**Section 703.351 Applying for a RCRA Standardized Permit**

a) Application procedure. The facility owner or operator may apply for a RCRA standardized permit by following the procedures in this Subpart J and Subpart G of 35 Ill. Adm. Code 705.

BOARD NOTE: Subsection (a) of this Section is derived from 40 CFR 270.270, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

b) Information submitted to the Agency to support an application for a RCRA standardized permit. The information in subsections (b)(1) through (b)(10) of this Section will be the basis of an application for a RCRA standardized permit. The facility owner or operator must submit the following information to the Agency when it submits its Notice of Intent pursuant to 35 Ill. Adm. Code 705.301(a)(2) requesting coverage under a RCRA standardized permit:

1) The Part A information described in Section 703.181;

2) A meeting summary and other materials required by 35 Ill. Adm. Code 703.191;

3) Documentation of compliance with the location standards of 35 Ill. Adm. Code 727.110(i) and Sections 703.183(k) and 703.184;

4) This subsection (b)(4) corresponds with 40 CFR 270.275(d), which pertains to submission of information to USEPA relating to implementation of various federal laws (such as the Wild and Scenic Rivers Act (16 USC 1273 et seq.), the National Historic Preservation Act of 1966 (16 USC 470 et seq.), the Endangered Species Act (16 USC 1531 et seq.), the Coastal Zone Management Act (16 USC 1451 et seq.), the Fish and Wildlife Coordination Act (16 USC 661 et seq.), and executive orders). The provision is not necessary in Illinois because the Agency does not implement the cited federal laws. This statement maintains structural consistency with the corresponding federal rules;

5) Solid waste management unit information required by Section 703.187;

6) A certification meeting the requirements of subsection (c) of this Section, and an audit of the facility's compliance status with 35 Ill. Adm. Code 727, as required by subsection (c) of this Section;

7) A closure plan prepared in accordance with 35 Ill. Adm. Code 727.210;

8) The most recent closure cost estimate for the facility prepared pursuant to 35 Ill. Adm. Code 727.240(c) and a copy of the documentation required to demonstrate financial assurance pursuant to 35 Ill. Adm. Code 727.240(d). For a new facility, the owner or operator may gather the required documentation 60 days before the initial receipt of hazardous wastes;

9) If the owner or operator manages wastes generated offsite, the waste analysis plan; and

10) If the owner or operator manages waste generated from off-site, documentation showing that the waste generator and the off-site facility are under the same ownership.

BOARD NOTE: Subsection (b) of this Section is derived from 40 CFR 270.275, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

c) Certification requirements. The facility owner or operator must submit a signed certification based on an audit of its facility's compliance with 35 Ill. Adm. Code 727.

1) The owner's or operator's certification must read as follows:

I certify under penalty of law that:

1. I have personally examined and am familiar with the report containing the results of an audit conducted of my facility's compliance status with 35 Ill. Adm. Code 727, which supports this certification. Based on my inquiry of those individuals immediately responsible for conducting the audit and preparing the report, I believe that my (include here the language of the applicable of the following two paragraphs):

existing facility complies with all applicable requirements of 35 Ill. Adm. Code 727 and will continue to comply until the expiration of the permit;

facility has been designed, and will be constructed and operated to comply with all applicable requirements of 35 Ill. Adm. Code 727, and will continue to comply until expiration of the permit;

2. I will make all information that I am required to maintain at my facility by 35 Ill. Adm. Code 703.352 readily available for review by the permitting agency and the public; and

3. I will continue to make all information required by 35 Ill. Adm. Code 703.352 available until the permit expires. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violation.

2) The owner or operator must sign the certification of subsection (c)(1) of this Section following the requirements of 35 Ill. Adm. Code 702.126(a)(1) through (a)(3).

3) The certification must be based upon an audit that the owner or operator conducted of its facility's compliance status with 35 Ill. Adm. Code 727. A written audit report, signed and certified as accurate by the auditor, must be submitted to the Agency with the 35 Ill. Adm. Code 705.301(a)(2) (Notice of Intent).

BOARD NOTE: Subsection (c) of this Section is derived from 40 CFR 270.280, as added at 70 Fed. Reg. 53420 (Sep. 8, 2005).

(Source: Added at 31 Ill. Reg. 487, effective December 20, 2006)