

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 858  
PROCEDURES FOR OPERATION OF THE  
NON-HAZARDOUS SOLID WASTE FEE SYSTEM

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**AUTHORITY:** Implementing and authorized by Section 22.15 and Section 22.44 of the Environmental Protection Act [415 ILCS 5/22.15 and 22.44].

**SOURCE:** Emergency Rules adopted at 11 Ill. Reg. 1668, effective January 1, 1987, for a maximum of 150 days; adopted at 11 Ill. Reg. 9605, effective May 15, 1987; Sections 858.204, 858.205, 858.304, 858.305 and 858.306 recodified to Sections 858.207, 858.208, 858.308, 858.309 and 858.310, respectively, at 13 Ill. Reg. 5945; amended at 13 Ill. Reg. 17428, effective October 31, 1989; amended at 14 Ill. Reg. 16913, effective October 1, 1990; amended at 17 Ill. Reg. 4190, effective March 26, 1993; amended at 31 Ill. Reg. 5081, effective March 14, 2007.

#### SUBPART A: GENERAL PROVISIONS

##### **Section 858.101 Applicability**

The regulations of this Part apply to *owners and operators of sanitary landfills permitted or required to be permitted by the Agency to permanently dispose of solid waste if the sanitary landfill is located off the site where such waste was produced and if such sanitary landfill is owned, controlled and operated by a person other than the generator of such waste* (Section 22.15(b) and Section 22.44(b) of the Environmental Protection Act (Act)).

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

##### **Section 858.102 Definitions**

- a) Unless specified otherwise, all terms shall have the meanings set forth in the Environmental Protection Act [415 ILCS 5].
- b) For the purposes of this Part, the following definitions apply:

"Motor vehicle" means every vehicle that is self-propelled and any combination of vehicles that are propelled or drawn by a vehicle that is self-propelled.

"Operator" means the person responsible for the overall operation

of a sanitary landfill.

"Owner" means a person who owns a sanitary landfill or part of a sanitary landfill.

"Passenger car" means a motor vehicle designed for the carrying of not more than ten persons, including a multi-purpose passenger vehicle, except any motor vehicle of the Second Division as defined in Section 1-146 of the Illinois Vehicle Code [625 ILCS 5/1-146] and except any motorcycle or motor driven cycle.

"Sanitary landfill" means a sanitary landfill to which the rules of this Part are applicable.

"Solid waste" means "waste."

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

### **Section 858.103 Exemptions from Fee System**

- a) The fee payment provisions set forth in Subpart D shall not apply to:
  - 1) *Solid waste which is hazardous waste;*
  - 2) *Any landfill which is permitted by the Agency to receive only demolition or construction debris or landscape waste; or*
  - 3) *The following wastes:*
    - A) *Pollution control waste;*
    - B) *Wastes from recycling, reclamation or reuse processes which have been approved by the Agency as being designed to remove any contaminant from wastes so as to render such wastes reusable, provided that the process renders at least 50% of the waste reusable;*
    - C) *Non-hazardous solid waste that is received at a sanitary landfill and composted or recycled through a process permitted by the Agency; (Section 22.15(k) and Section 22.44(c) of the Act)*
  - 4) Wastes permanently disposed of at a sanitary landfill owned, controlled or operated by the person who generates the wastes;
  - 5) Wastes permanently disposed of at a sanitary landfill located on

the site where the wastes were produced.

- b) The Agency shall grant exemptions from the fee payment provisions set forth in Subpart C in accordance with Sections 22.16, 22.16a, 22.45 and 22.46 of the Act. Claims for such exemptions must be supported by documentation substantiating that each of the statutory criteria for exemption has been met.
- c) For purposes of this Section, a waste is a "pollution control waste" rather than an "industrial process waste" if it is a non-hazardous special waste resulting from operation of a pollution control device authorized or permitted pursuant to any state or federal law or any standards or regulations thereunder.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

#### **Section 858.104 Retention of Records**

Copies of all records required to be kept under this Part shall be retained by the site operator for three years and shall be made available at the site during the normal business hours of the operator for inspection and photocopying by the Agency.

