

2010

ILLINOIS

REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



Volume 34, Issue 27
July 2, 2010
Pages 8494-8790

Index Department
Administrative Code Division
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017
<http://www.cyberdriveillinois.com>

Printed on recycled paper

PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

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INTRODUCTION

The Illinois Register is the official State document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or preemptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register. The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings. The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2010

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
1	December 21, 2009	January 4, 2010
2	December 28, 2009	January 8, 2010
3	January 4, 2010	January 15, 2010
4	January 11, 2010	January 22, 2010
5	January 19, 2010	January 29, 2010
6	January 25, 2010	February 5, 2010
7	February 1, 2010	February 16, 2010
8	February 8, 2010	February 19, 2010
9	February 16, 2010	February 26, 2010
10	February 22, 2010	March 5, 2010
11	March 1, 2010	March 12, 2010
12	March 8, 2010	March 19, 2010
13	March 15, 2010	March 26, 2010
14	March 22, 2010	April 2, 2010
15	March 29, 2010	April 9, 2010
16	April 5, 2010	April 16, 2010
17	April 12, 2010	April 23, 2010
18	April 19, 2010	April 30, 2010
19	April 26, 2010	May 7, 2010
20	May 3, 2010	May 14, 2010
21	May 10, 2010	May 21, 2010
22	May 17, 2010	May 28, 2010
23	May 24, 2010	June 4, 2010
24	June 1, 2010	June 11, 2010

<u>Issue #</u>	<u>Rules Due Date</u>	<u>Date of Issue</u>
25	June 7, 2010	June 18, 2010
26	June 14, 2010	June 25, 2010
27	June 21, 2010	July 2, 2010
28	June 28, 2010	July 9, 2010
29	July 6, 2010	July 16, 2010
30	July 12, 2010	July 23, 2010
31	July 19, 2010	July 30, 2010
32	July 26, 2010	August 6, 2010
33	August 2, 2010	August 13, 2010
34	August 9, 2010	August 20, 2010
35	August 16, 2010	August 27, 2010
36	August 23, 2010	September 3, 2010
37	August 30, 2010	September 10, 2010
38	September 7, 2010	September 17, 2010
39	September 13, 2010	September 24, 2010
40	September 20, 2010	October 1, 2010
41	September 27, 2010	October 8, 2010
42	October 4, 2010	October 15, 2010
43	October 12, 2010	October 22, 2010
44	October 18, 2010	October 29, 2010
45	October 25, 2010	November 5, 2010
46	November 1, 2010	November 12, 2010
47	November 8, 2010	November 19, 2010
48	November 15, 2010	November 29, 2010
49	November 22, 2010	December 3, 2010
50	November 29, 2010	December 10, 2010
51	December 6, 2010	December 17, 2010
52	December 13, 2010	December 27, 2010
53	December 20, 2010	January 3, 2011

Editor's Note: The Regulatory Agenda submission period will end July.1, 2010. The Division will no longer accept Regulatory Agendas after that time. The filing period for January 2011 will start October 1, 2010 with the last day to file being January 3, 2011.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1800.110	Amendment
1800.520	Amendment
1800.610	Amendment
1800.615	Amendment
1800.650	Amendment
1800.910	New Section
1800.920	New Section
1800.930	New Section
1800.1010	New Section
1800.1020	New Section
1800.1030	New Section
1800.1040	New Section
1800.1050	New Section
1800.1060	New Section
1800.1070	New Section
1800.1110	New Section
- 4) Statutory Authority: Implementing and authorized by the Video Gaming Act [230 ILCS 40]
- 5) A Complete Description of the Subjects and Issues Involved: These amendments implement the provisions of the Video Gaming Act enacted by Public Act 96-34 and amended by Public Acts 96-37 and 96-38. The Video Gaming Act authorizes installation of video gaming terminals used for wagering purposes in various categories of licensed locations, and provides for the distribution of specified percentages of video gaming revenues to State and local governments for designated purposes. The Illinois Gaming Board is responsible for administering and enforcing the Video Gaming Act.

The Board's initial set of rules to implement the provisions of the Video Gaming Act became effective as emergency rules on October 19, 2009 (33 Ill. Reg. 14793), and were adopted as permanent rules effective February 22, 2010 (34 Ill. Reg. 2893). The present set of amendments supplements the initial rules by adding the following provisions:

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

In Section 1800.110, 20 new definitions are added, including definitions for the following:

- Affiliated entity;
- Attributed interest;
- Enforce a security interest;
- EPROM [Erasable, Programmable, Read Only memory];
- Game;
- Gaming;
- Gaming operation;
- Gaming property collateral;
- Institutional investor;
- Liquor license;
- Major components or parts;
- Ownership interest;
- Person with significant interest and control;
- Secured party;
- Security;
- Security agreement;
- Security interest;
- Sole proprietor;
- Substantial interest; and
- Video gaming equipment.

Eight existing definitions are amended in Section 1800.110. These amendments are necessitated by changes in statutory law.

Subpart E—Licensing Procedures is amended in Section 1800.520—Applications. New subsections are added to Section 1800.520 pertaining to submission of additional forms or materials; institutional investors; application procedures; amendments and incorporations by reference; and withdrawals of applications.

Subpart F—Denials of Applications for Licensure is modified to reflect the new rule provisions dealing with security interests and enforcement procedures and requirements. If there is a denial of a security enforcement request, there must be a mechanism available to contest that decision. The new provisions in Subpart F establish this mechanism.

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

New Subpart I is entitled "Security Interests". As already noted, Section 1800.110 adds a new definition of "gaming property collateral". Subpart I establishes that the Illinois Gaming Board must approve any enforcement of a security interest, and sets forth procedures for approval.

New Subpart J regulates the transportation and distribution of video gaming terminals, both within Illinois and into and out of the State.

New Subpart K regulates the relationships between the Illinois Gaming Board and units of local government by requiring mutual notifications between the two levels of government.

- 6) Published studies or reports, and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any proposed rulemakings to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: A public hearing on the proposed rulemaking will be held at the following time and location:

Tuesday, July 20 at 10 A.M.
Michael A. Bilandic Building
5th Floor Auditorium
160 N. LaSalle Street
Chicago Illinois

Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this Notice in the *Illinois Register* to:

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENTS

Michael Fries
General Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago, Illinois 60601

Fax No. 312/814-4143
michael.fries@igb.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of businesses affected: Manufacturers, distributors, suppliers, terminal operators, licensed terminal handlers, licensed technicians, licensed establishments, licensed truck stop establishments, licensed veterans establishments, and licensed fraternal establishments, as defined in Section 5 of the Video Gaming Act [230 ILCS 10].
 - B) Reporting, bookkeeping or other procedures required for compliance: Licensed terminal operators (as defined in Section 5 of the Act) must maintain accounting records in compliance with the Act for tax purposes. There are additional reporting requirements for manufacturers or distributors seeking to transport video gaming terminals as well as for persons seeking to enforce security interests.
 - C) Types of professional skills necessary for compliance: Skills in information technology, auditing and accounting.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized on a regulatory agenda.

The full text of the Proposed Amendments are identical to that of the Emergency Amendments and can be found in this issue of the *Illinois Register* on page 8589.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Child Care
- 2) Code Citation: 89 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u> 50.310 50.320	<u>Proposed Action:</u> Amendment Amendment
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- 4) Statutory Authority: Implementing Article I through IXA and authorized by Sections 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking is being proposed to establish that during the period of May 1, 2010 through September 30, 2011, or as rulemaking also deletes the provisions for households receiving care for less than 5 hours per day.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers:</u> 50.260 50.610	<u>Proposed Action:</u> New Section Amendment	<u>Illinois Register Citation:</u> 33 Ill. Reg. 15979; November 20, 2009 34 Ill. Reg. 7010; May 21, 2010
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- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

217/785-9772

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because it was not anticipated by the Department with the two most recent regulatory agendas were published.

The full text of the Proposed Amendments are identical to that of the Emergency for this rulemaking, and begins in this issue of the *Illinois Register* on page 8619:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: General Provisions
- 2) Code Citation: 35 Ill. Adm. Code 101
- 3) Section Number: 101.304 Proposed Action:
Amend
- 4) Statutory Authority: Implementing Section 10 and authorized by Sections 10, 26 and 28 of the Environmental Protection Act [415 ILCS 5/10, 26, and 28]
- 5) A Complete Description of the Subjects and Issues Involved: This proposal will amend the Illinois Attorney General's mailing address and the Illinois Department of Natural Resources mailing address to be used for service of documents filed with the Illinois Pollution Control Board.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b) (2008)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R10-22 and be addressed to:

John Therriault
Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

Chicago, IL 60601

Interested persons may request copies of the Board's opinion and order by calling the Clerk's office at 312/814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information, contact hearing officer Marie Tipsord at 312/814-4925 or email at tipsorm@ipcb.state.il.us.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipalities, and not-for-profit will have to use the new address when serving documents on the Illinois Attorney General's Office and the Illinois Department of Natural Resources.
 - B) Reporting, bookkeeping or other procedures required for compliance: The proposed amendment may require some minor bookkeeping issues such as changing the address in their computer database and/or Microsoft Outlook mail folder.
 - C) Types of Professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of two most recent regulatory agendas: The Board had not anticipated a request to change the addresses in the Board's procedural rules.

The full text of the Proposed Amendment begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER I: POLLUTION CONTROL BOARD

PART 101
GENERAL RULES

SUBPART A: GENERAL PROVISIONS

Section	
101.100	Applicability
101.102	Severability
101.104	Repeals
101.106	Board Authority
101.108	Board Proceedings
101.110	Public Participation
101.112	Bias and Conflict of Interest
101.114	Ex Parte Communications

SUBPART B: DEFINITIONS

Section	
101.200	Definitions Contained in the Act
101.202	Definitions for Board's Procedural Rules

SUBPART C: COMPUTATION OF TIME, FILING, SERVICE
OF DOCUMENTS, AND STATUTORY DECISION DEADLINES

Section	
101.300	Computation of Time
101.302	Filing of Documents
101.304	Service of Documents
101.306	Incorporation of Documents by Reference
101.308	Statutory Decision Deadlines and Waiver of Deadlines

SUBPART D: PARTIES, JOINDER, AND CONSOLIDATION

Section	
101.400	Appearances, Withdrawals, and Substitutions of Attorneys in Adjudicatory

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

Proceedings

- 101.402 Intervention of Parties
- 101.403 Joinder of Parties
- 101.404 Agency as a Party in Interest
- 101.406 Consolidation of Claims
- 101.408 Severance of Claims

SUBPART E: MOTIONS

Section

- 101.500 Filing of Motions and Responses
- 101.502 Motions Directed to the Hearing Officer
- 101.504 Contents of Motions and Responses
- 101.506 Motions Attacking the Sufficiency of the Petition, Complaint, or Other Pleading
- 101.508 Motions to Board Preliminary to Hearing
- 101.510 Motions to Cancel Hearing
- 101.512 Motions for Expedited Review
- 101.514 Motions to Stay Proceedings
- 101.516 Motions for Summary Judgment
- 101.518 Motions for Interlocutory Appeal from Hearing Officer Orders
- 101.520 Motions for Reconsideration
- 101.522 Motions for Extension of Time

SUBPART F: HEARINGS, EVIDENCE, AND DISCOVERY

Section

- 101.600 Hearings
- 101.602 Notice of Board Hearings
- 101.604 Formal Board Transcript
- 101.606 Informal Recordings of the Proceedings
- 101.608 Default
- 101.610 Duties and Authority of the Hearing Officer
- 101.612 Schedule to Complete the Record
- 101.614 Production of Information
- 101.616 Discovery
- 101.618 Admissions
- 101.620 Interrogatories
- 101.622 Subpoenas and Depositions
- 101.624 Examination of Adverse, Hostile or Unwilling Witnesses

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

101.626	Information Produced at Hearing
101.628	Statements from Participants
101.630	Official Notice
101.632	Viewing of Premises

SUBPART G: ORAL ARGUMENT

Section	
101.700	Oral Argument

SUBPART H: SANCTIONS

Section	
101.800	Sanctions for Failure to Comply with Procedural Rules, Board Orders, or Hearing Officer Orders
101.802	Abuse of Discovery Procedures

SUBPART I: REVIEW OF FINAL BOARD OPINIONS AND ORDERS

Section	
101.902	Motions for Reconsideration
101.904	Relief from and Review of Final Opinions and Orders
101.906	Judicial Review of Board Orders
101.908	Interlocutory Appeal

101.APPENDIX A	Captions	
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101.ILLUSTRATION B	Citizen's Enforcement Case	
101.ILLUSTRATION C	Variance	
101.ILLUSTRATION D	Adjusted Standard Petition	
101.ILLUSTRATION E	Joint Petition for an Adjusted Standard	
101.ILLUSTRATION F	Permit Appeal	
101.ILLUSTRATION G	Underground Storage Tank Appeal	
101.ILLUSTRATION H	Pollution Control Facility Siting Appeal	
101.ILLUSTRATION I	Administrative Citation	
101.ILLUSTRATION J	General Rulemaking	
101.ILLUSTRATION K	Site-specific Rulemaking	
101.APPENDIX B	Appearance Form	
101.APPENDIX C	Withdrawal of Appearance Form	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 101.APPENDIX D Notice of Filing
 101.APPENDIX E Certificate of Service
 101.ILLUSTRATION A Service by Non-Attorney
 101.ILLUSTRATION B Service by Attorney
 101.APPENDIX F Notice of Withdrawal (Repealed)
 101.APPENDIX G Comparison of Former and Current Rules (Repealed)

AUTHORITY: Implementing Sections 5, 7.1, 7.2, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 40, 40.1, 40.2, 41, and 58.7 of the Environmental Protection Act (Act) [415 ILCS 5/5, 7.1, 7.2, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 40, 40.1, 40.2, 41, and 58.7] and authorized by Sections 26 and 27 of the Act [415 ILCS 5/26 and 27].

SOURCE: Filed with Secretary of State January 1, 1978; codified 6 Ill. Reg. 8357; Part repealed, new Part adopted in R88-5A at 13 Ill. Reg. 12055, effective July 10, 1989; amended in R90-24 at 15 Ill. Reg. 18677, effective December 12, 1991; amended in R92-7 at 16 Ill. Reg. 18078, effective November 17, 1992; old Part repealed, new Part adopted in R00-20 at 25 Ill. Reg. 446, effective January 1, 2001; amended in R04-24 at 29 Ill. Reg. 8743, effective June 8, 2005; amended in R06-9 at 29 Ill. Reg. 19666, effective November 21, 2005; amended in R07-17 at 31 Ill. Reg. 16110, effective November 21, 2007; amended in R10-22 at 34 Ill. Reg. _____, effective _____.

SUBPART C: COMPUTATION OF TIME, FILING, SERVICE
 OF DOCUMENTS, AND STATUTORY DECISION DEADLINES

Section 101.304 Service of Documents

- a) Service Requirements. This Section contains the Board's general service requirements. However, the more specific Part for a proceeding type may contain additional requirements.
- b) Duty to Serve. Parties in Board adjudicatory proceedings are responsible for service of all documents they file with the Clerk's Office. Proof of service of initial filings must be filed with the Board upon completion of service.
- c) Method of Service. Service may be effectuated by U.S. Mail or other mail delivery service, in person, by messenger, or as prescribed in Section 101.302(d), except for service of enforcement complaints and administrative citations which must be made personally, by registered or certified mail, or by messenger service. Proof of service of enforcement complaints and administrative citations must be

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

filed with the Board upon completion of service.

- d) Affidavit or Certificate of Service. A proceeding is subject to dismissal, and parties are subject to sanctions in accordance with Section 101.800 of this Part, if service is not timely made. Proof of proper service is the responsibility of the party filing and serving the document. An affidavit of service or certificate of service must accompany all filings of all parties. A sample form of the affidavit of service and certificate of service is available at the Board's Offices (the locations of the Board's Offices are listed at 2 Ill. Adm. Code 2175.115) and may be obtained electronically at the Board's Web site.
- e) Service of Amicus Curiae Briefs. Any person who files an amicus curiae brief with the Board in any proceeding must serve copies of that brief on all parties in accordance with this Section.
- f) Service of Comments of Participants in an Adjudicatory Proceeding. Participants are required to serve their comments upon the parties to the proceeding. The Board will consider the comments as time and the Act or other applicable law allow.
- g) Service on State Agencies. Service must be at the addresses listed below unless a specific person has an appearance on file with the Board.
 - 1) Service on the Illinois Environmental Protection Agency (Agency). The Agency must be served at the following address:

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
 - 2) Service on Office of State Fire Marshal (OSFM). The OSFM must be served at:

Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
1035 Stevenson Dr.
Springfield, IL 62703

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 3) Service on the Illinois Attorney General. The Office of the Attorney General must be served at:

Division Chief of Environmental Enforcement
Office of the Attorney General
100 West Randolph St., Suite 1200
~~188 West Randolph St., 20th Floor~~
Chicago, IL 60601

- 4) Service on the Illinois Department of Natural Resources (DNR) must be served at:

Office of Legal Services
Illinois Department of Natural Resources
One Natural Resources Way
~~524 S. Second St.~~
Springfield, IL ~~62702-1271~~62701-1787

- 5) Service on the Illinois Department of Transportation (IDOT). IDOT must be served at:

Office of Chief Counsel
DOT Administration Building
2300 S. Dirksen Parkway, Room 300
Springfield, IL 62764

- 6) Service on Region V of the United States Environmental Protection Agency (USEPA). USEPA Region V must be served at:

USEPA, Region V
77 West Jackson
Chicago, IL 60604

(Source: Amended at 34 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Permits and General Provisions
- 2) Code Citation: 35 Ill. Adm. Code 201
- 3) Section Number: 201.162 Proposed Action:
Amend
- 4) Statutory Authority: Implementing and authorized by Sections 10 and 27 of the Illinois Environmental Protection Act [415 ILCS 5/10 and 27]
- 5) A Complete Description of the Subjects and Issues Involved: This proposal will amend the Board's regulations that affect the permitting of synthetic minor sources and non-major sources. The proposal extends the duration of federally enforceable state operating permits (FESOPs) from 5 to 10 years unless the source is required to obtain a Clean Air Act Permit Program permit pursuant to Section 39.5 of the Illinois Environmental Protection Act ("Act") and not exempt pursuant to subsection 1.1 of Section 39.5 of the Act. [415 ILCS 5/39.5(1.1)]
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comments on this proposal for a period of 45 days after the date of publication in the *Illinois Register*. Comments should reference Docket R10-21 and be addressed to:

John Therriault
Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

Interested persons may request copies of the Board's opinion and order in R10-19 by calling the Clerk's office at 312/814-3620, or may download copies from the Board's Web site at www.ipcb.state.il.us.

