ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR: REP. KEITH WHEELER

**FXECUTIVE DIRECTOR:** VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

SEN. BILL BRADY

SEN. KAREN MCCONNAUGHAY

SEN. TONY MUÑOZ

SEN. IRA SILVERSTEIN

SEN. CHUCK WEAVER REP. PETER BREEN

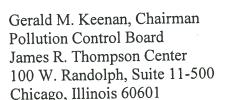
REP. TOM DEMMER

REP. GREG HARRIS

REP. LOU LANG

REP. ANDRE' THAPEDI

June 13, 2017



STATE OF ILLINOIS
Pollution Control Board

Dear Chairman Keenan:

This is to notify you that JCAR considered the following proposed rulemakings at its 6/13/17 meeting:

General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102) 41 Ill. Reg. 1364 - 2/10/17

Enforcement (35 Ill. Adm. Code 103) 41 Ill. Reg. 1394 - 2/10/17

Regulatory Relief Mechanisms (35 Ill. Adm. Code 104) 41 Ill. Reg. 1411 - 2/10/17

Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105) 41 Ill. Reg. 1446 - 2/10/17

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106) 41 Ill. Reg. 1466 - 2/10/17

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107) 41 Ill. Reg. 1524 - 2/10/17

Administrative Citations (35 Ill. Adm. Code 108) 41 Ill. Reg. 1534 - 2/10/17

Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 NJ. Adm. Code 130)

41 Ill. Reg. 1552 - 2/10/17

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of these rulemakings, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

Senator Don Harmon

Co-Chairman

incerel

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc:

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:

SEN. DON HARMON

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EXECUTIVE DIRECTOR: VICKI THOMAS



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REP. PETER BREEN

REP. TOM DEMMER REP. GREG HARRIS

REP. LOU LANG

REP. ANDRE' THAPEDI

### JOINT COMMITTEE ON ADMINISTRATIVE RULES

# CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130; 41 Ill. Reg. 1552), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas

**Executive Director** 

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Identification and Protection of Trade Secrets and Other Non-Disclosable

Information (35 Ill. Adm. Code 130; 41 Ill. Reg. 1552)

## Changes:

1. In line 369, delete the added period.

2. In line 370, reinstate the stricken period.

jce 5/23/17

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR: REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

SEN. BILL BRADY SEN. KAREN MCCONNAUGHAY SEN. TONY MUÑOZ SEN. IRA SILVERSTEIN SEN. CHUCK WEAVER REP. PETER BREEN REP. TOM DEMMER REP. GREG HARRIS REP. LOU LANG REP. ANDRE' THAPEDI

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601

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Thank you for the cooperation your agency has shown during our review of these issues.

Senator Don Harmon

Co-Chairman

incerel\*

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc: Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:

SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

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REP. ANDRE' THAPEDI

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

# CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106; 41 Ill. Reg. 1466), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

icki Thomas **Executive Director** 

Attachments: Agreements

## SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill.

Adm. Code 106; 41 Ill. Reg. 1466)

### Changes:

1. In line 580, after "time" add a comma.

- 2. Delete lines 1151-1172.
- 3. In line 1583, delete the added comma.
- 4. In line 1587, strike "a".
- 5. In line 1654, delete added text and reinstate stricken text.
- 6. In line 1714, delete ".".
- 7. In line 1715, after "301" strike the comma.
- 8. In line 1725, reinstate the closing parenthesis.
- 9. In line 1734, strike "by".
- 10. In line 1743, strike "through" and add "to" and after "relief" add ", granted by the Board,".
- 11. In line 1744, after "limitations" add "<u>or standards</u>", strike "Chapter I of Subtitle C or standards granted by the Board" and after "under" add "<u>35 Ill. Adm. Code 301 through 312</u>".
- 12. In line 1911, strike the comma.

5/26/17 cw 3:25 p.m.

