**Section 848.603 Agency Approval of Registrations**

a) Tire transporter registrations are deemed to be filed on the date of initial receipt by the Agency of a properly completed registration form prescribed by the Agency. The Agency must reject any incomplete registration form and notify the person seeking registration that the registration form is incomplete. That person may treat the Agency's notification of an incomplete registration form as a final action denying approval of the registration for purposes of review pursuant to Section 40 of the Act.

b) If the Agency fails to take final action approving or denying approval of a registration within 90 days from the filing of the completed form, the person seeking registration may deem the registration approval granted for a period of one calendar year commencing on the 91st day after the application was filed.

c) The Agency is deemed to have taken final action on the date that the notice of final action is mailed.

d) Before approving a registration, the Agency must consider whether the registration is complete and consistent with the provisions of the Act and Board regulations and may undertake such investigations and request the person seeking registration to furnish such proof as it deems necessary to verify the information and statements made in the registration. If the registration is complete and the approval of it will not cause a violation of the Act or Board regulations, the Agency must approve the registration. Notwithstanding any other provision of this subsection (d), the Agency must deny a person's registration if, within the 5 years immediately preceding the date upon which the registration is filed with the Agency:

1) the person caused or allowed the open dumping of used or waste tires in violation of Section 55(a)(1) of the Act; or

2) the Agency has taken or is taking preventive or corrective action pursuant to Section 55.3 of the Act because the person caused or allowed the open dumping of used or waste tires in violation of Section 55(a)(1) of the Act.

e) In approving tire transporter registrations pursuant to this Subpart, the Agency may impose such conditions as may be necessary to accomplish the purposes of the Act and the Board regulations.

f) The person seeking registration may deem any conditions imposed by the Agency as a denial of approval of the registration for purposes of review pursuant to Section 40 of the Act.

g) A tire transporter registration approved hereunder is automatically modified to include any relevant change in the Act or Board regulations. The Agency must revise any tire transporter registration issued by the Agency under this Part to make the registration compatible with any such relevant changes and so notify the registrant. Failure of the Agency to issue a revised registration does not excuse the registrant from compliance with any such change.

h) No tire transporter registration is transferable. A tire transporter registration is personal to the persons named in the tire transporter registration.

i) Violation of any conditions or failure to comply with any provisions of the Act or with any Board regulation are grounds for sanctions as provided in the Act, including, but not limited to, revocation of the registration as herein provided and the denial of applications for renewal.

(Source: Amended at 39 Ill. Reg. 12934, effective September 8, 2015)