
40 C.F.R. § 147.2929

Administrative permitting procedures.

(a) *Completeness review.* (1) The Regional Administrator shall review each permit application for completeness with the application requirements in § 147.2918. The review will be completed in 10 days, and the Regional Administrator shall notify the applicant whether or not the application is complete.

(2) If the application is incomplete, the Regional Administrator shall:

- (i) List the additional information needed;
- (ii) Specify a date by which the information must be submitted; and
- (iii) Notify the applicant when the application is complete.

(3) After an application is determined complete, the Regional Administrator may request additional information to clarify previously submitted information. The application will still be considered complete.

(4) If an applicant fails or refuses to correct deficiencies in the application, the permit may be denied and appropriate enforcement actions taken.

(b) *Draft permits.* (1) After an application is deemed complete, the Regional Administrator shall either prepare a draft permit or notice of intent to deny the permit (which is a type of draft permit). If the Regional Administrator later decides the tentative decision to deny was wrong, he shall withdraw the notice of intent to deny and prepare a draft permit.

(2) A draft permit shall contain at least the following information:

- (i) The standard permit conditions in § 147.2925;
- (ii) Any monitoring and reporting requirements;
- (iii) The construction and operation requirements; and
- (iv) Plugging and abandonment requirements.

(c) *Statement of basis.* (1) The Regional Administrator shall prepare a statement of basis for every draft permit.

(2) The statement of basis shall briefly describe the draft permit conditions and the reasons for them. In the case of a notice of intent to deny or terminate, the statement of basis shall give reasons to support the tentative decision.

(3) The statement of basis shall be sent to the applicant, and to any other person who requests a copy.

(d) *Public notice.* (1)(i) The Regional Administrator shall give public notice when:

(A) A permit application has been tentatively denied;

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