**Section 814.702 Applicable Standards**

a) All of the requirements for new units described in 35 Ill. Adm. Code 817 shall apply to units regulated under this Subpart, except the following:

1) The location standards in 35 Ill. Adm. Code 817.402(a), (c) and (d);

2) The foundation and mass stability analysis standards in 35 Ill. Adm. Code 817.404 and 817.405;

3) The final cover requirements of 35 Ill. Adm. Code 817.407 shall not apply to units or parts of units closed, covered, and vegetated prior to August 1, 1994;

4) The liner and leachate drainage and collection requirements of 35 Ill. Adm. Code 817.406, 817.407, and 817.408;

5) The hydrogeological site investigation requirements of 35 Ill. Adm. Code 817.411;

6) The groundwater impact assessment standards of 35 Ill. Adm. Code 817.413;

7) The groundwater monitoring program requirements of 35 Ill. Adm. Code 817.414(c); and

8) The groundwater quality standards of 35 Ill. Adm. Code 817.416(a), (b), and (c).

b) The following standards shall apply to units regulated under this Subpart:

1) No new units shall be opened and an existing unit may not expand beyond the area included in a permit prior to August 1, 1994 or, in the case of permit exempt facilities, beyond the area needed for landfilling to continue until closure is initiated;

2) After August 1, 1994, the unit may continue to accept special waste under permits existing prior to August 1, 1994 and may renew those permits as necessary. However, the unit may apply for supplemental waste stream permits only if the following conditions are met:

A) The additional waste stream composition is similar to or compatible with the wastes previously disposed of in the unit; and

B) The waste stream leaching characteristics determined in accordance with 35 Ill. Adm. Code 817.103 meets the maximum allowable leaching concentrations for low risk wastes specified at 35 Ill. Adm. Code 817.106.

3) Groundwater Standards. A unit shall not contaminate a source of drinking water at the compliance boundary, defined as any point on the edge of the unit at or below the ground surface. At any point on the compliance boundary, the concentration of constituents shall not exceed the applicable groundwater quality standards of 35 Ill. Adm. Code Part 620. The Board may provide for a zone of attenuation and adjust the compliance boundary in accordance with Section 28.1 of the Act and the procedures of 35 Ill. Adm. Code 106.Subpart G upon petition demonstration by the operator that the alternative compliance boundary will not result in contamination of groundwater which may be needed or used for human consumption. In reviewing such petitions, the Board will consider the following factors:

A) The hydrogeological characteristics of the unit and surrounding land, including any natural attenuation and dilution characteristics of the aquifer;

B) The volume and physical and chemical characteristics of the leachate;

C) The quantity, quality, and direction of flow of groundwater underlying the facility;

D) The proximity and withdrawal rates of groundwater users;

E) The availability of alternative drinking water supplies;

F) The existing quality of the groundwater, including other sources of contamination and their cumulative impacts on the groundwater;

G) Public health, safety, and welfare effects; and

H) In no case shall the zone of compliance extend beyond the facility property line or beyond the annual high water mark of any navigable surface water.

4) Calculation of the Design Period. For the purposes of calculating financial assurance, the design period shall be calculated as follows:

A) The design period shall be no less than five years; and

B) The postclosure care period shall be extended by three years for each year the unit is expected to be in operation up to the applicable design period required by 35 Ill. Adm. Code 817. (For example, an existing unit with an expected life of three years after September 18, 1990 would be required to provide financial assurance for nine years of postclosure care, 9 = 3 x 3.)

(Source: Added at 18 Ill. Reg. 12471, effective August 1, 1994)