**Section 404.111 Permit Review**

a) If the Agency fails to notify the applicant within 30 days after filing an

application that the application is incomplete and the reason the Agency deems it incomplete, the application will be deemed to have been filed on the date of the purported filing. The applicant may treat the Agency's notification that an application is incomplete as a denial of the application for purposes of review.

b) If the Agency fails to take final action by granting or denying the permit as requested or modifying it with conditions within 90 days after the filing of the application, the applicant may deem the permit granted for a one year period beginning on the 91st day after the application was filed.

c) If the Agency notifies an applicant that a permit application is incomplete or inadequate, modifies any condition or term of a State permit, or revokes an existing permit, it is considered a permit denial for purposes of appealing the Agency's decision to the Board under Section 40 of the Act.

(Source: Amended at 43 Ill. Reg. 11597, effective September 25, 2019)