**Section 732.604 Limitations on Total Payments**

a) Limitations per occurrence:

1) The Agency must not approve any payment from the Fund to pay an owner or operator for costs of corrective action incurred by the owner or operator in an amount in excess of $1,000,000 per occurrence.

2) The Agency must not approve any payment from the Fund to pay an owner or operator for costs of indemnification of the owner or operator in an amount in excess of $1,000,000 per occurrence.

b) Aggregate limitations:

1) Notwithstanding any other provision of this Part, the Agency must not approve payment to an owner or operator from the Fund for costs of corrective action or indemnification incurred during a calendar year in excess of the following amounts based on the number of petroleum underground storage tanks owned or operated by the owner or operator in Illinois:

|  |  |
| --- | --- |
| Amount | Number of Tanks |
|  | |
| $1,000,000 | fewer than 101 |
| $2,000,000 | 101 or more |

2) Costs incurred in excess of the aggregate amounts set forth in subsection (b)(1) of this Section will not be eligible for payment in subsequent years.

c) *For purposes of* subsection (b) of this Section, *requests submitted by any of the agencies, departments, boards, committees or commissions of the State of Illinois shall be acted upon as claims from a single owner or operator* [415 ILCS 5/57.8(d)(2)].

d) *For purposes of* subsection (b) of this Section, *owner or operator includes:*

1) *any subsidiary, parent, or joint stock company of the owner or operator*; *and*

2) *any company owned by any parent, subsidiary, or joint stock company of the owner or operator* [415 ILCS 5/57.8(d)(3)].

(Source: Amended at 30 Ill. Reg. 4928, effective March 1, 2006)