

Board Proposes Second-Notice Amendments to Procedural Rules for Greater Use of Digital Technology in Board Proceedings, R16-17

On April 21, 2016, the Board proposed second-notice amendments to its procedural rules that will decrease the costs of conducting rulemakings and adjudicatory cases. At the same time, the amendments will increase opportunities for citizens to participate in these proceedings. The Board will achieve these objectives primarily by expanding uses of digital technology, including electronic filing, e-mail service, and videoconference hearings. The amendments will reduce travel, printing, copying, and paper mailings, while making it easier to review filings on-line and attend Board hearings. These benefits will inure to the public, the parties, and the Board. In addition, several clarifying amendments were proposed, including specifying how to calculate the timeframe for appealing final Board actions. The second-notice amendments will now be reviewed by the Joint Committee on Administrative Rules. The rulemaking is captioned Procedural Rule Amendments: Proposed Amendments to 35 Ill. Adm. Code 101 through 125, docket R16-17.

In its second-notice opinion and order, the Board responded to public comments on the first-notice proposal. The comments centered mainly upon four issues. First, although the rules will allow for holding more videoconference hearings, these hearings will not be held far from affected members of the public. Nor will they be held without regard for the parties' preferences. Second, the rules will require some documents to be filed electronically, but not without exceptions when filing in paper is necessary. Third, the rules will enable more documents to be served by e-mail, but only when the recipient has clearly agreed to accept e-mail service instead of receiving paper. Fourth, the rules call for hearing notices to be given in the *Illinois Register* rather than in newspapers, but only when the law does not require newspaper notice. This will occur in only a few types of rulemakings. For them, using the *Illinois Register* will save the Board thousands of dollars per hearing notice, which is especially important during the State's on-going budget crisis.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's website (www.ipcb.state.il.us) and may be downloaded without charge. Hard copies may be obtained from the Clerk's Office (Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601) upon paying reproduction fees as prescribed by the Freedom of Information Act. For more information, please contact Daniel Robertson at 312-814-6931 or daniel.robertson@illinois.gov.