

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Solid Waste Site Operator Certification Law
5 is amended by changing Sections 1004, 1005, 1006, 1007, 1009,
6 1010, and 1011 as follows:

7 (225 ILCS 230/1004) (from Ch. 111, par. 7854)

8 Sec. 1004. Prohibition. Beginning January 1, 1992, no
9 person shall cause or allow the operation of a landfill
10 permitted or required to be permitted by the Agency unless the
11 landfill has on its operational staff at least one natural
12 person certified as competent by the Agency under the
13 provisions of this Act.

14 (a) For landfill sites which accept non-hazardous solid
15 waste ~~other than clean construction or demolition debris~~, the
16 landfill shall have a ~~Class A~~ Solid Waste Site Operator
17 certified by the Agency who is responsible for directing
18 landfill operations or supervising other operational staff in
19 performing landfill operations.

20 (b) (Blank). ~~For landfill sites which accept only clean~~
21 ~~construction or demolition debris, the landfill shall have a~~
22 ~~Class A or B Solid Waste Site Operator certified by the Agency~~
23 ~~who is responsible for directing landfill operations or~~

1 ~~supervising other operational staff in performing landfill~~
2 ~~operations.~~

3 (c) For landfill sites which accept special waste, the
4 landfill shall have a ~~Class A~~ Solid Waste Site Operator
5 certified by the Agency who has received a certification
6 endorsement for the acceptance of special waste and who is
7 responsible for directing landfill operations or supervising
8 other operational staff in performing landfill operations.

9 (Source: P.A. 86-1363.)

10 (225 ILCS 230/1005) (from Ch. 111, par. 7855)

11 Sec. 1005. Agency authority. The Agency is authorized to
12 exercise the following functions, powers and duties with
13 respect to solid waste site operator certification:

14 (a) To conduct examinations, as well as to approve the
15 use of examinations conducted by third parties, to
16 ascertain the qualifications of applicants for
17 certificates of competency as solid waste site operators;

18 (b) To conduct courses of training on the practical
19 aspects of the design, operation and maintenance of
20 sanitary landfills;

21 (c) To issue a certificate to any applicant who has
22 satisfactorily met all the requirements pertaining to a
23 certificate of competency as a solid waste site operator;

24 (d) To suspend, revoke or refuse to issue any
25 certificate for any one or any combination of the

1 following causes:

2 (1) The practice of any fraud or deceit in
3 obtaining or attempting to obtain a certificate of
4 competency;

5 (2) Negligence or misconduct in the operation of a
6 sanitary landfill;

7 (3) Repeated failure to comply with any of the
8 requirements applicable to the operation of a sanitary
9 landfill, except for Board requirements applicable to
10 the collection of litter;

11 (4) Repeated violations of federal, State or local
12 laws, regulations, standards, or ordinances regarding
13 the operation of refuse disposal facilities or sites;

14 (5) For a holder of a certificate, conviction in
15 this or another State of any crime which is a felony
16 under the laws of this State or conviction of a felony
17 in a federal court; for an applicant, consideration of
18 such conviction shall be in accordance with Section
19 1005-1;

20 (6) Proof of gross carelessness or incompetence in
21 handling, storing, processing, transporting, or
22 disposing of any hazardous waste; or

23 (7) Being declared to be a person under a legal
24 disability by a court of competent jurisdiction and
25 not thereafter having been lawfully declared to be a
26 person not under legal disability or to have

1 recovered.

2 (e) To adopt rules necessary to perform its functions,
3 powers, and duties with respect to solid waste site
4 operator certifications.

5 (Source: P.A. 100-286, eff. 1-1-18.)

