**Section 724.327 Emergency Repairs; Contingency Plans**

a) A surface impoundment must be removed from service in accordance with subsection (b) when either of the following occurs:

1) The level of liquids in the impoundment suddenly drops and the drop is not known to be caused by changes in the flows into or out of the impoundment; or

2) The dike leaks.

b) When a surface impoundment must be removed from service as required by subsection (a), the owner or operator must do the following:

1) Immediately shut off the flow or stop the addition of wastes into the impoundment;

2) Immediately contain any surface leakage that has occurred or is occurring;

3) Immediately stop the leak;

4) Take any other necessary steps to stop or prevent catastrophic failure;

5) If a leak cannot be stopped by any other means, empty the impoundment; and

6) Notify the Agency of the problem in writing within seven days after detecting the problem.

c) As part of the contingency plan required in Subpart D, the owner or operator must specify a procedure for complying with the requirements of subsection (b).

d) No surface impoundment that has been removed from service in accordance with the requirements of this section may be restored to service unless the portion of the impoundment that was failing is repaired and the following steps are taken:

1) If the impoundment was removed from service as the result of actual or imminent dike failure, the dike's structural integrity must be re-certified in accordance with Section 724.326(c).

2) If the impoundment was removed from service as the result of a sudden drop in the liquid level, then the following apply:

A) For any existing portion of the impoundment, a liner must be installed in compliance with Section 724.321(a) or 724.322; and

B) For any other portion of the impoundment, the repaired liner system must be certified by a qualified engineer as meeting the design specifications approved in the permit.

e) A surface impoundment that has been removed from service in accordance with the requirements of this Section and that is not being repaired must be closed in accordance with the provisions of Section 724.328.

(Source: Amended at 42 Ill. Reg. 22614, effective November 19, 2018)