#### **Section 858.105 Certification**

- a) All records, summaries or reports submitted to the Agency as required by this Part shall be signed by a person responsible for preparing and reviewing such documents as part of his or her duties in the regular course of business.
- b) Any person signing a document submitted under this Part shall make the following certification: I certify that this document and all attachments were prepared under my direction or supervision. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties under Section 44 of the Environmental Protection Act for submitting false information, including the possibility of fine and imprisonment for knowing violations.

#### **Section 858.106 Severability**

If any section, subsection, sentence or clause of this Part shall be adjudged unconstitutional, void, invalid or otherwise unlawful, such adjudication shall not affect the validity of this Part as a whole or any section, subsection, sentence or clause thereof not adjudged unconstitutional, void, invalid or otherwise unlawful.

#### **Section 858.107 Landfills Maintaining Records under Subparts B and C**

Under Section 22.15 and Section 22.44 of the Act, for a sanitary landfill receiving less than 150,000 cubic yards per calendar year, the fees are intended to be based on cubic yards of waste received instead of the quantity (weight) of waste weighed. For sanitary landfills that weigh the quantity of waste received but are unsure of whether they will receive more than 150,000 cubic yards in a calendar year, the Agency advises that records be maintained in accordance with both Subparts B and C. Unless records are maintained under Subpart C, a landfill weighing the quantity of waste received will not be able to take advantage of the lower rates available for sanitary landfills receiving less than 150,000 cubic yards per calendar year. In addition, for those landfills receiving more than 150,000 cubic yards per calendar year, unless records are maintained under both Subparts B and C, there will be no means by which to determine which of the two rates yields the lower net fee.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

#### SUBPART B: PROCEDURES FOR MAINTAINING RECORDS WHERE THE QUANTITY OF WASTE HAS BEEN WEIGHED

##### **Section 858.201 Applicability**

The requirements of this Subpart apply to sanitary landfills where *the owner or operator weighs the quantity of solid waste received with a device for which certification has been obtained under the Weights and Measures Act [225 ILCS 470] (Section 22.15(b)(1) and Section 22.44(b)(1) of the Act).*

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

##### **Section 858.202 Records**

- a) The operator of a sanitary landfill shall keep a record of solid waste received at the landfill. The operator shall keep the following records:
  - 1) Daily Solid Waste Record;
  - 2) Monthly Solid Waste Record; and
  - 3) Quarterly Solid Waste Summary.
- b) Each Monthly Solid Waste Record and Quarterly Solid Waste Summary submitted to the Agency shall be in a form as prescribed by the Agency.
- c) Operators of landfills annually receiving more than 150,000 cubic yards of waste subject to these rules shall elect to submit each Monthly Solid Waste Record and each Quarterly Solid Waste Summary and fee payment on the basis of weight (i.e., pursuant to Subpart B) or on the basis of volume (i.e., pursuant to Subpart C).

(Source: Amended at 14 Ill. Reg. 16913, effective October 1, 1990)

## Section 858.203 Daily Solid Waste Record

- a) The Daily Waste Record shall be maintained at the site and shall include the day of the week, the date, the Agency designated site number, and the site name and address. For each load of waste permanently disposed at the site the following information shall be recorded in the Daily Solid Waste Record:
  - 1) The quantity of solid waste permanently disposed as weighed with a device for which certification has been obtained under the Weights and Measures Act.
  - 2) If the waste is a non-hazardous special waste, the following information:
    - A) The supplemental waste stream permit number for any waste stream permitted under 35 Ill. Adm. Code 807.210, or a description of the waste stream in like manner as required for supplemental waste stream permits if such a supplemental waste stream permit is not required; and
    - B) For waste streams received under authority of a supplemental waste stream permit only, the name of the generator.
  - 3) If the waste load permanently disposed is exempt from the fee payment provisions of Subpart D under Section 858.103(a), the subparagraph under which the waste is exempted and a description of the waste.
  - 4) If the waste load permanently disposed is exempt from the fee payment provisions of Subpart D under Section 858.103(b), the following information:
    - A) The Agency exemption granted for the waste; and
    - B) The contract under which the solid waste is received.
- b) Entries of the Daily Solid Waste Record as required by Subsection (a) shall be made contemporaneously with the receipt of each load unless the operator uses a different method of recording the required information which assures that required information can be entered on the Daily Solid Waste Record by the end of each business day in which case the information must be entered in the Daily Solid Waste Record by the end of each business day. Where an alternative method of contemporaneous recording is used, that record, in addition to the Daily Solid Waste Record, must be maintained in accordance with the records retention provisions of Section 858.104.
- c) At the end of each business day the operator shall record on the Daily Solid Waste Record the total amount of waste permanently disposed in tons weighed and the total amount of waste received that is subject to the fee provisions of Subpart D.