For more information, contact hearing officer Kathleen Crowley at 312/814-6929 or e-mail at crowlek@ipcb.state.il.us.

- 12) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Any small businesses, small municipalities, or not-for-profit corporations that are required or decide to obtain a FESOP or synthetic minor operating permit could be affected by the proposed amendments.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of Professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 2010
- 14) Does this amendment require the review of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code [30 ILCS 500/5-25]? No

The full text of the Proposed Amendment begins on the next page:

POLLUTION CONTROL BOARD

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 201
PERMITS AND GENERAL PROVISIONS

SUBPART A: DEFINITIONS

Section	
201.101	Other Definitions
201.102	Definitions
201.103	Abbreviations and Units
201.104	Incorporations by Reference

SUBPART B: GENERAL PROVISIONS

Section	
201.121	Existence of Permit No Defense
201.122	Proof of Emissions
201.123	Burden of Persuasion Regarding Exceptions
201.124	Annual Report
201.125	Severability
201.126	Repealer

SUBPART C: PROHIBITIONS

Section	
201.141	Prohibition of Air Pollution
201.142	Construction Permit Required
201.143	Operating Permits for New Sources
201.144	Operating Permits for Existing Sources
201.146	Exemptions from State Permit Requirements
201.147	Former Permits
201.148	Operation Without Compliance Program and Project Completion Schedule
201.149	Operation During Malfunction, Breakdown or Startups
201.150	Circumvention
201.151	Design of Effluent Exhaust Systems

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SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS

Section

201.152	Contents of Application for Construction Permit
201.153	Incomplete Applications (Repealed)
201.154	Signatures (Repealed)
201.155	Standards for Issuance (Repealed)
201.156	Conditions
201.157	Contents of Application for Operating Permit
201.158	Incomplete Applications
201.159	Signatures
201.160	Standards for Issuance
201.161	Conditions
201.162	Duration
201.163	Joint Construction and Operating Permits
201.164	Design Criteria
201.165	Hearings
201.166	Revocation
201.167	Revisions to Permits
201.168	Appeals from Conditions
201.169	Special Provisions for Certain Operating Permits
201.170	Portable Emission Units

SUBPART E: SPECIAL PROVISIONS FOR OPERATING
PERMITS FOR CERTAIN SMALLER SOURCES

Section

201.180	Applicability (Repealed)
201.181	Expiration and Renewal (Repealed)
201.187	Requirement for a Revised Permit (Repealed)

SUBPART F: CAAPP PERMITS

Section

201.207	Applicability
201.208	Supplemental Information
201.209	Emissions of Hazardous Air Pollutants
201.210	Categories of Insignificant Activities or Emission Levels
201.211	Application for Classification as an Insignificant Activity
201.212	Revisions to Lists of Insignificant Activities or Emission Levels

POLLUTION CONTROL BOARD

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SUBPART G: EXPERIMENTAL PERMITS (Reserved)

SUBPART H: COMPLIANCE PROGRAMS AND
PROJECT COMPLETION SCHEDULES

Section	
201.241	Contents of Compliance Program
201.242	Contents of Project Completion Schedule
201.243	Standards for Approval
201.244	Revisions
201.245	Effects of Approval
201.246	Records and Reports
201.247	Submission and Approval Dates

SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS

Section	
201.261	Contents of Request for Permission to Operate During a Malfunction, Breakdown or Startup
201.262	Standards for Granting Permission to Operate During a Malfunction, Breakdown or Startup
201.263	Records and Reports
201.264	Continued Operation or Startup Prior to Granting of Operating Permit
201.265	Effect of Granting of Permission to Operate During a Malfunction, Breakdown or Startup

SUBPART J: MONITORING AND TESTING

Section	
201.281	Permit Monitoring Equipment Requirements
201.282	Testing
201.283	Records and Reports

SUBPART K: RECORDS AND REPORTS

Section	
201.301	Records
201.302	Reports

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SUBPART L: CONTINUOUS MONITORING

Section	
201.401	Continuous Monitoring Requirements
201.402	Alternative Monitoring
201.403	Exempt Sources
201.404	Monitoring System Malfunction
201.405	Excess Emission Reporting
201.406	Data Reduction
201.407	Retention of Information
201.408	Compliance Schedules

201.APPENDIX A	Rule into Section Table
201.APPENDIX B	Section into Rule Table
201.APPENDIX C	Past Compliance Dates

AUTHORITY: Implementing Sections 10, 39, and 39.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/10, 27, 39, and 39.5].

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 15 Ill. Reg. 17710, effective November 26, 1991; amended in R93-11 at 17 Ill. Reg. 21483, effective December 7, 1993; amended in R94-12 at 18 Ill. Reg. 15002, effective September 21, 1994; amended in R94-14 at 18 Ill. Reg. 15760, effective October 17, 1994; amended in R96-17 at 21 Ill. Reg. 7878, effective June 17, 1997; amended in R98-13 at 22 Ill. Reg. 11451, effective June 23, 1998; amended in R98-28 at 22 Ill. Reg. 11823, effective July 31, 1998; amended in R02-10 at 27 Ill. Reg. 5820, effective March 21, 2003; amended in R05-19 and R05-20 at 30 Ill. Reg. 4901, effective March 3, 2006; amended in R07-19 at 33 Ill. Reg. 11965, effective August 6, 2009; amended in R10-21 at 34 Ill. Reg. _____, effective _____.

SUBPART D: PERMIT APPLICATIONS AND REVIEW PROCESS

Section 201.162 Duration

- a) No operating permit shall be valid longer than tenfive years or such shorter period as the Agency may specify in the operating permit as necessary to accomplish the

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purposes of the Act and this Chapter, unless the source is subject to:

- 1) Section 201.169 of this Subpart; or
- 2) Section 39.5 of the Act, except for sources exempt pursuant to Section 39.5(1.1).

b) Applications for renewal of an operating permit shall be submitted to the Agency at least 90 days prior to the expiration of the prior permit, and shall conform to Sections 201.157, 201.158 and 201.159. The standards for issuance of renewal of operating permits shall be as set forth in Section 201.160.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Recovery of Benefits
- 2) Code Citation: 56 Ill. Adm. Code 2835
- 3) Section Number: 2835.100 Adopted Action:
New
- 4) Statutory Authority: Implementing and authorized by Sections 601, 900, 901, 1700 and 1706 of the Unemployment Insurance Act [820 ILCS 405/601, 900, 901, 1700 and 1706]
- 5) Effective Date of Rulemaking: June 16, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 5, 2010; 34 Ill. Reg. 1762
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Minor grammatical changes were made to Part 2835.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking explains the techniques used by the Department for detecting benefit fraud and the ramifications of such fraud.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Gregory J. Ramel, Deputy Legal Counsel

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT

Illinois Department of Employment Security
33 South State Street – Room 937
Chicago, Illinois 60603

312/793-2333
gregory.ramel@illinois.gov

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER e: RIGHTS AND DUTIES OF EMPLOYEESPART 2835
RECOVERY OF BENEFITS

SUBPART A: GENERAL PROVISIONS

Section

2835.1	Recovery of Benefits by Recoupment
2835.5	Amounts Recoverable by Recoupment
2835.10	Time Limits Within Which to Recoup Benefits
2835.15	Extent of Recoupment
2835.20	Notice of Recoupment Decision
2835.25	Reconsideration Or Appeal Of Recoupment Decision
2835.30	Waiver Of Recoupment
2835.33	Waiver of Recovery (TRA)
2835.35	Benefits Received With Fault
2835.40	Benefits Received Without Fault
2835.45	Recoupment Against Equity and Good Conscience
2835.50	Request For And Decision Regarding Waiver Of Recoupment
2835.55	Reconsideration Or Appeal Of Denial Of Request For Waiver
2835.60	Periods When Waiver Of Recoupment Allowed
2835.65	Waiver Certifications By Mail

SUBPART B: DETECTION OF OVERPAYMENTS2835.100 Cross-Matching

2835.TABLE A Recoupment Matrix

AUTHORITY: Implementing and authorized by Sections 601, 900, 901, 1700, 1701 and 1706 of the Unemployment Insurance Act [820 ILCS 405/601, 900, 901, 1700, 1701 and 1706].

SOURCE: 56 Ill. Adm. Code 800: Subpart F adopted at 7 Ill. Reg. 383, effective December 23, 1982; recodified to 56 Ill. Adm. Code 800: Subpart D at 8 Ill. Reg. 6037; recodified to 56 Ill. Adm. Code 2835 at 8 Ill. Reg. 15032; emergency amendment at 8 Ill. Reg. 19687, effective September 28, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 2493, effective

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February 13, 1985; amended at 9 Ill. Reg. 16225, effective October 15, 1985; amended at 10 Ill. Reg. 12776, effective July 14, 1986; amended at 11 Ill. Reg. 7626, effective April 14, 1987; emergency amendment at 12 Ill. Reg. 231, effective January 1, 1988, for a maximum of 150 days; emergency expired May 30, 1988; amended at 12 Ill. Reg. 11746, effective July 5, 1988; amended at 32 Ill. Reg. 18978, effective December 1, 2008; emergency amendment at 34 Ill. Reg. 2330, effective January 19, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 8515, effective June 16, 2010.

SUBPART B: DETECTION OF OVERPAYMENTSSection 2835.100 Cross-Matching

The Department regularly matches its benefit payments records against the Illinois Directory of New Hires and the Department's own wage record system. Where the cross-matches suggest the possibility that a claimant has worked during the period for which he or she was claiming benefits, the Department will investigate further.

Example: An individual receives regular State benefits for the week beginning January 18, 2009, continuing through April 18, 2009. In certifying to his/her continued eligibility for benefits for those weeks, the individual indicates he/she did not work during any of those weeks. A December 2009 cross-match against the Department's wage records for the first quarter of 2009 indicates the individual worked and was paid wages during that quarter. The follow-up investigation results in a determination, dated December 14, 2009, that the individual fraudulently claimed benefits for the week beginning January 18, 2009 through April 18, 2009, a total of 13 weeks, and the determination becomes legally final. The individual files a new claim for benefits, effective January 24, 2010, without yet having repaid any of the benefits he/she fraudulently obtained. The individual will not receive any benefits until he/she repays the entire amount fraudulently received. After repaying the benefits, the individual will remain ineligible for benefits under Section 901 of the Act [820 ILCS 405/901] until he/she has served 26 "penalty weeks" or December 18, 2011, whichever occurs first. A penalty week is a week in which the claimant is otherwise eligible to receive benefits but is precluded from doing so because of a fraud determination. Six penalty weeks are assessed for the first week for which a claimant fraudulently obtained benefits, and two penalty weeks are assessed for each week thereafter for which the claimant fraudulently obtained benefits, up to a maximum of 26 penalty weeks. There is no durational limit on an individual's liability to repay fraudulently obtained benefits. The individual is also subject to criminal prosecution under the State Benefits Fraud Act [720 ILCS 5/17-6] for the fraudulent receipt of benefits. A conviction for State benefits fraud can result in imprisonment for generally up

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to five years and a fine of generally up to \$25,000. The individual is also subject to a civil lawsuit for recovery of the overpayments.

(Source: Added at 34 Ill. Reg. 8515, effective June 16, 2010)

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- 1) Heading of the Part: Claimant's Reason For Separation From Work
- 2) Code Citation: 56 Ill. Adm. Code 2840
- 3) Section Number: 2840.101 Adopted Action: New
- 4) Statutory Authority: Implementing and authorized by Sections 601, 602, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/601, 602, 1700 and 1701]
- 5) Effective Date of the Amendment: June 16, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 5, 2010; 34 Ill. Reg. 1764
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposal and final version: Minor grammatical changes were made to Part 2840.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? Yes
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking explains the principles to be applied in interpreting the provisions of Section 601 of the Act involving voluntary leaving.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Gregory J. Ramel, Deputy Legal Counsel

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT

Illinois Department of Employment Security
33 South State Street – Room 937
Chicago, Illinois 60603

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The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF EMPLOYMENT SECURITY

NOTICE OF ADOPTED AMENDMENT

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY
SUBCHAPTER f: ELIGIBILITY FOR BENEFITSPART 2840
CLAIMANT'S REASON FOR SEPARATION FROM WORK

SUBPART A: MISCONDUCT

Section
2840.25 What Is Meant By "Harm"

SUBPART B: VOLUNTARY LEAVE

Section
[2840.101](#) [General Principles for Interpreting Section 601 of the Act \[820 ILCS 405/601\]](#)
2840.125 Early Retirement Or Employment Buyout Packages

AUTHORITY: Implementing and authorized by Sections 601, 602, 1700 and 1701 of the Unemployment Insurance Act [820 ILCS 405/601, 602, 1700 and 1701].

SOURCE: Adopted at 17 Ill. Reg. 10270, effective June 29, 1993; amended at 17 Ill. Reg. 17929, effective October 4, 1993; emergency amendment at 34 Ill. Reg. 2335, effective January 19, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 8520, effective June 16, 2010.

SUBPART B: VOLUNTARY LEAVING

[Section 2840.101 General Principles for Interpreting Section 601 of the Act \[820 ILCS 405/601\]](#)

- a) [For an individual's separation from work to be a voluntary leaving, the individual must have the option to remain employed by the employing unit. The separation is a discharge if the individual does not have the option to remain employed by the employing unit. Notwithstanding any other provision to the contrary, when obtaining or maintaining a "tool of the trade" necessary to perform a job, including but not limited to an occupational or other license required by federal or State law, is within an individual's control, a work separation that results from the individual's failure to obtain or maintain the tool of the trade is a voluntary leaving. An individual who is allowed to resign in lieu of discharge is considered as having been discharged.](#)

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- 1) Example: The individual is told that he/she will be discharged because of his/her poor attendance. However, in order to avoid having a discharge on his/her record, he/she is allowed to submit a resignation. This separation is not a voluntary leaving because the individual does not have the option to remain employed.
- 2) Example: The employing unit tells the individual that his/her position on the second shift has been eliminated. However, a position is available to the claimant on the first shift. The individual leaves rather than accept the first shift. This is a voluntary leaving.
- 3) Example: An individual is involved in an automobile accident, will be unable to work until released by his/her doctor and so advises his/her employer. The employing unit advises the individual that it cannot offer him/her a leave of absence and cannot keep his/her job open. This is a discharge because the employing unit has not given the individual the option of remaining employed.
- 4) Example: On Day 1, upon returning home from work, an individual is advised by his/her babysitter that, effective immediately, the sitter can no longer watch the individual's two pre-school children. Before work on Day 2, the individual telephones his/her employer to advise it of the situation and says he/she may need a few days to find a new sitter. The employer indicates that he/she must come to work that day or it will consider him/her as having resigned. On Day 3, he/she telephones the employer to advise that he/she has some leads for a new sitter, but will need a few more days. He/she is advised the employer has accepted his/her resignation. The individual was discharged. By presenting the individual with the choice between keeping his/her job and ensuring his/her two pre-school children were properly attended, the employer did not provide the individual with the opportunity to remain employed.
- 5) Example: Upon returning home from work, an individual is advised by his/her babysitter that, effective immediately, the sitter can no longer watch the individual's two pre-school children. Before work the next day, the individual telephones his/her employer to advise it of the situation. The employer acknowledges the importance of finding a sitter with whom the individual is comfortable, indicates the company will work around his/her absence while he/she looks for a sitter and instructs him/her to telephone it

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at the end of two weeks if he/she still has not found a sitter. Without contacting the employer in the interim, he/she reports to work at the employer's premises one month later. He/she is advised that the employer assumed he/she was no longer interested in the job and hired a replacement, and there is no work available to him/her. The individual left work voluntarily. He/she had the option to remain in contact with his/her employer and thereby preserve the possibility of returning to work but did not avail himself/herself of that option.

- 6) Example: An individual's job requires that he/she maintain a valid driver's license. After learning that the individual's driver's license has been suspended because of traffic violations, the employing unit instructs the individual that it no longer needs his/her services. The separation is considered a voluntary leave. The individual failed to maintain a tool of his/her trade, in this case, a valid driver's license.
- 7) Example: An individual is hired with the understanding that he/she must pass a State mandated licensing test within one year of his/her date of hire. The individual takes all of the training courses available to prepare for the test but still fails it on three occasions. The individual is told that his/her services are no longer needed as a result of his/her failure to obtain the required license by the one-year deadline. The resulting separation is not a voluntary leaving because the individual made a reasonable and substantial effort to obtain the required license. Obtaining the license was not within his/her control, and he/she did not have the option to remain employed by the employing unit.
- 8) Example: Pursuant to the terms of the collective bargaining agreement governing labor-management relations at the individual's workplace, the payment of union dues was a condition of employment. The individual refused to pay the dues, although he/she was financially able to do so. After the individual ignored warnings from the employer that he/she needed to pay the dues, the employer indicated that it was no longer able to employ him/her. The separation was a voluntary leave. The individual had the option of remaining employed by paying the dues, which he/she had the means to do, but failed to avail himself/herself of that option.
- 9) Example: Rumors of a shutdown circulate within a plant, although the employer has not given any indication that it intends to close the plant or lay off any employees. After hearing the rumors, a worker at the plant

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quits to begin looking for work elsewhere, indicating he/she is not going to wait around to find out what happens at the plant. The separation was a voluntary leave, since the worker had the option of remaining at the plant.

- 10) Example: An individual becomes temporarily bed ridden after contracting the flu on a Sunday. When he/she telephones the employer the following day (Monday) to indicate that he/she is unable to go to work, the employer indicates that if he/she is not at work by the next day (Tuesday), he/she will be considered as having resigned. The individual is unable to return to work on Tuesday. When he/she calls the employer on Tuesday to indicate he/she is still unable to go to work, the employer indicates that it has accepted the individual's resignation. The individual was discharged. He/she did not have the option of remaining employed by the employer.

- b) An individual has good cause for leaving work when there is a real and substantial reason that would compel a reasonable person who was genuinely desirous of remaining employed to leave work and the individual has made a reasonable effort to resolve the cause of his/her leaving, when such effort is possible.

