**Section 310.721 Agency Review of FDF Requests**

a) Where the Agency finds that fundamentally different factors do not exist, it must deny the request and notify the requester (and industrial user where they are not the same) and the POTW of the denial.

b) If the Agency finds that fundamentally different factors do exist, it must forward the request, with a recommendation that the request be approved, to USEPA.

BOARD NOTE: Derived from 40 CFR 403.13(k) (2003).

(Source: Amended at 28 Ill. Reg. 3390, effective February 6, 2004)