**Section 229.115 Compliance Schedules for HMIWIs That Will Continue to Operate**

a) Before January 1, 2014, each owner or operator of an HMIWI as defined in Section 229.110(a)(1) of this Part, subject to the emissions limits under Section 229.125(a) or Section 229.126(a) of this Part, shall comply with all the applicable provisions of this Part according to the following schedules:

1) Except as provided in subsection (a)(2) of this Section and unless another date is specified in the provisions of this Part, all owners or operators of HMIWIs shall be in compliance with all of the provisions of this Part by September 15, 2000.

2) Except as provided in subsection (a)(3) of this Section, the owner or operator of an HMIWI may have up to September 15, 2002, to come into compliance with this Part. To avail themselves of this extended compliance timeframe, the owner or operator of an HMIWI shall:

A) Submit its CAAPP application to the Agency, on or before November 15, 1999, requesting an extended compliance schedule, pursuant to Section 39.5(5)(d) of the Act, [415 ILCS 5/39.5(5)(d)]. This compliance schedule shall include documentation supporting the need for an extension, a final control plan for the HMIWI and incremental steps to be taken toward compliance with this Part that, at a minimum, meet the increments of progress specified in subsection (a)(2)(B) of this Section;

B) Meet the following increments of progress by the dates indicated:

i) Finalize all contracts for the purchase of either pollution control equipment, process modification or control systems by February 29, 2000;

ii) Commence the implementation of either the process modifications or the necessary construction or installation of air pollution control devices for the HMIWI by November 30, 2000;

iii) Complete either the process modifications or the installation or construction of the new air pollution control equipment by August 31, 2001;

iv) Perform initial startup of the retrofitted HMIWI by January 15, 2002; and

v) Complete the initial performance test in accordance with Section 229.142 of this Part within 180 days after initial startup.

3) Any owner or operator of an HMIWI that fails to demonstrate compliance with this Part by September 15, 2002, shall cease operation of the HMIWI until compliance with the provisions of this Part is achieved.

4) Notwithstanding subsection (a)(2) of this Section, all owners or operators of HMIWIs shall be in full compliance with all of the HMIWI operator provisions of Subpart J of this Part by September 15, 2000.

b) On and after January 1, 2014, each owner or operator of an HMIWI, as defined in Section 229.110(a)(1) or (a)(2) of this Part, and subject to the emissions limits under Section 229.125(c) of this Part as applicable, or Section 229.126(c) of this Part, shall comply with the applicable provisions of this Part according to the following schedules:

1) Except as provided in subsection (b)(2) of this Section and unless another date is specified in the provisions of this Part, all owners or operators of HMIWIs shall comply with all of the provisions of this Part by January 1, 2014.

2) Except as provided in subsection (b)(4) of this Section, the owner or operator of an HMIWI may have until October 6, 2014 to come into compliance with the emissions limits under Section 229.125(c) or 229.126(c) of this Part. To avail itself of this extended compliance timeframe, the owner or operator of an HMIWI shall:

A) Submit its CAAPP application and construction permit to the Agency, on or before January 1, 2012, requesting an extended compliance schedule, pursuant to Section 39.5(5)(d) of the Act [415 ILCS 5/39.5(5)(d)]. This compliance schedule shall include documentation supporting the need for an extension, a final control plan for the HMIWI and incremental steps to be taken toward compliance with this Part that, at a minimum, meet the increments of progress specified in subsection (b)(2)(B) of this Section;

B) Meet the following increments of progress by the dates indicated:

i) Finalize all contracts for the purchase of pollution control equipment, process modification or control systems by August 1, 2012;

ii) Commence the implementation of either the process modifications or the necessary construction or installation of air pollution control devices for the HMIWI by March 1, 2013;

iii) Complete either the process modifications or the installation or construction of the new air pollution control equipment by September 1, 2013;

iv) Achieve final compliance, which includes incorporating all process changes and/or completing retrofit construction as described in the final control plan, connecting the air pollution control equipment or process changes so that the unit is brought on line, and ensuring that all necessary process changes and air pollution control equipment are operating properly, no later than June 1, 2014;

v) Complete the initial performance test in accordance with Section 229.142 of this Part no later than October 6, 2014;

vi) Submit the results of the initial performance test and revised waste management plan to the Agency no later than 60 days following the initial performance test; and

vii) Submit notification to the Agency within 10 business days after completing (or failing to complete by the applicable date) each of the increments of progress specified in subsection (b)(2)(B) of this Section. The notification must be signed by the owner's or operator's representative responsible for the management of the HMIWI.

3) If a petition for compliance extension is granted, the owner or operator of an HMIWI, as defined in Section 229.110(a)(1) or (a)(2), must continue to comply with the provisions of its current CAAPP permit during the interim.

4) Any owner or operator of an HMIWI that fails to demonstrate compliance with this Part by October 6, 2014 shall cease operation of the HMIWI until compliance with the provisions of this Part is achieved.

5) Notwithstanding subsection (b)(2) of this Section, all owners or operators of HMIWIs shall be in full compliance with all of the HMIWI operator provisions of Subpart J of this Part before January 1, 2014.

(Source: Amended at 35 Ill. Reg. 16615, effective September 30, 2011)