether
U081	2,4-Dichlorophenol
U082	2,6-Dichlorophenol
U240	2,4-Dichlorophenoxyacetic acid, salts and esters
U083	1,2-Dichloropropane
U084	1,3-Dichloropropene
U085	1,2:3,4-Diepoxybutane (I,T)
U108	1,4-Diethylene dioxide
U086	N,N-Diethylhydrazine
U087	O,O-Diethyl-S-methyl-dithiophosphate
U088	Diethyl phthalate
U089	Diethylstilbestrol
U148	1,2-Dihydro-3,6-pyradizinedione
U090	Dihydrosafrole
U091	3,3'-Dimethoxybenzidine
U092	Dimethylamine (I)
U093	Dimethylaminoazobenzene
U094	7,12-Dimethylbenz[a]anthracene
U095	3,3'-Dimethylbenzidine
U096	alpha, alpha-Dimethylbenzylhydroperoxide (R)
U097	Dimethylcarbamoyl chloride
U098	1,1-Dimethylhydrazine
U099	1,2-Dimethylhydrazine
U101	2,4-Dimethylphenol
U102	Dimethyl phthalate
U103	Dimethyl sulfate
U105	2,4-Dinitrotoluene
U106	2,6-Dinitrotoluene
U107	Di-n-octyl phthalate
U108	1,4-Dioxane
U109	1,2-Diphenylhydrazine
U110	Dipropylamine (I)
U111	Di-N-propylnitrosoamine
U001	Ethanal (I)

U174	Ethanamine, N-ethyl-N-nitroso-
U067	Ethane, 1,2-dibromo-
U076	Ethane, 1,1-dichloro-
U077	Ethane, 1,2-dichloro-
U114	1,2-Ethanediylbiscarbamodithioic acid
U131	Ethane, 1,1,1,2,2,2-hexachloro-
U024	Ethane, 1,1'-[methylenebis(oxy)]bis(2-chloro-
U247	Ethane, 1,1,1-trichloro-2,2-bis(p-methoxyphenol)-
U003	Ethanenitrile (I,T)
U117	Ethane, 1,1'-oxybis- (I)
U025	Ethane, 1,1'-oxybis(2-chloro-
U184	Ethane, pentachloro-
U208	Ethane, 1,1,1,2-tetrachloro-
U209	Ethane, 1,1,2,2-tetrachloro-
U218	Ethanethioamide
U227	Ethane, 1,1,2-trichloro-
U043	Ethene, chloro-
U042	Ethene, 2-chloroethoxy-
U078	Ethene, 1,1-dichloro-
U079	Ethene, trans-1,2-dichloro-
U210	Ethene, 1,1,2,2-tetrachloro-
U173	Ethanol, 2,2'-(nitrosoimino)bis-
U004	Ethanone, 1-phenyl-
U006	Ethanoyl chloride (C,R,T)
U359	2-Ethoxyethanol
U112	Ethyl acetate (I)
U113	Ethyl acrylate (I)
U238	Ethyl carbamate (urethan)
U038	Ethyl 4,4'-dichlorobenzilate
U114	Ethylenebis(dithiocarbamic acid)
U067	Ethylene dibromide
U077	Ethylene dichloride
U359	Ethylene glycol monoethyl ether
U115	Ethylene oxide (I,T)
U116	Ethylene thiourea
U117	Ethyl ether (I)
U076	Ethylidene dichloride
U118	Ethylmethacrylate
U119	Ethyl methanesulfonate
U139	Ferric dextran
U120	Fluoranthene
U122	Formaldehyde
U123	Formic acid (C,T)
U124	Furan (I)
U125	2-Furancarboxaldehyde (I)
U147	2,5-Furandione
U213	Furan, tetrahydro- (I)
U125	Furfural (I)
U124	Furfuran (I)
U206	D-Glucopyranose, 2-deoxy-2-(3-methyl-3-nitrosoureido)-
U126	Glycidylaldehyde
U163	Guanidine, N-nitroso-N-methyl-N'-nitro

