**Section 310.722 USEPA Review of FDF Requests**

a) USEPA will deny or approve the request for an FDF determination as provided in 40 CFR 403.13(l) and (m) (2003).

b) The Agency may not grant an FDF request unless it has been approved by USEPA.

c) Appeal.

1) The requester may appeal to the Board any finding by the Agency that FDF do not exist.

2) If USEPA refuses to approve a request forwarded by the Agency, the requester may contest the decision only as allowed by USEPA.

(BOARD NOTE: Derived from 40 CFR 403.13(l) and (m) (2003).

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