**Section 334.10 Purpose and Scope**

a) The purpose of this Part is to establish *an annual fee which shall be imposed on the owner or operator of any property that has been used in whole or in part for the milling of source material and is being used for the storage or disposal of by-product material, equal to $2 per cubic foot of by-product material being stored or disposed of by the facility. However, no fees shall be collected from any State, county, municipal, or local governmental agency.* Moneys collected shall be deposited by the Department into the By-product Material Safety Fund (Fund). [420 ILCS 42/15]

b) The Department is authorized to spend money from the Fund for the following purposes:

(1) *the costs of monitoring, inspecting, and otherwise regulating the storage and disposal of by-product material, wherever located;*

(2) *the costs of undertaking any necessary maintenance, decommissioning activities, cleanup, responses to radiation emergencies, or remedial action that may be necessary in connection with by-product materials;*

(3) *the costs incurred by the Department arising from the transportation of the by-product material from a storage or unlicensed disposal location to a licensed permanent disposal facility.* [420 ILCS 42/15(b)]

c) In addition, the Department may reimburse *to the owner or operator of any facility used for the storage or disposal of by-product material for costs incurred by the owner or operator in connection with the decontamination or decommissioning of the storage or disposal facility or other properties contaminated with by-product material. However,* *the amount of the reimbursements paid to the owner or operator of a by-product material storage or disposal facility shall not exceed the amount of money paid into the Fund by that owner or operator plus the interest accrued in the Fund attributable to amounts paid by that owner or operator* [420 ILCS 42/15(b)(4)]. Section 334.40 sets out the procedures to be taken by the owner or operator in requesting reimbursement from the Fund.