**Section 721.121 Characteristic of Ignitability**

a) A solid waste exhibits the characteristic of ignitability if a representative sample of the waste has any of the following properties:

1) It is a liquid, other than a solution containing less than 24 percent alcohol by volume, and at least 50 percent water by weight, that has a flash point less than 60°C (140°F), as determined by one of the following ASTM standards: D 93-79, D 93-80, D 3278-78, D 8174-18, or D 8175-18, each incorporated by reference in 35 Ill. Adm. Code 720.111(a), as specified in SW-846 Test Methods 1010B or 1020C, each incorporated by reference in 35 Ill. Adm. Code 720.111(a).

2) It is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorbing moisture, or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard.

3) It is an ignitable compressed gas.

A) The term "compressed gas" designates any material or mixture having in the container an absolute pressure exceeding 40 p.s.i. at 70 °F or, regardless of the pressure at 70 °F, having an absolute pressure exceeding 104 p.s.i. at 130 °F. Alternatively, the term "compressed gas" designates any liquid flammable material having a vapor pressure exceeding 40 p.s.i. absolute at 100 °F, as determined by ASTM D 323.

B) A compressed gas is characterized as ignitable if any one of the following occurs:

i) Either a mixture of 13 percent or less (by volume) with air forms a flammable mixture or the flammable range with air is wider than 12 percent regardless of the lower limit. These limits must be determined at atmospheric temperature and pressure. The method of sampling and test procedure must be ASTM E 681-85, incorporated by reference in 35 Ill. Adm. Code 720.111, or other equivalent methods approved by the Associate Administrator, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation.

ii) It is determined to be flammable or extremely flammable using 49 CFR 173.115(l), incorporated by reference in 35 Ill. Adm. Code 720.111.

4) It is an oxidizer, as defined in 49 CFR 173.127 (Class 5, Division 5.1 Definition and Assignment of Packaging Groups), incorporated by reference in 35 Ill. Adm. Code 720.111(b).

A) An organic compound containing the bivalent -O-O- structure and which may be considered a derivative of hydrogen peroxide where one or more of the hydrogen atoms have been replaced by organic radicals must be classed as an organic peroxide unless:

i) The material is a Division 1.1, 1.2, or 1.3 explosive, as defined in 40 CFR § 261.23(a)(8), in which case it must be classed as an explosive;

ii) Offering the material for transportation is forbidden under 49 CFR 172.101 and 49 CFR 173.21;

iii) The predominant hazard of the material containing an organic peroxide is other than that of an organic peroxide; or

iv) According to data on file with the Pipeline and Hazardous Materials Safety Administration in the U.S. Department of Transportation, it has been determined that the material does not present a hazard in transportation.

b) A solid waste that exhibits the characteristic of ignitability has the USEPA hazardous waste number of D001.

(Source: Amended at 48 Ill. Reg. 9827, effective June 20, 2024)