6 (225 ILCS 230/1006) (from Ch. 111, par. 7856)

7 Sec. 1006. Certification ~~classifications~~. Solid Waste Site
8 Operators shall be certified in accordance with the following
9 ~~classifications~~:

10 (a) ~~Class "A"~~ Solid Waste Site Operator certificates shall
11 be issued to those persons who in accordance with the
12 provisions of this Section demonstrate a practical working
13 knowledge of the design, operation, and maintenance of
14 sanitary landfills in the following areas:

15 (1) unloading, spreading, and compacting of waste,
16 litter collection, and vector abatement;

17 (2) traffic control of vehicles delivering waste;

18 (3) application, maintenance, and inspection of cover
19 and cover requirements under Board rules and Agency
20 permits;

21 (4) fire control, on-site personnel safety
22 requirements, and contingency plan implementation;

23 (5) leachate control operation, leachate management,
24 and landfill gas management;

25 (6) identification of classes of waste;

1 (7) causes for revocation or suspension of
2 certificates;

3 (8) reporting and recordkeeping required by Board and
4 Agency regulations and Agency permits;

5 (9) financial assurance and groundwater monitoring
6 requirements;

7 (10) development and implementation of contingency
8 plans, closure plans, post closure plans, and corrective
9 action; and

10 (11) requirements for payment of fees.

11 (b) (Blank). ~~Class "B" Solid Waste Operator Certificates~~
12 ~~shall be issued to those persons who demonstrate a practical~~
13 ~~working knowledge of the design, operation, and maintenance of~~
14 ~~landfill sites accepting only clean construction or demolition~~
15 ~~debris in the following areas:~~

16 ~~(1) unloading and spreading of waste;~~

17 ~~(2) traffic control of vehicles delivering waste;~~

18 ~~(3) application, maintenance, and inspection of cover~~
19 ~~and cover requirement under Board rules and Agency~~
20 ~~permits;~~

21 ~~(4) fire control, on-site personnel safety segments~~
22 ~~and contingency plan implementation;~~

23 ~~(5) leachate control operation and leachate~~
24 ~~management;~~

25 ~~(6) identification of classes of waste;~~

26 ~~(7) causes for revocation or suspension of~~

1 ~~certificates;~~

2 ~~(8) reporting and recordkeeping required by Board and~~
3 ~~Agency regulations and Agency permits;~~

4 ~~(9) financial assurance and groundwater requirements;~~
5 ~~and~~

6 ~~(10) development and implementation of contingency~~
7 ~~plans, closure plans, post closure plans, and corrective~~
8 ~~action.~~

9 (c) Special waste certificate endorsements shall be issued
10 to those persons who are certified as ~~Class A~~ Solid Waste Site
11 Operators in accordance with the provisions of this Section,
12 and who demonstrate a practical working knowledge of the
13 design, operation, and maintenance of sanitary landfills
14 relative to the acceptance and disposal of special wastes.

15 (Source: P.A. 86-1363.)

16 (225 ILCS 230/1007) (from Ch. 111, par. 7857)

17 Sec. 1007. Qualifications. Every solid waste site operator
18 certified by the Agency shall be capable of performing his
19 duties without endangering the public health or the
20 environment and without violating the requirements applicable
21 to operation of sanitary landfills; shall be able to read and
22 write English; shall produce evidence acceptable to the Agency
23 as to his ability to maintain and operate properly the
24 structures and equipment entrusted to his care; and shall
25 satisfactorily demonstrate to the Agency a practical working

1 knowledge of the design, operation, and maintenance of
2 sanitary landfills ~~appropriate to the classification for which~~
3 ~~certification is sought~~. In addition, persons shall be
4 certified as ~~Class "A" or Class "B"~~ based on level of
5 competency determined by examination and in accordance with
6 educational and experience levels as follows:

7 ~~(a) Class "A" Certificates.~~

8 (1) Graduation from high school or equivalent and not
9 less than 2 years of acceptable study, training, and
10 responsible experience in sanitary landfill operation or
11 management, or not less than 7 years of acceptable study
12 training and responsible experience in operation or
13 management of earth moving equipment; or

14 (2) Grammar school completion or equivalent and not
15 less than 15 years of acceptable study, training, and
16 responsible experience in sanitary landfill operation or
17 management.

