



Ohio Administrative Code

Rule 3745-77-05 Application completeness determination.

Effective: February 14, 2010

(A) A complete Title V permit application is one that contains all the information applicable to the facility required pursuant to rule 3745-77-03 or paragraph (D) of rule 3745-77-07 of the Administrative Code, except that applications for permit revisions need supply such information only if it is related to the proposed revision. A complete application shall include a certification by a responsible official of the truth, accuracy, and completeness of the information in the application, based on information and belief formed after reasonable inquiry by the responsible official.

(1) The director shall promptly provide notice to the applicant for a Title V permit of whether the application is complete. Unless the director determines within sixty days after receipt of the application that the application is not complete, and issues a written notice of such determination as provided in paragraph (B)(2) of this rule, the application shall be deemed to be complete. A completeness determination is not required for modifications processed through minor permit modification procedures contained in rule 3745-77-08 of the Administrative Code

(2) If, during the processing of an application before or after it has been determined or deemed to be complete, the director determines that additional information is necessary in order to evaluate or take final action on the application, the director may request that information in writing from the applicant. Any such request shall identify the information requested with reasonable specificity, provide a basis for the request, and shall provide a reasonable time period, not less than fifteen days, for the applicant's submission of the requested information.

(3) If an applicant fails to make a good faith and timely response to a request for additional information under this rule with regard to an application that the director believes to be incomplete, the director shall offer to meet with the applicant within seven days after issuance of a letter for failure to submit the requested information. If the meeting or meeting offer fails to obtain a complete application from the applicant, the director, without prior hearing, shall make a final determination that the application is not complete. Any such determination shall not become effective until twenty days after notice of the determination is sent to the applicant by certified mail. An incompleteness



determination by the director may be appealed in accordance with section 3745.04 and division (D) of section 3704.036 of the Revised Code.

(C) The submittal of a complete Title V permit application shall not affect the applicability of Chapter 3745-31 of the Administrative Code to any source that is required to have a permit-to-install under that chapter.