**Section 814.108 Interim Permit Requirements for Existing MSWLF Units**

a) *Except for a lateral expansion of an existing MSWLF unit required to receive a permit modificaiton under Section 21(t) of the Act, by September 1, 1993, or within 30 days following the effective date of P.A. 88-496* (September 13, 1993), *whichever occurs first, the owner or operator of an existing MSWLF unit shall submit to the Agency a written application for a permit (if no permit has been issued under Section 21(d) of the Act) or a permit modification (if a permit has been issued under Section 21(d) of the Act) on forms prescribed and provided by the Agency.*

b) *Persons who submit an application for a permit or permit modification under subsection (a) and Section 22.42(a) of the Act shall be deemed to have an interim permit or interim permit modification on October 9, 1993, or 30 calendar days after the Agency receives the application under subsection (a) above and Section 22.42(a) of the Act, whichever occurs first, except that:*

1) *The Agency may impose such conditions to the interim permit or interim permit modification law as may be necessary to accomplish the purposes of the Act and as are not inconsistent with the regulations described in Section 22.41 of the Act.*

2) *No interim permit or interim permit modification shall be deemed issued under this subsection and subsection 22.42(b) of the Act if the Agency provides written notification to the applicant, by October 1, 1993 or within 30 calendar days after the Agency receives the application under this Section, whichever occurs first, that:*

A) *The application is incomplete; or*

B) *The applicant must submit an application for a lateral expansion pursuant to Section21(t) of the Act.*

c) *An interim permit or an interim permit modification deemed issued under this Section and Section 22.42 of the Act to an existing MSWLF until shall expire upon the occurence of the following, whichever occurs first:*

1) *Six calendar years from the date upon which the interim permit or interim permit modification was deemed to be issued under this Section and Section 22.42 of the Act, except that in the event that the agency is reviewing an application for a permit or a significant modification of a permit for the MSWLF unit, or in the event that a Board review of a permit denial or conditions of a permit or significant modification of the permit for the MSWLF unit pursuant to Section 40 or 41 of the Act is pending at the end of 6 calendar year period, the interim permit or interim permit modification shall expire upon the issuance of the Agency's final action on the application or upon the conclusion of the Board proceeding under Sections 40 or 41 of the Act, including the exhaustion of all rights of appeal of the parties to the proceeding.*

2) *Final action by the Agency on an application for a permit or significant modification of a permit on or after October 9, 1993, for the MSWLF unit where the Agency notifies the applicant that the Agency's review of the application included a review of the MSWLF unit's compliance with Board rules adopted under Section 22.40 or 22.41 of the Act.*

3) *The Board revokes the interim permit or the interim permit modification deemed issued under this Section and Section 22.42 of the Act in an enforcement action brought under the Act.* (Section 22.42 of the Act.)

(Source: Added in R93-10 at 18 Ill. Adm. Code 1284, effective January 13, 1994)