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR: REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY

SEN. KAREN MCCONNAUGHAY

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REP. PETER BREEN REP. TOM DEMMER

REP. GREG HARRIS REP. LOU LANG

REP. ANDRE' THAPEDI

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601



STATE OF ILLINOIS
Pollution Control Board

#### Dear Chairman Keenan:

This is to notify you that JCAR considered the following proposed rulemakings at its 6/13/17 meeting:

General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102) 41 Ill. Reg. 1364 - 2/10/17

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Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106) 41 Ill. Reg. 1466 - 2/10/17

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107) 41 Ill. Reg. 1524 - 2/10/17

Administrative Citations (35 Ill. Adm. Code 108) 41 Ill. Reg. 1534 - 2/10/17

Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130) 41 Ill. Reg. 1552 - 2/10/17

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of these rulemakings, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

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Co-Chairman

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc: D

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:

SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



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REP. TOM DEMMER

REP. GREG HARRIS

REP. LOU LANG

RÉP. ANDRE' THAPEDI

### JOINT COMMITTEE ON ADMINISTRATIVE RULES

#### CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107; 41 Ill. Reg. 1524), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas
Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Petition to Review Pollution Control Facility Siting Decisions (35 Ill.

Adm. Code 107; 41 Ill. Reg. 1524)

### **Changes:**

1. In line 69, delete".".

- 2. In line 70, reinstate the stricken period.
- 3. In line 126, strike "unit(s)" and add "unit or units".
- 4. In line 127, strike "respondent(s)" and add "respondent or respondents".
- 5. In line 236, after the period add "This page number must appear in the top right corner of each page.".
- 6. In line 269, strike "is" and add "<u>Is</u>".
- 7. In lines 271, 273 and 276, strike "fails" and add "Fails".

jce 5/23/17

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY

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REP. PETER BREEN REP. TOM DEMMER

REP. GREG HARRIS REP. LOU LANG

REP. ANDRE' THAPEDI

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601

#### Dear Chairman Keenan:

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General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

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Regulatory Relief Mechanisms (35 Ill. Adm. Code 104) 41 Ill. Reg. 1411 - 2/10/17

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41 Ill. Reg. 1552 - 2/10/17

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h

incerel

Senator Don Harmon

Co-Chairman

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc:

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

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EXECUTIVE DIRECTOR: VICKI THOMAS



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REP. LOU LANG

REP. ANDRE' THAPEDI

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

### CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Administrative Citations (35 Ill. Adm. Code 108; 41 Ill. Reg. 1534), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Administrative Citations (35 Ill. Adm. Code 108; 41 Ill. Reg. 1534)

## Changes:

1. In line 228, reinstate the stricken comma.

5/23/17 jce

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY

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SEN. IRA SILVERSTEIN SEN. CHUCK WEAVER

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REP. TOM DEMMER

REP. GREG HARRIS

REP. LOU LANG

REP. ANDRE' THAPEDI

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601



STATE OF ILLINOIS Pollution Control Board

#### Dear Chairman Keenan:

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Sincerely,

Senator Don Harmon

Co-Chairman

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc:

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:

SEN. DON HARMON

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EXECUTIVE DIRECTOR: VICKI THOMAS



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REP. ANDRE' THAPEDI

### JOINT COMMITTEE ON ADMINISTRATIVE RULES

#### CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Tax Certifications (35 Ill. Adm. Code 125; 41 Ill. Reg. 1544), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas **Executive Director** 

Attachments: None

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY
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REP. TOM DEMMER
REP. GREG HARRIS

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601 RECEIVED CLERK'S OFFICE

REP. LOU LANG

REP. ANDRE' THAPEDI

JUN 16 2017

STATE OF ILLINOIS Pollution Control Board

Dear Chairman Keenan:

This is to notify you that JCAR considered the following proposed rulemakings at its 6/13/17 meeting:

General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

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Sincerely,

Senator Don Harmon

Co-Chairman

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc:

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

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REP. LOU LANG

REP. ANDRE' THAPEDI

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

#### CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105; 41 Ill. Reg. 1446), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas
Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Appeals of Final Decisions of State Agencies (35 IAC 105; 41 Ill. Reg.

