

3745-50-42

Signatories to permit applications and reports.

(A) Applications. All permit applications ~~must~~shall be signed as follows:

(1) For a corporation: By a responsible corporate officer. For the purpose of this rule, a "responsible corporate officer" means either:

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

(b) The manager of one or more manufacturing, production, or operating facilities employing more than two hundred fifty persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship: By a general partner or the proprietor, respectively~~;~~.

(3) For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this rule, a principal executive officer of a federal agency ~~includes~~may be either of the following:

(a) The chief executive officer of the agency~~;~~.

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator ~~of U.S.EPA~~).

(B) Reports. All reports required by permits and other information requested by the director ~~must~~shall be signed by a person described in paragraph (A) of this rule, or by a duly authorized representative of that person. A person is a duly authorized representative only if all of the following:

(1) The authorization is made in writing by a person described in paragraph (A) of this rule~~;~~.

(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 director.

(C) Changes to authorization. If an authorization under paragraph (B) of this rule is no longer accurate because a different individual or position has responsibility for the overall operation of a facility, a new authorization satisfying the requirements of paragraph (B) of this rule ~~must~~shall be submitted to the director prior to or together with any reports, information, or applications to be signed by an authorized representative.

(D) Any person who signs a document under paragraph (A) or (B) of this rule:

(1) ~~Any person signing a document under paragraph (A) or (B) of this rule~~ ~~must~~shall 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 who 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) Reserved.

Effective: 10/31/2015

Five Year Review (FYR) Dates: 07/01/2015 and 07/01/2020

CERTIFIED ELECTRONICALLY

Certification

10/07/2015

Date

Promulgated Under: 119.03
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