U127	Hexachlorobenzene
U128	Hexachlorobutadiene
U129	Hexachlorocyclohexane (gamma isomer)
U130	Hexachlorocyclopentadiene
U131	Hexachloroethane
U132	Hexachlorophene
U243	Hexachloropropene
U133	Hydrazine (R,T)
U086	Hydrazine, 1,2-diethyl-
U098	Hydrazine, 1,1-dimethyl-
U099	Hydrazine, 1,2-dimethyl-
U109	Hydrazine, 1,2-Diphenyl-
U134	Hydrofluoric acid (C,T)
U134	Hydrogen fluoride (C,T)
U135	Hydrogen sulfide
U096	Hydroperoxide, 1-methyl-1-phenylethyl- (R)
U136	Hydroxydimethylarsine oxide
U116	2-Imidazolidinethione
U137	Indeno[1,2,3-cd]pyrene
U139	Iron dextran
U140	Isobutyl alcohol (I,T)
U141	Isosafrole
U142	Kepone
U143	Lasiocarpene
U144	Lead acetate
U145	Lead phosphate
U146	Lead subacetate
U129	Lindane
U147	Maleic anhydride
U148	Maleic hydrazide
U149	Malononitrile
U150	Melphalan
U151	Mercury
U152	Methacrylonitrile (I,T)
U092	Methanamine, N-methyl- (I)
U029	Methane, bromo
U045	Methane, chloro- (I,T)
U046	Methane, chloromethoxy-
U068	Methane, dibromo-
U080	Methane, dichloro-
U075	Methane, dichlorodifluoro-
U138	Methane, iodo-
U119	Methanesulfonic acid, ethyl ester
U211	Methane, tetrachloro-
U121	Methane, trichlorofluoro-
U153	Methanethiol (I,T)
U225	Methane, tribromo-
U044	Methane, trichloro-
U121	Methane, trichlorofluoro-
U123	Methanoic acid (C,T)
U036	4,7-Methanoindan, 1,2,4,5,6,7,8,8-octachloro-3a,4,7,7a-tetrahydro-
U154	Methanol (I)
U155	Methapyrilene

U154	Methyl alcohol (I)
U029	Methyl bromide
U186	1-Methylbutadiene (I)
U045	Methyl chloride (I,T)
U156	Methyl chlorocarbonate (I,T)
U226	Methylchloroform
U157	3-Methylcholanthrene
U158	4,4'-Methylenebis(2-chloroaniline)
U132	2,2'-Methylenebis(3,4,6-trichlorophenol)
U068	Methylene bromide
U080	Methylene chloride
U122	Methylene oxide
U159	Methyl ethyl ketone (I,T)
U160	Methyl ethyl ketone peroxide (R,T)
U138	Methyl iodide
U161	Methyl isobutyl ketone (I)
U162	Methyl methacrylate (I,T)
U163	N-Methyl-N'-nitro-N-nitrosoguanidine
U161	4-Methyl-2-pentanone (I)
U164	Methylthiouracil
U247	Methoxychlor
U010	Mitomycin C
U059	5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxo-hexapyranosyl)oxyl]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-
U165	Naphthalene
U047	Naphthalene, 2-chloro-
U166	1,4-Naphthalenedione
U236	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-(1,1'-biphenyl)-4,4'-diyl)]-bis(azo)bis(5-amino-4-hydroxy)-, tetrasodium salt
U166	1,4-Naphthaquinone
U167	1-Naphthylamine
U168	2-Naphthylamine
U167	alpha-Naphthylamine
U168	beta-Napnthylamine
U026	2-Naphthylamine, N,N'-bis(2-chloromethyl)-
U169	Nitrobenzene (I,T)
U170	p-Nitrophenol
U171	2-Nitropropane (I,T)
U172	N-Nitrosodi-n-butylamine
U173	N-Nitrosodiethanolamine
U174	N-Nitrosodiethylamine
U111	N-Nitroso-N-propylamine
U176	N-Nitroso-N-ethylurea
U177	N-Nitroso-N-methylurea
U178	N-Nitroso-N-methylurethane
U179	N-Nitrosopiperidine
U180	N-Nitrosopyrrolidine
U181	5-Nitro-o-toluidine
U193	1,2-Oxathiolane, 2,2-dioxide
U058	2H-1,3,2-Oxazaphosphorine, 2-[bis(2-chloro-