- 1) Example: When hired, the individual commuted 5 miles each way to work. The employing unit then relocated its plant to a town over 150 miles from the individual's residence, causing a substantial increase in the individual's commuting costs and commuting time. As a result, the individual leaves his/her job. The individual had good cause for leaving work.
- 2) Example: An individual retires at the same time a coworker retires, because he/she believes work would not be as enjoyable without the coworker. The individual does not have good cause for leaving the job.
- 3) Example: An individual's paychecks are repeatedly returned due to insufficient funds, despite the individual's numerous complaints to the employer. Upon having yet another paycheck returned due to insufficient funds, the individual resigns. The individual has good cause for leaving the job.
- 4) Example: When hired, the individual was able to walk to work from his/her home in 15 minutes. Thereafter, the employing unit relocates to a distance approximately 5 miles from the individual's home, requiring the individual to use public transportation. The commute on public

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transportation is approximately 45 minutes each way. The individual quits his/her job because of the increase in commuting time. The individual does not have good cause for quitting.

- c) To be attributable to an individual's employing unit, his or her reason for leaving work must be within the control of the employing unit. Situations in which the reason for leaving is attributable to the employer include, but are not limited to, situations in which the employing unit has implemented a substantial change in the conditions of employment.
- 1) Example: The individual relocates to a town over 150 miles from the job site. Because the commute would take more than 2 hours each way, the individual resigns. The individual's reason for leaving is not attributable to the employing unit because the employing unit had no control over where the individual chose to reside.
 - 2) Example: When hired, the individual commuted 5 miles each way to work. The employing unit then relocated its plant to a town over 150 miles from the individual's residence, causing a substantial increase in the individual's commuting costs and commuting time. As a result, the individual leaves his/her job. The reason for his/her leaving is attributable to the employing unit since the employing unit changed the conditions of employment by moving its plant to a location substantially farther from the individual's residence.
 - 3) Example: An individual concludes he/she is not living up to his/her full potential in his/her present job and quits to return to school. The employer has made no changes in the terms or conditions of his/her employment and has not given the individual any reason to suspect any such changes are forthcoming. The individual's reason for leaving is not attributable to the employing unit.
 - 4) Example: An individual quits his/her job to work for a different employer. The employing unit that the individual leaves has made no changes in the terms or conditions of his/her employment and has not given the individual any reason to suspect any such changes are forthcoming. The individual's reason for leaving is not attributable to the employing unit.
 - 5) Example: The employer announces that, as a result of a loss of a major client, hourly wages will be reduced from \$15 to \$10, whereupon an

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employee quits. The employee's reason for leaving is attributable to the employer, since the reduction is a substantial change in working conditions. The employee will still have to demonstrate that there was good cause for leaving.

- 6) Example: An individual quits work because his/her supervisor is demeaning and abusive to him/her, but he/she has not complained to higher management about the supervisor even though the employer has a policy encouraging employees to report abusive supervisors, and higher management is not otherwise aware of the supervisor's conduct. The individual's leaving is not attributable to his/her employer. Since higher management was not aware of the supervisor's conduct, the reason for the individual's leaving was not within the employer's control.
- 7) Example: An individual assigned to clean an area in the facility where he/she works objects to the odor of the cleaning fluid the employer provides and requests the employer to switch to a fluid the individual considers preferable. The employer denies the request, stating that there is no indication the fluid it uses is unsafe, and no one else has objected to the odor. The individual quits because the request is denied. The type of cleaning fluid used is within the employer's control, so the reason for quitting is attributable to the employer. However, to avoid disqualification, the individual will have to demonstrate he/she had good cause for quitting.
- d) Subsection B of Section 601 of the Act [820 ILCS 405/601B] lists situations in which an individual will not be disqualified from receiving unemployment benefits even though he or she has left work voluntarily for a reason that is not necessarily attributable to his or her employer. The following provides examples of some of those situations, but is not an exhaustive list of circumstances, in which subsection B would apply:
- 1) Example: The individual is employed as a full time bank teller. His/her spouse develops a serious medical condition that requires constant supervision. A friend can watch the claimant's spouse each morning. The individual asks if he/she can work mornings only so that he/she can be home to watch his/her spouse during the afternoon. The employer indicates that it is unable to switch the individual to part time hours. If the claimant leaves work to care for his/her spouse, he/she is not subject to disqualification because his/her case falls within the exception provided at Section 601B(1).

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- 2) Example: The individual works the third shift. The individual's spouse becomes ill and needs 24-hour assistance. The individual is able to obtain county services to care for the spouse during the day, but the only option for nighttime care is prohibitively expensive. The employer indicates that it is unable to move the individual to the first shift. If the individual leaves work to care for his/her spouse, he/she is not subject to disqualification because his/her case falls within the exception set forth in Section 601B(1).
- 3) Example: The individual is a skilled metalworker. He/she quits his/her job to start his/her own metal working business. For a few weeks, the business is quite successful, and he/she earns over his/her weekly benefit amount in each of at least two weeks. However, after a while, business falls off substantially. He/she files a claim for unemployment insurance benefits. He/she is not subject to disqualification because his/her case falls within the exception provided at Section 601B(2).
- 4) Example: An individual complains to his/her supervisor about persistent sexual advances by a coworker. The supervisor takes no further action believing the individual can take care of himself/herself. The advances continue causing the individual to quit his/her job. The individual is not subject to disqualification because his/her case will fall within the exception at Section 601B(4) since the employer knew of the harassment and failed to take any action.
- 5) Example: An individual's ex-boyfriend/girlfriend periodically waits outside his/her job site and threatens him/her when he/she arrives and leaves work. Fearing for his/her safety, he/she stops coming to work, informing the employing unit of his/her reason for leaving and providing the Department with a copy of a letter signed by the individual's social worker, indicating the individual is receiving domestic violence services. His/her case falls within Section 601B(6).
- 6) Example: An individual who works nights lives with his/her 17-year-old child. His/her child's ex-boyfriend/girlfriend has been harassing the child, repeatedly following the child in public and making threatening telephone calls to the child at his/her home at night. Fearing for the child's safety, the individual quits his/her job to be home at night with the child. He/she informs the employer of his/her reason for quitting and provides the

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Department with a copy of the police report regarding the threatening calls. His/her case falls within Section 601B(6).

- 7) Example: An individual's ex-boyfriend/girlfriend periodically waits outside his/her job site and threatens him/her when he/she arrives and leaves work. Fearing for his/her safety, he/she stops coming to work. He/she informs the employer of his/her reason for leaving but fails to provide the Department with any of the evidence enumerated in Section 601B(6) as acceptable proof of domestic violence. His/her case will not fall within Section 601B(6).
- 8) Example: An individual lives and works in Chicago with his/her spouse. The spouse accepts a new job in Los Angeles, CA, and the individual and his/her spouse both agree they will move to Los Angeles together. The individual leaves his/her job when it is time to move to Los Angeles. The individual is not disqualified for leaving the job. It would be impractical for him/her to commute from Los Angeles to his/her job in Chicago, and his/her case, therefore, falls within Section 601B(7) of the Act.
- 9) Example: An individual's drive to work from Lincoln to Bloomington took about 45 minutes. The individual moved to Decatur when his/her spouse was transferred to that city. The individual quits his/her job to look for work in Decatur, although there is no reason that he/she could not have continued driving to work in Bloomington as the drive to Bloomington would only have been 15 minutes longer from Decatur. The individual's case does not fall within Section 601B(7) because commuting from Decatur to Bloomington would not be impractical.
- 10) Example: An individual's commute to work within the City of Chicago by bicycle took about 45 minutes. The individual and his/her spouse move to Skokie, a Chicago suburb, when his/her spouse is transferred to Buffalo Grove, another Chicago suburb. While the individual's commute time by automobile would still be about 45 minutes, the individual refuses to use an automobile even though one is available to him/her. Leaving under these circumstances would not fall within the exception in Section 601B(7) of the Act [820 ILCS 405/601B(7)] because commuting would not be impractical. Bicycling is the individual's personal preference.

(Source: Added at 34 Ill. Reg. 8520, effective June 16, 2010)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 5375
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
5375.10	Amendment
5375.100	Amendment
5375.210	Amendment
5375.220	Amendment
5375.230	Amendment
5375.APPENDIX A	Amendment
- 4) Statutory Authority: Implementing Section 5-15(a) of the Illinois Administrative Procedure Act [5 ILCS 100/5-15(a)] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)]
- 5) Effective date of amendments: July 1, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of these adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of proposal published in Illinois Register: In accordance Section 5-15(b) of the Illinois Administrative Procedure Act (IAPA), there is no public comment period and ISAC can amend its internal rules by filing a certified copy with the Secretary of State. [5 ILCS 100/5-15(b)]
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposed and final version: None. These rules are filed as adopted rules under Section 5-15 of the IAPA.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were made, as ISAC filed these amendments as adopted rules under Section 5-15 of the IAPA.

ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 13) Will these amendments replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and purpose of rulemaking: These rules have been updated to reflect changes made to the internal organization of this agency.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

PH: 847/948-8500 ext. 2216
email: lhynes@isac.org

The full text of the Adopted Amendments begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE F: EDUCATIONAL AGENCIES
CHAPTER XIV: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 5375
PUBLIC INFORMATION, RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
5375.10 Information

SUBPART B: RULEMAKING

Section
5375.100 Rulemaking Procedures

SUBPART C: ORGANIZATION

Section
5375.210 The Commission
5375.220 Agency Organization
5375.230 Procedures for [Persons Desiring to Address the Commission at a Commission Meeting](#)
~~Public Statements at Commission Meetings~~

5375.APPENDIX A Organization Chart

AUTHORITY: Implementing Section 5-15(a) of the Illinois Administrative Procedure Act [5 ILCS 100/5-15(a)] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

SOURCE: Adopted at 3 Ill. Reg. 4, p. 38, effective January 26, 1979; amended at 4 Ill. Reg. 16, p. 118, effective April 17, 1980; amended at 4 Ill. Reg. 34, p. 208, effective August 9, 1980; amended at 6 Ill. Reg. 8413, effective June 30, 1982; rules repealed and new rules adopted at 8 Ill. Reg. 2505, effective February 10, 1984; amended at 8 Ill. Reg. 17022, effective September 5, 1984; amended at 11 Ill. Reg. 17836, effective October 16, 1987; transferred from Chapter XII, 2 Ill. Adm. Code 5275 (State Scholarship Commission) to Chapter XIV, 2 Ill. Adm. Code 5375 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17867; amended at 16 Ill. Reg. 7497, effective April 22, 1992; amended at 19 Ill. Reg.

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11384, effective August 1, 1995; amended at 20 Ill. Reg. 15073, effective November 15, 1996; amended at 24 Ill. Reg. 9189, effective July 1, 2000; amended at 34 Ill. Reg. 8530, effective July 1, 2010.

SUBPART A: PUBLIC INFORMATION

Section 5375.10 Information

- a) The public can obtain information about the Illinois Student Assistance Commission (ISAC) and its programs by contacting one of ~~ISAC's~~~~ISSC's~~ offices located in Deerfield, Chicago or Springfield. General information is also available at ISAC's Website, www.collegezone.com.
- b) Requests for inspection or copying of ISAC's~~specific ISAC~~ public records ~~may~~~~must~~ be submitted as a Freedom of Information Act (FOIA) request made in accordance with ISAC's rules. (See 2 Ill. Adm. Code 5376.)

(Source: Amended at 34 Ill. Reg. 8530, effective July 1, 2010)

SUBPART B: RULEMAKING

Section 5375.100 Rulemaking Procedures

- a) The Commission's adoption of rules must proceed~~Illinois Student Assistance Commission promulgates rules~~ in accordance with the Illinois Administrative Procedure Act [5 ILCS 100], specifically, the rulemaking procedures of Article 5 of that Act. *Those rulemaking procedures do not apply to certain exempt matters, i.e., any matter relating solely to agency management or personnel practices or to public property, loans or contracts* [5 ILCS 100/5-35(c)].
- b) With respect to non-exempt matters, the Commission's rulemaking procedures follow the requirements of the Illinois Administrative Procedure Act. ISAC's staff develops proposed rules and amendments to existing rules and submits~~ISAC staff shall develop proposed rules and submit~~ them for public comment through publication in the Illinois Register. All written public comments submitted on proposed ISAC rules and amendments are presented to the Commission for consideration. The Executive Director may recommend changes in the proposed rules and amendments based upon comments received.

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- c) The Commission will conduct a public hearing as required by Section 5-40(b) of the Illinois Administrative Procedure Act and may hold such a ~~special~~ hearing on its own volition for the purpose of receiving public comments on the proposed rules and amendments, and may appoint a member of the staff to serve as a hearing officer to conduct the ~~such a~~ hearing.
- d) After receiving the Executive Director's recommendation and the written comments from the public, the Commission shall vote whether to accept, modify or reject the proposed rules and amendments. After disposition by the Commission, the Executive Director shall submit the proposed rules and amendments for review by the Joint Committee on Administrative Rules (JCAR).
- e) After the expiration of the JCAR review period, the proposed rules and amendments are re-submitted to the Commission for approval and adoption. Rules and amendments adopted by the Commission are filed with the Office of the Secretary of State and published in the Illinois Register.
- f) The Executive Director may promulgate Emergency and Peremptory Rules and amendments in accordance with the Illinois Administrative Procedure Act.
- g) Rules and amendments relating to the exempt matters described in subsection (a), including, without limitation, ISAC management, personnel practices, public property, loans or contracts, may be adopted, amended or repealed by action of the Commission and shall be effective immediately upon adoption. A certified copy of rules and amendments relating to exempt matters will be filed with the Secretary of State.

(Source: Amended at 34 Ill. Reg. 8530, effective July 1, 2010)

SUBPART C: ORGANIZATION

Section 5375.210 The Commission

- a) The Commission was created by the Higher Education Student Assistance Act [110 ILCS 947/15]. Commission members are called "Commissioners". Commissioners are appointed by the Governor with the advice and consent of the Senate (see 110 ILCS 947/15(a)). Senate confirmation of a person appointed by the Governor to be a Commission member is a necessary prerequisite to becoming a member. However, while a gubernatorial appointment is pending Senate

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approval, the Commissioner designee will be invited to attend and observe Commission meetings at ISAC's expense, but shall not vote. When the Commission consists of ten appointed and confirmed members a quorum shall be six. When the Commission consists of nine or eight members a quorum shall be five. When the Commission's active membership is reduced to seven or less members, the quorum shall be four.

- b) The Governor designates one member of the Commission, other than the student member, to serve as Chairman (see 110 ILCS 947/15(a)). Commissioners are appointed by the Governor with the advice and consent of the Senate. (See Section 15 of the Higher Education Student Assistance Act [110 ILCS 947/15].) While a Gubernatorial appointment is pending Senate approval, the Commissioner designee will be invited to attend and observe Commission meetings at ISAC's expense but will not vote.
- c) A Vice-Chairman shall be elected by a vote of the Commission. A new election for Vice-Chairman shall occur whenever the term of the incumbent Vice-Chairman expires or whenever the Governor designates a new Chairman. The Vice-Chairman shall preside at all meetings in the absence of the Chairman. In the absence of the Chairman and the Vice-Chairman, the senior member present in length of service since original appointment shall assume the chair to conduct business.
- d) The Chairman of the Commission presides at Commission meetings. The Vice-Chairman shall preside at all meetings in the absence of the Chairman. In the absence of the Chairman and the Vice-Chairman, a member designated by the Chairman shall preside at the Commission meetings. In the absence of such a designation by the Chairman, the most senior member based on length of service since original appointment shall preside at a Commission meeting if the Chairman and Vice-Chairman are not in attendance. Any expenses incurred by members to attend out of state meetings or out of state public appearances shall be approved in advance by the Chairman.
- e) The Commission shall convene at least one time~~approximately six times~~ per year. All Commission meetings shall be conducted in accordance with the Open Meetings Act [5 ILCS 120/4.01].
- f) When the Commission consists of 10 appointed and confirmed members, a quorum shall be 6. When the Commission consists of 9 or 8 appointed and

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confirmed members, a quorum shall be 5. When the Commission consists of 7 or fewer appointed and confirmed members, the quorum shall be 4. Matters on which the Commission shall deliberate and vote shall include, but not be limited to, the following:

- 1) ~~Formula for determining grant eligibility for the Monetary Award Program (see: 23 Ill. Adm. Code 2735.30);~~
 - 2) ~~Budget requests which are submitted to the General Assembly for appropriation;~~
 - 3) ~~Budget for the operations of the Illinois Designated Account Purchase Program;~~
 - 4) ~~Issuance of bonds pursuant to Section 145 of the Education Loan Purchase Program Law [110 ILCS 947/145];~~
 - 5) ~~Rate of the insurance premium on guaranteed student loans (see: 23 Ill. Adm. Code 2720.80);~~
 - 6) ~~Salary and terms of employment of the Executive Director and salary ranges for other ISAC employees; and~~
 - 7) ~~Promulgation of rules, in accordance with Section 5375.100.~~
- g) Except as otherwise provided in Section 2.02(a) of the Open Meetings Act (e.g., an emergency meeting), each Commissioner shall be given at least 10 days' written notice of any meeting of the Commission. Commission meetings shall be convened pursuant to notice given in accordance with the Open Meetings Act. The Commission shall adopt a schedule of regular meetings at the beginning of each calendar year, including the date, time and place of each scheduled meeting (see 5 ILCS 120/2.02). The Chairman has full authority to determine all procedural issues incident to a Commission meeting. Should a Commissioner dispute an action of the Chairman, the Commission shall refer to Robert's Rules of Order, Newly Revised, for the appropriate method of resolution.
- h) Matters on which the Commission shall deliberate and vote include, but are not limited to, the following:

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- 1) Formula for determining grant eligibility for the Monetary Award Program (see 23 Ill. Adm. Code 2735);
 - 2) Budget requests that are submitted to the General Assembly for appropriation;
 - 3) The budget for the operations of the Illinois Designated Account Purchase Program and College Illinois!® 529 Prepaid Tuition Program;
 - 4) Investment policies, contract pricing and fees, and appointment of investment advisory panel members, investment managers and marketing agent for the College Illinois!® 529 Prepaid Tuition Program;
 - 5) Issuance of bonds or other securities pursuant to Section 145 of the Education Loan Purchase Program Law [110 ILCS 947/145];
 - 6) The amount of the federal default fee, to be charged to the borrowers (or absorbed by the Commission) on guaranteed student loans (see 23 Ill. Adm. Code 2720.80);
 - 7) Promulgation of rules, in accordance with Section 5375.100;
 - 8) Appointment of, and the salary and terms of employment of, the Executive Director of the Commission; and
 - 9) Delegation to the Executive Director and other ISAC staff of authority to execute and deliver contracts, agreements and similar instruments.
- i) The Chairman (or other presiding officer) has full authority to determine all procedural issues incident to a Commission meeting. In the absence of a resolution adopted by the Commission to the contrary, meetings will be conducted in accordance with the most recently published edition of Robert's Rules of Order, Newly Revised.
 - j) Members of the Commission shall serve without compensation, but shall be reimbursed for expenses incurred in performing their duties, in accordance with the rules and guidelines established for the reimbursement of expenses incurred by members of boards and commissions of the government of the State of Illinois.

