**Section 702.162 Schedules of Compliance**

The permit may, when appropriate, specify a schedule of compliance leading to compliance with the appropriate act and regulations.

a) Time for Compliance. Any schedules of compliance pursuant to this Section must require compliance as soon as possible. For UIC, in addition, schedules of compliance must require compliance not later than three years after the effective date of the permit.

b) Interim Dates. If a permit establishes a schedule of compliance that exceeds one year from the date of permit issuance, the schedule must set forth interim requirements and the dates for their achievement.

1) The time between interim dates must not exceed one year.

2) If the time necessary for completion of any interim requirement (such as the construction of a control facility) is more than one year and is not readily divisible into stages for completion, the permit must specify interim dates for the submission of reports of progress toward compliance of the interim requirements and indicate a projected completion date.

c) Reporting. A RCRA permit must be written to require that no later than 14 days following such interim date and the final date of compliance, the permittee must notify the Agency in writing of its compliance or noncompliance with the interim or final requirements. A UIC permit must be written to require that, if subsection (a) is applicable, progress reports be submitted no later than 30 days following each interim date and the final date of compliance.

d) The Agency may not permit a schedule of compliance involving violation of regulations adopted by the Board unless the permittee has been granted a variance. To avoid delay, an applicant seeking a schedule of compliance should file a variance petition pursuant to Subpart B of 35 Ill. Adm. Code 104 at the same time the permit application is filed.

BOARD NOTE: Derived from 40 CFR 144.53(a) and 270.33(a) (2017).

(Source: Amended at 42 Ill. Reg. 20953, effective November 19, 2018)