18 ~~(b) Class "B" Certificates.~~

19 ~~(1) Graduation from high school or equivalent and not~~
20 ~~less than 6 months of acceptable study, training, and~~
21 ~~responsible experience in sanitary landfill operation or~~
22 ~~management, or not less than 3 years of acceptable study~~
23 ~~training and responsible experience in operation or~~
24 ~~management of earth moving equipment; or~~

25 ~~(2) Grammar school completion or equivalent and not~~
26 ~~less than 5 years of acceptable study, training, and~~

1 ~~responsible experience in sanitary landfill operation or~~
2 ~~management.~~

3 (Source: P.A. 86-1363.)

4 (225 ILCS 230/1009) (from Ch. 111, par. 7859)

5 Sec. 1009. Examinations.

6 (a) Applicants shall undergo examinations ~~Examinations~~
7 provided or approved by the Agency ~~shall be given to~~
8 ~~applicants~~ for the purpose of determining if the applicants
9 can demonstrate a practical working knowledge of the design,
10 operation, and maintenance of sanitary landfills ~~appropriate~~
11 ~~to the classification for which certification is sought.~~ No
12 certificate shall be issued prior to successful completion of
13 the applicable examination.

14 (b) Examinations ~~shall be~~ conducted or approved by the
15 Agency, ~~and~~ shall be held not less frequently than annually.
16 The Agency shall maintain on its website information regarding
17 the examinations, ~~at times and places prescribed by the~~
18 ~~Agency, of which applicants shall be notified in writing.~~

19 (Source: P.A. 86-1363.)

20 (225 ILCS 230/1010) (from Ch. 111, par. 7860)

21 Sec. 1010. Certificates.

22 (a) The Solid Waste Site Operator Certificate shall
23 certify the competency of the applicant ~~within the class of~~
24 ~~the certificate issued,~~ and shall show the full name of the

1 applicant, have an identifying number, and be signed by the
2 Director.

3 (b) Certificates shall be issued for a period of 3 years,
4 with the expiration date being 3 years from the first day of
5 October of the calendar year in which the certificate is
6 issued.

7 (c) Every 3 years, on or before the October 1 expiration, a
8 certified solid waste site operator shall renew his
9 certificate of competency and pay the required renewal fee. A
10 grace period for renewal will be granted until November 1 of
11 that year before the reinstatement penalty is assessed.

12 (d) At the time of certificate renewal, the applicant
13 shall certify the completion of 15 hours of continuing
14 education covering the operation of landfills during the
15 preceding 3 years. Continuing education used to satisfy this
16 subsection must be approved by the Agency and must cover the
17 design, operation, and maintenance of sanitary landfills as
18 set forth in Section 1006 of this Act, and for certificates
19 that include a special waste endorsement, continuing education
20 must cover the operation of landfills relative to the
21 acceptance and disposal of special wastes ~~demonstrate~~
22 ~~competency in the same manner as a new applicant.~~

23 (Source: P.A. 86-1363.)

24 (225 ILCS 230/1011) (from Ch. 111, par. 7861)

25 Sec. 1011. Fees.

1 (a) Fees for the issuance or renewal of a Solid Waste Site
2 Operator Certificate shall be as follows:

3 (1) (A) \$400 for issuance or renewal for ~~Class A~~ Solid
4 Waste Site Operators;

5 (B) (blank); and ~~\$200 for issuance or renewal for~~
6 ~~Class B Solid Waste Site Operators; and~~

7 (C) \$100 for issuance or renewal for special waste
8 endorsements.

9 (2) If the fee for renewal is not paid within the grace
10 period the above fees for renewal shall each be increased by \$
11 50.