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For out-of-state travel by a Commissioner, expense reimbursement shall be withheld unless approved in advance by the Chairman.

(Source: Amended at 34 Ill. Reg. 8530, effective July 1, 2010)

Section 5375.220 Agency Organization

- a) The Commission has delegated to ISAC staff the responsibility for the administration of all ISAC programs. Final actions and decisions of the Executive Director pertaining to applicants, institutions and lenders may be appealed to an independent hearing officer, otherwise known as an administrative law judge, as defined in Article 10 of the Illinois Administrative Procedure Act. (See 23 Ill. Adm. Code 2700.70 for administrative appeal procedures relating to the matters set forth in this subsection (a).)
- b) The locations and telephone numbers for ISAC offices are as follows:
- 1) 1755 Lake Cook Road, Deerfield, Illinois 60015-5209, (847)948-8500;
 - 2) 100 W. Randolph St., Suite 3-200, Chicago, Illinois 60601-3219~~60601-3293~~, (312)814-6334~~(312)814-3745~~; and
 - 3) 500 West Monroe, 3rd floor, Springfield, Illinois 62704-1876, (217)782-6767.
- b) ~~Agency officers' and directors' offices are located as follows:~~
- 1) ~~Deerfield—Chief Program Officer; Business and Financial Services; Program Services; Information Services; Compliance; Administration Deputy Program Officer; IDAPP and Capital Development; IDAPP Operations; Deputy Executive Director; Facility and Administrative Services; Internal Audit; General Counsel, Scholarships, Grants, Loans and College Illinois; and Human Resources and Development;~~
 - 2) ~~Chicago—General Counsel and Director, IDAPP Marketing; and~~
 - 3) ~~Springfield—Executive Director; Chief Financial Officer; Deputy Chief Financial Officer; Client Relations; Federal Relations; State Relations; Research, Planning and Policy Analysis; and Illinois Prepaid Tuition~~

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~~Program.~~

- c) ISAC's organizational structure is illustrated on the chart labeled Appendix A, ~~of this Part.~~
- d) ~~The Commission has delegated to ISAC staff responsibility for the administration of all ISAC programs. See: 23 Ill. Adm. Code: Subtitle A, Chapter XIX. ISAC staff actions and decisions may be appealed to an independent hearing officer. See: 23 Ill. Adm. Code 2700.70.~~
- e) ~~The Executive Director and his or her designee have authority to approve expenditures and contracts. The Commission, by resolution, may also delegate signatory authority to other members of the ISAC staff.~~

(Source: Amended at 34 Ill. Reg. 8530, effective July 1, 2010)

Section 5375.230 Procedures for Persons Desiring to Address the Commission at a Commission Meeting~~Public Statements at Commission Meetings~~

- a) ~~Individuals may request that notice of Commission meetings be sent to them; upon request, will be mailed an agenda and notice of all regularly scheduled Commission meetings.~~
- b) ~~Unless otherwise permitted by the Chairman, persons~~Persons desiring to address the Commission shall make a written request to the Executive Director at least 5 business days prior to the meeting, provided that, with respect to any emergency meeting, persons desiring to address the Commission shall make a written request to the Executive Director at least one business day prior to the date of the emergency meeting. Any request to address the Commission must include the name, telephone number or e-mail contact information, and street address of the person requesting to address the Commission. The request shall also include the name and street address of the organization or group to be represented by the person, if any, and a summary of the presentation. no later than five business days prior to the meeting. Any such request must include the name and address of the individual wishing to speak, the name of the organization or group to be represented, if any, and a summary of the presentation.
- c) The Chairman (or other presiding officer) may impose appropriate time limits on presentations or public comments. The presiding officer's decision to limit a

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~~presentation or comment shall be based on criteria including, but not limited to, the total time available for the Commission's deliberations, the number of persons seeking to appear before the Commission, and the potential for redundancy in the comment being presented. All presentations shall be limited to a maximum of five uninterrupted minutes. When more than three persons desire to comment for or against a given issue/item, the Chairman may direct the group of similar voice to designate representatives so as not to exceed three voices for or three against the issue/item.~~

- d) The Chairman (or other presiding officer), with the consent of the members, can rule to recognize or not recognize any proposed presenter who asks to address the Commission but who had not requested to do so in writing in accordance with Section 5375.230(b) at an earlier date. Preference will be given to presenters who made written requests in accordance with subsection (b)~~those who had made written requests~~.
- e) All presenters shall be encouraged, but not required, to submit their presentation~~comments~~ in writing.

(Source: Amended at 34 Ill. Reg. 8530, effective July 1, 2010)

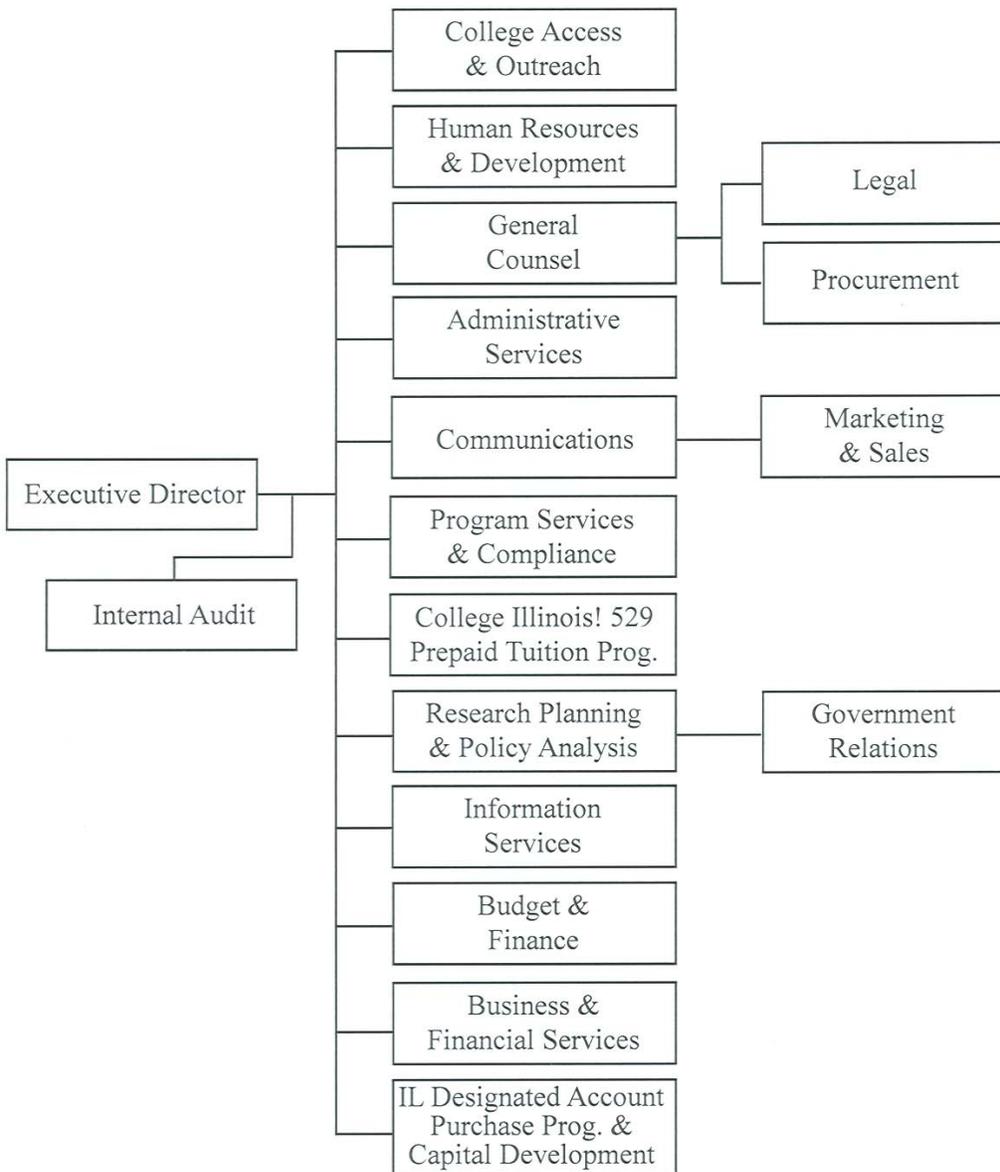
ILLINOIS STUDENT ASSISTANCE COMMISSION

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Section 5375.APPENDIX A Organization Chart

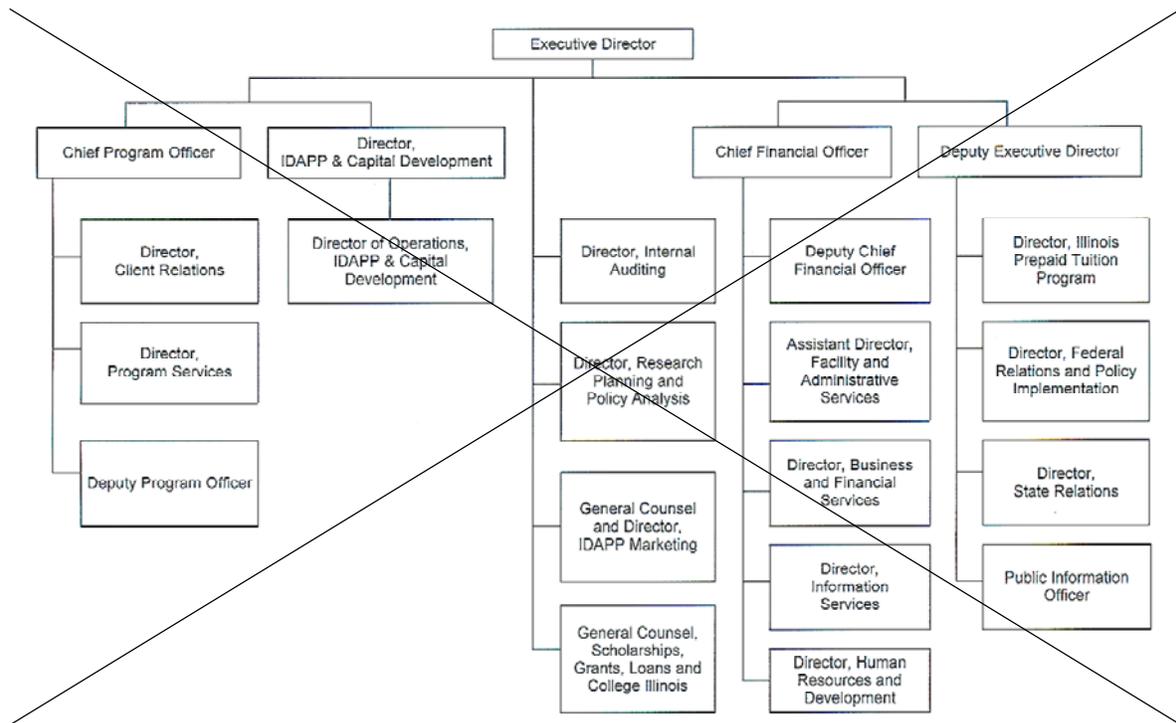
ILLINOIS STUDENT ASSISTANCE COMMISSION

ORGANIZATION CHART



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(Source: Amended at 34 Ill. Reg. 8530, effective July 1, 2010)

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- 1) Heading of the Part: General Provisions
- 2) Code Citation: 23 Ill. Adm. Code 2700
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2700.15	Amendment
2700.20	Amendment
2700.30	Amendment
2700.40	Amendment
- 4) Statutory Authority: Implementing the Higher Education Student Assistance Act [110 ILCS 947]; Title IV of the Higher Education Act of 1965, as amended (20 USC 1070 et seq., as amended by P.L. 105-244); and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)]
- 5) Effective Date of Amendments: July 1, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of proposal published in Illinois Register: January 22, 2010; 34 Ill. Reg. 1338
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences between proposed and final version: The only changes made were non-substantive in nature.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No

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- 15) Summary and Purpose of Rulemaking: The amendments proposed for this Part provide clarifications that are necessitated by federal statutory and regulatory changes impacting the definitions of co-maker and default status and eligibility for guaranteed student loans. The other amendments proposed are updates to federal regulatory citations.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

847/948-8500 ext. 2216
e-mail: lhynes@isac.org

The full text of the Adopted Amendments begins on the following page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2700
GENERAL PROVISIONS

Section

2700.10	Summary and Purpose
2700.15	Incorporations by Reference
2700.20	Definitions
2700.30	General Institutional Eligibility Requirements
2700.40	General Applicant Eligibility Requirements
2700.50	Determining Applicant Eligibility
2700.55	Use, Security and Confidentiality of Data
2700.60	Audits and Investigations
2700.70	Appeal Procedures
2700.80	Contractual Agreement Requirements

AUTHORITY: Implementing the Higher Education Student Assistance Act [110 ILCS 947]; Title IV of the Higher Education Act of 1965, as amended (20 USC 1070 et seq., as amended by P.L. 105-244); and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

SOURCE: Adopted at 9 Ill. Reg. 20783, effective January 1, 1986; amended at 11 Ill. Reg. 3167, effective January 29, 1987; amended at 11 Ill. Reg. 14099, effective August 10, 1987; amended at 12 Ill. Reg. 11510, effective July 1, 1988; amended at 13 Ill. Reg. 8626, effective July 1, 1989; transferred from Chapter IX, 23 Ill. Adm. Code 1700 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2700 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17854; amended at 14 Ill. Reg. 10538, effective July 1, 1990; amended at 16 Ill. Reg. 11206, effective July 1, 1992; amended at 17 Ill. Reg. 10541, effective July 1, 1993; amended at 18 Ill. Reg. 10282, effective July 1, 1994; amended at 19 Ill. Reg. 8343, effective July 1, 1995; amended at 20 Ill. Reg. 9170, effective July 1, 1996; amended at 21 Ill. Reg. 11066, effective July 18, 1997; amended at 22 Ill. Reg. 11072, effective July 1, 1998; amended at 23 Ill. Reg. 7550, effective July 1, 1999; amended at 24 Ill. Reg. 9121, effective July 1, 2000; amended at 25 Ill. Reg. 8383, effective July 1, 2001; amended at 26 Ill. Reg. 9980, effective July 1, 2002; amended at 27 Ill. Reg. 10320, effective July 1, 2003; amended at 29 Ill. Reg. 9884, effective July 1, 2005; amended at 30 Ill. Reg. 11600, effective July 1, 2006; amended at 31 Ill. Reg. 9478, effective July 1, 2007; amended at 32 Ill. Reg.

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10269, effective July 1, 2008; amended at 33 Ill. Reg. 9742, effective July 1, 2009; amended at 34 Ill. Reg. 8543, effective July 1, 2010.

Section 2700.15 Incorporations by Reference

- a) The Commission incorporates by reference 34 CFR 85, 237, 600, 653, 668, 674, 675, 676, 682 and 690 (~~October 2009~~)(~~July 1, 2008~~). No incorporation by reference in this Section includes any later amendment or edition beyond the date stated. The Code of Federal Regulations is available online at: www.gpoaccess.gov.
- b) Copies of the appropriate material are available for inspection at the Illinois Student Assistance Commission offices at:

1755 Lake Cook Road, Deerfield IL 60015-5209

500 West Monroe, Springfield IL 62704-1876

100 West Randolph, Suite 3-200, Chicago IL 60601-3219

(Source: Amended at 34 Ill. Reg. 8543, effective July 1, 2010)

Section 2700.20 Definitions

"Academic Level" – The classification of a student as a freshman, sophomore, junior, senior, or graduate student.

"Academic Year" – In relation to scholarship and grant programs, a ~~12~~twelve month period of time, normally from August or September of any year through August or September of the ensuing year. In relation to the Federal Family Education Loan Program, academic year is defined at ~~section~~Section 481(d)(2) of the Higher Education Act of 1965, as amended (HEA), and at 34 CFR 668.3.

"Alternative Loan" – Any educational loan made or purchased by ISAC other than a loan made pursuant to Title IV of the Higher Education Act of 1965, as amended (20 USC 1071 et seq.), or any other federal statute providing for federal insurance of education loans to borrowers.

"Applicant" – Any individual who requests ISAC consideration for a scholarship,

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grant, tuition waiver, or guaranteed or alternative loan.

"Approved High School" – *Any public high school located in this State; and any high school, located in this State or elsewhere (whether designated as a high school, secondary school, academy, preparatory school, or otherwise) which in the judgment of the State Superintendent of Education provides a course of instruction at the secondary level and maintains standards of instruction substantially the equivalent of those public high schools located in this State.* (Section 10 of the Higher Education Student Assistance Act [110 ILCS 947/10])

"Armed Forces" – The United States Army, Air Force, Navy, Marines and Coast Guard.

"Blanket Certificate of Loan Guaranty" – A process that permits an eligible lender to make loans without receiving prior approval from ISAC for individual loans to eligible borrowers enrolled in eligible programs at eligible institutions, as authorized by ~~section~~Section 428(n) of the HEA.

"Chargeback" – Payment of tuition by the community college district of a student's residence to the community college district of a student's attendance. (See 110 ILCS 805/6-2.)

"Citizen" – One who, under the Constitution and laws of the United States, is a native-born or naturalized citizen of the United States of America.

"College Savings Bond" – A State of Illinois general obligation, zero coupon bond, issued pursuant to the Baccalaureate Savings Act as a long-term education savings instrument.

"Co-maker" – One of the ~~two~~ individuals who are joint borrowers either on a Federal PLUS Loan (parent borrowers) that was certified prior to January 1, 1995 or on any Federal Consolidation loan (married borrowers) and who are equally liable for repayment of the loan. (See 34 CFR 682.200.)

"Commission" – The ~~10~~ten member Illinois Student Assistance Commission created by Section 15 of the Higher Education Student Assistance Act [110 ILCS 947/15].

"Compound Accreted Value" – An amount equal to the original amount plus an

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investment return accrued to the date of determination at a semiannual compounding rate that is necessary to produce the yield at maturity indicated on the Official Statement that was issued when the college savings bonds were sold. The "Compound Accreted Value at Maturity" will be equal to \$5000 or an integral multiple thereof.

