**Section 728.142 Treatment Standards Expressed as Specified Technologies**

a) The following wastes listed in Table T, "Treatment Standards for Hazardous Wastes", for which standards are expressed as a treatment method rather than as a concentration level, must be treated using the technology or technologies specified in Table C.

1) Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm but less than 500 ppm must be incinerated in accordance with the technical requirements of 40 CFR 761.70 (Incineration), incorporated by reference in 35 Ill. Adm. Code 720.111(b), or burned in high efficiency boilers in accordance with the technical requirements of 40 CFR 761.60 (Disposal Requirements), incorporated by reference in 35 Ill. Adm. Code 720.111(b). Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 500 ppm must be incinerated in accordance with the technical requirements of 40 CFR 761.70. Thermal treatment in accordance with this Section must be in compliance with applicable regulations in 35 Ill. Adm. Code 724, 725, and 726.

2) Nonliquid hazardous wastes containing halogenated organic compounds (HOCs) in total concentrations greater than or equal to 1,000mg/kg and liquid HOC-containing wastes that are prohibited pursuant to Section 728.132(e)(1) must be incinerated in accordance with the requirements of Subpart O of 35 Ill. Adm. Code 724 or Subpart O of 35 Ill. Adm. Code 725. These treatment standards do not apply where the waste is subject to a treatment standard codified in Subpart C for a specific HOC (such as a hazardous waste chlorinated solvent for which a treatment standard is established pursuant to Section 728.141(a)).

3) A mixture consisting of wastewater, the discharge of which is subject to regulation pursuant to 35 Ill. Adm. Code 309 or 310, and de minimis losses of materials from manufacturing operations in which these materials are used as raw materials or are produced as products in the manufacturing process that meet the criteria of the D001 ignitable liquids containing greater than 10 percent total organic constituents (TOC) subcategory are subject to the DEACT treatment standard described in Table C. For purposes of this subsection (a)(3), "de minimis losses" include the following:

A) Those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, or leaks from pipes, valves, or other devices used to transfer materials);

B) Minor leaks from process equipment, storage tanks, or containers;

C) Leaks from well-maintained pump packings and seals;

D) Sample purgings; and

E) Relief device discharges.

b) Any person may submit an application to the Agency demonstrating that an alternative treatment method can achieve a level of performance equivalent to that achievable by methods specified in subsections (a), (c), and (d) for wastes or specified in Table F for hazardous debris. The applicant must submit information demonstrating that the applicant's treatment method is in compliance with federal and state requirements, including this Part; 35 Ill. Adm. Code 709, 724, 725, 726, and 729; and Sections 22.6 and 39(h) of the Environmental Protection Act and that the treatment method adequately protects human health and the environment. On the basis of such information and any other available information, the Agency must approve the use of the alternative treatment method if the Agency finds that the alternative treatment method provides a measure of performance equivalent to that achieved by methods specified in subsections (a), (c), and (d) and in Table F, for hazardous debris. Any approval must be stated in writing and may contain such provisions and conditions as the Agency determines to be appropriate. The person to whom such approval is issued must comply with all limitations contained in such determination.

c) As an alternative to the otherwise applicable treatment standards of Subpart D, lab packs are eligible for land disposal provided the following requirements are met:

1) The lab packs comply with the applicable provisions of 35 Ill. Adm. Code 724.416 and 725.416;

BOARD NOTE: 35 Ill. Adm. Code 729.301 and 729.312 include additional restrictions on the use of lab packs.

2) The lab pack does not contain any of the wastes listed in Appendix D;

3) The lab packs are incinerated in accordance with the requirements of Subpart O of 35 Ill. Adm. Code 724 or Subpart O of 35 Ill. Adm. Code 725; and

4) Any incinerator residues from lab packs containing D004, D005, D006, D007, D008, D010, and D011 are treated in compliance with the applicable treatment standards specified for such wastes in Subpart D.

d) Radioactive hazardous mixed wastes are subject to the treatment standards in Section 728.140 and Table T. Where treatment standards are specified for radioactive mixed wastes in Table T, "Table of Treatment Standards", those treatment standards will govern. Where there is no specific treatment standard for radioactive mixed waste, the treatment standard for the hazardous waste (as designated by USEPA hazardous waste number) applies. Hazardous debris containing radioactive waste is subject to the treatment standards specified in Section 728.145.

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