**Section 728.120 Waste-Specific Prohibitions: Dyes and Pigments Production Wastes**

a) The waste specified in 35 Ill. Adm. Code 721.132 as USEPA hazardous waste number K181, soil and debris contaminated with this waste, radioactive wastes mixed with this waste, and soil and debris contaminated with radioactive wastes mixed with this waste are prohibited from land disposal.

b) The requirements of subsection (a) do not apply if any of the following conditions are fulfilled:

1) The wastes meet the applicable treatment standards specified in Subpart D;

2) A no-migration exemption has been granted from a prohibition pursuant to a petition under Section 728.106, in which case the requirements of subsection (a) do not apply with respect to those wastes and units covered by the petition;

3) The wastes meet the applicable treatment standards established pursuant to a petition granted under Section 728.144;

4) Hazardous debris has met the treatment standards in Section 728.140 or the alternative treatment standards in Section 728.145; or

5) USEPA has granted an extension to the effective date of a prohibition pursuant to 40 CFR 268.5, in which case the requirements of subsection (a) do not apply with respect to these wastes covered by the extension.

c) To determine whether a hazardous waste identified in this Section exceeds the applicable treatment standards specified in Section 728.140, the initial generator must test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract of the waste, or the generator may use knowledge of the waste. If the waste contains regulated constituents in excess of the applicable levels set forth in Subpart D, the waste is prohibited from land disposal, and all requirements of this Part apply, except as otherwise specified.

(Source: Amended at 42 Ill. Reg. 24924, effective November 19, 2018)