"Concurrent Registration" – The simultaneous enrollment at ~~two~~ or more institutions.

"Consolidation" – A federal program under which a borrower may receive a single new loan that refinances one or more outstanding qualified education loans under new terms and conditions, as authorized by ~~section~~Section 428C of the HEA.

"Contractual Agreement" – The written agreement between an eligible institution and a school or organization that is not eligible for participation in ISAC-administered programs whereby the non-eligible institution provides part of the education program of students enrolled at the eligible institution, as codified in Section 2700.80. A contractual agreement differs from a consortium agreement, which is an agreement among ~~two~~ or more eligible institutions only.

"Correctional Officer" – An employee of the Illinois Department of Corrections (DOC) who is assigned to a security position with the Department, and who has responsibility for inmates of any correctional institution under the jurisdiction of the Department.

"Correspondence Course" – A home study course provided by an institution under which the institution provides instructional materials, including examinations on the materials, to students who are not physically attending classes at the institution, as defined at 34 CFR 600.2.

"Co-signer" – A person who is secondarily liable for the repayment of an Alternative Loan.

"Cost of Attendance" – For the purposes of ISAC's rules, this term is defined at ~~section~~Section 472 of the ~~HEA Higher Education Act of 1965, as amended~~ (20 USC 1087*l*).

"Cumulative Grade Point Average" – The average grade earned throughout a

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student's applicable secondary or postsecondary educational program. The calculation shall be consistent with the institution's established policy or practice and shall be the same as that completed for admission, placement or other similar purposes.

"Default Status" – The failure of a borrower or endorser (if any) to make an installment payment when due or to meet other terms of the promissory note as defined at 34 CFR 682.200.

"Delinquency" – For the purposes of ISAC's rules, this term is defined at 34 CFR 682.411(b).

"Dependent Student" – A scholarship, loan, tuition waiver or grant applicant or recipient who is not classified as an independent student.

"Disbursement" – In relation to scholarship and grant programs, a disbursement occurs on the payment voucher date. In relation to the Federal Family Education Loan Program, disbursement is the process of transferring loan proceeds as defined at 34 CFR 682.200.

"Distance Education" – A learning and teaching mode characterized by the separation of place or time between instructor and student, which includes programs and courses offered by correspondence and telecommunications.

"ED" – The acronym for the United States Department of Education.

"Educational Institution" – Unless otherwise qualified, any secondary or postsecondary educational organization that enrolls students who participate in ISAC programs.

"Educational Lender" – An institution that meets the lender eligibility criteria outlined in 23 Ill. Adm. Code 2720.25 for FFELP Loans and 2721.40 for alternative loans.

"EFT" – The acronym for electronic funds transfer.

"Eligible Noncitizen" – A noncitizen who is eligible for federal student assistance pursuant to ~~section~~Section 484 of the HEA~~Higher Education Act of 1965, as amended.~~ (See 20 USC 1091-).

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"Endorser" – A person who is secondarily liable for the repayment of a Federal PLUS Loan obligation ([34 CFR 682.200](#)).

"Enrolled" – The status of a student who has completed the institution's registration requirements and is attending classes.

"Executive Director" – The chief executive officer of ISAC.

"Expected Family Contribution" – The amount the student and the student's family may be reasonably expected to contribute toward the student's postsecondary education. Expected Family Contribution is defined at [sectionSection 474 of the Higher Education Act \(HEA\) of 1965, as amended. \(See 20 USC 1087nn-\)](#).

"FAFSA" – The acronym for the Free Application for Federal Student Aid.

"FAFSA Receipt Date" – The date reported by ED's processor as the date upon which it receives an applicant's initial FAFSA for an academic year. For paper FAFSA's sent through the U.S. Postal Service, this is the date of physical receipt at the processor, not the postmark date.

"Federal Regulations" – Refers to regulations promulgated by ED and codified at 34 CFR 600 et seq.

"FFELP" – The acronym for the Federal Family Education Loan Program, as authorized by [sectionSection 421 of the HEAHigher Education Act, as amended](#), including subsidized and unsubsidized Federal Stafford Loans, Federal PLUS Loans, Federal SLS Loans and Federal Consolidation Loans.

"Fire Officer" – For the purposes of ISAC's rules, this term means a firefighter who is employed by, or in the voluntary service of, this State or any public entity in this State.

"Foreign Missionary" – An individual who is assigned duty outside of the United States by an organization that engages in educational, philanthropic, humanitarian or altruistic works. The missionary organization must be exempt from the payment of federal taxes and must have been engaged in placing foreign missionaries for at least [5five](#) years. Examples of such missionary organizations

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include, but are not limited to, the following: Peace Corps, Evangelical Alliance Mission, etc.

"Full-time Student" – In relation to scholarship and grant programs, an individual enrolled for ~~12~~^{twelve} or more credit hours, for either a semester or quarter term. In relation to the Federal Family Educational Loan Program, full-time student is defined at 34 CFR 668.2.

"Gift Assistance" – Student assistance funds in the form of a scholarship, grant or tuition waiver, including, but not limited to, federal, State, institutional and private aid.

"Golden Apple Scholars of Illinois" – A private, not-for-profit program under the auspices of the Golden Apple Foundation that recruits, prepares and provides financial assistance to high school graduates to pursue postsecondary education for careers as teachers for particular Illinois schools.

"Good Moral Character" – An applicant is of good moral character if the applicant will benefit from postsecondary instruction and is allowed to enroll at an approved postsecondary institution.

"Graduating Class" – The students who will complete the high school's program of instruction and graduate within an academic year.

"Guaranteed Loan" – Loan assistance through the Federal Family Education Loan Program (FFELP) that includes the subsidized and unsubsidized Federal Stafford Loan, the Federal PLUS Loan, the Federal Supplemental Loans for Students (SLS), and the Federal Consolidation Loan programs.

"HEA" – The acronym for the Higher Education Act of 1965, as amended, and codified at 20 USC 1070 et seq.

"Half-time Student" – In relation to scholarship and grant programs, an individual enrolled for ~~six~~^{twelve} or more credit hours (but fewer than ~~12~~^{twelve} credit hours) for either a semester or quarter term. In relation to the Federal Family Education Loan Program, half-time student is defined at 34 CFR 668.2.

"Holder" – An organization authorized by ED and ISAC to purchase or retain possession of guaranteed loans. These organizations operate as commercial and

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educational lenders or secondary markets and may purchase ISAC-guaranteed loans from approved lenders.

"IBHE" – The acronym for the Illinois Board of Higher Education, the administrative agency created by the Board of Higher Education Act [110 ILCS 947/205].

"IDAPP" – The acronym for ISAC's Illinois Designated Account Purchase Program as authorized by the Education Loan Purchase Program Law [110 ILCS 947/125 through 170].

"Independent Student" – For the purposes of ISAC's rules, an independent student is defined by ~~section~~Section 480 of the ~~HEA~~Higher Education Act of 1965, as amended by P.L. 110-84. (See 20 USC 1087vv).

"Institution" – Unless otherwise qualified, any secondary or postsecondary educational organization that enrolls students who participate in ISAC programs.

"Institution of Higher Learning" – An educational organization whose main campus is physically located in Illinois that:

provides at least a ~~2~~two-year program of collegiate study in liberal arts or sciences, or associate degree or both, directly applicable toward the attainment of a baccalaureate degree, or, a program in health education directly applicable toward the attainment of a certificate, diploma, or an associate degree; and

is operated:

by the State; or

publicly or privately, not for profit; or

for profit, provided it:

offers degree programs that have been approved by the IBHE for a minimum of ~~3~~three years under the Academic Degree Act; and

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enrolls a majority of its students in these degree programs;⁵
and

maintains accredited status with the Higher Learning
Commission of the North Central Association of Colleges
and Schools.

For otherwise eligible educational organizations that provide academic programs for incarcerated students, the term "institution of higher learning" shall specifically exclude academic programs for incarcerated students (Section 10 of the Higher Education Student Assistance Act). For eligible institutions with campuses in multiple states, the term "institution of higher learning" shall include only those campuses located in Illinois.

"Institution of Record" – The postsecondary institution at which a student is enrolled and seeking a degree or certificate. This institution assumes primary responsibility for certification of eligibility for ISAC-administered programs and for requesting payment from ISAC.

"ISAC" – The acronym for the Illinois Student Assistance Commission, the administrative agency created by Section 15 of the Higher Education Student Assistance Act [110 ILCS 947/15] to administer student assistance programs.

"ISBE" – The acronym for the Illinois State Board of Education, the administrative agency created by the School Code [105 ILCS 5].

"Lender" – An organization authorized by ISAC to make educational loans to students.

"Mandatory Fees" – The charges assessed by an institution to each and every full-time student for each term. Application, graduation, laboratory, breakage, add/drop fees, and program administrative fees for out-of-state or foreign study are specifically excluded. For the purposes of ISAC's rules, tuition is not a mandatory fee.

"MAP" – The acronym for the Monetary Award Program administered by ISAC, as authorized by [Section 35 of the Higher Education Student Assistance Act](#) ~~40 ILCS 947/35~~ and codified at 23 Ill. Adm. Code 2735.

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"Master Check" – A single check representing the loan proceeds for more than one borrower.

"Minority Student" – *A student who is either Black (a person having origins in any of the black racial groups in Africa); Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race); Asian American (a person with origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, including Pakistan, and the Pacific Islands, including, among others, Hawaii, Melanesia, Micronesia and Polynesia); or Native American (a person who is a member of a federally or state recognized Indian tribe, or whose parents or grandparents have such membership) and to include the native people of Alaska* (Section 50(a) of the Higher Education Student Assistance Act).

"Parent" – For the purposes of ISAC's rules, this term is defined at 34 CFR 668.2.

"Pell Grant" – A federal gift assistance program administered by ED in accordance with ~~section~~Section 411 of the ~~HEA~~Higher Education Act of 1965, as amended. (See 20 USC 1070a et seq.).

"PLUS" – The federal program that provides loans to graduate students or parents of certain undergraduate students, as authorized by ~~section~~Section 428B of the ~~HEA~~Higher Education Act of 1965, as amended (20 USC 1078-2) and Sections 80 through 175 of the Higher Education Student Assistance Act [110 ILCS 947/80 through 175].

"Police Officer" – For the purposes of ISAC's rules, this term means a law enforcement officer who is employed by, or in the voluntary service of, this State or any public entity in this State.

"Qualified Applicant" – An individual who meets the eligibility requirements of the gift assistance program for which she/he is applying.

"Regular School Year" – An ~~eight~~ to ~~nine~~ month period of time that includes ~~two~~ semester terms or ~~three~~ quarter terms. The regular school year excludes summer terms. Terms that begin after April 15 and end before September 16 are considered summer terms.

"Remedial Courses" – The course work that prepares a student for study at the

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postsecondary level and is necessary for the student to pursue the eligible postsecondary program.

"Resident of Illinois" –

A dependent student is a resident of Illinois if the parent of the dependent-applicant, who is required by the instructions to complete the Free Application for Federal Student Aid (FAFSA), physically resides within the State of Illinois and Illinois is his or her true, fixed and permanent home.

An independent student is a resident of Illinois if the applicant physically resides within the State of Illinois (at the time of application), and has so resided for a period of 12 continuous, full months immediately prior to the start of the academic year for which assistance is requested and Illinois is his or her true, fixed and permanent home.

When an applicant does not qualify as a resident of Illinois under the preceding ~~two~~ paragraphs and the applicant is a member of the U.S. Armed Forces or a foreign missionary, or is the dependent or the spouse of an individual who is a member of the U.S. Armed Forces or a foreign missionary, then the applicant's residency shall be determined in accordance with the following ~~four~~ paragraphs.

An applicant who is a member of the U.S. Armed Forces will be a resident of Illinois if the applicant physically resided in Illinois immediately prior to entering the U.S. Armed Forces, returned (or plans to return) to Illinois within ~~six~~ months after and including the date of separation and can demonstrate (pursuant to Section 2700.50(f) and (g)) that his/her domicile was the State of Illinois throughout such enlistment.

An applicant who is a foreign missionary will be a resident of Illinois if the applicant physically resided in Illinois for ~~six~~ continuous months immediately prior to entering missionary service, returned (or plans to return) to Illinois within ~~six~~ months after the conclusion of missionary service, and can demonstrate (pursuant to Section 2700.50(f) and (g)) that his/her domicile was the State of Illinois throughout such missionary service.

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The dependent-applicant shall be a resident of Illinois notwithstanding the parents' temporary physical absence from Illinois provided the parents would be a resident of Illinois under the preceding ~~two~~ paragraphs.

The spouse-applicant shall be a resident of Illinois immediately upon physically occupying a dwelling within the State of Illinois provided the applicant can demonstrate that his/her absence from the State was the result of residing with the spouse during enlistment or missionary service outside of Illinois and that the spouse-applicant's domicile continues to be the State of Illinois.

"Rules" – The rules of ISAC codified at 23 Ill. Adm. Code: Subtitle A, Chapter XIX.

"Satisfactory Academic Progress" – An institutional policy that establishes minimum standards of academic performance. For purposes of ISAC-administered programs, the standards must be at least as stringent as those required by ED pursuant to ~~section~~Section 484 of the ~~HEA Higher Education Act of 1965, as amended.~~ (See 20 USC 1091-).

"Service Academy" – *The U.S. Air Force Academy, the U.S. Coast Guard Academy, the U.S. Military Academy or the U.S. Naval Academy* (Section 30(a) of the Higher Education Student Assistance Act).

"SLS" – The acronym for the federal Supplemental Loans for Students Program, as authorized by ~~section~~Section 428A of the ~~HEA Higher Education Act, as amended~~ (20 USC 1078-1). No SLS loans have been made for periods of enrollment beginning on or after July 1, 1994.

"Special Education" – A postsecondary educational program designed to teach persons how to meet the needs of all children designated as physically disabled, with specific learning disabilities, or requiring extraordinary special education services and facilities. (See 105 ILCS 5/14-1.02 and 7.20a.) These programs prepare persons for meeting the needs of children who exhibit disabilities or exceptional characteristics ranging from very mild to very severe. (See 23 Ill. Adm. Code 226, Special Education.) Such a program prepares a student to teach physically disabled children or children with learning disabilities. (See 105 ILCS 5/14-1.02 and 1.03a.)

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"Stafford" – The federal subsidized and unsubsidized loan programs as authorized by ~~sections~~Sections 427, 428 and 428H of the ~~HEA~~Higher Education Act, as amended (20 USC 1078).

"Student Beneficiary" – An individual designated as the recipient of a College Savings Bond Bonus Incentive Grant.

"Teacher Education Program" – An undergraduate postsecondary course of study that, upon completion, qualifies a student to be certified as a pre-school, elementary or secondary teacher by a state board of education or its equivalent (including the Illinois State Board of Education). For a student who has completed less than ~~4~~four semesters/~~6~~six quarters of postsecondary study, this includes a postsecondary course of study that leads to a teacher education program.

"Teacher Shortage Discipline" – An academic discipline in which a shortage of teachers exists in Illinois, as designated by the Illinois State Board of Education.

"Telecommunications Course" – A course offered principally through the use of television, audio, or computer transmission, including open broadcast, closed circuit, cable microwave, satellite, audio conferencing, computer conferencing, and video cassettes or disks, as defined at 34 CFR 600.2.

"Term" – A unit of time for student attendance, including, but not limited to, a quarter or semester.

"Tuition" – The charge for instruction assessed by an institution.

"Verification" – Procedures implemented by postsecondary institutions to verify the eligibility of applicants. The procedures are established by 34 CFR 668 et seq. and by ISAC's rules.

(Source: Amended at 34 Ill. Reg. 8543, effective July 1, 2010)

Section 2700.30 General Institutional Eligibility Requirements

- a) ISAC Program Participation Agreement
 - 1) All institutions shall execute an ISAC Program Participation Agreement in

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order to participate in ISAC gift assistance programs.

- 2) The ISAC Program Participation Agreement shall identify the ISAC programs under which the institution's students may receive benefits.
 - 3) The ISAC Program Participation Agreement shall include provisions requiring institutions to comply with statutes, federal regulations and State rules.
 - 4) The ISAC Program Participation Agreement may be modified or terminated in accordance with 23 Ill. Adm. Code 2790, Limitation, Suspension or Termination Proceedings.
- b) With respect to ISAC student assistance programs, institutions shall develop and maintain procedures to verify the consistency and accuracy of information received from their enrolled recipients.
 - c) Institutions shall be subject to possible limitation, suspension or termination of eligibility for failure to comply with statutes, regulations, rules or procedures and for failure to maintain the standards required by this Section for initial participation. (See 23 Ill. Adm. Code 2790.)
 - d) Postsecondary institutions that participate in gift assistance programs shall annually submit to ISAC a copy of their tuition refund policy. Such submissions shall not be considered ISAC approval of such policies.
 - e) Postsecondary institutions that participate in gift assistance programs shall annually report their tuition and fee charges, as well as initial MAP advance payment requests, to ISAC on or before June 1 preceding each academic year.
 - 1) Failure to report any cost changes by the deadline will cause the prior year's charges to be used as part of the calculation process for gift assistance benefits. Failure to report the assessment of a fee charge by the deadline will result in that fee charge being ineligible for payment under ISAC gift assistance programs.
 - 2) The report shall match specific fee charges with the gift assistance programs that may finance the fee. Such categorizations by the institution shall not be considered ISAC approval.

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- 3) The Illinois National Guard Grant and the Illinois Veteran Grant (IVG) Programs may finance only a portion of certain fee charges. (See 23 Ill. Adm. Code 2730.30(a) and 2733.30(e).)
 - A) Example: One fee finances both tuition and text book expenses. Only the portion of the fee that is attributable to tuition expenses may be financed with program benefits.
 - B) Institutions with such a fee shall certify what percentage of the fee is eligible to be financed with program benefits. Certification shall be performed by the institution's chief fiscal officer.
- f) Institutions shall submit additional reports, data and information to ISAC as may be requested. These inquiries include, but are not limited to, surveys, enrollment confirmations and evaluation instruments.
- g) Additional institutional eligibility requirements are contained in subsequent Parts of ISAC's rules.
- h) Postsecondary institutions may apply to participate in ISAC-guaranteed loan programs in accordance with 23 Ill. Adm. Code 2720.
- i) Postsecondary institutions may apply to participate in ISAC gift assistance programs in accordance with this subsection.
 - 1) The Commission approves participation in ISAC gift assistance programs for an institution rather than for specific academic programs within an institution.
 - 2) Prior to applying for participation in ISAC gift assistance programs, the institutional applicant must have authority to operate a postsecondary institution in Illinois. (See 23 Ill. Adm. Code 1030.)
 - 3) Institutional applicants that are fully accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools and have degree-granting authority may be approved to participate in ISAC gift assistance programs provided the institution meets and maintains the requirements of subsections (i)(4)(C) and (D).

