**Section 395.402 Certification and Permits**

a) When the Agency determines that the intended activities will meet the criteria in Section 395.401(a) and will not require a separate permit under Board rules, it may certify or waive certification of the activity.

b) When the Agency determines that the intended activities require a separate permit under Rule 951 of Chapter 3 or under other Board rules:

1) Certification may be postponed until the permit(s) has (have) been issued; or

2) Certification may be conditioned on the issuance of the permit(s).

(Source: Filed July 17, 1981; effective July 17, 1981)