

RECEIVED
CLERK'S OFFICE

OCT 29 2014

STATE OF ILLINOIS
Pollution Control Board

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER I: POLLUTION CONTROL BOARD

PART 130

IDENTIFICATION AND PROTECTION OF TRADE SECRETS AND OTHER
NON-DISCLOSABLE INFORMATION

SUBPART A: GENERAL PROVISIONS

Section

- 130.100 Purpose and Applicability
- 130.102 Additional Procedures
- 130.104 Definitions and Severability
- 130.106 Segregation of Articles
- 130.108 Disposal of Articles
- 130.110 Articles Containing Emission Data
- 130.112 Filings with the Board

SUBPART B: PROCEDURES FOR IDENTIFYING ARTICLES
THAT REPRESENT TRADE SECRETS

Section

- 130.200 Initiation of a Claim that an Article Represents a Trade Secret
- 130.201 State Agency Request for Justification of Claims
- 130.202 Time Limit for Delayed Submission of Justification
- 130.203 Contents of Statement of Justification
- 130.204 Waiver of Statutory Deadlines
- 130.206 Deadline for State Agency Trade Secret Determination
- 130.208 Standards for State Agency Determination
- 130.210 State Agency Actions Following a Negative Determination
- 130.212 State Agency Actions Following a Positive Determination
- 130.214 Review of State Agency Trade Secret Determination
- 130.216 Effect of a Determination of Trade Secret Status on Other State Agencies
- 130.218 Status of Article Determined or Claimed to Represent a Trade Secret Before
January 1, 2001
- 130.220 Extension of Deadlines to Participate in Proceedings

SUBPART C: PROCEDURES FOR PROTECTING ARTICLES
THAT REPRESENT TRADE SECRETS

Section

- 130.300 Applicability

- 44 130.302 Owner's Responsibility to Mark Article
- 45 130.304 State Agency's Responsibility to Mark Article
- 46 130.306 Transmission of Article Between State Agencies
- 47 130.308 Public Access to Information Related to Article
- 48 130.310 Access to Claimed or Determined Article
- 49 130.312 Unauthorized Disclosure or Use of Article
- 50 130.314 Limitation on Copying Article

51
52 SUBPART D: NON-DISCLOSABLE INFORMATION
53 OTHER THAN TRADE SECRETS
54

- 55 Section
- 56 130.400 General
- 57 130.402 Who May View Non-Disclosable Information
- 58 130.404 Application for Non-Disclosure
- 59 130.406 Public Inspection
- 60 130.408 Board Order

61
62 130.APPENDIX A Comparison of Former and Current Rules (Repealed)
63

64 AUTHORITY: Implementing Sections 7 and 7.1 of the Environmental Protection Act (Act)
65 [415 ILCS 5/7 and 7.1] and authorized by Sections 7, 7.1, 26, and 27 of the Act [415 ILCS 5/7,
66 7.1, 26, 27].
67

68 SOURCE: Subparts A, B, and C originally adopted in R81-30 at 7 Ill. Reg. 16149, effective
69 November 23, 1983. Subpart D originally adopted in R88-5(A) at 13 Ill. Reg. 12055, effective
70 July 10, 1989; old Part repealed, new Part adopted in R00-20 at 25 Ill. Reg. 516, effective
71 January 1, 2001; amended in R04-24 at 29 Ill. Reg. 8842, effective June 8, 2005; amended in
72 R14-21 at 38 Ill. Reg. _____, effective _____.
73

74 SUBPART A: GENERAL PROVISIONS
75

76 **Section 130.112 Filings with the Board**
77

78 A document containing information claimed or determined to be a trade secret or other non-
79 disclosable information pursuant to this Part is prohibited from being filed electronically with the
80 Board and must instead be filed with the Board only in paper pursuant to 35 Ill. Adm. Code
81 101.302(h)(3). (See 35 Ill. Adm. Code 101.1010(b).)
82

83 (Source: Added at 38 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER I: POLLUTION CONTROL BOARD