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- 4) Public or private not for profit institutional applicants that do not meet the requirements of subsection (i)(3) may be approved to participate in ISAC gift assistance programs if the institution has:
 - A) obtained candidate status for the Higher Learning Commission of the North Central Association of Colleges and Schools accreditation.
 - B) applied for and is seeking degree-granting authority.
 - C) obtained at least ~~3~~three letters indicating the transferability of academic credit from the applicant institution to other institutions. The letters must be from institutions that are approved to participate in the Monetary Award Program (MAP) and are accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools.
 - D) an adequate number of qualified persons to administer their responsibilities under ISAC's rules [for gift assistance programs](#). In determining whether an institution employs an adequate number of qualified persons, the Commission considers the number of students aided, the number of programs in which the institution participates, the number of applications evaluated, the amount of funds administered, and the financial aid delivery system used by the institution.
- 5) Institutional applicants must also supply ISAC with audited financial statements, prepared by an independent third party in accordance with generally accepted accounting principles, to establish financial responsibility. (See, e.g., 34 CFR 668.15.)
- 6) Once approved to participate in ISAC gift assistance programs by the Commission, an institution shall receive provisional eligibility for a minimum of ~~5~~five academic years. An institution with provisional eligibility must petition the Commission for full eligibility. Full eligibility will be granted if the institution meets the requirements of subsection (i)(3) and if there are no outstanding audit exceptions.

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- j) As a condition of eligibility for participation in ISAC student assistance programs, postsecondary institutions shall have a valid Program Participation Agreement with ED (see ~~section~~Section 487 of the ~~HEA~~Higher Education Act of 1965, as amended (20 USC 1094)) and shall report their Office of Postsecondary Education Identification (OPE-ID) number to ISAC.
- k) In order to begin and to continue participation in ISAC-administered student assistance programs, institutions must also demonstrate administrative capability and financial responsibility, as defined by federal regulations. (See, e.g., 34 CFR 668.15 & 668.16.) An institution's failure to meet and maintain those standards can lead to limitation, suspension or termination proceedings. (See 23 Ill. Adm. Code 2790.)
- l) Institutions that have been assigned multiple main OPE-ID numbers will be considered separate entities by ISAC. Different campus codes associated with the same main OPE-ID number will not be considered separate entities.
- m) An institution shall notify ISAC of its Federal Employer Identification Number (FEIN) in order to receive payment pursuant to any ISAC-administered program.
- n) When an approved institution has a change of ownership resulting in a change of control, a change of location, or a change of name as defined by federal regulations, the institution's Program Participation Agreement with ED may be terminated. After an institution has undergone a change of status affecting its participation in any Title IV federal student financial aid programs, the institution may have its eligibility with ISAC reinstated by the execution of a new Program Participation Agreement with ED (~~see, e.g., 34 CFR 600.31 et seq.~~)(~~see, e.g., 34 CFR 600.30 et seq.~~) and by the submission and Commission approval of a new application for participation with ISAC.

(Source: Amended at 34 Ill. Reg. 8543, effective July 1, 2010)

Section 2700.40 General Applicant Eligibility Requirements

- a) Except as otherwise provided by this subsection, an applicant with a defaulted loan made pursuant to Title IV of the Higher Education Act is not eligible for benefits under ISAC-administered programs.
- 1) Eligibility for guaranteed loans may be reinstated in accordance with

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federal regulations and the following provisions:

- A) Eligibility for ISAC-guaranteed loans will be reinstated when:
 - i) the debt has been paid in full;
 - ii) the borrower has made a "satisfactory repayment arrangement," in accordance with 34 CFR 682.200;
 - iii) the borrower's prior defaulted loan has been rehabilitated, in accordance with 34 CFR 682.405; or
 - iv) the borrower has made payments on a defaulted loan to consolidate that loan in accordance with 34 CFR 682.201.
 - B) Borrowers are eligible to use subsections (a)(1)(A)(ii) and (iii)~~subsection (a)(1)(A)(ii)~~ only one time.
 - C) Eligibility for ISAC-administered gift assistance will be reinstated for current and future terms when the applicant has maintained a satisfactory repayment record for at least ~~six~~ consecutive months or has met the requirements of subsection (a)(1)(A). Factors to be considered by ISAC in evaluating the repayment record include: the amount of the debt, the amount of the payments received by ISAC, the employment status of the applicant, and the frequency of the applicant's contact with ISAC.
- 2) A qualified applicant for Illinois Veteran Grant (IVG) assistance (23 Ill. Adm. Code 2733) shall be permitted one term of assistance during which a satisfactory repayment record, as defined by subsection (a)(1)(C), must be established. If such a repayment record is not established, additional assistance shall be denied until a satisfactory repayment record is established.
- b) No applicant shall receive ISAC-administered assistance if the applicant owes a refund for any ISAC-administered gift assistance, a Federal Pell Grant, or a Federal Supplemental Educational Opportunity Grant (FSEOG) (20 USC 1070(b)).

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- c) An applicant shall, upon request, provide documentation to establish and verify eligibility. (See Section 2700.50.) Failure to supply adequate documentation will result in the denial of student assistance benefits.
- d) An applicant who has received financial assistance based on fraudulent data shall be denied ISAC-administered assistance until full restitution has been made to ISAC for any fraudulently-obtained funds, and may also be subject to prosecution by the Illinois Attorney General, United States Department of Justice and/or an Illinois State's Attorney.
- e) Each applicant must submit his/her Social Security Number (SSN).
- f) Recipients who cease to be residents of Illinois after notification of eligibility may complete the academic year with the assistance awarded.
- g) Unless otherwise provided, benefits under gift assistance programs are subject to the limits of dollars appropriated to ISAC by the Illinois General Assembly and approved by the Governor.
- h) When gift assistance eligibility is limited to a specified number of term payments, the eligibility cap is calculated in accordance with this subsection.
 - 1) For each semester term of full-time payment benefits, the recipient is assessed ~~6six~~ eligibility units. For each quarter term of full-time payment benefits, the recipient is assessed ~~4four~~ eligibility units.
 - 2) For each semester term of half-time payment benefits, the recipient is assessed ~~3three~~ eligibility units. For each quarter term of half-time payment benefits, the recipient is assessed ~~2two~~ eligibility units.
 - 3) For each semester or quarter term of less than half-time payment benefits, the recipient is assessed one eligibility unit.
 - 4) Sixty eligibility units are the equivalent of payments for ~~10ten~~ semesters/~~15fifteen~~ quarters of full-time benefits.
 - 5) Forty-eight eligibility units are the equivalent of payments for ~~8eight~~ semesters/~~12twelve~~ quarters of full-time benefits.

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- i) An applicant shall comply with Selective Service registration requirements, pursuant to 34 CFR 668.37 et seq.
- j) Except for grants pursuant to 23 Ill. Adm. Code 2730 (Illinois National Guard Grant Program) and 23 Ill. Adm. Code 2733 (Illinois Veteran Grant Program), an applicant must be maintaining satisfactory academic progress in accordance with the institution's policy.
- k) Except for grants pursuant to 23 Ill. Adm. Code 2730 (Illinois National Guard Grant Program) and 23 Ill. Adm. Code 2733 (Illinois Veteran Grant Program), ISAC gift assistance benefits for courses utilizing distance education are limited to students enrolled in eligible degree or certificate programs who are eligible to receive Title IV, HEA program funds. (See 34 CFR 668.38.)
- l) Except for grants pursuant to 23 Ill. Adm. Code 2730 (Illinois National Guard Grant Program) and 23 Ill. Adm. Code 2733 (Illinois Veteran Grant Program), students enrolled in academic programs while incarcerated are ineligible for ISAC gift assistance benefits.
- m) For the purpose of determining the timeliness of an individual's application, the postmark date of an application submitted electronically shall be the date on which ISAC receives that individual's submission of complete application data.

(Source: Amended at 34 Ill. Reg. 8543, effective July 1, 2010)

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- 1) Heading of the Part: Federal Family Education Loan Program (FFELP)
- 2) Code Citation: 23 Ill. Adm. Code 2720
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
2720.50	Amendment
2720.70	Amendment
- 4) Statutory Authority: Implementing Sections 80 through 175 of the Higher Education Student Assistance Act [110 ILCS 947/80 through 175]; Title IV, Part B, of the Higher Education Act of 1965, as amended (20 USC 1071 et seq.); and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)]
- 5) Effective Date of Rulemaking: July 1, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 22, 2010; 34 Ill. Reg. 1360
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposed and final version: The changes made were non-substantive in nature.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendments proposed for this Part are necessitated by federal statutory and regulatory changes. In addition to making minor technical changes, ISAC proposed the following substantive amendment:

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Section 2720.50 was amended to reflect the provision that lenders must provide required disclosures to borrowers of federal Stafford, PLUS and Consolidation loans as detailed in federal regulations.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

PH: 847/948-8500 ext. 2216
e-mail: lhynes@isac.org

The full text of the Adopted Amendments begins on the following page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2720

FEDERAL FAMILY EDUCATION LOAN PROGRAM (FFELP)

SUBPART A: FEDERAL LOAN PROGRAMS: THE FEDERAL STAFFORD LOAN PROGRAM, FEDERAL PLUS PROGRAM, FEDERAL SUPPLEMENTAL LOANS FOR STUDENTS (SLS) PROGRAM, AND FEDERAL CONSOLIDATION LOAN PROGRAM

Section

2720.5	Summary and Purpose
2720.6	Definitions (Repealed)
2720.10	Eligibility for ISAC Loan Guarantees
2720.20	Lender Eligibility
2720.25	Educational Lender Eligibility
2720.30	Institutional Eligibility
2720.35	Holder Eligibility
2720.40	Procedures for Obtaining a Guaranteed Loan
2720.41	One-Lender Requirement
2720.42	One-Holder Requirement
2720.50	Procedures for Disbursement, Disclosure , Delivery and Repayment
2720.55	Federal Consolidation Loan Program
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SUBPART B: ILLINOIS DESIGNATED ACCOUNT PURCHASE PROGRAM (IDAPP)

Section

2720.105	Summary and Purpose
2720.120	IDAPP Eligible Loans
2720.130	IDAPP Eligible Lenders

SUBPART C: ISAC ORIGINATED LOANS

Section

2720.200	ISAC Originated Consolidation Loans
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- 2720.210 Illinois Opportunity Loan Program (IOP)
2720.220 Federal Family Education Loan Program (FFELP) Loans

2720.APPENDIX A Required Activities of Educational Lenders (Repealed)

AUTHORITY: Implementing Sections 80 through 175 of the Higher Education Student Assistance Act [110 ILCS 947/80 through 175]; Title IV, Part B, of the Higher Education Act of 1965, as amended (20 USC 1071 et seq.); and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

SOURCE: Adopted at 3 Ill. Reg. 4, p. 38, effective January 26, 1979; amended at 5 Ill. Reg. 8698, effective August 17, 1981; emergency rule and emergency repealer at 6 Ill. Reg. 7558, 7573, effective June 9, 1982, for a maximum of 150 days; new rules adopted at 6 Ill. Reg. 13799, effective October 25, 1982; old rules repealed at 6 Ill. Reg. 15254, effective December 3, 1982; emergency amendment at 7 Ill. Reg. 9942, effective August 8, 1983, for a maximum of 150 days; codified at 7 Ill. Reg. 13309; amended at 8 Ill. Reg. 876, effective January 9, 1984; amended at 8 Ill. Reg. 7286, effective May 18, 1984; amended at 8 Ill. Reg. 17006, effective September 5, 1984; amended at 9 Ill. Reg. 20796, effective January 1, 1986; amended at 11 Ill. Reg. 3181, effective January 29, 1987; emergency amendment at 11 Ill. Reg. 13669, effective August 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14103, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 18370, effective October 23, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20989, effective January 1, 1988; amended at 12 Ill. Reg. 6971, effective April 1, 1988; amended at 12 Ill. Reg. 11520, effective July 1, 1988; emergency amendment at 12 Ill. Reg. 15221, effective September 15, 1988, for a maximum of 150 days; emergency expired February 12, 1989; amended at 13 Ill. Reg. 2872, effective February 16, 1989; amended at 13 Ill. Reg. 8630, effective July 1, 1989; transferred from Chapter IX, 23 Ill. Adm. Code 1720 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2720 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17855; emergency amendment at 14 Ill. Reg. 4266, effective March 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10553, effective July 1, 1990; amended at 14 Ill. Reg. 10941, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 18769, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 4060, effective February 28, 1992; amended at 16 Ill. Reg. 11224, effective July 1, 1992; emergency amendment at 17 Ill. Reg. 2055, effective February 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 10506, effective July 1, 1993; amended at 18 Ill. Reg. 10254, effective July 1, 1994; emergency amendment at 18 Ill. Reg. 15636, effective October 15, 1994, for a maximum of 150 days; emergency expired March 13, 1995; amended at 19 Ill. Reg. 6215, effective April 15, 1995; amended at 19 Ill. Reg. 8320, effective July 1, 1995; amended at 20 Ill. Reg. 9147, effective July 1, 1996; amended at 21 Ill. Reg. 11038, effective July 18, 1997; amended at 22 Ill. Reg. 11051, effective July 1, 1998; amended at 23 Ill. Reg. 7537, effective July 1, 1999; amended at 24 Ill.

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Reg. 9101, effective July 1, 2000; amended at 25 Ill. Reg. 8369, effective July 1, 2001; amended at 26 Ill. Reg. 9998, effective July 1, 2002; amended at 27 Ill. Reg. 10326, effective July 1, 2003; amended at 28 Ill. Reg. 9135, effective July 1, 2004; amended at 29 Ill. Reg. 9897, effective July 1, 2005; amended at 31 Ill. Reg. 9496, effective July 1, 2007; amended at 32 Ill. Reg. 10290, effective July 1, 2008; amended at 33 Ill. Reg. 9758, effective July 1, 2009; amended at 34 Ill. Reg. 8565, effective July 1, 2010.

SUBPART A: FEDERAL LOAN PROGRAMS: THE FEDERAL STAFFORD LOAN PROGRAM, FEDERAL PLUS PROGRAM, FEDERAL SUPPLEMENTAL LOANS FOR STUDENTS (SLS) PROGRAM, AND FEDERAL CONSOLIDATION LOAN PROGRAM

Section 2720.50 Procedures for Disbursement, Disclosure, Delivery and Repayment

- a) Disbursement, disclosure, delivery and repayment procedures are specified in federal regulations. (See 34 CFR 682.205, 34 CFR 682.206, 34 CFR 682.207, 34 CFR 682.209, and 34 CFR 682.604.) Furthermore, the lender shall provide required disclosures to federal Stafford, PLUS, and Consolidation loan borrowers, according to federal regulations. (See 34 CFR 682.205, 34 CFR 682.208(e)(1), 34 CFR 682.210(a)(3)(ii); 34 CFR 682.211(e).)
- b) Prior to disbursement, the borrower shall execute a common ED-approved promissory note for the principal and interest on the loan. The lender shall retain an original or true and exact copy of the promissory note. (See 34 CFR 682.414.)
- c) The lender shall transmit to ED any and all statements and reports necessary to obtain federal interest payments on the borrower's behalf. The lender shall not collect or attempt to collect from the borrower or ISAC any portion of the interest on the loan that is payable by ED.
- d) Except for loans pursuant to Section 2720.55, or loans made under a Blanket Certificate of Loan Guaranty agreement, the lender shall not disburse the proceeds of any loan on the borrower's behalf unless and until the lender shall have received from ISAC evidence of a guarantee. The lender shall inform ISAC of all disbursement dates.
- e) Federal Stafford and Federal PLUS Loan proceeds shall be transmitted directly to the institution.
 - 1) Federal Stafford Loan checks shall be payable to the student borrower unless the institution requires all Stafford loan checks to be co-payable to

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the borrower and the institution. Federal PLUS Loan checks shall be co-payable to the institution and the borrower. Federal Stafford or Federal PLUS Loan funds disbursed either via EFT or by Master Check to the institution shall include information identifying the names, Social Security Numbers and the loan amounts of the borrowers who are receiving a portion of the disbursement, and, in the case of a Parent PLUS Loan, the names and the Social Security Numbers of the students on whose behalf the parents are borrowing.

- 2) Loan proceeds must be disbursed to the institution and delivered to the borrower no later than 180 days after the end of the loan period or 180 days after the date on which the student ceased to be enrolled at least half-time, whichever is earlier. If the loan proceeds are not delivered pursuant to this subsection (e)(2), the school must request that the loan be canceled and must return any loan proceeds. (See 34 CFR 668.164(g).)
- 3) If the student has withdrawn from enrollment and federal regulations require the institution to submit a refund to the lender, either electronically or in the form of a check payable to the lender on behalf of the borrower, the institution shall provide simultaneous written notice to the borrower of the refund.
 - A) If the institution fails to issue a timely refund, as defined by federal regulations (see 34 CFR 682.607(c) and 668.22(j)), the institution shall pay penalty interest.
 - B) The penalty interest shall equal the total amount of interest and special allowance generated by the principal value of the refund amount. The penalty interest shall be computed from the date the refund was due until the date the refund was issued.
 - C) The penalty interest shall be paid to the lender or subsequent holder.
- f) The borrower shall have the right to prepay without penalty the whole or any part of a loan guaranteed under this Part.
- g) The lender or holder shall notify the borrower of the repayment options available, as specified in 34 CFR 682.209. The lender or holder shall send a repayment schedule to a FFELP borrower no less than 30 days nor more than 150 days

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before the first payment on the loan is due from the borrower.

- h) The lender or holder shall notify ISAC of payment in full or prepayment in full by the borrower.
- i) In accordance with federal regulations, the lender or holder may extend the maturity date of any note.
- j) Lenders or holders may exercise administrative forbearances, which do not require the agreement of the borrower, as authorized by section 428(c)(3)(C) of the Higher Education Act of 1965, as amended (20 USC 1078(c)(3)(C)), and by federal regulations. (See 34 CFR 682.211.)
- k) Borrowers are entitled to deferments, which extend the maturity date of any note, under conditions established by federal regulations. (See 34 CFR 682.210.)
- l) ISAC provides lenders or holders with the ED-approved common forms necessary for servicing their guaranteed loan portfolio (e.g., deferment forms, mandatory forbearance forms).
- m) No note shall be sold or transferred by the lender except to an ISAC-approved lender, an ISAC-approved holder, or ISAC.