12 (b) (Blank). ~~Before the effective date of this amendatory~~
13 ~~Act of the 98th General Assembly, all fees collected by the~~
14 ~~Agency under this Section shall be deposited into the~~
15 ~~Hazardous Waste Occupational Licensing Fund. The Agency is~~
16 ~~authorized to use monies in the Hazardous Waste Occupational~~
17 ~~Licensing Fund to perform its functions, powers, and duties~~
18 ~~under this Section.~~

19 (c) ~~All~~ ~~On and after the effective date of this amendatory~~
20 ~~Act of the 98th General Assembly, all fees collected by the~~
21 Agency under this Section shall be deposited into the
22 Environmental Protection Permit and Inspection Fund to be used
23 in accordance with the provisions of subsection (a) of Section
24 22.8 of the Environmental Protection Act.

25 (Source: P.A. 98-692, eff. 7-1-14; 98-822, eff. 8-1-14.)

1 Section 10. The Illinois Oil and Gas Act is amended by
2 changing Sections 1, 8c, 14, and 19.7 and by adding Section 8e
3 as follows:

4 (225 ILCS 725/1) (from Ch. 96 1/2, par. 5401)

5 Sec. 1. Unless the context otherwise requires, the words
6 defined in this Section have the following meanings as used in
7 this Act.

8 "Person" means any natural person, corporation,
9 association, partnership, governmental agency or other legal
10 entity, receiver, trustee, guardian, executor, administrator,
11 fiduciary or representative of any kind.

12 "Oil" means natural crude oil or petroleum and other
13 hydrocarbons, regardless of gravity, which are produced at the
14 well in liquid form by ordinary production methods or by the
15 use of an oil and gas separator and which are not the result of
16 condensation of gas after it leaves the underground reservoir.

17 "Gas" means all natural gas, including casinghead gas, and
18 all other natural hydrocarbons not defined above as oil.

19 "Pool" means a natural, underground reservoir containing
20 in whole or in part, a natural accumulation of oil or gas, or
21 both. Each productive zone or stratum of a general structure,
22 which is completely separated from any other zone or stratum
23 in the structure, is deemed a separate "pool" as used herein.

24 "Field" means the same general surface area which is
25 underlaid or appears to be underlaid by one or more pools.

1 "Permit" means the Department's written authorization
2 allowing a well to be drilled, deepened, converted, or
3 operated by an owner.

4 "Permittee" means the owner holding or required to hold
5 the permit, and who is also responsible for paying assessments
6 in accordance with Section 19.7 of this Act and, where
7 applicable, executing and filing the bond associated with the
8 well as principal and who is responsible for compliance with
9 all statutory and regulatory requirements pertaining to the
10 well.

11 When the right and responsibility for operating a well is
12 vested in a receiver or trustee appointed by a court of
13 competent jurisdiction, the permit shall be issued to the
14 receiver or trustee.

15 "Orphan Well" means a well for which: (1) no fee
16 assessment under Section 19.7 of this Act has been paid or no
17 other bond coverage has been provided for 2 consecutive years;
18 (2) no oil or gas has been produced from the well or from the
19 lease or unit on which the well is located for 2 consecutive
20 years; and (3) no permittee or owner can be identified or
21 located by the Department. Orphaned wells include wells that
22 may have been drilled for purposes other than those for which a
23 permit is required under this Act if the well is a conduit for
24 oil or salt water intrusions into fresh water zones or onto the
25 surface which may be caused by oil and gas operations.

26 "Owner" means the person who has the right to drill into

1 and produce from any pool, and to appropriate the production
2 either for the person or for the person and another, or others,
3 or solely for others, excluding the mineral owner's royalty if
4 the right to drill and produce has been granted under an oil
5 and gas lease. An owner may also be a person granted the right
6 to drill and operate an injection (Class II UIC) well
7 independent of the right to drill for and produce oil or gas.
8 When the right to drill, produce, and appropriate production
9 is held by more than one person, then all persons holding these
10 rights may designate the owner by a written operating
11 agreement or similar written agreement. In the absence of such
12 an agreement, and subject to the provisions of Sections 22.2
13 and 23.1 through 23.16 of this Act, the owner shall be the
14 person designated in writing by a majority in interest of the
15 persons holding these rights.

16 "Department" means the Department of Natural Resources.

