

**TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE D: MINE RELATED WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD**

**PART 407  
COMPLIANCE AND EFFECTIVE DATES**

**Section**

407.101	Effective Date
407.102	Applications from Holders of Outstanding Permits
407.103	Expiration of Outstanding Permits
407.104	Abandonment Plan for Existing Permits
Appendix A	References to Previous Rules

AUTHORITY: Implementing Sections 12 and 13 and authorized by Section 27 of the Illinois Environmental Protection Act (Ill. Rev. Stat., ch. 111 1/2, pars. 1012, 1013 and 1027) unless otherwise noted.

SOURCE: Adopted at 4 Ill. Reg. 34, p. 164, effective August 7, 1980; codified at 5 Ill. Reg. 34, p. 8527, effective August 10, 1981.

**Section 407.101      Effective Date**

This Chapter is effective upon filing with the Secretary of State.

**Section 407.102 Applications from Holders of Outstanding Permits**

- a) A holder of an outstanding operating permit under the old Chapter 4 may apply for a state or NPDES permit at any time.
- b) The Agency may by notification require a holder of an outstanding operating permit to apply for a state or NPDES permit.
- c) Notification shall contain a date, not less than 180 days after notification, by which date an application must be received by the Agency.

**Section 407.103      Expiration of Outstanding Permits**

Compliance with the provisions of this Chapter is required on the effective date except that immediate compliance with the permit requirement of Section 404.101 is not required of holders of outstanding permits for mines opened prior to the effective date of this Subtitle D, Chapter I. For such facilities, compliance with Section 404.101 is required upon expiration of the

outstanding operating permit. Such permits shall expire upon the occurrence of any of the following conditions, whichever occurs first:

- a) The lapse of three years after the effective date of this Chapter; or
- b) The expiration of any NPDES permit held by the permittee for the facility; or
- c) Issuance of a permit for the facility pursuant to Section 403.102 or Section 404.101; or
- d) The lapse of an application period fixed pursuant to Section 407.102(c) if an application is not received by the date given in the notification.

#### **Section 407.104 Abandonment Plan for Existing Permits**

The requirement of a permit to abandon contained in Rule 502 of old Chapter 4, effective May 23, 1972 shall continue to apply to operators of mines opened prior to the effective date of this Subtitle D, Chapter I, until such time as such operator shall have been issued under this Subtitle D, Chapter I a valid permit containing an abandonment plan.

#### **Section 407.APPENDIX A REFERENCES TO PREVIOUS RULES**

The following table is provided to aid in referencing old Board rule numbers to section numbers pursuant to codification.

Chapter 4, Mine Related Pollution Part VII, Compliance and Effective Dates	35 Ill. Admin. Code Part 407
Rule 701	Section 407.101
Rule 702	Section 407.102
Rule 703	Section 407.103
Rule 704	Section 407.104