**Section 309.114 Notice to Other Governmental Agencies**

When it issues a public notice under Sections 309.109 through 309.112, the Agency must:

a) Send a fact sheet, if one has been prepared, to any other states whose waters may be affected by issuing the proposed permit and, upon request, provide the states with a copy of the application and a copy of the draft permit. Each affected state must be allowed to submit written recommendations within a stated number of days to the Agency and to the Regional Administrator of the U.S. Environmental Protection Agency, which the Agency may incorporate into the permit if issued. If the Agency declines to incorporate any written recommendations timely received from other states, it must provide to the affected state or states and to the Regional Administrator a written explanation of its reasons for not accepting any of the written recommendations.

b) Following the procedure in subsection (a), notify and receive recommendations from any interstate agency having water quality control authority over waters that may be affected by the permit.

c) Unless otherwise waived under 40 CFR 124.10(c), send according to 40 CFR 124.10(c)(1)(iii) and (iv) a copy of the public notice and a copy of the fact sheet for NPDES Permit applications to the U.S. Army Corps of Engineers, any other Federal and State agencies with jurisdiction over fish, shellfish, and wildlife resources, the Advisory Council on Historic Preservation, State Historic Preservation Officers, and other appropriate government authorities, including affected States, and give the agencies an opportunity to respond, comment, or request a public hearing under 35 Ill. Adm. Code 309.115 through 309.119. The agencies must include at least the following:

1) The agency responsible for preparing an approved plan under section 208(b) of the CWA; and

2) The state or interstate agency responsible for preparing a plan under an approved continuous planning process under section 303(e) of the CWA.

d) Send notice to, and coordinate with, appropriate public health agencies to assist the applicant in integrating the relevant provisions of the CWA with any applicable requirements of those public health agencies.

(Source: Amended at 47 Ill. Reg. 5017, effective March 23, 2023)