**Section 704.124 Prohibition Against Class IV Injection Wells**

a) The following are prohibited, except as provided in subsection (c):

1) The construction of any Class IV injection well.

2) The operation or maintenance of any Class IV injection well.

3) Any increase in the amount of hazardous waste or change in the type of hazardous waste injected into a Class IV injection well.

b) A Class IV injection well must comply with the requirements of Section 704.203 and the Class IV injection well closure requirements of Section 704.145.

c) A well used to inject contaminated groundwater that has been treated and is being reinjected into the same formation from which it was originally drawn is not prohibited by this Section if such injection is approved by the Agency pursuant to provisions in the Act for preventive or corrective action, by the USEPA pursuant to provisions for cleanup of releases under the Comprehensive Environmental Response Compensation, and Liability Act of 1980 (CERCLA) (42 USC 9601 et seq.), by USEPA pursuant to requirements and provisions under the Resource Conservation and Recovery Act (RCRA) (42 USC 6901 et seq.), or by the Agency pursuant to Section 39 of the Act.

d) Clarification. This Section does not prohibit any of the following injection wells:

1) A well used to inject hazardous waste into an aquifer or a portion of an aquifer that has been exempted pursuant to 35 Ill. Adm. Code 730.104 if the exempted aquifer into which waste is injected underlies the lowermost formation containing a USDW. Such a well is a Class I injection well, as specified in Section 704.106(a)(1), and the owner or operator must comply with the requirements applicable to a Class I injection well.

2) A well used to inject hazardous waste where no USDW exists within one quarter mile of the well bore in any underground formation, provided that the Agency determines that such injection is into a formation sufficiently isolated to ensure that injected fluids do not migrate from the injection zone. Such a well is a Class I injection well, as specified in Section 704.106(a)(1), and the owner or operator must comply with the requirements applicable to a Class I injection well.

BOARD NOTE: Derived from 40 CFR 144.13 (2017).

(Source: Amended at 42 Ill. Reg. 21095, effective November 19, 2018)