	ethyl)amino]tetrahydro-, oxide 2-
U115	Oxirane (I,T)
U041	Oxarane, 2-(chloromethyl)-
U182	Paraldehyde
U183	Pentachlorobenzene
U184	Pentachloroethane
U185	Pentachloronitrobenzene
See F027	Pentachlorophenol
U186	1,3-pentadiene (I)
U187	Phenacetin
U188	Phenol
U048	Phenol, 2-chloro-
U039	Phenol, 4-chloro-3-methyl-
U081	Phenol, 2,4-dichloro-
U082	Phenol, 2,6-dichloro-
U101	Phenol, 2,4-dimethyl-
U170	Phenol, 4-nitro-
See F027	Phenol, pentachloro-
See F027	Phenol, 2,3,4,6-tetrachloro-
See F027	Phenol, 2,4,5-trichloro-
See F027	Phenol, 2,4,6-trichloro-
U137	1,10-(1,2-phenylene)pyrene
U145	Phosphoric acid, lead salt
U087	Phosphorodithioic acid, O,O-diethyl-, S-methyl-ester
U189	Phosphorous sulfide (R)
U190	Phthalic anhydride
U191	2-Picoline
U192	Pronamide
U194	1-Propanamine (I,T)
U110	1-Propanamine, N-propyl-(I)
U066	Propane, 1,2-dibromo-3-chloro-
U149	Propanedinitrile
U171	Propane, 2-nitro- (I,T)
U027	Propane, 2,2'-oxybis[2-chloro-
U193	1,3-Propane sultone
U235	1-Propanol, 2,3-dibromo-, phosphate (3:1)
U126	1-Propanol, 2,3-epoxy-
U140	1-Propanol, 2-methyl- (I,T)
U002	2-Propanone (I)
U007	2-Propenamide
U084	Propene, 1,3-dichloro-
U243	1-Propene, 1,1,2,3,3,3-hexachloro-
U009	2-Propenenitrile
U152	2-Propenenitrile, 2-methyl- (I,T)
U008	2-Propenoic acid (I)
U113	2-Propenoic acid, ethyl ester (I)
U118	2-Propenoic acid, 2-methyl-, ethyl ester
U162	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
See F027	Propionic acid,2-(2,4,5-trichlorophenoxy)-
U194	n-Propylamine (I,T)
U083	Propylene dichloride
U196	Pyridine

U155	Pyridine, 2-[(2-(dimethylamino)-2-thenylamino]-
U179	Pyridine, hexahydro-N-nitroso-
U191	Pryidine, 2-methyl-
U164	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U180	Pyrrole, tetrahydro-N-nitroso-
U200	Reserpine
U201	Resorcinol
U202	Saccharin and salts
U203	Safrole
U204	Selenious acid
U204	Selenium dioxide
U205	Selenium disulfide (R,T)
U015	L-Serine, diazoacetate (ester)
See F027	Silvex
U089	4,4'-Stilbenediol, alpha, alpha'-diethyl-
U206	Streptozotocin
U135	Sulfur hydride
U103	Sulfuric acid, dimethyl ester
U189	Sulfur phosphide (R)
U205	Sulfur selenide (R,T)
See F027	2,4,5-T
U207	1,2,4,5-Tetrachlorobenzene
U208	1,1,1,2-Tetrachloroethane
U209	1,1,2,2-Tetrachloroethane
U210	Tetrachloroethylene
See F027	2,3,4,6-Tetrachlorophenol
U213	Tetrahydrofuran (I)
U214	Thallium (I) acetate
U215	Thallium (I) carbonate
U216	Thallium (I) chloride
U217	Thallium (I) nitrate
U218	Thioacetamide
U153	Thiomethanol (I,T)
U219	Thiourea
U244	Thiram
U220	Toluene
U221	Toluenediamine
U223	Toluene diisocyanate (R,T)
U328	o-Toluidine
U353	p-Toluidine
U222	o-Toluidine hydrochloride
U011	1H-1,2,4-Triazol-3-amine
U226	1,1,1-Trichloroethane
U227	1,1,2-Trichloroethane
U228	Trichloroethene
U228	Trichloroethylene
U121	Trichloromonofluoromethane
See F027	2,4,5-Trichlorophenol
See F027	2,4,6-Trichlorophenol
See F027	2,4,5-Trichlorophenoxyacetic acid
U234	sym-Trinitrobenzene (R,T)
U182	1,3,5-Trioxane, 2,4,5-trimethyl-

U235	Tris(2,3-dibromopropyl) phosphate
U236	Trypan blue
U237	Uracil, 5[bis(2-chloromethyl)amino]-
U237	Uracil mustard
U043	Vinyl chloride
U248	Warfarin, when present at concentrations of 0.3% or less
U239	Xylene (I)
U249	Zinc phosphide, when present at concentrations of 10% or less
U200	Yohimban-16-carboxylic acid, 11,17-di-methoxy-18-[(3,4,5-trimethoxy-benzoyl)oxy]-,methyl ester

