**Section 813.403 Termination of the Permit**

a) At the end of the postclosure care period the operator and a professional engineer shall certify that postclosure care is no longer necessary. The certification shall include the affidavit of the operator, the seal of a professional engineer and documentation demonstrating that, due to compliance with the requirements of 35 Ill. Adm. Code 811, 812 and 814:

1) Leachate removal is no longer necessary;

2) Landfill gas collection is no longer necessary;

3) Gas monitoring is no longer necessary;

4) Groundwater monitoring is no longer necessary;

5) The surface has stabilized sufficiently with respect to settling and erosion so that further stabilization measures, pursuant to the postclosure care plan, are no longer necessary;

6) The facility does not constitute a threat of pollution to surface water; and

7) The operator has completed all requirements of the postclosure plan.

b) Within 90 days after receiving the certification required by subsection (a), the Agency shall notify the operator in writing that it is no longer required to maintain financial assurance for postclosure care of the site, unless the Agency determines, pursuant to the information received pursuant to subsection (a) and any Agency site inspection, that continued postclosure care is required pursuant to the postclosure care plan and this Part.

c) If the operator is not required to give financial assurance, then within 90 days after receiving the certification required by subsection (a), the Agency shall notify the operator in writing that the permit is terminated, unless the Agency determines, pursuant to the information received pursuant to subsection (a) and any Agency site inspection, that continued postclosure care is required pursuant to the postclosure care plan and this Part.

d) The operator may deem the Agency action pursuant to this Section as a denial or grant of permit with conditions for purposes of appeal pursuant to Section 40(d) of the Act and Subpart A.