**Section 309.107 Distribution of Applications**

When the Agency determines that an application for an NPDES Permit is complete, it must:

a) Unless otherwise agreed, send a copy of the application to the District Engineer of the appropriate district of the U.S. Corps of Engineers with a letter requesting that the District Engineer provide, within 30 days or as otherwise stated in the Agency's letter, an evaluation of the impact of the discharge on anchorage and navigation. If the District Engineer responds that anchorage and navigation of any of the navigable waters would be substantially impaired by the granting of a permit, the permit must be denied and the Agency must notify the applicant. If the District Engineer informs the Agency that imposing specified conditions upon the NPDES Permit is necessary to avoid any substantial impairment of any of the navigable waters, the Agency must include in the permit those conditions specified by the District Engineer.

b) Send one copy of the application to the Regional Administrator of the U.S. Environmental Protection Agency with a letter stating that the application is complete.

c) Notify the Illinois Department of Natural Resources (DNR), subject to any memorandum of agreement between the Agency and the DNR.

(Source: Amended at 47 Ill. Reg. 5017, effective March 23, 2023)