**Section 615.105 General Exceptions**

a) This Part does not apply to any facility or unit, or to the owner or operator of any facility or unit:

1) For which the owner or operator obtains certification of minimal hazard under Section 14.5 of the Act; or

2) For which alternate requirements are imposed in an adjusted standard proceeding or as part of a site-specific rulemaking, under Title VII of the Act; or

3) For which alternate requirements are imposed in a regulated recharge area proceeding under Section 17.4 of the Act; or

4) That is *located on the same site as a non-community water system well and for which the owner is the same for both the* facility or unit *and the well.* (Section 14.4(b) of the Act); or

5) That is located *within a regulated recharge area as delineated* in 35 Ill. Adm. Code 617 if*:*

A) *The boundary of the lateral area of influence of a community water supply well located within the regulated recharge area* does not *include such* facility or unit *therein;*

B) *The distance from the wellhead of the community water supply to the* facility or unit *exceeds 2500 feet; and*

C) *The community water supply well was* not *in existence prior to January 1, 1988.* [415 ILCS 5/14.4(b)]; or

6) For which the owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a central location for the purpose of distribution to retail sales outlets that has filed a written notice of intent under Section 14.6 of the Act *with the Department of Agriculture by January 1, 1993, or within 6 months after the date on which a maximum setback zone is established or a regulated recharge area regulation is adopted that affects such a facility*; or has filed a written certification of intent under Section 14.6 of the Act *on the appropriate license or renewal application form submitted to the Department of Agriculture or other appropriate agency.* [415 ILCS 5/14.6(a)] This exception does not apply to those facilities that are not in compliance with the program requirements of subsections 14.6(b) and 14.6(c) of the Act.

b) Nothing in this Section will limit the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated recharge area under the Act.

(Source: Amended at 47 Ill. Reg. 7581, effective May 16, 2023)