**Section 738.101 Purpose, Scope, and Applicability**

a) This Part identifies hazardous wastes that are restricted from disposal into Class I injection wells and defines those circumstances under which a waste, otherwise prohibited from injection, may be injected.

b) The requirements of this Part apply to owners or operators of Class I hazardous waste injection wells used to inject hazardous waste.

c) Wastes otherwise prohibited from injection may continue to be injected under any of the following circumstances:

1) If USEPA has granted an extension from the effective date of a prohibition, as described in Section 738.104;

2) If the Board has granted an adjusted standard in response to a petition filed under Section 738.120; or

3) If the waste is generated by a conditionally exempt small quantity generator, as defined in 35 Ill. Adm. Code 720.110.

d) A waste that is hazardous only because it exhibits a characteristic of hazardous waste and which is otherwise prohibited from injection under this Part or 35 Ill. Adm. Code 728 is not prohibited from injection if the following is true of the waste:

1) It is disposed into a non-hazardous or hazardous waste injection well, as defined under 35 Ill. Adm. Code 730.106(a); and

2) It does not exhibit any prohibited characteristic of hazardous waste identified in Subpart C of 35 Ill. Adm. Code 721 at the point of injection.

BOARD NOTE: Derived from 40 CFR 148.1 (2017).

(Source: Amended at 42 Ill. Reg. 25244, effective November 19, 2018)