**Section 310.635 Notification of Discharge of Hazardous Waste**

a) Requirement for Notification

1) The industrial user must notify the POTW; the Director, Waste Management Division, USEPA Region 5, 230 South Dearborn Street, Chicago, Illinois 60604; and the Manager, Division of Land Pollution Control, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276, in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 35 Ill. Adm. Code 721. Such notification must include the name of the hazardous waste as set forth in 35 Ill. Adm. Code 721, the USEPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification must also contain the following information to the extent such information is known and readily available to the industrial user:

A) An identification of the hazardous constituents contained in the wastes;

B) An estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month; and

C) An estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months.

2) Time for Notification. All notifications required under subsection (a)(1) must take place within 180 days after April 27, 1992. Industrial users who commence discharging after April 27, 1992, must provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste.

3) Frequency for Notification. Any notification required under subsection (a)(1) need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 310.613.

4) Exception for Notification Under Other Provisions. The notification requirement of subsection (a)(1) does not apply to pollutants already reported under the self-monitoring requirements of Sections 310.602, 310.604, and 310.605.

b) Exemption to Reporting Requirement. An industrial user is exempt from the requirements of subsection (a)(1) during a calendar month in which the industrial user discharges no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes, as specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

c) Newly Listed Hazardous Wastes. In the case of any new regulations under section 3001 of the federal RCRA (42 U.S.C. 6921) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW; USEPA Region 5, Waste Management Division; and the Agency, Division of Land Pollution Control of the discharge of such substance, pursuant to subsection (a)(1), within 90 days of the effective date of those regulations.

d) Required Certification. In the case of any notification made under this Section, the industrial user must certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

BOARD NOTE: Derived from 40 CFR 403.12(p) (2003).

(Source: Amended at 47 Ill. Reg. 5083, effective March 23, 2023)