**Section 728.130 Waste-Specific Prohibitions: Wood Preserving Wastes**

a) The following wastes are prohibited from land disposal: the wastes specified in 35 Ill. Adm. Code 721 as USEPA hazardous waste numbers F032, F034, and F035.

b) The following wastes are prohibited from land disposal: soil and debris contaminated with the wastes specified in 35 Ill. Adm. Code 721 as F032, F034, F035; and radioactive wastes mixed with USEPA hazardous waste numbers F032, F034, and F035.

c) This subsection (c) corresponds with 40 CFR 268.30(c), which expired by its own terms on May 12, 1999. This statement maintains structural consistency with the corresponding federal regulations.

d) The requirements of subsections (a) and (b) do not apply if any of the following conditions is fulfilled:

1) The wastes meet the applicable treatment standards specified in Subpart D;

2) A person has been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;

3) The wastes meet the applicable alternate treatment standards established pursuant to a petition granted under Section 728.144; or

4) A person has been granted an extension to the effective date of a prohibition by USEPA pursuant to federal 40 CFR 268.5 (see Section 728.105), with respect to those wastes covered by the extension.

e) To determine whether a hazardous waste identified in this Section exceeds the applicable treatment standards specified in Section 728.140 and Table T, the initial generator must test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable universal treatment standard levels of Section 728.148 and Table U, the waste is prohibited from land disposal and all requirements of Part 728 are applicable, except as otherwise specified.

(Source: Amended at 42 Ill. Reg. 24924, effective November 19, 2018)