**Section** **724.930 Applicability**

a) Subpart AA applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes (except as provided in Section 724.101).

b) Except for Sections 724.934(d) and (e), Subpart AA applies to process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations that manage hazardous wastes with organic concentrations of at least 10 ppmw (parts per million by weight), if these operations are conducted as follows:

1) In units that are subject to the permitting requirements of 35 Ill. Adm. Code 703;

2) In a unit (including a hazardous waste recycling unit) that is not exempt from permitting under 35 Ill. Adm. Code 722.117(i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of 35 Ill. Adm. Code 703; or

3) In a unit that is exempt from permitting under 35 Ill. Adm. Code 722.117 (i.e., a 90-day tank or container) and is not a recycling unit under the provisions of 35 Ill. Adm. Code 721.106.

c) Until the owner and operator receives a final permit incorporating the requirements of Subpart AA, the owner and operator is subject to the requirements of Subpart AA of 35 Ill. Adm. Code 725.

BOARD NOTE: The requirements of Sections 724.932 through 724.936 apply to process vents on hazardous waste recycling units previously exempt under 35 Ill. Adm. Code 721.106(c)(1). Other exemptions under 35 Ill. Adm. Code 721.104 and 724.101(g) are not affected by these requirements.

d) Subsection (d) corresponds with 40 CFR 264.1030(d), which is marked "reserved" by USEPA. This statement maintains structural consistency with USEPA rules.

e) subpart AA does not apply to the process vents at a facility where the facility owner or operator certifies that all of the process vents that would otherwise be subject to Subpart AA are equipped with and operating air emission controls in compliance with the process vent requirements of an applicable federal Clean Air Act regulation codified under 40 CFR 60, 61, or 63. The documentation of compliance under regulations at 40 CFR 60, 61, or 63 must be kept with, or made readily available with, the facility operating record.

(Source: Amended at 48 Ill. Reg. 17057, effective November 7, 2024)