

Therriault, John

From: McCambridge, Michael
Sent: Monday, July 25, 2016 5:46 PM
To: Eastvold, Jonathan C.
Cc: Burke, Jennifer; Powell, Mark; Therriault, John; Robertson, Daniel
Subject: RE: 35 IAC 731

R16-16 *PC#2*
John T.: Please add this e-mail exchange to the docket R16-9 UST update as a public comment.

I have investigated each of the three points that you raises with regard to amendments recently adopted by the Board. In response to each, I make the following observations:

35 Ill. Adm. Code 731.110(c)(2): Indeed the cross-reference to “35 Ill. Adm. Code Part 734” is inappropriate format. The reference should have appeared as “35 Ill. Adm. Code Part 734.” I missed the error at both the proposed and adopted stages of the rulemaking. I note that JCAR revised the text so that it appeared in the appropriate format at the Notice of Proposed Amendments, and I missed it in the marked up JCAR text.

35 Ill. Adm. Code 731.110(d)(1), “heating oil”: Indeed, the amendment “~~No. 5—heavy 5—heavy~~” created an error. The format should have appeared as “~~No. 5—heavy 5—heavy~~” to correspond with the other changes from hyphen to em-dash in the paragraph.

35 Ill. Adm. Code 731.112, “heating oil”: This error is similar to that above. The amendment “~~No. 5—heavy 5—heavy~~” created an error. The format should have appeared as “~~No. 5—heavy 5—heavy~~” to correspond with the other changes from double hyphen to em-dash in the paragraph.

I will gladly submit replacement Code pages if that is the appropriate way to fix these errors.

Please advise.

From: Eastvold, Jonathan C. [<mailto:JonathanE@ilga.gov>]
Sent: Friday, July 22, 2016 11:08 AM
To: McCambridge, Michael
Cc: Hoepfner, Nancy
Subject: 35 IAC 731

We noticed a couple of places in which the text of your adopted rulemaking differs (a) from the discussion of changes made (and not made) in the adopted version or (b) from the background text of the existing rule:

- 1) 35 IAC 731.110(c)(2): The CFR citation should not include the word “Part”.
- 2) 35 IAC 731.110(d)(1), definition of heating oil: “5—Heavy” should be preceded by “No.”.
- 3) 35 IAC 731.112, definition of heating oil: “5—Heavy” should be preceded by “No.”.

VT suggested that it might still be possible to submit replacement pages to correct this.

Thanks in advance!

Jonathan

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