1446)

### Changes:

1. In line 86, after "105.408" add a comma.

- 2. In line 88, after "105.404" add a comma.
- 3. In line 122, after the period add "This page number must appear in the top right corner of each page.".
- 4. In line 134, after "or" add "unreasonably".
- 5. In line 149, after "(c)" add a comma.
- 6. In line 213, after "applicant" add a comma.
- 7. In line 320, after "renewal" add a comma.
- 8. In line 322, after "process" add a comma.
- 9. In line 323, strike "40.2 and 41" and add "41(a)". After "Act" add "[415 ILCS 5/41(a)]".
- 10. In line 329, change "(b)" to "(c)".
- 11. In lines 333-34 and 336, strike "by the Agency".
- 12. In line 340, after "amendment" add a comma.
- 13. In line 375, after "file" add a comma.
- 14. In line 377, strike "CAAPP". After "application" add a comma.
- 15. In line 421, after "Act" add "[415 ILCS 5/57 through 57.19]".
- 16. In lines 433-434, strike "The Agency determinations that may be appealed are included in Illustration A of this Part.".
- 17. In lines 445 and 448, strike the first "a" and add " $\underline{A}$ ".
- 18. In line 489, strike the first comma.

5/25/17 11:24 a.m. jce

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN, DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



SPRINGFIELD, ILLINOIS 62706 217/785-2254

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REP. LOU LANG

REP. ANDRE' THAPEDI

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601



Dear Chairman Keenan:

This is to notify you that JCAR considered the following proposed rulemakings at its 6/13/17 meeting:

General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102) 41 Ill. Reg. 1364 - 2/10/17

Enforcement (35 Ill. Adm. Code 103) 41 Ill. Reg. 1394 - 2/10/17

Regulatory Relief Mechanisms (35 Ill. Adm. Code 104) 41 Ill. Reg. 1411 - 2/10/17

Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105) 41 Ill. Reg. 1446 - 2/10/17

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106) 41 Ill. Reg. 1466 - 2/10/17

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107) 41 Ill. Reg. 1524 - 2/10/17

Administrative Citations (35 Ill. Adm. Code 108) 41 Ill. Reg. 1534 - 2/10/17

Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130) 41 Ill. Reg. 1552 - 2/10/17

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of these rulemakings, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

Senator Don Harmon

Co-Chairman

Sincerely.

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc:

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:

SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY

SEN, KAREN MCCONNAUGHAY

SEN. TONY MUÑOZ

SEN. IRA SILVERSTEIN

SEN. CHUCK WEAVER

REP. PETER BREEN

REP. TOM DEMMER REP. GREG HARRIS

REP. LOU LANG

REP. ANDRE' THAPEDI

### JOINT COMMITTEE ON ADMINISTRATIVE RULES

# CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Regulatory Relief Mechanisms (35 Ill. Adm. Code 104; 41 Ill. Reg. 1411), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas
Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Regulatory Relief Mechanisms (35 Ill. Adm. Code 104; 41 Ill. Reg. 1411)

### Changes:

- 1. In line 31, after "Comments" add a comma.
- 2. In line 101, after "provisional variances" add a comma.
- 3. In line 143, after "Act" add "[415 ILCS 5/21(f)]".
- 4. In line 345, 356, 367 and 372, change the hyphens to "through".
- 5. In line 356, after "and" strike the comma.
- 6. In line 373, delete ".".
- 7. In line 407, delete ".".
- 8. In line 486, delete ".".
- 9. In line 631, after "Comments" add "2".
- 10. In line 672, strike the comma.
- 11. In line 751, delete ".".
- 12. In line 757, delete ".".
- 13. In line 830, after "serve" add "a copy" and reinstate "on".
- 14. In line 941, after "28.1" delete ")", strike "(", and change the 2<sup>nd</sup> "see" to "and".
- 15. In line 942, after "104.426" add "of this Part".
- 16. In line 973, strike "which" and add "that".
- 17. In line 1147, delete ".".
- 18. In line 1163, after "Act" delete ".".