17 "Director" means the Director of Natural Resources.

18 "Mining Board" means the State Mining Board in the
19 Department of Natural Resources, Office of Mines and Minerals.

20 "Mineral Owner's Royalty" means the share of oil and gas
21 production reserved in an oil and gas lease free of all costs
22 by an owner of the minerals whether denominated royalty or
23 overriding royalty.

24 "Waste" means "physical waste" as that term is generally
25 understood in the oil and gas industry, and further includes:

26 (1) the locating, drilling, and producing of any oil

1 or gas well or wells drilled contrary to the valid order,
2 rules and regulations adopted by the Department under the
3 provisions of this Act;

4 (2) permitting the migration of oil, gas, or water
5 from the stratum in which it is found, into other strata,
6 thereby ultimately resulting in the loss of recoverable
7 oil, gas or both;

8 (3) the drowning with water of any stratum or part
9 thereof capable of producing oil or gas, except for
10 secondary recovery purposes;

11 (4) the unreasonable damage to underground, fresh or
12 mineral water supply, workable coal seams, or other
13 mineral deposits in the operations for the discovery,
14 development, production, or handling of oil and gas;

15 (5) the unnecessary or excessive surface loss or
16 destruction of oil or gas resulting from evaporation,
17 seepage, leakage or fire, especially such loss or
18 destruction incident to or resulting from the escape of
19 gas into the open air in excessive or unreasonable
20 amounts, provided, however, it shall not be unlawful for
21 the operator or owner of any well producing both oil and
22 gas to burn such gas in flares when such gas is, under the
23 other provisions of this Act, lawfully produced, and where
24 there is no market at the well for such escaping gas; and
25 where the same is used for the extraction of casinghead
26 gas, it shall not be unlawful for the operator of the plant

1 after the process of extraction is completed, to burn such
2 residue in flares when there is no market at such plant for
3 such residue gas;

4 (6) permitting unnecessary fire hazards;

5 (7) permitting unnecessary damage to or destruction of
6 the surface, soil, animal, fish or aquatic life or
7 property from oil or gas operations.

8 "Drilling Unit" means the surface area allocated by an
9 order or regulation of the Department to the drilling of a
10 single well for the production of oil or gas from an individual
11 pool.

12 "Enhanced Recovery Method" means any method used in an
13 effort to recover hydrocarbons from a pool by injection of
14 fluids, gases or other substances to maintain, restore or
15 augment natural reservoir energy, or by introducing immiscible
16 or miscible gases, chemicals, other substances or heat or by
17 in-situ combustion, or by any combination thereof.

18 "Well-Site Equipment" means any production-related
19 equipment or materials specific to the well, including motors,
20 pumps, pump jacks, tanks, tank batteries, separators,
21 compressors, casing, tubing, and rods.

22 "Temporary abandonment status" means a well that has
23 received an authorization for temporary abandonment status
24 from the Department.

25 (Source: P.A. 99-78, eff. 7-20-15.)

1 (225 ILCS 725/8c) (from Ch. 96 1/2, par. 5414.1)

2 Sec. 8c. (a) No person shall operate a liquid oil field
3 waste transportation system without a liquid oil field waste
4 transportation permit. The liquid oil field waste transporter
5 assumes legal responsibility for the liquid oil field waste
6 when it first enters the liquid oil field waste transportation
7 system, until it is disposed of in a manner authorized and
8 approved by the Department.

9 (b) No person shall engage, employ or contract with any
10 other person except a permittee under this Section, to remove
11 liquid oil field waste from his premises.

12 (c) Every person who engages, employs or contracts with
13 any other person to remove liquid oil field waste from his
14 premises shall maintain detailed records of all such liquid
15 oil field waste removal effectuated on forms provided by the
16 Department and shall submit such information in such detail
17 and with such frequency, as the Department may require.