(Source: Amended at 13 Ill. Reg. 17428, effective October 31, 1989)

### **Section 858.204 Quarterly Solid Waste Summary (Recodified)**

(Source: Recodified to 35 Ill. Adm. Code 858.207 at 13 Ill. Reg. 5945)

### **Section 858.205 Supplemental Solid Waste Record (Recodified)**

(Source: Recodified to 35 Ill. Adm. Code 858.208 at 13 Ill. Reg. 5945)

### **Section 858.206 Monthly Solid Waste Record**

- a) A Monthly Solid Waste Record shall be maintained at the site and shall include the following information:
  - 1) The Agency designated site number, the site name and month for which the record applies.
  - 2) The total quantity of solid waste received, in tons weighed, for each day of the calendar month.
  - 3) The quantity of solid waste permanently disposed, in tons weighed, which is exempted from the fee payment provisions, showing the categorical exemptions which applies under Section 858.103, for each day of the calendar month.
  - 4) The quantity of solid waste permanently disposed, in tons weighed, which is subject to the fee payment provisions for each day of the calendar month.
- b) On or before April 15, July 15, October 15 and January 15, the landfill owner or operator shall submit to the Agency the Monthly Solid Waste Records for the three calendar months preceding the receipt date.

(Source: Added at 13 Ill. Reg. 17428, effective October 31, 1989)

### **Section 858.207 Quarterly Solid Waste Summary**

- a) A Quarterly Solid Waste Summary shall be maintained at the site and shall include the following information:
  - 1) The Agency designated site number, the site name and the calendar quarter for which the summary applies.
  - 2) The total quantity of solid waste received in tons weighed:
    - A) for each month of the calendar quarter;
    - B) for the entire calendar quarter; and
    - C) for the calendar year-to-date.
  - 3) The quantity of solid waste permanently disposed of in tons

weighed that is exempted from the fee payment provisions showing the categorical exemption that applies under Section 858.103:

- A) for each month of the calendar quarter;
  - B) for the entire calendar quarter; and
  - C) for the calendar year-to-date.
- 4) The quantity of solid waste permanently disposed of in tons weighed that is subject to the fee payment provisions:
- A) for the month of the calendar quarter;
  - B) for the entire calendar quarter; and
  - C) for the calendar year-to-date.
- 5) The fee rate applicable under Section 22.15 and Section 22.44 of the Act.
- b) The Quarterly Solid Waste Summary shall be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and shall cover the three calendar months preceding the receipt date.
- c) In addition to the information set forth in subsection (a), the Quarterly Solid Waste Summary due on April 15 of each year shall include an estimate of the gateway capacity remaining at the site under the Agency developmental permit then in effect as of April 1 of each year and an estimate of the expected lifetime for that remaining capacity. All capacity estimates shall be prepared by, or under the supervision of, a registered professional engineer. The registered professional engineer shall affix the name of the engineer, date of preparation, registration number, a statement attesting to the accuracy of the capacity estimate and a professional seal to all estimates. The remaining gateway capacity estimate shall be submitted to the Agency on a form provided by the Agency.

