**Section 1778.13 Identification of Interests**

a) The applicant shall provide in the permit application:

1) A statement whether it and the operator are corporations, partnerships, sole proprietorships or other business entities; and

2) taxpayer identification numbers for it and the operator.

b) The applicant must provide the name, address and telephone number for:

1) the applicant;

2) the applicant's resident agent who will accept service of process;

3) any operator, if different from the applicant;

4) each business entity in the applicant's and operator's organizational structure, up to and including the ultimate parent entity of the applicant and operator. For every such business entity, the applicant must also provide the required information for every president, chief executive officer and director (or person in similar positions), and every person who owns, of record, 10 percent or more of the entity.

c) For the applicant and the operator, the applicant must provide the information required in subsection (d) for every:

1) officer;

2) partner;

3) member;

4) director;

5) person performing a function similar to a director; and

6) person who owns, of record, 10 percent or more of the applicant or operator.

d) The applicant must provide the following information for each person listed in subsection (c):

1) the person's name, address and telephone number;

2) the person's position title and relationship to the applicant, including percentage of ownership and location in the organizational structure; and

3) the date the person began functioning in that position.

e) The Department need not make a finding before entering into AVS the information required to be disclosed under this Section; however, the mere listing in AVS of a person identified in subsection (b) or (c) does not create a presumption or constitute a determination that the person owns or controls a surface coal mining operation.

f) The applicant must provide a list of all names under which it, the operator, the partners or principal shareholders, and the operator's partners or principal shareholders, operate or previously operated a surface coal mining operation in the United States within the five-year period preceding the date of submission of the application.

g) For the applicant and the operator, the applicant must provide a list of any pending permit applications for surface coal mining operations filed in the United States. The list must identify each application by its application number and jurisdiction, or by other identifying information when necessary.

h) For any surface coal mining operations the applicant or the operator owned or controlled within the five-year period preceding the date of submission of the application, and for any surface coal mining operation the applicant or the operator own or control on that date, the applicant must provide:

1) permittee's and operator's name and address;

2) permittee's and operator's taxpayer identification numbers;

3) federal or State permit number and corresponding Mine Safety and Health Administration (MSHA) number;

4) regulatory authority with jurisdiction over the permit; and

5) permittee's and operator's relationship to the operation, including percentage of ownership and location in the organizational structure.

i) The MSHA numbers for all mine-associated structures that require MSHA approval (see 30 CFR 77).

j) After an applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct or indicate that no change has occurred in the information previously submitted under subsections (a) through (d). Information submitted as a change shall be evaluated in the same manner as the original application.

k) The applicant shall submit, in its application, and at other times at the request of the Department or the federal Office of Surface Mining Reclamation and Enforcement, the information and documentation required by this Sectionand Sections 1778.14 and 1778.15.

(Source: Amended at 43 Ill. Reg. 12916, effective October 16, 2019)