**Section 405.107 Experimental Permits for Refuse Disposal**

a) To promote technological development of mine refuse pollution control, the Agency may issue experimental permits for refuse disposal not satisfying the requirements of Section 405.102 if the applicant demonstrates that the process, technique, or system has a reasonable chance of complying with the Act and Subtitle D.

b) During operation, drainage from an experimental refuse area must be monitored for compliance with the Act and Subtitle D.

c) As a permit condition, the Agency may require the permittee to submit performance data and cost information while operating an experimental refuse area.

d) Applications for experimental permits must comply with Section 405.104.

e) After the Agency approves an experimental permit, it may terminate the permit if data or maintenance practices indicate that the experimental method is no longer likely to meet the requirements of the Act and Subtitle D. Within 45 days after termination, the Agency will reimpose the requirements of Section 405.102.

f) Within 12 months after terminating an experimental permit, the permittee must complete the abandonment plan in the permitted mine refuse disposal area unless otherwise approved by the Agency.

(Source: Amended at 43 Ill. Reg. 11606, effective September 25, 2019)