AGENCY NOTE: "gateway capacity" refers to the amount of waste as measured upon receipt that the site can accept. This term does not refer to the void space remaining in place at the disposal site.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

**Section 858.208 Revisions to Monthly Solid Waste Record and Quarterly Solid Waste Summary**



When errors in the amount of waste permanently disposed of or the amount of the fee due under Section 22.15 or Section 22.44 are discovered in any of the records required to be kept under this Part, a revised Monthly Solid Waste Record and Quarterly Solid Waste Summary reflecting the corrections shall be completed by the site operator and submitted to the Agency. The revised Monthly Solid Waste Record and Quarterly Solid Waste Summary and any payment due the Agency shall be received by the Agency no later than the seventh day following the discovery of the error. If the revision results in a payment due the site, the site operator shall show the adjustment on the next Quarterly Solid Waste Summary.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

### SUBPART C: PROCEDURES FOR MAINTAINING RECORDS WHERE THE QUANTITY OF WASTE HAS NOT BEEN WEIGHED

#### **Section 858.301 Applicability**

The requirements of this Subpart apply to sanitary landfills where the owner or operator does not weigh the quantity of solid waste received with a device for which certification has been obtained under the Weights and Measures Act [225 ILCS 470].

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

#### **Section 858.302 Records**

- a) The operator of a sanitary landfill shall keep a record of solid waste received at the landfill. The operator shall keep the following records:
  - 1) Daily Solid Waste Record;
  - 2) Monthly Solid Waste Record; and
  - 3) Quarterly Solid Waste Summary.
- b) Each Monthly Solid Waste Record and each Quarterly Solid Waste Summary submitted to the Agency shall be in a form as prescribed by the Agency.

(Source: Amended at 13 Ill. Reg. 17428, effective October 31, 1989)

#### **Section 858.303 Daily Solid Waste Record**

- a) The Daily Solid Waste Record shall be maintained at the site and shall include the day of the week, the date, the Agency designated site number and the site name and address. For each load of waste received at the site the following information shall be recorded in the Daily Solid Waste Record:
  - 1) The amount of solid waste received as measured in cubic yards.

- 2) If the waste is a non-hazardous special waste, the following information:
    - A) The supplemental waste stream permit number for any waste stream permitted under 35 Ill. Adm. Code 807.210, or a description of the waste stream in like manner as required for supplemental waste stream permits if such a supplemental waste stream permit is not required; and
    - B) For waste streams received under authority of a supplemental waste stream permit only, the name of the generator.
  - 3) If the waste load permanently disposed is exempt from the fee payment provisions of Subparagraph D under Section 858.103(a), the sub-paragraph under which the waste is exempted and a description of the waste.
  - 4) If the waste load permanently disposed is exempt from the fee payment provisions of Subpart D under Section 858.103(b), the following information:
    - A) The Agency exemption granted for the waste; and
    - B) The contract under which the solid waste is received.
- b) Entries on the Daily Solid Waste Record as required by subsection (a) shall be made contemporaneously with the receipt of each load, unless the operator uses a different method of recording the required information which assures that required information can be entered on the Daily Solid Waste Record by the end of each business day, in which case the information must be recorded in the Daily Solid Waste Record by the end of each business day. Where an alternative method of contemporaneous recording is used, that record, in addition to the Daily Solid Waste Record, must be maintained in accordance with the records retention provisions of Section 858.104.
- c) At the end of each business day the operator shall record on the Daily Solid Waste Record the total amount of waste received as measured in cubic yards and the total amount of waste received as measured in cubic yards that is subject to the fee provisions of Subpart D.

(Source: Amended at 13 Ill. Reg. 17428, effective October 31, 1989)

#### **Section 858.304 Quarterly Solid Waste Summary (Recodified)**

(Source: Recodified to 35 Ill. Adm. Code 858.308 at 13 Ill. Reg. 5945)

#### **Section 858.305 Supplemental Solid Waste Record (Recodified)**

(Source: Recodified to 35 Ill. Adm. Code 858.309 at 13 Ill. Reg. 5945)

#### **Section 858.306 Measurement (Recodified)**

(Source: Recodified to 35 Ill. Adm. Code 858.310 at 13 Ill. Reg. 5945)

### **Section 858.307 Monthly Solid Waste Record**

- a) A Monthly Solid Waste Record shall be maintained at the site and shall include the following information:
  - 1) The Agency designated site number, the site name and address and the calendar month for which the record applies.
  - 2) The total quantity of solid waste permanently disposed as measured in cubic yards for each day of the calendar month.
  - 3) The quantity of solid waste permanently disposed as measured in cubic yards which is exempted from the fee payment provisions showing the categorical exemption which applies under Section 858.103 for each day of the calendar month.
  - 4) The quantity of solid waste permanently disposed as measured in cubic yards which is subject to the fee payment provisions for each day of the calendar month.
- b) On or before April 15, July 15, October 15 and January 15, the landfill owner or operator shall submit to the Agency the Monthly Solid Waste Records for the three calendar months preceding the receipt date.

