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STATE OF ILLINOIS
Pollution Control Board

NOTICE TO STATE AGENCIES:

ORIGINAL #3

As the Index Department, rather than JCAR, is now preparing the weekly Illinois Register for publication, and as your agency's disk, rather than the Illinois Administrative Code database, is being used in that production, several procedures regarding the technical clean-up and amendment of your rulemakings will be affected.

First, JCAR will no longer be able to rectify Code format and other technical problems with your rulemakings prior to their first publication. Please be especially careful that the background text that comes from your database is an accurate depiction of the rule as currently on file and that you show all changes through strikes and underlining as required by statute. We will no longer be able to catch those problems for you prior to publication. Any errors in the published version will need to be corrected later in the rulemaking process, using either the First Notice Changes document or through the JCAR Agreement document (Second Notice Changes).

Second, JCAR will be creating the line-numbered First Notice version of the rulemaking text, on which your First Notice Changes are drafted, from the version of your rulemaking published in the Illinois Register. We will be able to differ from that publication only in such things as line spacing, paragraph alignment, etc., which will be made consistent with the IAC database. If any differences occur between the hardcopy materials you filed with the SOS and the version published in the Register, our First Notice version will reflect the Register. Otherwise, there would be no paper trail for the public to follow in tracking changes in the rulemaking throughout its adoption process.

You will be receiving from JCAR a clean First Notice version of the rulemaking to use in your amendment drafting and a mark-up that shows things JCAR has noted, during its preparation of the First Notice version, that need to be corrected. These will include correction of errors that were created in the preparation of the Register; corrections that need to be made in the agency-generated rulemaking text/format because of inconsistency with current rule text on file; rulemaking and rule format requirements, etc.; and JCAR suggested changes for consistency among agencies, clarity, understandability, etc.

As usual, JCAR staff will be talking to you throughout the rulemaking process about any substantive concerns we may have with the rulemaking and any additional technical corrections we would suggest based on later, more in depth review of your rulemaking.

If, when you file your rulemaking with the SOS for adoption, you do not choose to file the hardcopy and electronic file provided to you by JCAR, you again need to be very careful that your background text accurately reflects existing rule on file and all changes are shown by underlining and striking in your Register version. Any errors in these materials will have to be rectified through Expedited Correction or a new rulemaking. If you are unsure about the background text you have in your word processing system, you can get a Word copy of the JCAR database on which you can draft your rulemaking by calling Terra Lamb at 5-2254.

If you have any questions about the attached mark-up or if JCAR staff can be of any assistance, please feel free to contact us.

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Due to the volume of this pleading,

please contact the Clerk's Office

at

312/814-3629

to view this file.