

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

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TO: Richard McGill
Illinois Pollution Control Board

FROM: Kim Schultz
Joint Committee on Administrative Rules

DATE: 9/10/26

RE: Design and Operation of Facilities (35 Ill. Adm. Code 1422; 50 Ill. Reg. 7317)
Second Notice Filing

Dear Mr. McGill:

The Joint Committee on Administrative Rules (JCAR) received the Second Notice filing for the above-referenced rulemaking on 9/8/26. We appreciate your submission of these materials.

Upon receipt of a Second Notice filing, JCAR staff reviews the filing in accordance with the procedures outlined in 1 Ill. Adm. Code 220. Unfortunately, it appears the Board did not include all the required information specified in 1 Ill. Adm. Code 220.600, and therefore the Second Notice filing cannot be accepted.

Specifically, the Second Notice filing is deficient in the following areas:

- An evaluation of all comments received by the agency concerning the proposed rulemaking during the first notice period (1 Ill. Adm. Code 220.600(a)(9)). The submission lists the Joint Committee on Administrative Rules as a commenter, but provides neither the issue raised nor the Board's analysis.
- Justification and rationale for the rulemaking (1 Ill. Adm. Code 220.600(a)(10)). No justification or rationale is provided. Certainly there must be some reason the Board is proposing this rule change.
- 1 Ill. Adm. Code 220.EXHIBIT B(1)(c). Please provide the funding source/appropriation line for the Board's program/activity.

The Board may correct the discrepancies identified this letter and resubmit the Second Notice filing to JCAR at any time. If you have any further questions, or need any additional information, please do not hesitate to contact us at 217-785-2254. Tobias and I are happy to assist you on this topic.

cc: Tobias Rivas, JCAR
Shannon Bilbruck, PCB