**Section 814.101 Scope and Applicability**

a) This Part establishes the standards applicable to all existing landfill facilities which includes facilities that are not considered to be new as defined at 35 Ill. Adm. Code 810.103. The existing landfill facilities covered by this Part include existing MSWLF units and lateral expansions, as defined at 35 Ill. Adm. Code 810.103. This Part establishes requirements for both new and existing disposal units within such existing landfill facilities. Landfill owners or operators are required to determine the date on which their facilities must begin closure, which is dependent upon the ability of existing units to meet the design and performance standards contained in this Part.

b) All existing MSWLF units and lateral expansions shall be subject to the following standards:

1) An existing MSWLF unit or a lateral expansion operating under a permit modified pursuant to Section 814.104 shall comply with the standards prescribed in Subpart C or Subpart D, whichever is applicable.

2) An existing MSWLF unit or a lateral expansion operating under a permit issued pursuant to 35 Ill. Adm. Code 813 shall comply with the terms of the permit and the standards prescribed in Section 814.Subpart C for existing MSWLF units.

3) An existing MSWLF unit or a lateral expansion operating under a permit issued pursuant 35 Ill. Adm. Code 807 shall comply with the terms of the permit and the requirements specified in Section 814.Appendix A until the unit's permit is modified in accordance with Section 814.104.

4) An existing MSWLF unit or a lateral expansion that is newly required to obtain a permit under Section 21(d) of the Act on or after October 9, 1993 shall comply with the standards prescribed in Subpart C or Subpart D, whichever is applicable.

c) The requirements of Sections 814.104, 814.105 and 814.106 of this Subpart apply only to those landfill facilities identified as existing facilities in subsection (a) and which require an Agency issued permit.

d) In addition to the requirements of subsection (c), an owner or operator of an existing MSWLF unit shall comply with the following:

1) Permit requirements specified in Sections 814.108 and 814.109; and

2) Any other applicable Federal rules, laws, regulations, or other requirements.

 BOARD NOTE: Subsection (d)(2) is derived from 40 CFR 258.3 (1992).

e) All general provisions of 35 Ill. Adm. Code 810 apply to this Part.

(Source: Amended in R93-10 at 18 Ill. Reg. 1284, effective January 13, 1994)