**Section 725.452 Interim Status Incinerators Burning Particular Hazardous Wastes**

a) An owner or operator of an incinerator subject to this Subpart O may burn hazardous wastes numbers F020, F021, F022, F023, F026, or F027 if it receives a certification from the Agency that they can meet the performance standards to Subpart O of 35 Ill. Adm. Code 724 when it burns these wastes.

b) The following standards and procedures will be used in determining whether to certify an incinerator:

1) The owner or operator must submit an application to the Agency containing applicable information in 35 Ill. Adm. Code 703.125, 703.222, 703.223, 703.224, and 703.225 demonstrating that the incinerator can meet the performance standards in Subpart O of 35 Ill. Adm. Code 724 when they burn these wastes.

2) The Agency must issue a tentative decision as to whether the incinerator can meet the performance standards in Subpart O of 35 Ill. Adm. Code 724. Notification of this tentative decision will be provided by newspaper advertisement and radio broadcast in the county where the incinerator is located. The Agency must accept comment on the tentative decision for 60 days. The Agency also may hold a public hearing upon request or at its discretion.

3) After the close of the public comment period, the Agency must issue a decision whether or not to certify the incinerator.

4) Any person that participated may appeal the Agency's decision to the Board, pursuant to 35 Ill. Adm. Code 705.212.

(Source: Amended at 29 Ill. Reg. 6389, effective April 22, 2005)