**Section 808.101 Transitional Rule**

Wastestreams which have been declassified by the Agency pursuant to Section 22.9(c) of the Act prior to the effective date of these rules shall remain declassified for a period of not more than two years following the effective date of these rules, unless extended by the Board in a variance proceeding. In order to accommodate its workload, the Agency may, by giving not less than 180 days' prior written notice, require generators to make reapplication by a date certain within this two year time period. The Agency may extend this reapplication deadline for a period of not more than an additional 180 days, but in no event may the Agency extend the deadline to a date more than two years following the effective date of this Part. Upon application before the deadline, such wastestreams shall remain declassified during the pendency of any Agency determination or any appeal to the Board of such determination made pursuant to Section 22.9(e) of the Act. As provided in Section 808.241, all special (non-RCRA) wastes shall be deemed Class A special wastes unless a contrary determination has been made pursuant to this Part.