(Source: Amended at 12 Ill. Reg. , effective)

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

PART 725
INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

SUBPART B: GENERAL FACILITY STANDARDS

SUBPART C: PREPAREDNESS AND PREVENTION

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

SUBPART J: TANK SYSTEMS

SUBPART K: SURFACE IMPOUNDMENTS

SUBPART L: WASTE PILES

SUBPART M: LAND TREATMENT

Appendix B EPA Report Form and Instructions (Repealed)
Appendix C EPA Interim Primary Drinking Water Standards
Appendix D Tests for Significance
Appendix E Examples of Potentially Incompatible Waste

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111-1/2, pars. 1022.4 and 1027).

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective as noted in 35 Ill. Adm. Code 700.106; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective as noted in 35 Ill. Adm. Code 700.106; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. , effective .

SUBPART K: SURFACE IMPOUNDMENTS

Section 725.328 Closure and Post-closure Care

~~- a) At closure, the owner or operator may elect to remove from the impoundment:~~

~~1) Standing liquids;~~

~~2) Waste and waste residues;~~

~~3) The liner, if any; and~~

~~4) Underlying and surrounding contaminated soil.~~

~~b) If the owner or operator removes all the impoundment materials in paragraph (a) of this section, or can demonstrate under 721.103(c) and (d) that none of the materials listed in paragraph (a) of this section remaining at any stage of removal are hazardous wastes, the impoundment is not further subject to the requirement of this Part.~~

~~Comment: At closure, as throughout the operating period, unless the owner or operator can demonstrate, in accordance with 721.103(c) or (d) that any solid waste removed from the surface impoundment is not a hazardous waste, he becomes a generator of hazardous waste and must manage it in accordance with all applicable requirements of Parts 722, 723 and 725. The surface~~

~~impoundment may be subject to 40 CFR Part 257 even if it is not subject to this Part.~~

~~c) If the owner or operator does not remove all the impoundment materials in paragraph (a) of this section or does not make the demonstration in paragraph (b) of this section, he must close the impoundment and provide post-closure care as for a landfill under Subpart G and 725.410. If necessary to support the final cover specified in the approved closure plan, the owner or operator must treat remaining liquids, residues and soils by removal of liquids, drying or other means.~~

~~Comment: The closure requirements under 725.410 will vary with the amount and nature of the residue remaining, if any, and the degree of contamination of the underlying and surrounding soil. Section 725.217(d) allows the Director or Board to vary post-closure requirements.~~

a) At closure, the owner or operator shall:

1) Remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils and structures and equipment contaminated with waste or leachate, and manage them as hazardous waste unless 35 Ill. Adm. Code 721.103(d) applies; or

2) Close the impoundment and provide post-closure care for a landfill under Subpart G and Section 725.410, including the following:

A) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues;

B) Stabilize remaining wastes to a bearing capacity sufficient to support final cover; and

C) Cover the surface impoundment with a final cover designed and constructed to:

i) Provide long-term minimization of the migration of liquids through the closed impoundment;

ii) Function with minimum maintenance;

iii) Promote drainage and minimize erosion or abrasion of the cover;

iv) Accommodate settling and subsidence so

that the cover's integrity is maintained; and

v) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.

b) In addition to the requirements of Subpart G and Section 725.410, during the post-closure care period the owner or operator of a surface impoundment in which wastes, waste residues or contaminated materials remain after closure in accordance with subsection (a)(2) shall:

1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cover as necessary to correct the effects of settling, subsidence, erosion or other events;

2) Maintain and monitor the groundwater monitoring system and comply with all other applicable requirements of Subpart F; and

3) Prevent run-on and run-off from eroding or damaging the final cover.

(Source: Amended at 12 Ill. Reg. , effective)

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

PART 726
STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTE AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C: RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY

SUBPART F: RECYCLABLE MATERIALS UTILIZED FOR PRECIOUS METAL RECOVERY

SUBPART G: SPENT LEAD-ACID BATTERIES BEING RECLAIMED

Section
726.180 Applicability and requirements

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 1022.4 and 1027).

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. , effective .