(Source: Added at 13 Ill. Reg. 17428, effective October 31, 1989)

### **Section 858.308 Quarterly Solid Waste Summary**

- a) A Quarterly Solid Waste Summary shall be maintained at the site and shall include the following information:
  - 1) The Agency designated site number, the site name and address and the month for which the record applies.
  - 2) The total quantity of solid waste permanently disposed as measured in cubic yards:
    - A) for each month of the calendar quarter;
    - B) for the entire calendar quarter; and
    - C) for the calendar year-to-date.
  - 3) The quantity of solid waste permanently disposed of in tons weighed that is exempted from the fee payment provisions showing the categorical exemption that applies under Section 858.103:
    - A) for each month of the calendar quarter;

- B) for the entire calendar quarter; and
  - C) for the calendar year-to-date.
- 4) The quantity of solid waste permanently disposed of in tons weighed that is subject to the fee payment provisions:
- A) for the month of the calendar quarter;
  - B) for the entire calendar quarter; and
  - C) for the calendar year-to-date.
- 5) The fee rate applicable under Section 22.15 and Section 22.44 of the Act.
- b) The Quarterly Solid Waste Summary shall be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and shall cover the three calendar months preceding the receipt date.
- c) In addition to the information set forth in subsection (a), the Quarterly Solid Waste Summary due on April 15 of each year shall include an estimate of the capacity remaining at the Site under the Agency permits then in effect and an estimate of the expected lifetime for that remaining capacity.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

### **Section 858.309 Revisions to Monthly Solid Waste Record and Quarterly Solid Waste Summary**

When errors in the amount of waste permanently disposed of or the amount of the fee due under Section 22.15 or Section 22.44 are discovered in any of the records required to be kept under this Part, a revised Monthly Solid Waste Record and Quarterly Solid Waste Summary reflecting the corrections shall be completed by the site operator and submitted to the Agency. The revised Monthly Solid Waste Record and Quarterly Solid Waste Summary and any payment due the Agency shall be received by the Agency no later than the seventh day following the discovery of the error. If the revision results in a payment due the site, the site operator shall show the adjustment on the next Quarterly Solid Waste Summary.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

### **Section 858.310 Measurement**

- a) Although solid waste is sometimes measured in other units, the site operator is responsible for accurately measuring any load of waste in cubic yards.
- b) For motor vehicles with a gross vehicle weight in excess of 8,000 pounds, except passenger cars, the measurement in cubic yards for any load of waste shall be either the rated volumetric capacity of the vehicle delivering the load or, where charges for receiving solid waste at a landfill are based upon the actual volume received, the actual volume received.
- c) For passenger cars, regardless of weight, and other motor vehicles with a gross vehicle weight of 8,000 pounds or less, the measurement in cubic yards for any load of waste shall be based on visual observation of the volume delivered.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

#### SUBPART D: PROCEDURES FOR PAYMENT OF FEES

##### **Section 858.401 Quarterly Submission of Payment**

- a) Payment of the fee due under Section 22.15 and Section 22.44 of the Act shall be made on a quarterly basis with the submission of the Quarterly Solid Waste Summary. Such payment shall be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and shall cover the three calendar months preceding the receipt date.
- b) For sanitary landfills subject to Subpart B, the fee payment due shall be calculated by multiplying the quantity of solid waste received in tons weighed that are subject to the fee payment provisions as reported on the Quarterly Solid Waste Summary times the applicable rate in Section 22.15 and Section 22.44 of the Act.
- c) For sanitary landfills subject to Subpart C, the fee payment due shall be calculated as follows, unless otherwise calculated pursuant to subsection (g):
  - 1) For payments due on April 15, July 15 and October 15:
    - A) Since the fee schedule is based on amount of cubic yards, if both tons and cubic yards are reported, the quantity of solid waste permanently disposed of in tons weighed shall be converted to cubic yards. Use the total cubic yards amount (the cubic yard quantity received plus the corrected tons) to determine the applicable fee. The solid waste measured in tons subject to Subpart B should be converted to cubic

yards using either an Agency standard rate of 3.3 cubic yards-to-ton conversion ratio or the site's actual rate that best reflects the site's conversion ratio. After determining the cubic yard quantity of waste subject-to-fee, multiply the quantity of solid waste subject to the fee payment provisions as reported on the Quarterly Solid Waste Summary for the preceding three calendar months by 4.

