**Section 726.330 Conditions to Qualify for and Maintain a Storage and Treatment Conditional Exemption**

a) For LLMW to qualify for the exemption, the generator must notify the Agency and the IEMA in writing by certified delivery that it is claiming a storage and treatment conditional exemption for the LLMW stored on the generator's facility. The dated notification must include the generator's name, address, RCRA identification number, federal NRC or IEMA license number, the USEPA hazardous waste numbers and storage units for which the generator is seeking an exemption, and a statement that the generator meets the conditions of this Subpart N. The generator's notification must be signed by the generator's authorized representative who certifies that the information in the notification is true, accurate, and complete. The generator must notify the Agency of its claim within 90 days after a storage unit is first used to store conditionally exempt LLMW.

b) To qualify for and maintain an exemption for LLMW, the generator must do each of the following:

1) Store its LLMW waste in tanks or containers in compliance with the requirements of its license that apply to the proper storage of low-level radioactive waste (not including those license requirements that relate solely to recordkeeping);

2) Store its LLMW in tanks or containers in compliance with chemical compatibility requirements of a tank or container in 35 Ill. Adm. Code 724.277 or 724.299 or 35 Ill. Adm. Code 725.277 or 725.299;

3) Certify that facility personnel who manage stored conditionally exempt LLMW are trained in a manner that ensures that the conditionally exempt waste is safely managed and that the training includes training in chemical waste management and hazardous materials incidents response that meets the personnel training standards found in 35 Ill. Adm. Code 725.116(a)(3);

4) Conduct an inventory of its stored conditionally exempt LLMW at least annually and inspect the waste at least quarterly for compliance with this Subpart N; and

5) Maintain an accurate emergency plan and provide it to all local authorities who may have to respond to a fire, explosion, or release of hazardous waste or hazardous constituents. The generator's plan must describe emergency response arrangements with local authorities; describe evacuation plans; list the names, addresses, and telephone numbers of all facility personnel qualified to work with local authorities as emergency coordinators; and list emergency equipment.

(Source: Amended at 42 Ill. Reg. 23023, effective November 19, 2018)