**Section 187.414 Termination of an EMSA**

a) Termination by the Agency

1) *In the case of deficient performance of any term or condition in an EMSA that prevents achievement of the stated purposes in subsection (b) of Section 52.3-1 of the Act, the Agency may terminate the EMSA and the* owner or operator of a pilot project *may be subject to enforcement in accordance with the provisions of Section 31 or 42 of* *the Act.* (Section 52.3-4(b) of the Act)

2) *If the EMSA is terminated* pursuant to this subsection (a), the owner or operator of a pilot project *shall have sufficient time to apply for and receive any necessary permits to continue the operations in effect during the course of the EMSA. Any such application shall also be deemed a timely and complete application for renewal of an existing permit under applicable law.* (Section 52.3-4(c) of the Act)

3) *The Agency shall follow procedures for involuntary termination established by the Board.*

b) Termination by the Sponsor

1) A sponsor may terminate an EMSA at any time upon written notice to the Agency and members of the stakeholder group. Notice must be given at least 90 days prior to termination; provided, however, that a sponsor may, with the Agency's approval, immediately terminate an EMSA upon notice to the Agency if continuing to operate under the EMSA would cause air or water pollution or an unauthorized release in violation of the Act.

2) Upon termination of an EMSA pursuant to this subsection (b), a sponsor shall be subject to, and shall comply with, all applicable State, federal and local environmental statutes, regulations and ordinances.