SUBPART C: RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

Section 726.120 Applicability

a) The regulations of this Subpart apply to recyclable materials that are applied to or placed on the land;

1) ~~w~~Without mixing with any other substance(s); or

2) ~~a~~After mixing or combination with any other substance(s)~~, unless the recyclable material undergoes a chemical reaction so as to become inseparable from the other substance(s) by physical means; or~~

~~3)~~ ~~after combination with any other substance(s) if the resulting combined material is not produced for the general public's use~~. These materials will be referred to throughout this Subpart as "materials used in a manner that constitutes disposal."

b) Products produced for the general public's use that are used in a manner that constitutes disposal and that contain recyclable materials are not presently subject to regulation under this Subpart if the recyclable materials have undergone a chemical reaction in the course of producing the product so as to become inseparable by physical means. Commercial fertilizers that are produced for the general public's use that contain recyclable materials also are not presently subject to regulation under this Subpart.

(Source: Amended at 12 Ill. Reg. , effective)

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

Section 726.131 Prohibitions

a) A person may market hazardous waste fuel only:

1) To persons who have notified USEPA of their hazardous waste fuel activities ~~-under section 3010 of the Resource Conservation and Recovery Act-~~ and have a USEPA identification number (35 Ill. Adm. Code 722.112); and

2) If the fuel is burned, to persons who burn the fuel in boilers or industrial furnaces identified in subsection (b).

b) Hazardous waste fuel may be burned for energy recovery in only the following devices:

1) Industrial furnaces identified in 35 Ill. Adm. Code 720.110;

2) Boilers, as defined in 35 Ill. Adm. Code 720.110 that are identified as follows:

A) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes; or

B) Utility boilers used to produce electric power, steam or heated or cooled air or other gases or fluids for sale.

c) No fuel which contains any hazardous waste may be burned in any cement kiln which is located within the boundaries of any incorporated municipality with a population greater than 500,000 (based on the most recent census statistics) unless such kiln fully complies with regulations under 35 Ill. Adm. Code 702, 703, 724 and 725 that are applicable to incinerators.

(Source: Amended at 12 Ill. Reg. , effective)

Section 726.134 Standards applicable to marketers of hazardous waste fuel

Persons who market hazardous waste fuel are called "marketers", and are subject to the following requirements. Marketers include generators who market hazardous waste fuel directly to a burner, persons who receive hazardous waste from generators and produce, process or blend hazardous waste fuel from these hazardous wastes and persons who distribute but do not process or blend hazardous waste fuel.

a) Prohibitions. The prohibitions under Section 726.131(a);

b) Notification. Notification- ~~requirements under Section 3010 of the Resource Conservation and Recovery Act for~~ - of hazardous waste fuel activities. Even if a marketer has previously notified USEPA of the marketer's hazardous waste management activities and obtained a USEPA identification number, the marketer ~~must~~ shall renotify to identify the marketer's hazardous waste fuel activities.

c) Storage. The applicable provisions of 35 Ill. Adm. Code 702, 703, 722.134, 724.Subparts A through L and 725.Subparts A through L;

d) Off-site shipment. The standards for generators in 35 Ill. Adm. Code 722 when a marketer initiates a shipment of hazardous waste fuel;

e) Required notices.

1) Before a marketer initiates the first shipment of hazardous waste fuel to a burner or another marketer, the marketer ~~must~~ shall obtain a one-time written and signed notice from the burner or marketer certifying that:

A) The burner or marketer has notified USEPA ~~under Section 3010 of the Resource Conservation and Recovery Act~~ and identified the burner or marketer's waste-as-fuel activities; and

B) If the recipient is a burner, the burner will burn the hazardous waste fuel only in an industrial furnace or boiler identified in ~~(~~ 35 Ill. Adm. Code ~~721.131(b).)~~ 726.131(b).

2) Before a marketer accepts the first shipment of hazardous waste fuel from another marketer, the marketer ~~must~~ shall provide the other marketer with a one-time written and signed certification that the marketer has notified USEPA under Section 3010 of the Resource Conservation and Recovery Act and identified the marketer's hazardous waste fuel activities; and

f) Recordkeeping. In addition to the applicable recordkeeping requirements of 35 Ill. Adm. Code 722, 724 and 725, a marketer ~~must~~ shall keep a copy of each certification notice the marketer receives or sends for three years from the date the marketer last engages in a hazardous waste fuel marketing transaction with the

person who sends or receives the certification notice.

