



ADMINISTRATIVE RULES OF MONTANA



17.30.1323 SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS

- (1) All permit applications must be signed as follows:
 - (a) for a corporation, by a responsible corporate officer. A responsible corporate officer means:
 - (i) 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- or decision-making functions for the corporation; or
 - (ii) 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.
 - (b) for a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
 - (c) for a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official. A principal executive officer of a federal agency includes:
 - (i) the chief executive officer of the agency; or
 - (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
- (2) All reports required by permits and other information requested by the department must be signed by a person described in (1) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (a) the authorization is made in writing by a person described in (1) ;
 - (b) 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, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) ;
 - (c) the written authorization is submitted to the department.
- (3) If an authorization under (2) 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 (2) must be submitted to the department prior to or together with any reports, information, or applications to be signed by an authorized representative.

(4) Any person signing a document under (1) or (2) 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.

Authorizing statute(s): 75-5-201, 75-5-401, MCA

Implementing statute(s): 75-5-401, MCA

History: NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2003 MAR p. 220, Eff. 2/14/03.