**Section 252.301 USEPA Review of and Objection to Proposed CAAPP Permits**

a) For draft CAAPP permits, following the public notice and comment period provided for by Section 252.201, the Agency shall consider all comments received and shall determine the contents of a proposed CAAPP permit. The proposed CAAPP permit shall be provided to USEPA for review and comment for a period of 45 days unless USEPA waives review.

b) If USEPA objects to the contents of a proposed CAAPP permit in writing and with a justification for its objections as provided in CAA Title V and regulations promulgated thereunder, the Agency shall respond to USEPA's objection. The Agency shall provide the applicant and any person who participated in the public comment process under this Part 10 days to submit written comments to the Agency contact person described at Section 252.201(c)(10) regarding any revisions the Agency is proposing to make in response to USEPA's objections. The Agency may then revise and resubmit the proposed CAAPP permit, without any further public participation, within 90 days after the date of the objection.

c) If USEPA does not object to the contents of a proposed CAAPP permit in writing and with a justification for its objections in accordance with procedures established under CAA Title V, the Agency shall issue the proposed permit as the CAAPP permit without further change.

d) If USEPA does not object in writing to issuance of a proposed CAAPP permit, any person may petition USEPA, within 60 days after expiration of the 45-day review period, to make an objection in accordance with applicable procedures established under CAA Title V.

e) If the CAAPP permit has not yet been issued and USEPA objects to the proposed permit as a result of a petition, the Agency shall not issue the permit until USEPA's objection has been resolved. The Agency shall provide for a 10-day comment period as set forth in subsection (b). A petition does not, however, stay the effectiveness of a permit or its requirements if the permit was issued after expiration of the 45-day review period and prior to a USEPA objection.

f) If the Agency has issued a CAAPP permit after expiration of the 45-day review period and prior to receipt of a USEPA objection, the Agency may, after receiving an objection from USEPA, revise and resubmit the permit to USEPA after providing for a 10-day comment period as set forth in subsection (b). If the Agency fails to submit a revised permit in response to the objection, USEPA shall modify, terminate or revoke the permit, pursuant to the CAA.

(Source: Amended at 44 Ill. Reg. 10873, effective June 10, 2020)