

Board Adopts Amendments to Its Procedural Rules

The Illinois Pollution Control Board, on May 19, 2005, adopted amendments to all ten Parts of its procedural rules. The Board amended the procedural rules to make them consistent with provisions of the new State Officials and Employees Ethics Act, and amendments to the Environmental Protection Act and the Administrative Procedure Act. The rule changes are discussed and set forth in the Board's final opinion and order for rulemaking docket R04-24, Amendments to the Board's Procedural Rules To Accommodate New Statutory Provisions: 35 Ill. Adm. Code 101-130.

Among the Environmental Protection Act amendments reflected in the Board's procedural rules are provisions for the Board to accept settlements in citizen enforcement actions *without* a public hearing, provisions for a prevailing citizen complainant to go to circuit court to enforce the final Board order, provisions for streamlined rulemaking to update incorporations by reference, and provisions for the Illinois Environmental Protection Agency, rather than the Board, to issue provisional variances. Another Environmental Protection Act amendment reduced the number of Board Members from seven to five and the number of affirmative votes required for a Board decision from four to three.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained for \$.75 per page from the Clerk's office at 312-814-3629, or by writing to the Clerk's office.

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street
Suite 11-500
Chicago, Illinois 60601