**Section 602.112 Filing and Final Action by Agency on Permit Applications**

a) For permits without a fee under Section 602.109:

1) An application for a permit is considered to be filed on the date of initial receipt by the Agency of the application documents. The Agency must send the applicant written notification of the receipt of the complete application.

2) Except for emergency permits, applications for construction permits must be filed at least 90 days before the expected start of construction.

3) If the Agency fails to take final action, by granting or denying the permit as requested or with conditions, within 90 days from the filing of the completed application, the applicant may consider the permit granted for one year.

4) Any applicant for a permit may waive in writing the requirement that the Agency must take final action within 90 days from the filing of the application.

b) For permits with a fee under Section 602.109:

1) An application for a permit is considered to be filed on the date the Agency has received the application documents and required fee. The Agency must send the applicant written notification of the receipt of the complete application.

2) Except for emergency construction permits, applications for construction permits must be filed at least 45 days before the expected start of construction.

3) The Agency must deny construction permit applications that do not contain the entire fee.

4) The Agency must take final action by granting or denying permits within 45 days after the filing of an application and the payment of the required fee. If the Agency fails to take final action within 45 days after filing the application and payment of the required fee, the applicant may consider the permit issued.

c) The Agency must maintain a progress record of all permit applications, including interim and final action dates. This information is available to the applicant upon request.

d) The Agency must send all notices of final action by U.S. mail. The Agency is considered to have taken final action on the date that the notice is mailed.

(Source: Amended at 47 Ill. Reg. 7449, effective May 16, 2023)