**Section 229.116 Compliance Schedules for HMIWIs That Will Shut Down**

All owners or operators of HMIWIs that intend to permanently shut down their HMIWI as a means of complying with this Part shall:

a) Provide the Agency with written notice of their intention to permanently shut down their HMIWI, as follows:

1) On or before November 15, 1999, for an HMIWI as defined in Section 229.110(a)(1) of this Part, subject to the emissions limits under Section 229.125(a) or Section 229.126(a) of this Part;

2) On or before January 1, 2013, except as provided for in Section 229.116(c), for an HMIWI as defined in Section 229.110(a)(1) or (a)(2) of this Part, subject to the emissions limits under Section 229.125(c), as applicable, or Section 229.126(c) of this Part.

b) Take the following affirmative steps to demonstrate that the HMIWI has been rendered permanently inoperable by September 15, 2000, for an HMIWI as defined in Section 229.110(a)(1), or by January 1, 2014 for an HMIWI as defined in Section 229.110(a)(1) or (a)(2) of this Part:

1) Weld the primary chamber door shut;

2) Dismantle the HMIWI; or

3) Other means that reasonably demonstrate that the HMIWI is no longer functional.

c) Except as provided in subsection (c)(5) of this Section, owners or operators may have up to October 6, 2014 to shut down their HMIWIs to avoid being subject to compliance with the emissions limits under Section 229.125(c) or 229.126(c). To avail themselves of this extended compliance timeframe, the owner or operator of an HMIWI shall:

1) Submit its application to the Agency by July 1, 2013 requesting an extended compliance schedule, pursuant to Section 39.5(5)(d) of the Act [415 ILCS 5/39.5(5)(d)]. This compliance schedule shall include documentation of the analysis undertaken to support the need for an extension, including an explanation of why the timeframe up to October 6, 2014 is sufficient while the timeframe up to January 1, 2014 is not sufficient, and incremental steps to be taken toward compliance with applicable requirements of this Part.

2) If an onsite alternative waste treatment technology is needed to be installed before the HMIWI is shut down, an application for compliance extension shall include the following elements of increments of progress and completion date for each step of progress:

A) Finalize contract with an alternative waste treatment technology vendor;

B) Initiate onsite construction or installation of alternative waste treatment technology;

C) Complete onsite construction or installation of alternative waste treatment technology; and

D) Take the steps described under subsection (b) of this Section to demonstrate that the HMIWI has been rendered permanently inoperable.

3) If an onsite alternative waste treatment technology is not needed to be installed before an HMIWI is shut down, an application for compliance extension shall include a plan for shut down. The plan for shut down shall include steps described under subsection (b) of this Section to demonstrate that the HMIWI has been rendered permanently inoperable.

4) If a petition for compliance extension is granted, the owner or operator of an HMIWI, as defined in Section 229.110(a)(1) or (a)(2), must continue to comply with the provisions of its current CAAPP permit during the interim.

5) Any owner or operator of an HMIWI that fails to demonstrate compliance with this Part by October 6, 2014 shall cease operation of the HMIWI until compliance with the provisions of this Part is achieved.

6) Notwithstanding subsection (c)(1) of this Section, all owners or operators of HMIWIs shall be in full compliance with all of the HMIWI operator provisions of Subpart J of this Part by January 1, 2014.

(Source: Amended at 35 Ill. Reg. 16615, effective September 30, 2011)