5/25/17

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY
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REP. ANDRE' THAPEDI

June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601



Dear Chairman Keenan:

This is to notify you that JCAR considered the following proposed rulemakings at its 6/13/17 meeting:

General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102) 41 Ill. Reg. 1364 - 2/10/17

Enforcement (35 Ill. Adm. Code 103) 41 Ill. Reg. 1394 - 2/10/17

Regulatory Relief Mechanisms (35 Ill. Adm. Code 104) 41 Ill. Reg. 1411 - 2/10/17

Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105) 41 Ill. Reg. 1446 - 2/10/17

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106) 41 Ill. Reg. 1466 - 2/10/17

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107) 41 Ill. Reg. 1524 - 2/10/17

Administrative Citations (35 Ill. Adm. Code 108) 41 Ill. Reg. 1534 - 2/10/17

Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130)
41 Ill. Reg. 1552 - 2/10/17

If your agency has agreed to any substantive modifications during its discussions with JCAR, they are described in the Agreements attached to the certification. Based on these Agreements, as well as the other responses you have provided the Committee during the review of these rulemakings, JCAR has determined that No Objection will be issued. Enclosed you will find formal certification of this action.

These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

1700 1

Co-Chairman

Representative Keith Wheeler

Co-Chairman

SDH:RTS:JE:cw

cc:

Don Brown, Clerk

ILLINOIS GENERAL ASSEMBLY

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#### JOINT COMMITTEE ON ADMINISTRATIVE RULES

# CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Enforcement (35 Ill. Adm. Code 103; 41 Ill. Reg. 1394), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas
Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Enforcement (35 Ill. Adm. Code 103; 41 Ill. Reg. 1394)

### **Changes:**

1. In line 88, delete "." and reinstate the stricken period.

- 2. In line 295, strike the first "(2)" and add " $(\underline{1})$ ".
- 3. In line 311, change "of" to "after".
- 4. In line 330, delete the added period, strike "[415 ILCS 5/31(c)(1)]" and reinstate the stricken period.
- 5. In line 373, after "order" add a comma.
- 6. In line 489, after "30" add "<u>-34</u>".
- 7. In line 508, strike the period.
- 8. In line 509, add a period at the end.
- 9. In line 523, delete ".".
- 10. In line 524, reinstate the stricken period.

5/25/17

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:

SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

June 13, 2017

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SEN. TONY MUÑOZ

SEN. IRA SILVERSTEIN SEN. CHUCK WEAVER

REP. PETER BREEN

REP. TOM DEMMER REP. GREG HARRIS

REP. LOU LANG REP. ANDRE' THAPEDI

Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re:

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106;

41 Ill. Reg. 1466 - 2/10/17)

#### Dear Clerk Brown:

The enclosed are the Register version and the Code copy of the above-cited rule as this rule is to be inserted in the Administrative Code database. You can use these copies when filing the rulemaking with the Secretary of State.

Please have someone on your staff peruse the enclosed copies to be sure that they reflect the language of the rule as you now understand it to exist; i.e., the original draft with any First Notice changes, technical corrections and Agreements included.

If you notice any errors or discrepancies in the enclosed versions, please notify us as quickly as possible and we will provide a corrected version you can certify to the Code Division. This material will be integrated into the Code database when adoption of the rule appears in the Illinois Register.

Thank you for your cooperation and assistance.

Vicki Thomas

Sincerely,

**Executive Director** 

VT:JE:cw Enc.

ILLINOIS GENERAL ASSEMBLY

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700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

June 13, 2017

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REP. PETER BREEN

REP. TOM DEMMER

REP. LOU LANG

REP. ANDRE' THAPEDI

Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re:

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102; 41 Ill.

Reg. 1364 - 2/10/17)

#### Dear Clerk Brown:

The enclosed are the Register version and the Code copy of the above-cited rule as this rule is to be inserted in the Administrative Code database. You can use these copies when filing the rulemaking with the Secretary of State.

