**Section 703.247 Anticipated Noncompliance**

In addition to 35 Ill. Adm. Code 702.152(b), for a new facility, the permittee must not treat, store, or dispose of hazardous waste; and for a facility being modified, the permittee must not treat, store, or dispose of hazardous waste in the modified portion of the facility, except as provided in Section 703.280, until one of the following has occurred:

a) The permittee has submitted to the Agency by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

b) Either:

1) The Agency has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

2) Within 15 days after the date of submission of the letter in subsection (a) of this Section, the permittee has not received notice from the Agency of its intent to inspect, the permittee may commence treatment, storage, or disposal of hazardous waste.

BOARD NOTE: Derived from 40 CFR 270.30(l)(2) (2002).

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