**Section 703.220 Emergency Permits**

a) Notwithstanding any other provision of this Part or 35 Ill. Adm. Code 702 or 705, in the event that the Agency finds an imminent and substantial endangerment to human health or the environment, the Agency may issue a temporary emergency permit, as follows:

1) To a non-permitted facility to allow treatment, storage, or disposal of hazardous waste; or

2) To a permitted facility to allow treatment, storage, or disposal of a hazardous waste not covered by an effective permit.

b) This emergency permit must comply with all of the following requirements:

1) The emergency permit may be oral or written. If oral, it must be followed in five days by a written emergency permit.

2) The emergency permit must not exceed 90 days in duration.

3) The emergency permit must clearly specify the hazardous wastes to be received and the manner and location of their treatment, storage, or disposal.

4) The emergency permit may be terminated by the Agency at any time without process if it determines that termination is appropriate to adequately protect human health and the environment.

5) The emergency permit must be accompanied by a public notice published pursuant to 35 Ill. Adm. Code 705.162 including the following:

A) The name and address of the office granting the emergency authorization;

B) The name and location of the permitted HWM facility;

C) A brief description of the wastes involved;

D) A brief description of the action authorized and reasons for authorizing it; and

E) The duration of the emergency permit.

6) The emergency permit must incorporate, to the extent possible and not inconsistent with the emergency situation, all applicable requirements of this Part and 35 Ill. Adm. Code 724.

7) An emergency permit that would authorize actions not in compliance with Board rules, other than procedural requirements, require a variance or provisional variance under Title IX of the Act.

BOARD NOTE: Derived from 40 CFR 270.61.

(Source: Amended at 44 Ill. Reg. 15055, effective September 3, 2020)