

From: [McGill, Richard](#)
To: [Brown, Don](#)
Subject: docket as PC in R21-6; FW: withdraw 35 IAC 720, 726-proposed amendments
Date: Thursday, October 8, 2020 5:07:07 PM

Good evening, Mr. Clerk:

Please docket—as a public comment in R21-6—my forwarded email message to SOS, copying JCAR.

If you have any questions, please let me know. Thank you.

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(312) 814-6983

From: McGill, Richard
Sent: Thursday, October 8, 2020 5:04 PM
To: eAdministrativeCode <eAdministrativeCode@ILSOS.GOV>
Cc: 'JonathanE@ilga.gov' <JonathanE@ilga.gov>
Subject: withdraw 35 IAC 720, 726-proposed amendments

Good evening:

As I discussed with Christine Works by phone this afternoon, the Board withdraws its proposed amendments to 35 Ill. Adm. Code 720 and 726, filed on October 1, 2020.

By proposing the amendments, the Board acted prematurely in its identical-in-substance (exempt) rulemaking, docket R21-6. The Board based its action on a *proposed* USEPA rule, mistakenly concluding that the USEPA rule was *final*. The Board discovered its error this afternoon, thanks to the inquiry of JCAR's Jonathan Eastvold as to whether USEPA's rule was final.

Because the Board's proposed amendments were not scheduled for *Illinois Register* publication until October 16, 2020, Ms. Works kindly explained that our phone conversation and this email message would suffice to prevent publication.

If you have any questions, please let me know. Again, thank you very much and have a good evening.

Best regards,

Richard

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