**Section 240.891 Crude Oil Spill Waste Disposal and Remediation**

a) Contaminated Soil

1) The soil affected by a spill may be remediated in place and shall at a minimum be:

A) fertilized with 5 pounds of 12-12-12 fertilizer or an amount of other fertilizer sufficient to treat the soil with 0.25 lbs of nitrogen per 100 square feet of affected area;

B) limed with at least 50 lbs of agricultural grade lime per 100 square feet of affected area in order to maintain a pH of between 6-8; if the pH of the soil/oil mixture is less than 6, additional lime shall be incorporated to increase pH above 6;

C) tilled to a depth of at least 4 inches but no greater than 12 inches to create a soil and crude oil mixture that contains less than 5% total petroleum hydrocarbon (TPH) following the completion of the initial tilling;

D) watered to maintain soil moisture sufficient to promote plant growth (if extremely dry soil conditions exist); and

E) stabilized to minimize erosion and run-off of stormwater.

2) Contaminated soils not remediated in place may, with approval from the Department and the landowner, be land spread and remediated in accordance with subsection (a)(1), on land unaffected by the spill, but located on the same lease where the spill occurred.

3) If the soil in the affected area is frozen or previously saturated due to rain or snow melt, prohibiting compliance with subsection (a)(1), the permittee shall stabilize the area to prevent any surface run-off from leaving the affected area until conditions permit compliance with subsection (a)(1).

4) The soil affected by the spill must contain less than 1% TPH within 12 months after the date of the spill.

5) Contaminated soils removed from the site for off-site disposal shall be disposed of at an Environmental Protection Agency permitted special waste landfill, waste treatment or disposal facility.

b) Contaminated Absorbent Materials

1) Off-site disposal

All non-organic/non-biodegradable absorbent materials and all organic/biodegradable materials in excess of 500 cubic feet shall be disposed of at an Environmental Protection Agency permitted non-hazardous special waste landfill, waste treatment or disposal facility. Organic/biodegradable materials amounting to less than 500 cubic feet may be disposed of at a permitted non-hazardous special waste landfill or disposed of in accordance with subsection (b)(2)(B).

2) On-site disposal

A) On-site disposal of non-organic/non-biodegradable absorbent materials is prohibited. These materials must be removed in accordance with subsection (a)(5).

B) On-site disposal of less than 500 cubic feet of organic/biodegradable absorbent materials through landspreading over the area affected by the spill is permitted if it involves only materials generated at the site and is remediated in accordance with subsections (a)(1) through (4).

C) Landspreading of absorbent materials is permitted subject to subsection (a)(2).

c) Emergency Burning

1) Open burning of spilled crude oil is permitted when imminent weather conditions threaten to further contaminate surface waters or immediate collection for disposal is impractical.

2) Burning shall only be permitted when conditions will not cause the burn to affect nearby residences or the visibility on nearby roads.

3) Notice must be given to the Illinois Environmental Protection Agency prior to the emergency burn, and appropriately designated Department personnel must be on the scene throughout the burn.

4) The local fire department or fire protection district shall be notified.

5) A report must be filed with the Department, on a form prescribed by the Department, within 10 days after the burn, indicating:

A) the place and time of the burn;

B) the quantity burned;

C) meteorological conditions; and

D) the reason the emergency burn was necessary.

(Source: Amended at 25 Ill. Reg. 9045, effective July 9, 2001)