**Section 726.455 Loss of a Transportation and Disposal Conditional Exemption and Required Action**

a) Any waste will automatically lose the transportation and disposal exemption if the generator fails to manage it in accordance with all of the conditions specified in Section 726.415.

1) When the generator fails to meet any of the conditions specified in Section 726.415 for any of its wastes, the generator must report to the Agency and the Illinois DNS, in writing by certified delivery, within 30 days after learning of the failure. The generator's report must be signed by its authorized representative certifying that the information provided is true, accurate, and complete. This report must include the following:

A) The specific conditions that the generator failed to meet for the waste;

B) A description of the waste (including the waste name, hazardous waste codes and quantity) that lost the exemption; and

C) The dates on which the generator failed to meet the conditions for the waste.

2) If the failure to meet any of the conditions may endanger human health or the environment, the generator must also immediately notify the Agency orally within 24 hours and follow up with a written notification within five days.

b) The Board may, by an order issued in an enforcement proceeding against the generator, terminate the generator's ability to claim a conditional exemption for its waste, or require the generator to meet additional conditions to claim a conditional exemption, for serious or repeated noncompliance with any requirements of this Subpart N.

(Source: Amended at 27 Ill. Reg. 12916, effective July 17, 2003)