**Section 724.219 Post-Closure Notices**

a) No later than 60 days after certification of closure of each hazardous waste disposal unit, the owner or operator of a disposal facility must submit to the Agency, to the County Recorder and to any local zoning authority or authority with jurisdiction over local land use, a record of the type, location, and quantity of hazardous wastes disposed of within each cell or other disposal unit of the facility. For hazardous wastes disposed of before January 12, 1981, the owner or operator must identify the type, location, and quantity of the hazardous waste to the best of the owner or operator's knowledge and in accordance with any records the owner or operator has kept.

b) Within 60 days after certification of closure of the first hazardous waste disposal unit and within 60 days after certification of closure of the last hazardous waste disposal unit, the owner or operator must do the following:

1) Record a notation on the deed to the facility property − or on some other instrument that is normally examined during title search − that will in perpetuity notify any potential purchaser of the property as follows:

A) That the land has been used to manage hazardous wastes; and

B) That its use is restricted pursuant to this Subpart G; and

C) That the survey plat and record of the type, location, and quantity of hazardous wastes disposed of within each cell or other hazardous waste disposal unit of the facility required by subsection (a) and Section 724.216 have been filed with the Agency, the County Recorder and any local zoning authority or authority with jurisdiction over local land use; and

2) Submit a certification to the Agency, signed by the owner or operator, that the owner or operator has recorded the notation specified in subsection (b)(1), including a copy of the document in which the notation has been placed, to the Agency.

c) If the owner or operator or any subsequent owner or operator of the land upon which a hazardous waste disposal unit is located wishes to remove hazardous wastes and hazardous waste residues, the liner, if any, or contaminated soils, such person must request a modification to the post-closure plan in accordance with the applicable requirements in 35 Ill. Adm. Code 703 and 705. The owner and operator must demonstrate that the removal of hazardous wastes will satisfy the criteria of Section 724.217(c). By removing hazardous waste, the owner or operator may become a generator of hazardous waste and must manage it in accordance with all applicable requirements of 35 Ill. Adm. Code 703 and 720 through 728, and 738. If the owner or operator is granted a permit modification or otherwise granted approval to conduct such removal activities, the owner or operator may request that the Agency approve either of the following:

1) The removal of the notation on the deed to the facility property or other instrument normally examined during title search; or

2) The addition of a notation to the deed or instrument indicating the removal of the hazardous waste.

(Source: Amended at 42 Ill. Reg. 22614, effective November 19, 2018)