**Section 309.225 Applications – Filing and Final Action By Agency**

a) An application for a permit under Subpart B is not deemed to be filed until the Agency has received, at the designated address, all information, documents, and authorizations in the form and with the content required by Sections 309.221, 309.222, and 309.223 and related Agency procedures; however, if the Agency fails to notify the applicant within 30 days after the filing of a purported application that the application is incomplete and the reason the Agency deems it incomplete, the application must be deemed to have been filed on the date of the purported filing. The applicant may treat the Agency's notification that an application is incomplete as a denial of the application for purposes of review.

b) If the Agency fails to take final action, by granting or denying the permit as requested or with conditions, within 90 days after the filing of the application, the applicant may deem the permit granted for a one-year period starting on the 91st day after the application under Subpart B was filed.

c) Any applicant for a permit under Subpart B may waive the requirement that the Agency must take final action within 90 days after the filing of the application.

d) The Agency must send written notice of final action taken.

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

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