**Section 702.126 Signatories to Permit Applications and Reports**

a) Applications. A permit application must be signed as follows:

1) For a corporation: a permit application must be signed by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means either of the following persons:

A) A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person that performs similar policy or decision-making functions for the corporation; or

B) The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

BOARD NOTE: The Board does not require specific assignments or delegations of authority to responsible corporate officers identified in subsection (a)(l)(A). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Agency to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions pursuant to subsection (a)(l)(B), rather than to specific individuals.

2) For a partnership or sole proprietorship: a permit application must be signed by a general partner or the proprietor, respectively; or

3) For a municipality, State, federal, or other public agency: a permit application must be signed by either a principal executive officer or ranking elected official. For purposes of this Section, a principal executive officer of a federal agency includes either of the following persons:

A) The chief executive officer of the agency, or

B) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA).

b) Reports. All reports required by permits or other information requested by the Agency must be signed by a person described in subsection (a), or by a duly authorized representative of that person. A person is a duly authorized representative only if each of the following conditions are fulfilled:

1) The authorization is made in writing by a person described in subsection (a);

2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

3) The written authorization is submitted to the Agency.

c) Changes to Authorization. If an authorization pursuant to subsection (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subsection (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.

d) Certification

1) Any person signing a document pursuant to subsection (a) or (b) must make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons that manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

2) Alternative Owner Certification. For remedial action plans (RAPs) pursuant to Subpart H, if the operator certifies according to subsection (d)(1), then the owner may choose to make the following certification instead of the certification in subsection (d)(1):

Based on my knowledge of the conditions of the property described in the RAP and my inquiry of the person or persons that manage the system referenced in the operator's certification, or those persons directly responsible for gathering the information, the information submitted is, upon information and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

BOARD NOTE: Derived from 40 CFR 144.32 and 270.11 (2017).

(Source: Amended at 42 Ill. Reg. 20953, effective November 19, 2018)