IPCB
Illinois Pollution Control Board

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JB Pritzker

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WEB SITE
www.pcb.illinois.gov

October 1, 2026

Kim Schultz
Executive Director
Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, IL 62706

Re: Second Notice for 35 Ill. Adm. Code 101; 2 Ill. Adm. Code 2175; Board Docket No. R26-18

Dear Ms. Schultz:

Please find enclosed the Second Notice for Proposed Amendments to the above Parts.

Sincerely,

Don A. Brown
Clerk of the Board

Enclosures

SECOND NOTICE

1) Agency: Pollution Control Board

2) Title and Administrative Code Citation: Organization, Public Information, and Types of Proceedings, 2 Ill. Adm. Code 2175

3) Date and Citation to Illinois Register: July 10, 2026, 50 Ill. Reg. 9098

4) Text and Location of any Changes from First Notice: See Attachment A.

5) Response to Codification Recommendations: No changes were requested by the Secretary of State.

6) Incorporations by Reference: None.

7) Final Regulatory Flexibility Analysis:

   A) Summary of Issues Raised by Small Business: No issues were raised by small businesses during first notice.

   B) Description of Actions and Alternatives Proposed by Small Business during First Notice: No actions or alternatives were proposed by small businesses during first notice.

8) Compliance with Section 5-30 of the APA and 1 Ill. Adm. Code 220.285: The Board placed the proposal on the Board's website: https://pcb.illinois.gov/. The Board also notified the public through publication in the *Illinois Register*. The Board did not receive a comment from the Small Business Office.

9)

   A) List of Commenters: None

   B) Issues Raised and Board Analysis: None

   C) Change in the Rule: None

   D) Public Hearing Requests: None

10) Justification and Rationale:

   A) Changes in Statutory Language: In June Governor J.B. Pritzker signed P.A. 104-0466 (eff. June 16, 2026) into law. P.A. 104-0466 amends Section 7.5 of the Environmental Protection Act (Act) (415 ILCS 5/7.5 as amended by P.A. 104-0466 eff. 6/18/26). Section 7.5 of the Act sets the filing fee for certain Board cases and P.A. 104-0466 raises those fees from $75 to $250 effective July 1, 2026.

The Board is repealing 2 Ill. Adm. Code 2175.200, as the language reflected in that section also appears in 35 Ill. Adm. Code 101.302(e). Therefore the language is redundant.

B) Changes in Board Policy, Procedures, or Structure: None.

C) Citations to Federal Laws, Rules, or Regulations, or Funding Requirements: None.

D) Court Decisions: None.

E) Other Reasons: None.

11) Name of Agency Representative:

Richard McGill
Illinois Pollution Control Board
60 E Van Buren St, Suite 630
Chicago, IL 60605
Richard.mcgill@illinois.gov

ATTACHMENT A

SECOND NOTICE CHANGES

AGENCY: Organization, Public Information, and Types of Proceedings (2 Ill. Adm. Code 2175; 50 Ill. Reg. 9098)

None

State Mandates Act Questionnaire

Agency: Pollution Control Board

Part/Title: Organization, Public Information, and Types of Proceedings (2 Ill. Adm. Code 2175)

Illinois Register Citation: 50 Ill. Reg. 9098, June 10, 2026

1. Does this rulemaking affect any of the following:

___	Municipality	___	Other Unit of Local Govt.
___	County	___	School District
___	Township	___	Community College Dist.

2. Does this rule require any of the above entities to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues?

Yes No X Number of units affected N.A.

If yes, please estimate the amount of additional expenditures necessitated by this rulemaking per unit of government: $ N.A.

Note: If the dollar amount, or total number of units affected is unknown, please outline and attach to this form an explanation of the steps taken by the agency to determine the approximate expense of the rulemaking, and the number of units affected.

If no, please explain why the rule does not necessitate such additional expenditures.

This rulemaking repeals language being adopted in another part of the Board rules. Therefore, the Board does not intend to establish, expand, or modify substantive requirements that would affect entities listed above or their expenditures from local revenues.

3. Were any alternatives that do not necessitate additional expenditures considered?

Yes No X

If yes, please list these alternatives and explain why they were rejected.

4. What are the policy objectives of the rulemaking? (Please be specific)

Due to a statutory change, the Board increased its filing fees for petitions for site specific regulation, variance, review of an Agency permit decision, UST decision, or any other appeal filed under Section 40 or 40.3 of the Act, review of a pollution control facility siting decision, under Section 40.1 of the Act, adjusted standard, under Section 28.1 of the Act, and time-limited water quality standard, under Section 38.5 of the Act. The effect is an increase in the filing fee from $75 to $250

5. Please explain why the policy objectives of this rule cannot be achieved in the absence of the rule or through a rule that does not create a State Mandate.

   The rules do not create or enlarge a State Mandate.

AGENCY ANALYSIS OF ECONOMIC AND BUDGETARY EFFECTS OF PROPOSED RULEMAKING

Agency: Pollution Control Board

Part/Title: 2 Ill. Adm. Code 2175: Organization, Public Information, and Types of Proceedings

Illinois Register Citation: July 10, 2026, 50 Ill. Reg. 9098

1. Anticipated effect on State expenditures and revenues.

   (a) Current cost to the agency for this program/activity.

   There is no current cost to the Board for this rulemaking.

   (b) If this rulemaking will result in an increase or decrease in cost, specify the fiscal year in which this change will first occur and the dollar amount of the effect.

   No increase or decrease in costs will occur.

   (c) Indicate the funding source, including Fund and appropriation lines, for this program/activity.

   The Board does not have a funding source as this rule does not require Board expenditures.

   (d) If an increase or decrease in the costs of another State agency is anticipated, specify the fiscal year in which this change will first occur and the estimated dollar amount of the effect.

   No such increase or decrease expected.

   (e) Will this rulemaking have any effect on State revenues or expenditures not already indicated above? Specify effects and amounts.

   As this repeals rule language that is being updated in other part of the Boards's regulations, there is no effect on State revenue with this repealed rule language.

2. Economic effect on persons affected by the rulemaking.

   (a) Indicate the economic effect and specify the persons affected:

   As this repeals rule language that is being updated in other part of the Boards's regulations, there is no effect on entities with this repealed rule language.

(b) If an economic effect is predicted, please briefly describe how the effect will occur.

As this repeals language that is being updated in other part of the Boards's regulations, there is no effect with this repealed rule language.

(c) Will the rulemaking have an indirect effect that may result in increased administrative costs? Will there be any change in requirements such as filing, documentation, reporting or completion of forms? Compare to current requirements.

No increased administrative costs are anticipated.