18 (d) Before engaging in the business of removing liquid oil
19 field waste from the on-site collection point, a person shall
20 apply for and obtain a permit from the Department. The
21 application shall be accompanied by a permit fee of \$150 ~~\$100~~
22 and by a surety bond covering the period and any renewal
23 thereof for which the permit is issued by a surety company
24 registered in the State, to indemnify the Department for the
25 abatement of pollution of waters which result from any
26 improper disposal of liquid oil field waste by the permittee.

1 The bonds shall be \$10,000. The Department shall be the
2 obligee and the bond shall be for the benefit and purpose to
3 indemnify the State for the elimination of harmful or nuisance
4 conditions and for the abatement of any pollution of waters
5 which result from the improper disposal of liquid oil field
6 waste by the permittee.

7 In lieu of the surety bond, the applicant may provide
8 cash, certificates of deposit, or irrevocable letters of
9 credit under such terms and conditions as the Department may
10 provide by rule.

11 The surety of any bond posted for the issuance of a liquid
12 oil field waste transportation permit, upon 30 days notice in
13 writing to the Department and to the permittee, may cancel any
14 such bond, but such cancellation shall not affect any rights
15 which shall have accrued on the bond before the effective date
16 of the cancellation.

17 (e) If the Department, after such investigation as it
18 deems necessary, is satisfied that the applicant has the
19 qualifications, experience, reputation, and equipment to
20 perform the services in a manner not detrimental to the public
21 interest, in a way that will not cause unlawful pollution of
22 the waters of the State and meets the bonding requirements of
23 subsection (d), it shall issue a permit to the applicant.

24 (f) (1) All trucks or other vehicles used to transport or
25 carry liquid oil field waste shall carry a permit issued
26 by the Department for inspection by its representative or

1 any law enforcement agent. The application for the vehicle
2 permit shall state the make, model and year of the vehicle
3 as well as the capacity of the tank used in transporting
4 liquid oil field waste and such other information as the
5 Department requires. Each application shall be accompanied
6 by a biennial permit fee of \$150 ~~\$100~~ for each vehicle
7 sought to be licensed, payable to the State, and if the
8 Department, after such investigation as it deems
9 necessary, finds the truck or vehicle and equipment is
10 proper and adequate for the purpose, it shall issue a
11 permit for the use of the vehicle. The permit is not
12 transferable from one vehicle to another. The vehicle
13 permit number shall be printed on a decal furnished by the
14 Department which shall designate the years for which the
15 permit was issued. This decal shall be affixed to the
16 upper right hand corner of the inside of the windshield.

17 (2) All vehicle permits shall be valid for 2 years.
18 Application for renewal of a permit must be made 30 days
19 prior to the expiration date of the permit. The fee for
20 renewal shall be the same as for the original permit.

21 (g) (1) The tank shall be kept tightly closed in transit,
22 to prevent the escape of contents.

23 (2) The permittee shall dispose of all liquid oil
24 field waste in conformance with the provisions of this
25 Section.

26 (3) The permittee shall not dispose of liquid oil

1 field waste onto or into the ground except at locations
2 specifically approved and permitted by the Department. No
3 liquid oil field waste shall be placed in a location where
4 it could enter any public or private drain, pond, stream
5 or other body of surface or ground water.

6 (h) Any person who violates or refuses to comply with any
7 of the provisions of this Section shall be subject to the
8 provisions of Sections 8a and 19.1 of this Act. In addition,
9 any person who gathers, handles, transports, or disposes of
10 liquid oil field waste without a liquid oil field waste
11 transportation permit or utilizes the services of an
12 unpermitted person shall upon conviction thereof by a court of
13 competent jurisdiction be fined not less than \$2,000 for a
14 violation and costs of prosecution, and in default of payment
15 of fine and costs, imprisoned for not less than 10 days nor
16 more than 30 days. When the violation is of a continuing
17 nature, each day upon which a violation occurs is a separate
18 offense.

19 (i) For the purposes of this Section:

20 (1) "Liquid oil field waste" means oil field brines,
21 tank and pit bottom sediments, and drilling and completion
22 fluids, to the extent those wastes are now or hereafter
23 exempt from the provisions of Subtitle C of the federal
24 Resource Conservation and Recovery Act of 1976.

