**Section 106.914 Burden of Proof**

The burden of proof is on the petitioner. A petitioner may seek authorization, for an individual site, to:

a) Apply landscape waste or composted landscape waste at rates greater than "agronomic rates" of not *more than 20 tons per acre per year*. An owner or operatorseeking toapply landscape waste or composted landscape waste in accordance with Section 21(q)(2) of the Act at rates greater than agronomic rates must *demonstrate to the Board that the site's soil characteristics or crop needs require a higher rate* as specified in the petition*.* [415 ILCS 5/21(q)]

b) Increase in total acreage of on-farm composting facility. A farm owner or operator seeking to apply landscape waste or landscape waste compost in accordance with Section 21(q)(3)(A) of the Act at a *composting facility on which the composting material is utilized and* who proposes to do so on *more than 2% of* *the property's total acreage on which the composting material is utilized by the farmer*, *must demonstrate to the Board that the site's soil characteristics or crop needs require a higher rate* as specified in the petition.

(Source: Added at 36 Ill. Reg. 16581, effective November 5, 2012)