**Section 1773.23 Review of Ownership or Control and Violation Information**

a) Following the verification of ownership or control information pursuant to Section 1773.22, the Department shall review all reasonably available information concerning violation notices and ownership or control links involving the applicant to determine whether the application can be approved under Section 1773.15(b) above. Such information shall include:

1) With respect to ownership or control links involving the applicant, all information obtained under 62 Ill. Adm. Code 1773.22 and 1778.13; and

2) With respect to violation notices, all information obtained under 62 Ill. Adm. Code 1778.14, information obtained from OSM, including information shown in the AVS, and information from the Department's own records concerning violation notices.

b) If the review conducted under subsection (a) above discloses any ownership or control link between the applicant and any person cited in a violation notice.

1) The Department shall notify the applicant and shall refer the applicant to the agency with jurisdiction over such violation notice; and

2) The Department shall not approve the application unless and until it determines, in accordance with the provisions of Sections 1773.24 and 1773.25:

A) that all ownership or control links between the applicant and any person cited in a violation notice are erroneous or have been rebutted; or

B) that the violation has been corrected, is in the process of being corrected, or is the subject of a good faith appeal, within the meaning of Section 1773.15(b)(1).

c) Following the Department's decision on the application, including unconditional issuance, conditional issuance, or denial of the permit, or following the applicant's withdrawal of the application, the Department shall promptly enter all relevant information related to such decision or withdrawal into the Applicant Violator System.

(Source: Added at 20 Ill. Reg. 2090, effective January 19, 1996)