- B) Based on subsection (c)(1)(A), determine the applicable category under Section 22.15 and Section 22.44 of the Act.
  - C) Based on subsection (c)(1)(B), divide the annual fee by 4.
- 2) For payments due January 15:
- A) Based on the quantity permanently disposed of during the previous calendar year, determine the applicable category under Section 22.15 and Section 22.44 of the Act.
  - B) Subtract the amount paid for the first, second and third quarters from the annual fee determined under (c)(1)(A).
- d) If the calculation of fees under this Section results in an overpayment, the Agency shall credit this overpayment against fees due during the subsequent calendar year.
- e) If a sanitary landfill intends to cease receipt of waste during the calendar year:
- 1) The sanitary landfill shall notify the Agency by January 15 of that year. The notification shall include:
    - A) The date by which waste will cease to be received; and
    - B) A fee payment schedule to assure submission of fees in accordance with Section 22.15 and Section 22.44 of the Act.
  - 2) The Agency shall review the fee payment schedule to determine if it will result in an underpayment or overpayment and will notify the operator within 30 days of any deficiencies or overpayments under the schedule.
- f) If a sanitary landfill intends to begin the receipt of waste:
- 1) The sanitary landfill shall notify the Agency no less than 90 days

prior to beginning the receipt of waste. The notification shall include:

- A) The date by which waste will begin to be received; and
  - B) A fee payment schedule to assure submission of fees in accordance with Section 22.15 and Section 22.44 of the Act.
- 2) The Agency shall review the fee payment schedule to determine if it will result in an underpayment or overpayment and will notify the operator within 30 days of any deficiencies or overpayments under the schedule.
- g) The fee payment due January 15 shall be determined, in all cases, pursuant to subsection (c)(2); however, the fee payment due on April 15, July 15 and October 15 for landfills subject to Subpart C may be calculated as follows, provided that the owner or operator has demonstrated that calculating such fee payments according to subsection (c)(1) will result in an overpayment, and provided that the owner or operator has applied in writing for Agency approval of an alternative fee payment schedule pursuant to this subsection by February 1 of each year and the application has not been denied by March 30:
- 1) Utilizing historical or other relevant area-specific or facility-specific data, estimate the annual volume of wastes subject to the fees imposed under this Section that will be received at the site;
  - 2) Determine the appropriate annual fee for such estimated volume of wastes pursuant to Section 22.15 and Section 22.44 of the Act;
  - 3) At the end of each of the first 3 quarters of the calendar year, divide the actual volume of waste received during that quarter subject to the fees imposed under this Section by the annual waste volume estimated pursuant to subsection (g)(1);
  - 4) Multiply the result of subsection (g)(3) by the annual fee determined pursuant to subsection (g)(2): the product of this step is the appropriate fee payment for the quarter;

AGENCY NOTE: The purpose of this subsection (g) is to allow owners or operators of landfills receiving widely fluctuating cyclical quarterly waste volumes (e.g., landfills whose operations are subject to seasonal variations in waste volumes received) to prevent extreme overpayments or underpayments for the first three quarters of each year. Extreme overpayments are the greater

concern, inasmuch as the Agency is empowered only to grant credits against the next year's fee obligation; refunds of excess payments are not authorized.

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)

**Section 858.402 Manner of Payment**

Payment shall be made by check or money order payable to Illinois Environmental Protection Agency. Payment shall be mailed to the Agency at the following address:

Illinois Environmental Protection Agency  
Division of Administration, Fiscal Services  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

(Source: Amended at 31 Ill. Reg. 5081, effective March 14, 2007)