**Section 900.815 Penalties**

a) *Any person who is required to prepare a waste management plan and who fails to do so shall be* subject to the following:

1) *The person shall be issued a warning letter by the Department for the first violation and shall be given 30 working days to prepare a waste management plan.*

2) *For failure to prepare a waste management plan within 30 working days pursuant to subsection (a)(1) of this Section, the person shall be fined an administrative penalty of up to $1,000 by the Department and shall be required to enter into an agreement of compliance to prepare a waste management plan within 30 working days.*

3) *For failure to prepare a waste management plan after the second 30 day period or for failure to enter into a compliance agreement pursuant to subsection (a)(2) of this Section, the Department may issue an operational cease and desist order until compliance is attained.* [510 ILCS 77/20(g)]

b) Any person who is required to maintain and implement a waste management plan and who fails to do so shall be subject to the following:

1) The person shall be issued a warning letter by the Department for the first violation and shall be given 30 working days to maintain and implement a waste management plan.

2) For failure to maintain and implement a waste management plan within 30 working days pursuant to subsection (b)(1) of this Section, the person shall be fined an administrative penalty of up to $1,000 by the Department and shall be required to enter into an agreement of compliance to maintain and implement a waste management plan within 30 working days.

3) For failure to maintain and implement a waste management plan after the second 30 day period or for failure to enter into a compliance agreement pursuant to subsection (b)(2) of this Section, the Department may issue an operational cease and desist order until compliance is attained.

c) The operational cease and desist order procedures may be suspended by the Department upon submittal of a waste management plan by the owner or operator to the Department. The cease and desist order shall be canceled by the Department upon approval of the waste management plan by the Department.

d) A waste management plan prepared as a result of a warning letter or compliance agreement shall be subject to approval by the Department.

e) Penalties shall not be imposed for excessive nitrogen application for unplanned cropping changes due to weather or other unforeseeable circumstances.