OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

December 11, 2020

POLLUTION CONTROL BOARD
DON BROWN
100 W RANDOLPH ST
STE 11-500
CHICAGO, IL   60601

Dear DON BROWN

Your rules Listed below met our codification standards and have been published in Volume 44, Issue 51 of the Illinois Register, dated 12/18/2020.

ADOPTED RULES

Pretreatment Programs
    35 Ill. Adm. Code 310   19486
        Point of Contact: Michael J McCambridge

General Provisions
    35 Ill. Adm. Code 1420   19500
        Point of Contact: Chloe Cummings

If you have any questions, you may contact the Administrative Code Division at
 (217) 782 - 7017.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: General Provisions

2) Code Citation: 35 Ill. Adm. Code 1420

3) Section Number: Adopted Action:
    1420.102   Amendment

4) Statutory Authority: Implementing and authorized by Sections 56.2(e) and 27 of the Illinois Environmental Protection Act [415 ILCS 5/56.2(e) and 27].

5) Effective Date of Rule: **DEC - 3 2020**

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Statement of Availability: The adopted amendment is available on the Board's website (https://pcb.illinois.gov/) and is also on file and available for public inspection in the Board's Chicago office at the James R. Thompson Center, 100 W. Randolph, Suite 11-500.

9) Notice of Proposal Published in Illinois Register: 44 Ill. Reg. 1768; January 24, 2020

10) Has JCAR issued a Statement of Objections to this rulemaking? No

11) Differences between proposal and final version: The Board made a limited number of non-substantive corrections and clarifications to its first-notice proposal.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any other rulemakings pending on this Part? No

15) Summary and Purpose of Rulemaking: The following briefly describes the subjects and issues involved in the docket R20-17 rulemaking which proposes to amend Section 1420.102. A comprehensive description is contained in the Board's opinion and order of December 19, 2019, which is available from the address below.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENT

The Board reserved this docket to amend Section 1420.102 to correspond with a Section 56.2(e) mandate that the Board adopt rules that are "identical in substance" to the list of "etiologic agents identified as Class 4 agents" in the "Classification of Etiologic Agents on the Basis of Hazard, 1974."

The National Institute of Health (NIH) recently updated that 1974 document by adding four Class 4 etiologic agents. Accordingly, under Section 56.2(e), the Board proposes adding those four agents to the viral agent list within the "Class 4 etiologic agent" definition at 35 Ill. Adm. Code 1420.102: Guanarito virus; Sabia; Ebola Virus; and Equine Morbillivirus.

Section 56.2(e) of the Environmental Protection Act [415 ILCS 5/56.2(e)] provides that Section 5 of the Administrative Procedure Act [5 ILCS 100/5] does not apply to this rulemaking. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules (JCAR).

16) <u>Information and questions regarding this adopted rulemaking shall be directed to</u>:

> Chloe Cummings
> Illinois Pollution Control Board
> 100 W. Randolph St., Suite 11-500
> Chicago, IL 60601
>
> 312-814-3665
> chloe.cummings@illinois.gov

Copies of the Board's opinions and orders are available through the Clerk's Office On-Line (COOL) on the Board's website (https://pcb.illinois.gov/). You may also request copies of the Board's opinions and orders from the Clerk at the address listed above or by calling 312-814-3620. Please refer to docket number R20-17 in your request.

<u>The full text of the adopted amendment begins on the next page</u>: