**Section 104.206 RCRA Variance Petition Contents**

In addition to the requirements of Sections 104.204 and 104.208, a petition for a RCRA variance must meet the following requirements:

a) All petitions for RCRA variances must include a showing that the Board can grant the requested relief consistent with, and establish RCRA permit conditions no less stringent than, those that would be required by RCRA and the regulations promulgated by USEPA (40 CFR 260, 261, 262, 263, 264, 265, 266, 267, 268 and 270). Petitions must indicate whether any federal provisions authorize the relief requested, and must include any facts necessary to show that the petitioner would be entitled to the requested relief under federal law;

b) Persons who have, or are required to have, a RCRA permit and who seek a RCRA variance that could result in modification or issuance of the RCRA permit must have on file with the Agency a RCRA permit application reflecting the requested variance prior to filing the variance petition;

c) Petitioner must attach to the variance petition a copy of the RCRA permit application, or such portion as may be relevant to the variance request; and

d) Petitioner must attach to the variance petition documentation of service on USEPA as required by Section 104.202.

(Source: Amended at 41 Ill. Reg. 10049, effective July 5, 2017)