**Section 816.510 Poz-O-Tec Liners and Caps**

Notwithstanding the liner and cap requirements set forth at 35 Ill. Adm. Code 811.306, 811.314 (solely to the extent that it may preclude Poz-O-Tec materials from being used as a landfill cap or liner) and 811.507(a)(5), FGD sludges and coal combustion waste produced by coal combustion power generating facilities may be used for liner or cap construction for the purposes of Subpart C of Part 811, provided that:

a) These raw FGD sludges and coal combustion wastes have been processed into Poz-O-Tec materials;

b) The permeability of the liner constructed of Poz-O-Tec material is demonstrated to be less than or equal to 1 x 10-7 cm/sec after placement and curing based upon a geometric average of the permeability testing results prior to the placement of any waste upon the liner;

c) The Poz-O-Tec material has an unconfined compressive strength of greater than or equal to 150 psi based upon an arithmetic average of the strength testing results obtained in accordance with Section 816.530(c) of this Part;

d) The bottom liner has a minimum thickness of three feet but this thickness may be increased as necessary to make the demonstrations required by 35 Ill. Adm. Code 812 or 815;

e) The base of the liner is constructed at least five feet above the average historical groundwater table;

f) Only coal combustion wastes and FGD sludges produced from power generating facilities are placed into the landfill;

g) A final cover system is installed in accordance with the requirements of 35 Ill. Adm. Code 811.314 except that the low permeability layer of the cap shall consist of Poz-O-Tec materials which are at least three feet thick;

h) The material testing procedures specified in Section 816.530 are implemented;

i) The landfill is designed, constructed and operated in compliance with all applicable requirements of 35 Ill. Adm. Code 811, 812 and 815;

j) The bottom liner and low permeability layer of the cap are constructed according to a construction quality assurance program in accordance with 35 Ill. Adm. Code 811.Subpart E;

k) An acceptable groundwater impact assessment pursuant to 35 Ill. Adm. Code 811.317(b), 812.316, 813.304, or 815.203, as appropriate for the given facility, is submitted to the Agency by the owner or operator;

l) A test liner is constructed by the owner or operator, so that all that remains is the curing of the test liner, before construction of the actual full-scale liner of Poz-O-Tec material may commence, in accordance with 35 Ill. Adm. Code 811.507(a)(1) through (4). The test liner must be fully evaluated in accordance with Section 816.530 and the results must be provided to the Agency. If the test liner evaluation results indicate a failure of the test liner to meet any of the performance standards in this Section, and if the Agency so directs, the user must excavate and properly dispose of all Poz-O-Tec liners at the site, as well as any waste deposited in and around such liners; and

m) Owners or operators using Poz-O-Tec materials in accordance with this Section shall comply with the Illinois Environmental Protection Act [415 ILCS 5/1] and 35 Ill. Adm. Code 807, 810, and 811, to the extent those provisions are not otherwise addressed herein.