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REP. GREG HARRIS REP. LOU LANG

REP. ANDRE' THAPEDI

Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re: Regulatory Relief Mechanisms (35 Ill. Adm. Code 104; 41 Ill. Reg. 1411 - 2/10/17)

Dear Clerk Brown:

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REP. ANDRE' THAPEDI

Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re:

General Rules (35 Ill. Adm. Code 101; 41 Ill. Reg. 1293 - 2/10/17)

#### Dear Clerk Brown:

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Vicki Thomas

Executive Director

VT:JE:cw

ILLINOIS GENERAL ASSEMBLY

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700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

June 13, 2017

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REP. GREG HARRIS

REP. LOU LANG

REP. ANDRE' THAPEDI

Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re:

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107; 41

Ill. Reg. 1524 - 2/10/17)

#### Dear Clerk Brown:

The enclosed are the Register version and the Code copy of the above-cited rule as this rule is to be inserted in the Administrative Code database. You can use these copies when filing the rulemaking with the Secretary of State.

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Thank you for your cooperation and assistance.

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**Executive Director** 

VT:JE:cw Enc.

ILLINOIS GENERAL ASSEMBLY

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700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. BILL BRADY

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June 13, 2017

Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601

Dear Chairman Keenan:

This is to notify you that JCAR considered the following proposed rulemakings at its 6/13/17 meeting:

General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102) 41 Ill. Reg. 1364 - 2/10/17

Enforcement (35 Ill. Adm. Code 103) 41 Ill. Reg. 1394 - 2/10/17

Regulatory Relief Mechanisms (35 Ill. Adm. Code 104) 41 Ill. Reg. 1411 - 2/10/17

Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105) 41 Ill. Reg. 1446 - 2/10/17

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106) 41 Ill. Reg. 1466 - 2/10/17

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107) 41 Ill. Reg. 1524 - 2/10/17

Administrative Citations (35 Ill. Adm. Code 108) 41 Ill. Reg. 1534 - 2/10/17

Tax Certifications (35 Ill. Adm. Code 125) 41 Ill. Reg. 1544 - 2/10/17

Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130)
41 Ill. Reg. 1552 - 2/10/17

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Co-Chairman

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Representative Keith Wheeler

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SDH:RTS:JE:cw

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Don Brown, Clerk

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ILLINOIS GENERAL ASSEMBLY

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### JOINT COMMITTEE ON ADMINISTRATIVE RULES

# CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102; 41 Ill. Reg. 1364), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas Executive Director

Attachments: Agreements

# SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm.

Code 102; 41 Ill. Reg. 1364)

## Changes:

1. In line 105, move the period to after the citation.

- 2. In lines 160-161 and 163-164, strike the citation.
- 3. In line 244, strike the citation.
- 4. In line 253, after "Act" delete ".", add "(FOIA)", strike "[5 ILCS 140]", and reinstate the stricken period.
- 5. In line 326, delete "Section 102.416" and reinstate "subsections".
- 6. In line 395, strike "the Freedom of" and add "FOIA".
- 7. In line 396, strike "*Information Act*", delete the added period, strike "[5 ILCS 140]", and reinstate the stricken period.
- 8. In line 406, after the semicolon add "and".
- 9. In lines 433-434, strike the 1<sup>st</sup> citation and reinstate the stricken period.
- 10. In line 436, strike the citation.
- 11. In line 456, strike the citation.
- 12. In lines 514, 518, 521, 524, 537 and 547, delete ".".
- 13. In lines 546-547, strike "the Freedom of Information Act" and add "FOIA", strike the 1<sup>st</sup> citation, and reinstate the stricken period.
- 14. In line 864, delete ".", strike the citation and reinstate the stricken period.
- 15. In line 876, delete ".", strike the citation and reinstate the stricken period.
- 16. Strike line 913.
- 17. In line 939, after "the" add "federal".

- 18. In line 941, delete ".".
- 19. In lines 971, strike "Administrative Procedure Act [5 ILCS" and add "IAPA;" and delete ".".
- 20. Strike line 972.
- 21. In line 980, strike "the Freedom of" and add "FOIA".
- 22. In line 981, strike "*Information Act* [5 ILCS 140]", delete ".", and reinstate the stricken period.
- 23. In line 988, strike the comma and "and Section 102.160(a)".

