**Section 703.124 Discharges of Hazardous Waste**

a) A person is not required to obtain a RCRA permit for treatment or containment activities taken during immediate response to any of the following situations:

1) A discharge of a hazardous waste;

2) An imminent and substantial threat of a discharge of hazardous waste;

3) A discharge of a material that, when discharged, becomes a hazardous waste; or

4) An immediate threat to human health, public safety, property, or the environment from the known or suspected presence of military munitions, other explosive material, or an explosive device, as determined by an explosives or munitions emergency response specialist as defined in 35 Ill. Adm. Code 720.110.

b) Any person who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part for those activities.

c) In the case of an emergency response involving military munitions, the responding military emergency response specialist's organizational unit must retain records for three years after the date of the response that identify the following: the date of the response, the resposible persons responding, the type and description of material addressed, and the disposition of the material.

BOARD NOTE: Derived from 40 CFR 270.1(c)(3) (2002).

(Source: Amended at 27 Ill. Reg. 3496, effective February 14, 2003)