**Section 240.1850 Issuance of Permit**

a) If the applicant satisfies the requirements of the Illinois Oil and Gas Act, the Act and this Part, the Department shall issue a permit.

b) A permit shall not be issued to an applicant if:

1) the applicant has falsified or otherwise misstated any information on or relative to the permit application;

2) the applicant has failed to abate a violation of the Illinois Oil and Gas Act or the Act as specified in a final administrative decision of the Department;

3) an officer, director, agent, power of attorney or partner in the applicant, or a person with an interest in the applicant exceeding 5%, was or is an officer, director, partner, agent, power of attorney or person with an interest exceeding 5% in another entity that failed to abate a violation of the Illinois Oil and Gas Act or the Act as specified in a final administrative decision of the Department;

4) the applicant was or is an officer, director, power of attorney, partner, or person with an interest exceeding 5% in another entity that has failed to abate a violation of the Illinois Oil and Gas Act or the Act as specified in a final administrative decision of the Department;

5) funds have been expended and remain outstanding from the Plugging and Restoration Fund (PRF) to plug wells (see Subpart P) for which the applicant was a previous permittee; or the applicant was or is an officer, director, agent, power of attorney, partner, or person with an interest exceeding 5% in a permittee for which funds were expended; or an officer, director, agent, power of attorney or partner in the applicant, or a person with an interest in the applicant exceeding 5%, was or is an officer, director, agent, power of attorney, partner or person with an interest exceeding 5% in a permittee for which funds were expended; or

6) the applicant is delinquent in the payment of Annual Well Fees; or the applicant was or is an officer director, agent, power of attorney, partner, or person with an interest exceeding 5% in another permittee who is delinquent in payment of Annual Well Fees; or an officer, director, agent, power of attorney or partner in the applicant, or person with an interest in the applicant exceeding 5%, was or is an officer, director, agent, power of attorney, partner or person with an interest exceeding 5% in a permittee who is delinquent in payment of Annual Well Fees.

c) Gas storage, observation and other service well permits shall expire 1 year from the date of issuance unless acted upon by the commencement of drilling or converting operations authorized by the permit.

d) Gas storage, observation and other service well permits are not transferable prior to the drilling of the well or test hole.

(Source: Amended at 43 Ill. Reg. 11524, effective September 24, 2019)