PART 130

IDENTIFICATION AND PROTECTION OF TRADE SECRETS AND OTHER
NON-DISCLOSABLE INFORMATION

SUBPART A: GENERAL PROVISIONS

Section

- 130.100 Purpose and Applicability
- 130.102 Additional Procedures
- 130.104 Definitions and Severability
- 130.106 Segregation of Articles
- 130.108 Disposal of Articles
- 130.110 Articles Containing Emission Data
- 130.112 Filings with the Board

SUBPART B: PROCEDURES FOR IDENTIFYING ARTICLES
THAT REPRESENT TRADE SECRETS

Section

- 130.200 Initiation of a Claim that an Article Represents a Trade Secret
- 130.201 State Agency Request for Justification of Claims
- 130.202 Time Limit for Delayed Submission of Justification
- 130.203 Contents of Statement of Justification
- 130.204 Waiver of Statutory Deadlines
- 130.206 Deadline for State Agency Trade Secret Determination
- 130.208 Standards for State Agency Determination
- 130.210 State Agency Actions Following a Negative Determination
- 130.212 State Agency Actions Following a Positive Determination
- 130.214 Review of State Agency Trade Secret Determination
- 130.216 Effect of a Determination of Trade Secret Status on Other State Agencies
- 130.218 Status of Article Determined or Claimed to Represent a Trade Secret Before January 1, 2001
- 130.220 Extension of Deadlines to Participate in Proceedings

SUBPART C: PROCEDURES FOR PROTECTING ARTICLES

Char Delta
RECEIVED
CLERK'S OFFICE
OCT 29 2014
STATE OF ILLINOIS
Pollution Control Board

~~POLLUTION CONTROL BOARD~~

~~NOTICE OF PROPOSED AMENDMENT~~

THAT REPRESENT TRADE SECRETS

Section	
130.300	Applicability
130.302	Owner's Responsibility to Mark Article
130.304	State Agency's Responsibility to Mark Article
130.306	Transmission of Article Between State Agencies
130.308	Public Access to Information Related to Article
130.310	Access to Claimed or Determined Article
130.312	Unauthorized Disclosure or Use of Article
130.314	Limitation on Copying Article

SUBPART D: NON-DISCLOSABLE INFORMATION
OTHER THAN TRADE SECRETS

Section	
130.400	General
130.402	Who May View Non-Disclosable Information
130.404	Application for Non-Disclosure
130.406	Public Inspection
130.408	Board Order

130.APPENDIX A Comparison of Former and Current Rules (Repealed)

AUTHORITY: Implementing Sections 7 and 7.1 of the Environmental Protection Act (Act) [415 ILCS 5/7 and 7.1] and authorized by Sections 7, 7.1, 26, and 27 of the Act [415 ILCS 5/7, 7.1, 26, 27].

SOURCE: Subparts A, B, and C originally adopted in R81-30 at 7 Ill. Reg. 16149, effective November 23, 1983. Subpart D originally adopted in R88-5(A) at 13 Ill. Reg. 12055, effective July 10, 1989; old Part repealed, new Part adopted in R00-20 at 25 Ill. Reg. 516, effective January 1, 2001; amended in R04-24 at 29 Ill. Reg. 8842, effective June 8, 2005; amended in R14-21 at 38 Ill. Reg. _____, effective _____.

Section 130.112 Filings with the Board

A document containing information claimed or determined to be a trade secret or other non-disclosable information pursuant to this Part is prohibited from being filed electronically

ILLINOIS REGISTER JCAR3825350130P

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

with the Board and must instead be filed with the Board only in paper pursuant to 35 Ill. Adm. Code 101.302(h)(3). (See 35 Ill. Adm. Code 101.1010(b).)

(Source: Added at 38 Ill. Reg. _____, effective _____)

Document comparison by Workshare Compare on Tuesday, June 10, 2014
10:53:43 AM

Input:	
Document 1 ID	file:///I:\Input\Agency Rulemakings - Files Received\2014\June2014\35-130-Agency(issue25).docx
Description	35-130-Agency(issue25)
Document 2 ID	file:///I:\Input\Agency Rulemakings - Files Received\2014\June2014\35-130-JCAR(issue25).docx
Description	35-130-JCAR(issue25)
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	5
Deletions	5
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	10