(Source: Amended at 12 Ill. Reg. , effective)

Section 726.135 Standards applicable to burners of hazardous waste fuel

Owners ~~-or-~~and operators of industrial furnaces and boilers identified in Section 726.131(b) that burn hazardous waste fuel are "burners" and are subject to the following requirements:

a) Prohibitions. The prohibitions under Section 726.131(b);

b) Notification. Notification ~~-requirements under Section 3010 of the Resource Conservation and Recovery Act for~~ -of hazardous waste fuel activities. Even if a burner has previously notified USEPA of the burner's hazardous waste management activities and obtained a USEPA identification number, the burner ~~-must-~~shall renotify to identify the burner's hazardous waste fuel activities.

c) Storage.

1) For short term accumulation by generators who burn their hazardous waste fuel on site, the applicable provisions of 35 Ill. Adm. Code 722.134;

2) For existing storage facilities, the applicable provisions of 35 Ill. Adm. Code 702, 703 and 725.Subparts A through L; and

3) For new storage facilities, the applicable provisions of 35 Ill. Adm. Code 702, 703 and 724.Subparts A through L;

d) Required notices. Before a burner accepts the first shipment of hazardous waste fuel from marketer, the burner ~~-must-~~shall provide the marketer a one-time written and signed notice certifying that:

1) The burner has notified USEPA ~~-under Section 3010 of the Resource Conservation and Recovery Act~~ -and identified the burner's waste-as-fuel activities; and

2) The burner will burn the fuel only in a boiler or furnace identified in Section 726.131(b).

e) Recordkeeping. In addition to the applicable recordkeeping requirements of 35 Ill. Adm. Code 724 and 725 a burner ~~-must-~~shall keep a copy of each

certification notice that the burner sends to a marketer for three years from the date the burner last receives hazardous waste fuel from that marketer.

(Source: Amended at 12 Ill. Reg. , effective)

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY

Section 726.143 Standards applicable to marketers of used oil burned for energy recovery

a) Persons who market used oil fuel are termed "marketers". ~~However, t~~Except as provided below, marketers include generators who market used oil fuel directly to a burner, persons who receive used oil from generators and produce, process or blend used oil fuel from these used oils (including persons sending blended or processed used oil to brokers or other intermediaries), and persons who distribute but do not process or blend used oil fuel. The following persons are not marketers subject to this Subpart:

1) Used oil generators, and collectors who transport used oil received only from generators, unless the generator or collector markets the used oil directly to a person who burns it for energy recovery. However, persons who burn some used oil fuel for purposes of processing or other treatment to produce used oil fuel for marketing are considering to be burning incidentally to processing. Thus, generators and collectors who market to such incidental burners are not marketers subject to this Subpart;

2) Persons who market only used oil fuel that meets the specification under Section 726.140(e) and who are not the first person to claim the oil meets the specification (i.e., marketers who do not receive used oil from generators or initial transportaters and marketers who neither receive nor market off-specification used oil fuel).

b) Marketers are subject to the following requirements:

1) Analysis of used oil fuel. Used oil fuel is subject to regulation under this Subpart unless the marketer obtains analyses or other information documenting that the used oil fuel meets the specification provided under Section 726.140(e);

2) Prohibitions. The prohibitions under Section 726.141(a);

3) Notification. Notification to USEPA stating the location and general description of used oil management activities. Even if a marketer has previously notified USEPA of the marketer's hazardous waste management activities under Section 3010 of the Resource Conservation and Recovery Act and obtained a USEPA identification number, the marketer ~~must~~ shall renotify to identify the marketer's used oil management activities.

4) Invoice system. When a marketer initiates a shipment of off-specification used oil, the marketer ~~must~~ shall prepare and send the receiving facility an invoice containing the following information:

A) An invoice number;

B) The marketer's own USEPA identification number and the USEPA identification number of the receiving facility;

C) The names and addresses of the shipping and receiving facilities;

D) The quantity of off-specification used oil to be delivered;

E) The date(s) of shipment or delivery; and

F) The following statement: "This used oil is subject to USEPA regulation under 40 CFR 266 and 35 Ill. Adm. Code 726:

(Board Note: Used oil that meets the definition of combustible liquid (flash point below 200 F but at or greater than 100 F) or flammable liquid (flash point below 100 F) is subject to Department of Transportation Hazardous Materials Regulations at 49 CFR 100 through 177 (1985).)

5) Required Notices.

