**Section 820.202 Permit Application**

a) All permit applications must be made on Agency forms and be mailed or delivered to the address designated by the Agency in those forms.

b) All permit applications must be signed by the owner, the operator, and the property owner if different than the GCDD recovery facility owner, or by their duly authorized agent or agents. Each application containing the signature of an authorized agent must be accompanied by an oath or affidavit attesting to each agent's authority to sign the application and must be notarized.

c) Each application must demonstrate that the GCDD recovery facility and its operation will comply with the requirements of the Act and this Part and must contain:

1) a facility map scaled to clearly show:

A) the facility property, all adjacent property, and all property within at least 1,000 meters of the boundary of the facility;

B) all surface waters within 1,000 meters of the boundary of the facility;

C) all rivers designated for protection under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

D) the limits of all 100-year floodplains within 1,000 meters of the boundary of the facility;

E) any wellhead protection areas under Section 1428 of the Safe Drinking Water Act (SDWA) (42 U.S.C. 300h-7) and any sole source aquifer designated by the United States Environmental Protection Agency under Section 1424(e) of the SDWA (42 U.S.C. 300h-3(e));

F) the boundaries of all areas in which GCDD recovery operations will occur;

G) all structures inside the facility boundaries;

H) all roads and other areas of travel in and around the facility;

I) devices for controlling access to the facility;

J) devices for controlling litter and dust at the facility;

K) fire protection equipment;

L) devices for surface water control; and

M) utilities.

2) a legal description of the facility boundary;

3) a certification of ownership of the property or a copy of the lease of the property;

4) an estimate of the maximum total amount of GCDD that can be maintained at the facility at any single time;

5) a closure cost estimate; and

6) proof of financial assurance required under Subpart D.

d) Completeness

1) An application is not considered to be filed until the Agency has received, at the designated address, all information, documents, and authorization, using Agency forms and providing the content required by this Part.

2) If the Agency fails to notify the applicant within 45 days after receiving an application that the application is incomplete and of the reasons for that determination, the application will be considered to have been filed on the date received by the Agency.

3) The Agency's notification that the application is incomplete is a denial of the permit for purposes of review under Section 40 of the Act.

e) If the Agency fails to take final action on the application within 90 days after the filing of the application, the applicant may consider the permit granted on the 91st day after the application was filed.

f) Any applicant for a permit may waive the requirement that the Agency take final action within 90 days after filing the application. The permit applicant's waiver should be submitted in writing to the Agency at the address identified in the permit application forms.

g) The Agency will send all notices of final action by registered or certified mail, return receipt requested. Final action is considered to have taken place on the date the notice is mailed.

h) Agency decisions regarding permit applications may be appealed to the Board under Section 40 of the Act.