**Section 870.515 Grounds**

a) The Agency may *suspend, revoke, or refuse to issue any certificate* or Special Waste Endorsement *for any one or any combination of the following causes:*

1) *The practice of any fraud or deceit in obtaining or attempting to obtain a certificate of competency;*

2) *Negligence or misconduct in the operation of a sanitary landfill;*

3) *Repeated failure to comply with any of the requirements applicable to the operation of a sanitary landfill, except for board requirements applicable to the collection of litter;*

4) *Repeated violations of federal, state or local laws, regulations, standards, or ordinances regarding the operation of refuse disposal facilities or sites;*

5) *Conviction in this or another state of any crime which is a felony under the laws of this state or conviction of a felony in a federal court;*

6) *Proof of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of any hazardous waste; or*

7) *Being declared to be a person under a legal disability by a court of competent jurisdiction and not thereafter having been lawfully declared to be a person not under legal disability or to have recovered.* (Ill. Rev. Stat. 1990 Supp., ch. 111, par. 7856, Section 1006).

b) The Agency may, in its discretion, issue or refuse to suspend or revoke a certificate or Special Waste Endorsement notwithstanding the applicability of any of the factors set forth in Section 870.515(a) if mitigating factors exist such that certification should be issued. Mitigating factors include, but are not limited to, the following:

1) The severity of the misconduct;

2) How recently the misconduct took place; or

3) The degree of control exerted over waste disposal operations at a site by the applicant at the time any misconduct described in subsection 870.515(a) was committed.

c) Pursuant to Section 39(a) of the Act, a person requesting certification has the burden of demonstrating that the person is entitled to the certification.