**Section 602.600 Special Exception Permits**

a) Unless contained in a construction or operating permit, each Agency determination in 35 Ill. Adm. Code 604 and 611 is to be made by way of a written special exception permit (SEP) pursuant to Section 39(a) of the Act.

b) A person must not cause or allow the violation of any condition of a SEP.

c) The community water supply may appeal the denial of, or the conditions of, a SEP to the Board pursuant to Section 40 of the Act.

d) A SEP may be initiated in either of the following ways:

1) by a written request from the community water supply; or

2) by the Agency, when authorized by Board rules.

BOARD NOTE: The Board does not intend by any provision of this Part to require that the Agency exercise its discretion and initiate a SEP under subsection (d)(2). Rather, the Board intends to clarify by subsection (d)(2) that the Agency may initiate a SEP without receiving a request from the supplier.

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