**Section 405.110 Cessation, Suspension or Abandonment**

a) A permittee must notify the Agency in writing by certified mail within 30 days after the following:

1) Abandonment; or

2) Cessation or suspension of active mining for 30 days or more unless caused by a labor dispute.

b) Regardless of the cause, cessation or suspension of active mining requires the permittee to undertake whatever interim impoundment, drainage diversion, or wastewater treatment is necessary to avoid violating the Act or Subtitle D.

c) Upon abandonment, the permittee must execute and complete the permitted abandonment plan, unless the abandonment arises solely from transfer of ownership to a responsible party.

d) A responsible party is a person who holds a State or NPDES permit and all other necessary permits for the same facility. If a permit is issued following the transfer, it must relieve the transferor of any further obligation to execute the abandonment plan.

e) Upon request by the permittee, the Agency must issue a certificate of abandonment whenever the permittee demonstrates that:

1) The abandonment plan has been satisfactorily executed; and

2) The requirements of Section 405.109(b)(2)(A) and (b)(2)(B) have been met.

f) Refusal to issue a certificate of abandonment is a permit denial for purposes of appeal.

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