**Section 726.208 Small Quantity On-Site Burner Exemption**

a) Exempt Quantities. An owner or operator of a facility that burns hazardous waste in an on-site BIF is exempt from Subpart H if the following conditions are met:

1) The quantity of hazardous waste burned in a device for a calendar month does not exceed the limits provided in Table A based on the TESH, as defined in Sections 726.200(i) and 726.206(b)(3).

2) The maximum hazardous waste firing rate does not exceed at any time one percent of the total fuel requirements for the device (hazardous waste plus other fuel) on a total heat input or mass input basis, whichever results in the lower mass feed rate of hazardous waste;

3) The hazardous waste has a minimum heating value of 5,000 Btu/lb, as generated; and

4) The hazardous waste fuel does not contain (and is not derived from) USEPA hazardous waste numbers F020, F021, F022, F023, F026, or F027.

b) Mixing with Non-Hazardous Fuels. If hazardous waste fuel is mixed with a non-hazardous fuel, the quantity of hazardous waste before mixing is used to comply with subsection (a).

c) Multiple Stacks. If an owner or operator burns hazardous waste in more than one on-site BIF exempt under this Section, the quantity limits provided by subsection (a)(1), are implemented according to the following equation:

Where:

|  |  |  |
| --- | --- | --- |
| Σ (Ci/Li) | = | the sum of the values of X for each stack i, from i = 1 to n |
| n | = | the number of stacks |
| Ci | = | Actual Quantity Burned means the waste quantity burned per month in device "i" |
| Li | = | Allowable Quantity Burned means the maximum allowable exempt quantity for stack "i" from Table A |

BOARD NOTE: Hazardous wastes that are subject to the special requirements for exemption for VSQGs under 35 Ill. Adm. Code 722.114 may be burned in an off-site device under the exemption provided by Section 726.208, but must be included in the quantity determination for the exemption.

d) Notification Requirements. The owner or operator of facilities qualifying for the small quantity burner exemption under this Section must provide a one-time signed, written notice to the Agency indicating the following:

1) The combustion unit is operating as a small quantity burner of hazardous waste;

2) The owner and operator are in compliance with the requirements of this Section; and

3) The maximum quantity of hazardous waste that the facility is allowed to burn per month, as provided by Section 726.208(a)(1).

e) Recordkeeping Requirements. The owner or operator must maintain at the facility for at least three years sufficient records documenting compliance with the hazardous waste quantity, firing rate and heating value limits of this Section. At a minimum, these records must indicate the quantity of hazardous waste and other fuel burned in each unit per calendar month and the heating value of the hazardous waste.

(Source: Amended at 48 Ill. Reg. 17108, effective November 7, 2024)