**Section 270.504 Reopenings Initiated by USEPA**

a) If USEPA notifies the Agency and permittee that cause exists to modify a CAAPP permit, the Agency shall send to USEPA and the permittee a proposed determination of modification, with supporting information explaining the grounds for the proposed determination. *The proposed determination shall be in accordance with the record, the Clean Air Act, regulations promulgated thereunder,* the *Act, and regulations promulgated thereunder. Such proposed determination shall not affect the permit or constitute a final permit action for purposes of* the *Act or the Administrative Review Law* [625 ILCS 32]. (See Section 39.5(16)(a) of the Act)

b) The proposed determination and supporting information shall be sent to USEPA and the permittee within 90 days after receipt of USEPA's notification or 180 days if USEPA has extended the period for response.

c) If USEPA objects to the proposed determination within 90 days after receipt, the Agency shall, within 90 days after receipt of such objection, resolve the objection and modify the CAAPP permit in accordance with USEPA's objection, based upon the record, the Clean Air Act, regulations promulgated thereunder, the Act, and regulations promulgated thereunder.

d) If USEPA does not object to the proposed determination within 90 days after receipt, the Agency shall, within seven days after receipt of USEPA's final approval or within seven days after expiration of the 90-day period, whichever is earlier, take final action in accordance with the Agency's proposed determination.