**Section 728.135 Waste-Specific Prohibitions: Petroleum Refining Wastes**

a) The wastes specified in 35 Ill. Adm. Code 721.132 as USEPA hazardous wastes numbers K169, K170, K171, and K172; soils and debris contaminated with these wastes; radioactive wastes mixed with these hazardous wastes; and soils and debris contaminated with these radioactive mixed wastes are prohibited from land disposal.

b) The requirements of subsection (a) do not apply if any of the following applies to the waste:

1) The wastes meet the applicable treatment standards specified in Subpart D;

2) The Board has granted an adjusted standard that exempts waste from a prohibition pursuant to Section 728.106, with respect to those wastes and units covered by the adjusted standard;

3) The wastes meet an adjusted standard from an applicable treatment standard granted under Section 728.144;

4) The waste is hazardous debris that has met the treatment standards set forth in Section 728.140 and Table T or the alternative treatment standards in Section 728.145; or

5) USEPA has granted an extension to the effective date of a prohibition pursuant to federal 40 CFR 268.5, with respect to these wastes covered by the extension.

c) To determine whether a hazardous waste identified in this Section exceeds the applicable treatment standards specified in Section 728.140, the initial generator must test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable universal treatment standard levels of Section 728.148 and Table U, the waste is prohibited from land disposal, and all requirements of this Part are applicable, except as otherwise specified.

(Source: Amended at 42 Ill. Reg. 24924, effective November 19, 2018)