**Section 856.202 Changes in Status**

a) Whenever the number or type of operational units located within a hazardous waste disposal site or hazardous waste management facility is or will be changed, the operator of the site shall, on or before the date of such change, notify the Agency in writing, specifying the nature of the change of status; notification after the date of such change shall be deemed not timely.

b) Whenever the Agency discovers or is advised by the operator of a change in status (i.e., a change in the number or type of operational units) at a hazardous waste disposal site or hazardous waste management facility, the Agency will promptly determine the effect, if any, of such change in status upon the permit and inspection fee for the site.

c) If a change in status hereunder results in a change in the hazardous waste disposal site's or hazardous waste management facility's permit and inspection fee, the Agency will promptly notify the operator of the site in the manner specified in Section 856.201(a), except that the notice shall additionally specify:

1) The reason for the change;

2) The date of the change;

3) The effect of such change upon the amount of future fee payments; and

4) The amount of retroactive fee increases due, if any, by operation of subsection (d) of this Section.

d) Where a change in status results in a change in the fee applicable to a site, any effect of such change shall be prospective (i.e., shall be reflected in the next quarterly installment fee payment following the quarter in which the change occurs).

e) For purposes of this Section, the date of a site's change in status shall be the date on which an operational unit commences operations, ceases operations in accordance with subsection (f) of this Section or is transformed into another type of operational unit (as where an on-site hazardous waste disposal site begins to receive wastes not generated at the site, thereby becoming an off-site hazardous waste disposal site). Note that a change in status does not necessarily affect the fee applicable to a site.

f) The status of a site shall not be affected by temporary, seasonal or periodic fluctuations in disposal activities at any operational unit. An operational unit shall be deemed to cease operations (i.e., to have received or injected the final volume of hazardous waste in contemplation of closure) at the earlier of:

1) the date on which operations have ceased, as proved by the operator to the Agency;

2) the date on which the operator has proved notice to the Agency that operations have ceased; or

3) the date on which the Agency has discovered that operations have ceased;

except that any operational unit which has ceased operations prior to the date of first notice pursuant to Section 856.201 shall be deemed to have ceased operations on the actual date of last receipt or injection of hazardous waste. Notwithstanding the provisions of this subsection (f), payment of any fee installment under these rules shall constitute an admission by the operator that the operational unit has not ceased operations.

(Source: Amended at 13 Ill. Reg. 13212, effective August 7, 1989)