5/24/17

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR: SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254 SEN. KAREN MCCONNAUGHAY SEN. TONY MUNOZ SEN. IRA SILVERSTEIN SEN. CHUCK WEAVER REP. PETER BREEN REP. TOM DEMMER

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SEN, BILL BRADY

June 13, 2017



Gerald M. Keenan, Chairman Pollution Control Board James R. Thompson Center 100 W. Randolph, Suite 11-500 Chicago, Illinois 60601

STATE OF ILLINOIS
Pollution Control Board

Dear Chairman Keenan:

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General Rules (35 Ill. Adm. Code 101) 41 Ill. Reg. 1293 - 2/10/17

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Tax Certifications (35 Ill. Adm. Code 125) 41 Ill. Reg. 1544 - 2/10/17

Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130) 41 Ill. Reg. 1552 - 2/10/17

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These rulemakings may now be adopted upon filing with the Office of the Secretary of State.

Please note that the fact that the Committee has not objected to these rulemakings does not necessarily constitute approval, expressed or implied, of the substance of the rulemakings.

Thank you for the cooperation your agency has shown during our review of these issues.

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Co-Chairman

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Representative Keith Wheeler

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SDH:RTS:JE:cw

cc: Don Brown, Clerk

Enc.

ILLINOIS GENERAL ASSEMBLY

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## JOINT COMMITTEE ON ADMINISTRATIVE RULES

# CERTIFICATION OF NO OBJECTION TO PROPOSED RULEMAKING

This is to certify that the Joint Committee on Administrative Rules, at its 6/13/17 meeting, considered General Rules (35 Ill. Adm. Code 101; 41 Ill. Reg. 1293), proposed by the Pollution Control Board and published in the 2/10/17 issue of the Illinois Register. After consideration, and based upon the Agreements, if any, for modification of the rulemaking made by the agency and attached to this document, the Committee determined that no Objection will be issued to the above-mentioned rulemaking.

June 13, 2017

Vicki Thomas
Executive Director

Attachments: Agreements

## SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

General Rules (35 Ill. Adm. Code 101; 41 Ill. Reg. 1293)

## Changes:

- 1. In line 301, delete "." and reinstate the stricken period.
- 2. In line 304, delete ",".
- 3. In line 319, delete ".".
- 4. In line 320, reinstate the stricken period.
- 5. In lines 360-361, delete the added period and strike the citation.
- 6. In line 403, delete "." and reinstate the stricken period.
- 7. In line 406, strike "under" and add "by".
- 8. In line 493, strike the comma and add "(" and after "seq." add ").".
- 9. In line 495, strike the comma and add "(" and after "seq." add ").".
- 10. In lines 529 and 535, after "Part." strike ")" and "(".
- 11. In line 592, delete ".".
- 12. In line 593, reinstate the stricken period.
- 13. In lines 603 and 607, delete "." and strike the citation.
- 14. In line 610, strike "(iii)".
- 15. In line 647, delete "." and reinstate the stricken period.
- 16. In line 713, after "Section." strike ")" and "(".
- 17. In line 816, delete "." and reinstate the stricken period.
- 18. In line 873, after "Section." strike ")" and "(".
- 19. In line 1192, after "IAPA" delete the added period.

- 20. In line 1248, change "must" to "will".
- 21. In line 1363, change ". The , and the following:" to ", and providing the following:".
- 22. In line 1367, change "that" to "a statement that the".
- 23. In line 1368, delete "must also be included".
- 24. After line 1444, add "enviro@atg.state.il.us".
- 25. In line 1540, delete ".".
- 26. In line 1541, reinstate the stricken period.
- 27. In line 1545, delete "...".
- 28. In line 1546, delete ".", strike the citation and reinstate the stricken period.
- 29. In line 1578, after "e-mail" add a period.
- 30. In line 1579, delete the redundant period.
- 31. In line 1583, delete "." and reinstate the stricken period.
- 32. In line 1716, delete "." and reinstate the stricken period.
- 33. In line 2047, delete "...".
- 34. In line 2048, reinstate the stricken period.
- 35. In line 2208, delete "." and strike the citation.
- 36. In line 2211, after "Code" delete ".".
- 37. In line 2230, delete "." and reinstate the stricken period.
- 38. In line 2236, strike "(h)(2), ".
- 39. In line 2237, strike "may" and add "must".
- 40. In line 2462, change "<u>Having</u>" to "<u>Have</u>" and change "<u>bottom right-corner</u>" to "<u>top right corner of each page</u>".
- 41. In line 2573, change "may" to "must".

