**Section 240.310 Application for Permit to Drill, Deepen, or Convert or Amend to a Class II UIC Well**

a) No person shall drill, deepen or convert any well for use as a Class II UIC well without a permit from the Department.

b) No person shall inject into a freshwater aquifer or be issued a permit to inject into a freshwater aquifer unless:

1) the freshwater aquifer into which injection is proposed has been excepted as specified in Section 240.312; or

2) a completed application requesting an aquifer exemption was submitted to the Department prior to February 1, 1998 and USEPA Region V has completed a technical review, determined that the application meets the relevant criteria, and intends to put the application forward for final approval by the USEPA under 40 CFR 146.4; or

3) a request for an aquifer exemption is submitted to the Department in accordance with Section 240.311 and approved by the USEPA under 40 CFR 146.4.

c) Application for a permit to drill, deepen or convert to a Class II UIC well or amend existing Class II UIC well permit in accordance with Section 240.390(a) shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury and accompanied by the non-refundable fee of $400 and the required bond under Subpart L.

d) At the time of application, the applicant must specify the type of Class II well being permitted as an injection, disposal or commercial disposal well.

e) If the application does not contain all of the required information or documents, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within 60 days following the date of notification.

f) *Any well for which a permit is required under* the *Act, other than a plugged well, which was drilled prior to the effective date of* the *Act and for which no permit has previously been issued, is required to be permitted.* Application for a permit shall be made on forms prescribed by the Department. The application shall be executed under penalties of perjury and accompanied by the required bond under Subpart O. If application is made on or before August 14, 1991, no permit fee is required, but all other requirements of this Subpart shall apply. An application made after that date shall be accompanied by the non-refundable fee of $400. *After* August 14, 1991*, any unpermitted well to which this* Subpart *applies will be deemed to be operating without a permit and subject to the penalties set forth in* the *Act.* (Section 12 of the Act)

(Source: Amended at 46 Ill. Reg. 20013, effective January 1, 2023)