**Section 726.211 Standards for Direct Transfer**

a) Applicability. The regulations in this Section apply to owners and operators of BIFs subject to Section 726.202 or 726.203 if hazardous waste is directly transferred from a transport vehicle to a BIF without the use of a storage unit.

b) Definitions

1) When used in this Section, terms have the following meanings:

"Direct transfer equipment" means any device (including but not limited to, such devices as piping, fittings, flanges, valves and pumps) that is used to distribute, meter or control the flow of hazardous waste between a container (i.e., transport vehicle) and a BIF.

"Container" means any portable device in which hazardous waste is transported, stored, treated, or otherwise handled, and includes transport vehicles that are containers themselves (e.g., tank trucks, tanker-trailers, and rail tank cars) and containers placed on or in a transport vehicle.

2) This Section references several requirements provided in Subparts I and J of 35 Ill. Adm. Code 724 and Subparts I and J of 35 Ill. Adm. Code 725. For purposes of this Section, the term "tank systems" in those referenced requirements means direct transfer equipment, as defined in subsection (b)(1).

c) General Operating Requirements

1) No direct transfer of a pumpable hazardous waste must be conducted from an open-top container to a BIF.

2) Direct transfer equipment used for pumpable hazardous waste must always be closed, except when necessary to add or remove the waste, and must not be opened, handled, or stored in a manner that could cause any rupture or leak.

3) The direct transfer of hazardous waste to a BIF must be conducted so that it does not do any of the following:

A) Generate extreme heat or pressure, fire, explosion, or violent reaction;

B) Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health;

C) Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;

D) Damage the structural integrity of the container or direct transfer equipment containing the waste;

E) Adversely affect the capability of the BIF to meet the standards provided by Sections 726.204 through 726.207; or

F) Threaten human health or the environment.

4) Hazardous waste must not be placed in direct transfer equipment, if it could cause the equipment or its secondary containment system to rupture, leak, corrode, or otherwise fail.

5) The owner or operator of the facility must use appropriate controls and practices to prevent spills and overflows from the direct transfer equipment or its secondary containment systems. These include the following at a minimum:

A) Spill prevention controls (e.g., check valves, dry discount couplings, etc.); and

B) Automatic waste feed cutoff to use if a leak or spill occurs from the direct transfer equipment.

d) Areas Where Direct Transfer Vehicles (Containers) Are Located. Applying the definition of container pursuant to this Section, owners and operators must comply with the following requirements:

1) The containment requirements of 35 Ill. Adm. Code 724.275;

2) The use and management requirements of Subpart I of 35 Ill. Adm. Code 725, except for Sections 725.270 and 725.274, and except that in lieu of the special requirements of 35 Ill. Adm. Code 725.276 for ignitable or reactive waste, the owner or operator may comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjacent property line that can be built upon, as required in Tables 2-1 through 2-6 of "Flammable and Combustible Liquids Code," NFPA 30, incorporated by reference in 35 Ill. Adm. Code 720.111(a). The owner or operator must obtain and keep on file at the facility a written certification by the local Fire Marshal that the installation meets the subject NFPA Codes; and

3) The closure requirements of 35 Ill. Adm. Code 724.278.

e) Direct Transfer Equipment. Direct transfer equipment must meet the following requirements:

1) Secondary Containment. For existing direct transfer equipment, an owner or operator must comply with the secondary containment requirements of 35 Ill. Adm. Code 725.293, except for Sections 725.293(a), (d), (e), and (i). For all new and direct transfer equipment, an owner or operator must comply with these secondary containment requirements prior to their being put into service;

2) Requirements Prior to Meeting Secondary Containment Requirements

A) For existing direct transfer equipment that does not have secondary containment, the owner or operator must determine whether the equipment is leaking or is unfit for use. The owner or operator must obtain and keep on file at the facility a written assessment reviewed and certified by a qualified, registered professional engineer in accordance with 35 Ill. Adm. Code 703.126(d) that attests to the equipment's integrity.

B) This assessment must determine whether the direct transfer equipment is adequately designed and has sufficient structural strength and compatibility with the wastes to be transferred to ensure that it will not collapse, rupture, or fail. At a minimum, this assessment must consider the following:

i) Design standards, if available, according to which the direct transfer equipment was constructed;

ii) Hazardous characteristics of the wastes that have been or will be handled;

iii) Existing corrosion protection measures;

iv) Documented age of the equipment, if available, (otherwise, an estimate of the age); and

v) Results of a leak test or other integrity examination such that the effects of temperature variations, vapor pockets, cracks, leaks, corrosion and erosion are accounted for.

C) If, as a result of the assessment specified above, the direct transfer equipment is found to be leaking or unfit for use, the owner or operator must comply with the requirements of 35 Ill. Adm. Code 725.296(a) and (b).

3) Inspections and Recordkeeping

A) The owner or operator must inspect at least once each operating hour when hazardous waste is being transferred from the transport vehicle (container) to the BIF:

i) Overfill/spill control equipment (e.g., waste-feed cutoff systems, bypass systems, and drainage systems) to ensure that it is in good working order;

ii) The above ground portions of the direct transfer equipment to detect corrosion, erosion, or releases of waste (e.g., wet spots, dead vegetation, etc.); and

iii) Data gathered from monitoring equipment and leak-detection equipment, (e.g., pressure and temperature gauges) to ensure that the direct transfer equipment is being operated according to its design.

B) The owner or operator must inspect cathodic protection systems, if used, to ensure that they are functioning properly according to the schedule provided by 35 Ill. Adm. Code 725.295(b).

C) Records of inspections made pursuant to this subsection (e)(3) must be maintained in the operating record at the facility, and available for inspection for at least three years from the date of the inspection.

4) Design and Installation of New Ancillary Equipment. Owners and operators must comply with the requirements of 35 Ill. Adm. Code 725.292.

5) Response to Leaks or Spills. Owners and operators must comply with the requirements of 35 Ill. Adm. Code 725.296.

6) Closure. Owners and operators must comply with the requirements of 35 Ill. Adm. Code 725.297, except for 35 Ill. Adm. Code 725.297(c)(2) through (c)(4).

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