A) Before a marketer initiates the first shipment of off-specification used oil to a burner or other marketer, the marketer ~~must~~ shall obtain a one-time written and signed notice from the burner or marketer certifying that:

i) The burner or marketer has notified USEPA stating the location and general description of the burner's or the marketer's used oil management

activities; and

ii) If the recipient is a burner, the burner will burn the off-specification used oil only in an industrial furnace or boiler identified in Section 726.141(b); and

B) Before a marketer accepts the first shipment of off-specification used oil from another marketer subject to the requirements of this Section, the marketer ~~must~~ shall provide the marketer with a one-time written and signed notice certifying that the marketer has notified USEPA of the marketer's used oil management activities; and

6) Recordkeeping.

A) Used Oil Fuel That Meets the Specification. A marketer who first claims under subsection (b)(1) that used oil fuel meets the specification ~~must~~ shall keep copies of analyses (or other information used to make the determination) of used oil for three years. Such marketers ~~must~~ shall also record in an operating log and keep for three years the following information on each shipment of used oil fuel that meets the specification. Such used oil fuel is not subject to further regulation, unless it is subsequently mixed with hazardous waste or unless it is mixed with used oil so that it no longer meet the specification.

i) The name and address of the facility receiving the shipment;

ii) The quantity of used oil fuel delivered;

iii) The date of shipment or delivery; and

iv) A cross-reference to the record of used oil analysis (or other information used to make the determination that the oil meets the specification) required under subsection (b)(6)(A).

B) Off-Specification Used Oil Fuel. A marketer who receives or initiates an invoice under the requirements of this Section ~~must~~ shall keep a copy of each invoice for three years from the date the invoice is received or prepared. In addition, a marketer ~~must~~ shall keep a copy of each certification notice that

the marketer receives or sends for three years from the date the marketer last engages in an off-specification used oil fuel marketing transaction with the person who sends or receives the certification notice.

(Source: Amended at 12 Ill. Reg. , effective)

Section 726.144 Standards applicable to burners of used oil burned for energy recovery

Owners and operators of facilities that burn used oil fuel are "burners" and are subject to the following requirements:

a) Prohibition. The prohibition under Section 726.141(b);

b) Notification. Burners of off-specification used oil fuel- ~~must-~~, and burners of used oil fuel who are the first to claim that the oil meets the specification provided under Section 726.140(e), except burners who burn specification oil that they generate, shall notify USEPA stating the location and general description of used oil management activities-~~, except that owners and operators of used oil-fired space heaters that burn used oil fuel under the provisions of Section 726.141(b)(2) are exempt from these notification requirements. Even if a burner has previously notified USEPA of the burner's hazardous waste management activities under Section 3010 of the Resource Conservation and Recovery Act and obtained an identification number, the burner -must-~~shall renotify to identify the burner's used oil management activities-. Burners of used oil fuel that meets the specification who receive such oil from a marketer that previously notified USEPA are not required to notify. Owners and operators of used oil-fired space heaters that burn used oil fuel under the provisions of Section 726.141(b)(2) are exempt from this notification requirement.

c) Required notices. Before a burner accepts the first shipment of off-specification used oil fuel from a marketer, the burner -~~must-~~shall provide the marketer a one-time written and signed notice certifying that:

1) The burner has notified USEPA stating that location and general description of the burner's used oil management activities; and

2) The burner will burn the used oil only in an industrial furnace or boiler identified in Section 726.141(b); and

d) Used oil fuel analysis.

1) Used oil fuel burned by the generator is subject to regulation under this Subpart unless the burner obtains analyses (or other information) documenting that the used oil meets the specification provided under Section 726.140(e).

2) Burners who treat off-specification used oil fuel by processing, blending or other treatment to meet the specification provided under Section 726.140(e) ~~-must-~~shall obtain analyses (or other information) documenting that the used oil meets the specification.

e) Recordkeeping. A burner who receives an invoice under the requirements of this Section ~~-must-~~shall keep a copy of each invoice for three years from the date the invoice is received. Burners ~~-must-~~shall also keep for three years copies of analyses of used oil ~~-f~~ fuel as may be required by subsection (d). In addition, the burner ~~-must-~~shall keep a copy of each certification notice that the burner sends to a marketer for three years from the date the burner last receives off-specification used oil from that marketer.

(Source: Amended at 12 Ill. Reg. , effective)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 3rd day of December, 1987, by a vote of 7-0.

Dorothy M. Gunn

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board