**Section 830.1100 Protection of Potable Water Supplies**

a) In accordance with Section 14.2(d) of the Environmental Protection Act, the storage of pesticides for commercial structural pest control is prohibited within 400 feet of an existing or permitted potable water well which is classified as a community water system deriving water from an unconfined shallow fractured or highly permeable bedrock formation or from an unconsolidated and unconfined sand and gravel formation, or, in all other instances, within 200 feet of any other existing or permitted potable water supply well unless:

1) the owner of the storage unit has obtained a waiver from the owner of each affected potable water supply well and concurrence from the Illinois Environmental Protection Agency in accordance with Section 14.2(b) of the Environmental Protection Act;

2) the owner of the pesticide storage unit is also the owner of the affected potable private water supply well and has notified the Illinois Environmental Protection Agency in accordance with Section 14.2(b) of the Environmental Protection Act, in which case the prohibited distance is 75 feet;

3) the owner has obtained an exception from the Illinois Pollution Control Board in accordance with Section 14.2(c) of the Environmental Protection Act;

4) the owner establishes minimal hazard certification eligibility with the Illinois Environmental Protection Agency in accordance with Sections 14.2(d) and 14.5 of the Environmental Protection Act for proposing to locate a storage unit outside of the 200 feet, but within the 400 feet, setback zone of a community water supply well; or

5) the storage unit located within the well setback zone was in existence prior to July 1, 1988.

b) Owners of commercial structural pest control locations which store pesticides for commercial application purposes in storage units which meet the allowable criteria for storage within the minimum setback zones as identified in subsection (a) of this Section and as specified in Section 830.1000(a) shall store pesticides in accordance with the requirements of Subpart G of this Part and the following:

1) Prior to storing pesticides in accordance with this subsection (b), the owner shall provide the Department with a copy of any waiver, exception, notification response and/or eligibility obtained from all affected well owners, the Illinois Environmental Protection Agency and/or the Illinois Pollution Control Board, which authorizes storage within the minimum setback zones.

2) No more than 300 gallons of pesticides (liquid concentrates and diluted materials) shall be stored at a structural pest control location at any given time.

3) Secondary containment of all liquid pesticides shall be provided as follows:

A) The containment structure shall have a minimum containment volume of 125% of the capacity of the largest container;

B) The containment structure shall be constructed of an impervious material such as sealed concrete, steel or synthetic materials or shall contain a liner made from an impervious material. A minimum four-inch curb or other flow diverting structure or system shall be utilized to prevent spilled materials from leaving the containment structure. There shall be no discharge outlets, drains or other penetrations through the floor or walls of the containment structure;

C) All containment materials shall be compatible with the products being stored and shall be capable of being decontaminated. Spills must be removed from the containment area in a timely manner to prevent harm to human health, the environment and the migration of the materials from the containment area.

4) The owner shall ensure that monthly inspections of all pesticide containers and secondary containment structures are conducted. Any cracks, leaks or deterioration in the containment structure or pesticide containers shall be immediately repaired or replaced with compatible materials. A written record of all inspections and maintenance performed under this subsection (b)(4) shall be kept in the storage unit. Records shall be available for inspection upon Department request.

5) The owner shall ensure proper management of all pesticide containers:

A) Containers shall not be opened, handled or stored in a manner which may cause the container to be ruptured or to leak.

B) Containers shall not be stacked higher than seven feet off the floor.

C) Drip and catch pans filled with absorbent material shall be provided under all pumps and valves connected to any pesticide container and shall be replaced whenever they lose their absorbent capacity.

D) Empty containers shall be disposed of or utilized in a manner that is in compliance with State and federal laws and regulations.

6) At the time of closure or discontinuance of operation, all pesticide products and empty containers shall be removed from the storage area and disposed of or utilized in a manner that is in compliance with State and federal laws and regulations. In addition, all contaminated containment components, soils, structures and equipment shall be decontaminated or removed and disposed of in a manner that is in compliance with State and federal laws and regulations. Within 60 days after the completion of the closure activities, the owner shall provide written notification to the Department that all of the prescribed requirements of this subsection (b)(6) have been met.

(Source: Added at 21 Ill. Reg. 15010, effective November 10, 1997)