25 (2) "Liquid oil field waste transportation system"
26 means all trucks and other motor vehicles used to gather,

1 handle or transport liquid oil field waste from the point
2 of any surface on-site collection to any subsequent
3 off-site storage, utilization or disposal.

4 (Source: P.A. 87-744.)

5 (225 ILCS 725/8e new)

6 Sec. 8e. Temporary abandonment status fees.

7 (a) The Department shall assess and collect annual fees of
8 \$100 per well for each well that is in temporary abandonment
9 status.

10 (b) All annual fees collected pursuant to subsection (a)
11 shall be deposited as follows:

12 (1) one-half of all such fees shall be placed in the
13 Plugging and Restoration Fund; and

14 (2) one-half of all such fees shall be placed in the
15 Landowner Grant Program.

16 (225 ILCS 725/14) (from Ch. 96 1/2, par. 5420)

17 Sec. 14. Each application for a permit to drill, deepen,
18 convert, or amend shall be accompanied by the required fee of
19 \$400, not to exceed \$300, which the Department shall establish
20 by rule. The fee for an application for a permit to oil lease
21 road shall be \$150. A fee of \$75 for the first 100 wells and
22 \$50 for each well in excess of 100 ~~of \$50 per well~~ shall be
23 paid by the new owner for each transfer of well ownership.
24 Except for the assessments required to be deposited in the

1 Plugging and Restoration Fund under Section 19.7 of this Act
2 and any other deposits required to be deposited in the
3 Plugging and Restoration Fund under this Act, all fees
4 assessed and collected under this Act shall be deposited in
5 the Underground Resources Conservation Enforcement Fund. The
6 monies deposited into the Plugging and Restoration Fund or the
7 Underground Resources Conservation Enforcement Fund under this
8 Section shall not be subject to administrative charges or
9 chargebacks unless otherwise authorized by this Act.

10 On and after July 1, 2022, any fees that are created by or
11 increased by this amendatory Act of the 102nd General Assembly
12 in this Section shall be deposited into the Plugging and
13 Restoration Fund.

14 (Source: P.A. 97-1136, eff. 1-1-13.)

15 (225 ILCS 725/19.7) (from Ch. 96 1/2, par. 5430.2)

16 Sec. 19.7. The Department shall assess and collect annual
17 well fees from each permittee in the amount of \$100 ~~\$75~~ per
18 well for the first 100 wells and a \$75 ~~\$50~~ fee for each well in
19 excess of 100 for which a permit is required under this Act.

20 Fees shall be assessed for each calendar year commencing
21 in 1991 for all wells of record as of July 1, 1991 and July 1
22 of each year thereafter. The fees assessed by the Department
23 under this Section are in addition to any other fees required
24 by law. All fees assessed under this Section shall be
25 submitted to the Department no later than 30 days from the date

1 listed on the annual fee assessment letter sent to the
2 permittee. Of the fees assessed and collected by the
3 Department each year under this Section, 50% shall be
4 deposited into the Underground Resources Conservation
5 Enforcement Fund, and 50% shall be deposited into the Plugging
6 and Restoration Fund unless, total fees assessed and collected
7 for any calendar year exceed \$1,500,000; then, \$750,000 shall
8 be deposited into the Underground Resources Conservation
9 Enforcement Fund and the balance of the fees assessed and
10 collected shall be deposited into the Plugging and Restoration
11 Fund. Upon request of the Department to the Comptroller and
12 Treasurer, the Comptroller and Treasurer shall make any
13 interfund transfers necessary to effect the allocations
14 required by this Section.

15 The monies deposited into the Plugging and Restoration
16 Fund or the Underground Resources Conservation Enforcement
17 Fund under this Section shall not be subject to administrative
18 charges or chargebacks unless otherwise authorized by this
19 Act.

20 (Source: P.A. 97-1136, eff. 1-1-13.)