5/24/17

## SECOND NOTICE CHANGES

Agency:

Pollution Control Board

Rulemaking:

Appeals of Final Decisions of State Agencies (35 IAC 105; 41 Ill. Reg.

1446)

## **Changes:**

- 1. In line 20, strike "Untimely" and add "Non-Compliant".
- 2. In line 86, after "105.408" add a comma.
- 3. In line 88, after "105.404" add a comma.
- 4. In line 122, after the period add "This page number must appear in the top right corner of each page.".
- 5. In line 131, strike "**Untimely**" and add "**Non-Compliant**".
- 6. In line 134, after "or" add "unreasonably".
- 7. In line 149, after "(c)" add a comma.
- 8. In line 213, after "applicant" add a comma.
- 9. In line 320, after "renewal" add a comma.
- 10. In line 322, after "process" add a comma.
- 11. In line 323, strike "40.2 and 41" and add "41(a)".
- 12. In line 329, change "(b)" to "(c)".
- 13. In lines 333-34 and 336, strike "by the Agency".
- 14. In line 340, after "amendment" add a comma.
- 15. In line 375, after "file" add a comma.
- 16. In line 377, strike "CAAPP". After "application" add a comma.
- 17. In line 433, strike "The Agency determinations that".
- 18. Strike line 434.
- 19. In lines 445 and 448, strike the first "a" and add " $\underline{A}$ ".
- 20. In line 489, strike the first comma.

ILLINOIS GENERAL ASSEMBLY

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SEN. DON HARMON

CO-CHAIR:

REP. KEITH WHEELER

EXECUTIVE DIRECTOR: VICKI THOMAS



700 STRATTON BUILDING SPRINGFIELD, ILLINOIS 62706 217/785-2254

June 13, 2017

SEN. BILL BRADY

SEN. KAREN MCCONNAUGHAY

SEN. TONY MUÑOZ

SEN. IRA SILVERSTEIN

SEN. CHUCK WEAVER REP. PETER BREEN

REP. TOM DEMMER

REP. GREG HARRIS

REP. LOU LANG

REP. ANDRE' THAPEDI

Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re: Enforcement (35 Ill. Adm. Code 103; 41 Ill. Reg. 1394 - 2/10/17)

#### Dear Clerk Brown:

The enclosed are the Register version and the Code copy of the above-cited rule as this rule is to be inserted in the Administrative Code database. You can use these copies when filing the rulemaking with the Secretary of State.

Please have someone on your staff peruse the enclosed copies to be sure that they reflect the language of the rule as you now understand it to exist; i.e., the original draft with any First Notice changes, technical corrections and Agreements included.

If you notice any errors or discrepancies in the enclosed versions, please notify us as quickly as possible and we will provide a corrected version you can certify to the Code Division. This material will be integrated into the Code database when adoption of the rule appears in the Illinois Register.

Thank you for your cooperation and assistance.

Vicki Thomas

**Executive Director** 

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Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re: Tax Certifications (35 Ill. Adm. Code 125; 41 Ill. Reg. 1544 - 2/10/17)

#### Dear Clerk Brown:

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Sineerely,

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Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re:

Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105; 41 Ill. Reg. 1446 -

2/10/17)

#### Dear Clerk Brown:

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Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re: Identification and Protection of Trade Secrets and Other Non-Disclosable Information

(35 Ill. Adm. Code 130; 41 Ill. Reg. 1552 - 2/10/17)

#### Dear Clerk Brown:

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Don Brown, Clerk Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago IL 60601

Re: Administrative Citations (35 Ill. Adm. Code 108; 41 Ill. Reg. 1534 - 2/10/17)

#### Dear Clerk Brown:

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**Executive Director** 

Vicki Thomas