**Section 616.105 General Exceptions**

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

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

2) Alternate requirements are imposed in an adjusted standard proceeding or a site-specific rulemaking under Title VII of the Act; or

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

4) The owner or operator of the facility for storage and related handling of pesticides or fertilizers for commercial application or at a central location for 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]. This exception does not apply to those facilities that are not in compliance with the program requirements of Sections 14.6(b) and 14.6(c) of the Act.

b) Nothing in this Section limits the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated recharge area in any adjusted standard proceeding, site-specific rulemaking, or regulatory proceeding establishing the regulated recharge area.

(Source: Amended at 47 Ill. Reg. 7631, effective May 16, 2023)