(Source: Amended at 34 Ill. Reg. 8565, effective July 1, 2010)

Section 2720.70 Reimbursement Procedures

- a) The lender or holder shall request reimbursement from ISAC within 60 days from the date the lender or holder receives a completed request for loan cancellation or discharge due to death, total and permanent disability, attendance at a school that closes, false certification by a school of a borrower's eligibility for a loan, unpaid refunds, areas of national need, civil legal assistance attorneys, or child care provider or teacher loan forgiveness, in accordance with federal regulations and the Higher Education Act of 1965, as amended. (See, e.g., 34 CFR 682.21634 ~~CFR 682.215~~, 682.402 and 682.409.)
- b) Requests for default reimbursement must be submitted to ISAC within the time frames specified in, and the lender or holder shall be reimbursed in accordance with, federal regulations and the Higher Education Act of 1965, as amended. In the case of a default on a Federal PLUS Loan, the borrower, co-maker and

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endorser must meet the default criteria contained in federal regulations.

- c) The lender or holder must request ISAC reimbursement for a bankruptcy claim in accordance with federal regulations and the Higher Education Act of 1965, as amended. (See, e.g., 34 CFR 682.402(f).) The request for reimbursement must be submitted within 30 days after the lender's or holder's receipt of notice that collection on the debt is stayed, or 15 days upon notice of an adversary proceeding for undue hardship. A copy of the restraining order and the appropriate papers must be included. In the case of a bankruptcy involving a Federal PLUS Loan, the borrower, co-maker and endorser must meet the bankruptcy criteria contained in federal regulations.
- d) Prior to reimbursement, the lender or holder must certify compliance with federal due diligence requirements and subsection (h) of this Section.
- e) Prior to reimbursement, the lender or holder must have remitted the federal default fee established by Section 2720.80.
- f) The lender or holder shall forward to ISAC any payments made by or on behalf of the borrower after default reimbursement and shall advise ISAC of any subsequent information received concerning the borrower. Prior to reimbursement, all original notes or true and exact copies of original notes must be properly endorsed and submitted to ISAC. If the notes have been lost or erroneously stamped "Paid in Full," the lender or holder shall execute a Hold Harmless Agreement with ISAC.
- g) No fee or charge to the borrower, other than the maximum interest rate prescribed by ED and the collection charges outlined in federal regulations (see 34 CFR 682.202(f) and (g)), including the federal default fee, and the federal loan origination fee, shall be contracted for or received by the lender.
- h) The lender or holder shall make a proper collection effort in accordance with acceptable practices of prudent lending institutions including, but not limited to, the collection activities required by federal regulations. (See, e.g., 34 CFR 682.402, 682.411 and 682.412.)
- i) ISAC shall collect the outstanding amount on the reimbursed guaranteed loan. If the borrower refuses to retire the debt, ISAC shall follow the requirements of federal regulations, including, but not limited to, offsets of federal income tax refunds and other payments made by the federal government to the borrower. (See

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34 CFR 682.410(b)(6).)

- j) Should a borrower refuse to retire the debt, ISAC shall direct the State Comptroller to offset any payment from the State Treasurer to the borrower. The funds offset shall be remitted to ISAC and credited against the debt.
- 1) All offsets shall be processed in accordance with 74 Ill. Adm. Code 285.
 - 2) ISAC shall not direct an offset if the borrower has maintained a satisfactory repayment record. (See 23 Ill. Adm. Code 2700.40(a)(1).)
 - 3) ISAC shall notify the Office of the Comptroller that a borrower is eligible to be offset. ISAC may provide additional notice of subsequent offsets for the same debt. The Comptroller shall notify the borrower that the Comptroller is required to hold all eligible payments until the loan is paid in full. Should the borrower dispute the debt, a protest must be filed with the Office of the Comptroller within 30 days after and including the date of the notice. If the requested relief is granted, the funds offset shall be returned to the borrower.
 - 4) Funds eligible to be offset include, but are not limited to, State income tax refunds and the wages of State employees.
- k) ISAC shall provide a borrower with an opportunity for an administrative review of the legal enforceability or past-due status of the loan obligation after it pays a default claim but before it reports the default to each national consumer reporting agency or credit bureau or assesses collection costs against the borrower, in accordance with federal regulations (34 CFR 682.410(b)(5)(ii)(C)).
- l) ISAC may garnish the disposable pay of a borrower if the individual is not currently making required payments, in accordance with Section 488A of the Higher Education Act, as amended.
- m) ISAC requires the lender or holder to submit a request for an increase in claim payment within 90 days after receiving the claim payment. ISAC will provide the lender or holder with a determination on the increase in claim payment within 90 days after receiving the request and supporting documentation.

(Source: Amended at 34 Ill. Reg. 8565, effective July 1, 2010)

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NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Grant Program for Participants in SIU-C Achieve Program
- 2) Code Citation: 23 Ill. Adm. Code 2739
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
2739.10	New Section
2739.20	New Section
2739.30	New Section
2739.40	New Section
- 4) Statutory Authority: Implementing Section 65.85 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/65.85 and 20(f)]
- 5) Effective Date of Rulemaking: July 1, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 22, 2010; 34 Ill. Reg. 1370
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part is adopted to reflect the statutory changes contained in Public Act 96-229, which created this new program. These adopted rules govern the administration of the new Grant Program for Participants in SIU-C Achieve Program. The rules for the program set forth the applicant eligibility

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requirements, program procedures, and institutional procedures for students to receive a grant equal to the amount of fees charged for participation in the Clinical Center Achieve program at Southern Illinois University at Carbondale.

- 16) Information and questions regarding this adopted rulemaking shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

847/948-8500, ext. 2216
e-mail: lhynes@isac.org

The full text of the Adopted Rules begins on the next page:

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NOTICE OF ADOPTED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2739

GRANT PROGRAM FOR PARTICIPANTS IN SIU-C ACHIEVE PROGRAM

Section

2739.10	Summary and Purpose
2739.20	Applicant Eligibility
2739.30	Program Procedures
2739.40	Institutional Procedures

AUTHORITY: Implementing Section 65.85 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/65.85 and 20(f)].

SOURCE: Adopted at 34 Ill. Reg. 8574, effective July 1, 2010.

Section 2739.10 Summary and Purpose

- a) Subject to appropriation, ISAC shall award grants to eligible students who are participants in the Clinical Center Achieve Program in order to pay for fees that are charged for the comprehensive services provided. The Clinical Center Achieve Program is an academic support program for college students with learning disabilities or attention deficit disorders who are enrolled at Southern Illinois University at Carbondale.
- b) This Part establishes rules that govern the Program. Additional rules and definitions are contained in General Provisions (23 Ill. Adm. Code 2700).

Section 2739.20 Applicant Eligibility

A qualified applicant shall be:

- a) a U.S. citizen or eligible noncitizen;
- b) a resident of Illinois; and

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- c) admitted to and in good standing with the Clinical Center Achieve Program at Southern Illinois University at Carbondale (SIU-C).

Section 2739.30 Program Procedures

- a) All applicants must complete and file the form that the U.S. Department of Education (ED) designates as an application for federal student financial aid and must notify the financial aid office of their desire to receive a grant.
- b) Awards shall be made to participants using a need-based formula. When funds are insufficient to award all participants, priority will be given to students with the highest calculated unmet financial need.

Section 2739.40 Institutional Procedures

- a) Funds shall be disbursed by ISAC to SIU-C. ISAC shall notify the institution of the amount of funds available and shall send a claim form that is to be used by SIU-C to request the amount of funds needed to pay claims. The form must be signed by an official of SIU-C and returned to ISAC's Deerfield office.
- b) The institution shall determine the amount of each grant, which shall be equal to the amount of the fees charged the student as a participant of the Clinical Center Achieve Program.
- c) If the institution cannot award the full amount of funds disbursed to it in the fiscal year for which the funds are appropriated, the unused portion must be returned to ISAC.
- d) The institution shall notify applicants that grant assistance is contingent upon the availability of funds appropriated for this Program.

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NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Forensic Science Grant Program
- 2) Code Citation: 23 Ill. Adm. Code 2742
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2742.10	Repeal
2742.20	Repeal
2742.30	Repeal
2742.40	Repeal
- 4) Statutory Authority: Implementing Section 65.80 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/65.80 and 20(f)]
- 5) Effective Date of Repealer: July 1, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 22, 2010; 34 Ill. Reg. 1374
- 10) Has JCAR issued a Statement of Objection to this repealer? No
- 11) Differences between proposed and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this repealer replace any emergency repealer currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Repealer: Statute 110 ILCS 947/65.80 states on an annual basis, until July 1, 2010, the Commission shall receive and consider applications for grant assistance under this program. As a result, ISAC is repealing the administrative rules for this program.

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NOTICE OF ADOPTED REPEALER

- 16) Information and questions regarding this Adopted Repealer shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

847/948-8500, ext. 2216
e-mail: lhynes@isac.org

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- 1) Heading of the Part: Public Interest Attorney Loan Repayment Assistance Program
- 2) Code Citation: 23 Ill. Adm. Code 2756
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2756.10	New Section
2756.15	New Section
2756.20	New Section
2756.30	New Section
- 4) Statutory Authority: Implementing Section 65.75 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/65.75 and 20(f)]
- 5) Effective Date of Rules: July 1, 2010
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rulemaking, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: January 22, 2010, 34 Ill. Reg. 1382
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between proposed and final version: The only changes made were nonsubstantive in nature.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part is adopted to reflect the statutory changes contained in Public Acts 96-615 and 96-768, which created this new program. These adopted rules govern the administration of the new Public Interest Attorney Loan Repayment Assistance Program. Rules for this program set forth the applicant eligibility

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and program procedures for eligible public interest attorneys to receive loan repayment assistance in the form of a forgivable loan.

- 16) Information and questions regarding these Adopted Rules shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, IL 60015

847/948-8500, ext. 2216
e-mail: lhynes@isac.org

The full text of the Adopted Rules begins on the next page:

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NOTICE OF ADOPTED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2756

PUBLIC INTEREST ATTORNEY LOAN REPAYMENT ASSISTANCE PROGRAM

Section

2756.10	Summary and Purpose
2756.15	Definitions
2756.20	Applicant Eligibility
2756.30	Program Procedures

AUTHORITY: Implementing and authorized by Section 20 of the Public Interest Attorney Assistance Act [110 ILCS 916/20].

SOURCE: Adopted at 34 Ill. Reg. 8580, effective July 1, 2010.

Section 2756.10 Summary and Purpose

- a) The Public Interest Attorney Loan Repayment Assistance Program provides loan repayment assistance to practicing attorneys to encourage them to pursue careers as public interest attorneys to protect the rights of this State's most vulnerable citizens or provide quality enforcement of State law.
- b) This Part governs the Public Interest Attorney Loan Repayment Assistance Program. Additional rules and definitions are contained in General Provisions (23 Ill. Adm. Code 2700).

Section 2756.15 Definitions

"Assistant State's Attorney" – *A full-time employee of a State's Attorney in Illinois or the State's Attorneys Appellate Prosecutor who is continually licensed to practice law and prosecutes or defends cases on behalf of the State or a county.*

"Assistant Attorney General" – *A full-time employee of the Illinois Attorney General who is continually licensed to practice law and prosecutes or defends cases on behalf of the State.*

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"Assistant Public Defender" – *A full-time employee of a Public Defender in Illinois or the State Appellate Defender who is continually licensed to practice law and provides legal representation to indigent persons, as provided by statute.*

"Assistant public guardian" – *A full-time employee of a public guardian in Illinois who is continually licensed to practice law and provides legal representation pursuant to court appointment.*

"Civil legal aid" – *Free or reduced-cost legal representation or advice to low-income clients in non-criminal matters.*

"Civil legal aid attorney" – *An attorney who is continually licensed to practice law and is employed full time as an attorney at a civil legal aid organization in Illinois.*

"Civil legal aid organization" – *A not-for-profit corporation in Illinois that:*

is exempt from the payment of federal income tax pursuant to section 501(c)(3) of the Internal Revenue Code;

is established for the purpose of providing legal services that include civil legal aid;

employs 2 or more full-time attorneys who are licensed to practice law in this State and who directly provide civil legal aid; and

is in compliance with registration and filing requirements that are applicable under the Charitable Trust Act [760 ILCS 65] and the Solicitation for Charity Act [225 ILCS 460].

"Eligible debt" – *The outstanding principal, interest, and related fees from loans obtained for undergraduate, graduate, or law school educational expenses made by government or commercial lending institutions or educational institutions. Eligible debt excludes loans made by a private individual or family member.*

"IGAC attorney" – *A full-time employee of the Illinois Guardianship and Advocacy Commission, including the Office of State Guardian, the Legal Advocacy Service, and the Human Rights Authority, who is continually licensed to practice law and provides legal representation to carry out the responsibilities of the Illinois Guardianship and Advocacy Commission.*

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"Legislative attorney" – *A full-time employee of the Illinois Senate, the Illinois House of Representatives, or the Illinois Legislative Reference Bureau who is continually licensed to practice law and provides legal advice to members of the General Assembly.*

"Public interest attorney" – *An attorney practicing in Illinois who is an assistant State's Attorney, assistant Public Defender, civil legal aid attorney, assistant Attorney General, assistant public guardian, IGAC attorney, or legislative attorney.*

"Qualifying employer" – *For purposes of this Part, a qualifying employer is: an Illinois State's Attorney or the State's Attorneys Appellate Prosecutor, an Illinois Public Defender or the State Appellate Defender, an Illinois civil legal aid organization, the Illinois Attorney General, an Illinois public guardian, the Illinois Guardianship and Advocacy Commission, the Illinois Senate, the Illinois House of Representatives, or the Illinois Legislative Reference Bureau. [110 ILCS 916/15]*

Section 2756.20 Applicant Eligibility

A qualified applicant for loan repayment assistance shall be:

- a) a United States citizen or eligible noncitizen;
- b) a licensed member of the Illinois Bar in good standing;
- c) a borrower with an outstanding balance due on an eligible educational loan;
- d) an applicant who is not in default on a federal guaranteed educational loan or owes a refund on a grant or scholarship program administered by ISAC; and
- e) employed as a public interest attorney with a qualifying employer in Illinois.

Section 2756.30 Program Procedures

- a) Eligible educational loans include:
 - 1) Federal Stafford Loans;

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- 2) Federal Graduate PLUS Loans;
 - 3) Federal consolidation loans;
 - 4) Law school student loans;
 - 5) Federal Supplemental Loans for Students;
 - 6) Private/alternative loans; and
 - 7) Other types of educational loans made by government or commercial lending institutions or educational institutions.
- b) Non-eligible loans include:
- 1) Parent PLUS Loans;
 - 2) Loans that have been paid in full;
 - 3) Loans obtained from family members or a private individual;
 - 4) Any portion of a consolidated loan that is not the applicant's; and
 - 5) Any portion of a loan that is fully forgiven by a state or federal government or a lending institution through a comparable repayment or forgiveness program.
- c) All applicants annually must complete an ISAC application/promissory note for the loan repayment program. The qualified applicant must sign a promissory note that stipulates the loan repayment assistance is in the form of a forgivable loan.
- 1) The application/promissory note is available at ISAC's web site and ISAC's Springfield, Deerfield and Chicago offices.
 - 2) If the application/promissory note is incomplete, ISAC will notify the applicant, who will have an opportunity to furnish the missing information. The application will be considered for processing only as of the date it is complete and received at ISAC's Deerfield office.

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- 3) Applicants must use the proceeds from assistance provided under this Part for the purpose of making payments to the loan holders of their eligible educational loans.
 - 4) The applicant shall submit eligibility information prior to June 1 so there is sufficient time for ISAC to disburse monetary assistance each year the forgivable loans are made.
- d) Selection of Recipients for Forgivable Loans
- 1) ISAC shall select the recipients from those who have submitted a complete application/promissory note, with all required documentation, and the application/promissory note is received in ISAC's Deerfield office by the published due date. Applicants who filed renewal applications by the published due date and have complied with the information in subsection (c) have priority consideration. Selection is then made from among qualified new applicants.
 - 2) The total number of payments made for qualified applicants in a given fiscal year is contingent upon available funding. If funding is insufficient to make forgivable loans to all eligible applicants, first preference in the selection process is given to renewal applicants who meet the requirements outlined in subsection (d)(1). Priority, in combination with the following criteria, is then given to those who file timely applications and receive the highest point totals according to the following criteria:
 - A) Salary level at time of application: 0-40 points, reflecting salary of applicants from highest (0 points) to lowest (40 points);
 - B) Eligible debt at time of application: 0-30 points, reflecting debt of applicants from lowest (0 points) to highest (30 points);
 - C) Years of service as a public interest attorney at time of application: point value equal to number of years of service; and
 - D) Availability of other loan repayment assistance during award year: 15 points when no other assistance is available.
 - 3) If all other criteria are equal, selection is made by lottery.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED RULES

- e) Loan repayment assistance is in the form of a forgivable loan. The amount for a recipient shall not exceed \$6,000 per year, up to a maximum of \$30,000 during the recipient's career.
- f) The forgivable loan proceeds shall be remitted to the qualified applicant.
- g) To have the loan forgiven, the recipient must:
 - 1) complete a year of employment with a qualifying employer; and
 - 2) make educational debt payments (interest or principal or both) that equal at least the amount of assistance received under the program during the assistance year.
- h) A recipient must respond to any notifications from ISAC and must notify ISAC of changes to his or her address or employment status within 10 days after a change.
- i) If the recipient becomes ineligible or does not make educational debt payments as prescribed in subsection (g), he or she can no longer receive benefits and must repay any amounts received under the program that are outstanding, plus interest at a rate of five percent and, if applicable, reasonable collection fees.
 - 1) If the recipient must repay the forgivable loan, repayment status will begin on the earliest of the following dates:
 - A) the first day of the first calendar month after the recipient has ceased to practice as a public interest attorney as defined in Section 2756.15; or
 - B) the date the recipient informs ISAC that he or she does not plan to fulfill his or her practice obligation; or
 - C) the first day of the first calendar month after the recipient fails to make educational debt payments (interest or principal or both) that equal at least the amount of assistance received under the program during the assistance year.
 - 2) The repayment period shall be completed within five years.

ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 3) A recipient shall not be required to repay the educational loan received under this Part if he or she becomes permanently totally disabled, as established by the sworn affidavit of a qualified physician, or if his or her representative provides ISAC with a death certificate or other evidence that the recipient has died.
- 4) No claim for repayment may be filed against the estate of a decedent or incompetent.

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3)

<u>Section Numbers:</u>	<u>Emergency Action:</u>
1800.110	Amendment
1800.520	Amendment
1800.610	Amendment
1800.615	Amendment
1800.650	Amendment
1800.910	New Section
1800.920	New Section
1800.930	New Section
1800.1010	New Section
1800.1020	New Section
1800.1030	New Section
1800.1040	New Section
1800.1050	New Section
1800.1060	New Section
1800.1070	New Section
1800.1110	New Section
- 4) Statutory Authority: Implementing and authorized by the Video Gaming Act [230 ILCS 40]
- 5) Effective date of Amendments: June 15, 2010
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: The emergency amendments will expire at the end of the 150-day period or upon adoption of permanent rules, whichever comes first.
- 7) Date filed with the Index Department: June 15, 2010
- 8) A copy of the emergency amendments, including any material incorporated by reference, is on file in the Illinois Gaming Board's principal office and is available for public inspection.
- 9) Reason for Emergency: The Illinois Gaming Board is mandated by Section 78 (b) of the Video Gaming Act [230 ILCS 40/78 (b)] to "adopt emergency rules to administer this Act in accordance with Section 5-45 of the Illinois Administrative Procedure Act."

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

- 10) A Complete Description of the Subjects and Issues Involved: These emergency amendments implement the provisions of the Video Gaming Act enacted by Public Act 96-34 and amended by Public Acts 96-0037 and 96-0038. The Video Gaming Act authorizes installation of video gaming terminals used for wagering purposes in various categories of licensed locations, and provides for the distribution of specified percentages of video gaming revenues to State and local governments for designated purposes. The Illinois Gaming Board is responsible for administering and enforcing the Video Gaming Act.

The Board's initial set of rules to implement the provisions of the Video Gaming Act became effective as emergency rules on October 19, 2009 (33 Ill. Reg. 14793), and were adopted as permanent rules effective February 22, 2010 (34 Ill. Reg. 2893). The present set of amendments supplements the initial rules by adding the following provisions:

In Section 1800.110, 20 new definitions are added, including definitions for the following:

- Affiliated entity;
- Attributed interest;
- Enforce a security interest;
- EPROM [Erasable, Programmable, Read Only memory];
- Game;
- Gaming;
- Gaming operation;
- Gaming property collateral;
- Institutional investor;
- Liquor license;
- Major components or parts;
- Ownership interest;
- Person with significant interest and control;
- Secured party;
- Security;
- Security agreement;
- Security interest;
- Sole proprietor;
- Substantial interest; and
- Video gaming equipment.

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NOTICE OF EMERGENCY AMENDMENTS

Eight existing definitions are amended in Section 1800.110. These amendments are necessitated by changes in statutory law.

Subpart E—Licensing Procedures is amended in Section 1800.520—Applications. New subsections are added to Section 1800.520 pertaining to submission of additional forms or materials; institutional investors; application procedures; amendments and incorporations by reference; and withdrawals of applications.

Subpart F—Denials of Applications for Licensure is modified to reflect the new rule provisions dealing with security interests and enforcement procedures and requirements. If there is a denial of a security enforcement request, there must be a mechanism available to contest that decision. The new provisions in Subpart F establish this mechanism.

New Subpart I is entitled "Security Interests". As already noted, Section 1800.110 adds a new definition of "gaming property collateral". Subpart I establishes that the Illinois Gaming Board must approve any enforcement of a security interest, and sets forth procedures for approval.

New Subpart J regulates the transportation and distribution of video gaming terminals, both within Illinois and into and out of the State.

New Subpart K regulates the relationships between the Illinois Gaming Board and units of local government by requiring mutual notifications between the two levels of government.

- 11) Are there any other amendments pending to this Part? No
- 12) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 13) Information and questions regarding this rulemaking shall be directed to

Michael Fries
General Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago, Illinois 60601

Fax No. 312/814-7253

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NOTICE OF EMERGENCY AMENDMENTS

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The full text of the Emergency Amendments begins on the next page:

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE D: VIDEO GAMING
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

Section

- 1800.110 Definitions
- [EMERGENCY](#)
- 1800.115 Gender
- 1800.120 Inspection

SUBPART B: DUTIES OF LICENSEES

Section

- 1800.210 General Duties of All Video Gaming Licensees
- 1800.220 Continuing Duty to Report Violations
- 1800.230 Duties of Licensed Manufacturers
- 1800.240 Duties of Licensed Distributors
- 1800.250 Duties of Licensed Video Terminal Operators
- 1800.260 Duties of Licensed Technicians
- 1800.270 Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section

- 1800.310 Grounds for Disciplinary Actions
- 1800.320 Minimum Standards for Use Agreements

SUBPART D: LICENSING QUALIFICATIONS

Section

- 1800.410 Coverage of Subpart
- 1800.420 Qualifications for Licensure
- 1800.430 Persons with Significant Influence or Control

SUBPART E: LICENSING PROCEDURES

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

Section

- 1800.510 Coverage of Subpart
1800.520 ~~Applications~~~~Form of Application~~
EMERGENCY
1800.530 Submission of Application
1800.540 Application Fees
1800.550 Consideration of Applications by the Board
1800.560 Issuance of License
1800.570 Renewal of License
1800.580 Renewal Fees and Dates

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section

- 1800.610 Coverage of Subpart
EMERGENCY
1800.615 Requests for Hearing ~~Regarding Denial of Application~~
EMERGENCY
1800.620 Appearances
1800.625 Appointment of Administrative Law Judge
1800.630 Discovery
1800.635 Subpoenas
1800.640 Motions for Summary Judgment
1800.650 Proceedings
EMERGENCY
1800.660 Evidence
1800.670 Prohibition on Ex Parte Communication
1800.680 Sanctions and Penalties
1800.690 Transmittal of Record and Recommendation to the Board
1800.695 Status of Applicant for Licensure Upon Filing Request for Hearing

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

Section

- 1800.710 Coverage of Subpart
1800.715 Notice of Proposed Disciplinary Action Against Licensees
1800.720 Hearings in Disciplinary Actions
1800.725 Appearances
1800.730 Appointment of Administrative Law Judge

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

1800.735	Discovery
1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section	
1800.810	Location and Placement of Video Gaming Terminals

SUBPART I: SECURITY INTERESTS

<u>Section</u>	
<u>1800.910</u>	<u>Approvals Required, Applicability, Scope of Approval</u>
<u>EMERGENCY</u>	
<u>1800.920</u>	<u>Application for Approval to Enforce Security Interest</u>
<u>EMERGENCY</u>	
<u>1800.930</u>	<u>Prior Registration</u>
<u>EMERGENCY</u>	

SUBPART J: TRANSPORTATION AND DISTRIBUTION
OF VIDEO GAMING TERMINALS

<u>Section</u>	
<u>1800.1010</u>	<u>Restriction on Sale, Distribution, Transfer and Supply, and Operation of Video Gaming Terminals</u>
<u>EMERGENCY</u>	
<u>1800.1020</u>	<u>Transportation of Video Gaming Terminals into the State</u>
<u>EMERGENCY</u>	
<u>1800.1030</u>	<u>Receipt of Video Gaming Terminals in the State</u>
<u>EMERGENCY</u>	
<u>1800.1040</u>	<u>Transportation of Video Gaming Terminals Between Locations in the State</u>
<u>EMERGENCY</u>	
<u>1800.1050</u>	<u>Approval to Distribute Video Gaming Terminals Outside of the State</u>
<u>EMERGENCY</u>	

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

[1800.1060](#) [Placement of Video Gaming Terminals](#)

[EMERGENCY](#)

[1800.1070](#) [Disposal of Video Gaming Terminals](#)

[EMERGENCY](#)

[SUBPART K: STATE-LOCAL RELATIONS](#)

[Section](#)

[1800.1110](#) [State-Local Relations](#)

[EMERGENCY](#)

AUTHORITY: Implementing and authorized by the Video Gaming Act [230 ILCS 40].

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 1800.110 Definitions

[EMERGENCY](#)

For purposes of this Part the following terms shall have the following meanings:

"Act": The Video Gaming Act [230 ILCS 40].

"Administrator": The chief executive officer responsible for day-to-day operations of the Illinois Gaming Board.

"Affiliate": An "affiliate of", or person "affiliated with", a specified person shall mean a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such person.

["Affiliated entity": An "affiliated entity" of a person is any business entity that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with, the person.](#)

"Applicant": A person applying for any license under the Video Gaming Act.

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

"Application": All material submitted, including the instructions, definitions, forms and other documents issued by the Illinois Gaming Board, comprising the video gaming license application submitted to the Illinois Gaming Board.

"Associated video gaming equipment": Ticket payout systems and validation procedures; wireless, promotional and bonusing systems; kiosks; gaming-related peripherals; hardware, software and systems; and other gaming devices and equipment for compliance with:

Illinois laws, regulations, and requirements as codified or otherwise set forth; and

Board-approved video gaming industry standards.

"Attributed interest": A direct or indirect interest in an enterprise deemed to be held by an individual not through the individual's actual holdings but either through the holdings of the individual's relatives or through a third party or parties on behalf of the individual pursuant to a plan, arrangement, agreement, or contract.

"Board": The Illinois Gaming Board.

"Business entity" or "Business": A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, partnership for shares, trust, sole proprietorship or other business enterprise.

"Chi-square test": A statistical test used to determine if a relationship between variables exists by comparing expected and observed cell frequencies. Specifically, a chi-square test examines the observed frequencies in a category and compares them to what would be expected by chance or would be expected if there was no relationship between variables.

"Control": The possession, direct or indirect, of power to direct or cause the direction of the management and policies of an applicant or licensee through the ownership of voting securities, by contract or otherwise.

"Convenience store": A retail store that is open long hours, sells motor fuel, and a limited selection of snacks and general goods.

"Credit": One, five~~Five~~, ten or twenty-five cents.

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"Distributor": An individual, partnership, ~~or~~ corporation, or limited liability company licensed under ~~the~~this Act to buy, sell, lease or distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.

"Enforce a security interest": To transfer possession of ownership or title pursuant to a security interest.

"EPROM": An acronym for Erasable, Programmable, Read Only Memory, which is a microprocessor component that stores memory and affects payout percentage and/or contains a random number generator that selects the outcome of a game on a video gaming terminal.

"Fraternal organization": An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and that is exempt from federal income taxation under section 501(c)(8) or (c)(10) of the Internal Revenue Code.

"Game": A gambling activity which is played for money, property, or anything of value, including without limitation those played with cards, chips, tokens, vouchers, dice, implements, or electronic, electrical or mechanical devices or machines.

"Gaming": The dealing, operating, carrying on, conducting, maintaining or exposing for play of any game.

"Gaming operation": The conducting of gaming or the providing or servicing of gaming equipment.

"Gaming property collateral": Video gaming equipment subject to a security interest.

"Illinois resident":

With respect to an individual, an individual who is either:

domiciled in Illinois or maintains a bona fide place of abode in Illinois; or

ILLINOIS GAMING BOARD

NOTICE OF EMERGENCY AMENDMENTS

is required to file an Illinois tax return during the taxable year.

With respect to a corporation, any corporation organized under the laws of this State and any foreign corporation with a certificate of authority to transact business in Illinois. A foreign corporation not authorized to transact business in this State is a nonresident of this State.

With respect to a partnership, a partnership in which any partner is an Illinois resident, or where the partnership has an office and is doing business in Illinois.

With respect to an irrevocable trust, a trust where the grantor was an Illinois resident individual at the time the trust became irrevocable.

"Institutional investor":

A retirement fund administered by a public agency for the exclusive benefit of federal, state or local public employees;

An investment company registered under Section 8 of the Investment Company Act of 1940;

A collective investment trust organized by a bank under Part 9 of the Rules of the Comptroller of the Currency;

A closed end investment trust registered with the United States Securities and Exchange Commission;

A chartered or licensed life insurance company or property and casualty insurance company;

A federal or state bank;

An investment advisor registered under the Investment Advisors Act of 1940; or

Such other person as the Illinois Gaming Board may determine for reasons consistent with the Act and this Part.

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"License": Authorization granted by the Board permitting a licensee to engage in the defined activities of video gaming.

"Licensed establishment": Any ~~licensed~~ retail establishment licensed under the Act where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises. Licensed establishment does not include a facility operated by an organization licensee, an intertrack wagering licensee, or an intertrack wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act.

"Licensed fraternal establishment": The location licensed under the Act where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed technician": An individual who is licensed under ~~the~~this Act to repair, service, and maintain video gaming terminals.

"Licensed terminal handler": A person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician or terminal operator, who is licensed under ~~the~~this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, or corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician or terminal operator under Section 5 of the Video Gaming Act.

"Licensed truck stop establishment": A facility licensed under the Act that is at least a 3-acre facility with a convenience store, ~~and~~ with separate diesel islands for fueling commercial motor vehicles, that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and with parking spaces for commercial motor vehicles. "Commercial motor vehicles" has the same meaning and parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code [625 ILCS 5/18b-101]. The 10,000 gallon requirement may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

"Licensed veterans establishment": The location licensed under the Act where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

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"Licensed video gaming location": A licensed establishment, licensed fraternal establishment, licensed veterans establishment, or licensed truck stop establishment, all as defined in Section 5 of the Video Gaming Act and this Part.

"Liquor license": A license issued by a governmental body authorizing the holder to sell and offer for sale at retail alcoholic liquor for use or consumption.

"Major components or parts": Components or parts that comprise the inner workings and peripherals of a video gaming terminal, including but not limited to the device's hardware, software, human interface devices, interface ports, power supply, ticket payout system, bill validator, printer and any component which affects or could affect the result of a game played on the device.

"Manufacturer": An individual, partnership, ~~or~~ corporation, or limited liability company that is licensed under ~~the~~this Act and that manufactures or assembles video gaming terminals.

"Net terminal income": Money put into a video gaming terminal minus credits paid out to players.

"Nominee": Any individual or business entity that holds as owner of record the legal title to tangible or intangible personal or real property, including without limitation any stock, bond, debenture, note, investment contract or real estate on behalf of another individual or business entity, and as such is designated and authorized to act on his or its behalf with respect to such property.

"Ownership interest": Includes, but is not limited to, direct, indirect, beneficial or attributed interest, or holder of stock options, convertible debt, warrants or stock appreciation rights, or holder of any beneficial ownership or leasehold interest in a business entity.

"Person": Includes both individuals and business entities.

"Person with significant interest and control": Any of the following:

Each person in whose name the liquor license is maintained for each licensed video gaming location;

Each person who holds, directly or indirectly, a substantial interest in an applicant or licensee;

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Each person who, in the opinion of the Administrator, has the ability to control the activities of the corporate applicant or licensee, or elect a majority of the board of directors of that corporation, other than a bank or licensed lending institution which holds a mortgage or other lien acquired in the ordinary course of business;

For any applicant or licensee that is not a corporation, persons who, in the opinion of the Administrator, have the ability to control the applicant or licensee;

Persons having the power to exercise significant influence over decisions concerning any part of the applicant's or licensee's video gaming operation.

"Secured party": A person who is a lender, seller, or other person who holds a valid security interest.

"Security": An ownership right or creditor relationship.

"Security agreement": An agreement that creates or provides a security interest, including but not limited to a use agreement.

"Security interest": An interest in property that secures the payment or performance of an obligation or judgment.

"Sole proprietor": An individual who in his or her own name owns 100% of the assets and who is solely liable for the debts of a business.

"Substantial interest": With respect to a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

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When, with respect to a corporation, an individual or his or her spouse is an officer or director or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company; or

When, with respect to any other organization not covered in the preceeding four paragraphs, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of, or otherwise controls, 10% or more of the assets of the organization; or

When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year.

For purposes of this definition, "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this definition and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

"Supplier": An individual, partnership, ~~or~~ corporation, or limited liability company that is licensed under ~~the~~this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Terminal operator": An individual, partnership, ~~or~~ corporation, or limited liability company that is licensed under ~~the~~this Act that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments or licensed veterans establishments.

"Use agreement": A contractual agreement between a licensed terminal operator and a licensed video gaming location establishing terms and conditions for placement and operation of video gaming terminals by the licensed terminal operator within the premises of the licensed video gaming location.

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"Veterans organization": An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and that is exempt from federal income taxation under section 501(c)(19) of the Internal Revenue Code.

"Video gaming equipment": Video gaming terminals, associated video gaming equipment, and major components or parts.

"Video gaming operation": As the context requires, the conducting of video gaming and all related activities.

"Video gaming terminal": Any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

SUBPART E: LICENSING PROCEDURES

Section 1800.520 Applications~~Form of Application~~
EMERGENCY

- a) Applications for licensure or renewal shall be submitted on applications and forms provided by the Board.
- b) An applicant or its affiliate may be required to submit forms or materials in addition to an application as required by subsection (a).
- c) Institutional Investor
 - 1) A business entity that qualifies as an institutional investor may submit a Video Gaming Institutional Investor Disclosure Form in lieu of a Video Gaming Business Entity Disclosure Form as instructed in an application if the institutional investor:

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- A) submits a Video Gaming Institutional Investor Disclosure Form to the Illinois Gaming Board within 45 days after the institutional investor individually or jointly with others cumulatively acquires, directly or indirectly, 5% or more but less than 20% of any class of publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee;
- B) holds or controls the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee in the ordinary course of business for investment purposes only; and
- C) does not exercise or intend to exercise influence or control over the affairs of the issuer of the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee or their affiliates.
- 2) An institutional investor's exercise in voting privileges on matters put to the vote of the outstanding security holders shall not be deemed the exercise or intent to exercise influence or control over the affairs of the issuer of such securities.
- 3) If an institutional investor exempt from filing a Video Gaming Business Entity Disclosure Form as allowed in this subsection (c) subsequently determines to exercise influence or control over the affairs of the issuer of the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee or their affiliates, the institutional investor shall provide not less than 30 days notice of such intent and shall file with the Illinois Gaming Board a Video Gaming Business Entity Disclosure Form before taking any action that may influence or control the affairs of the issuer of such securities or their affiliates.
- 4) The Video Gaming Institutional Investor Disclosure Form shall not be construed to preclude the Illinois Gaming Board from requiring an institutional investor to submit a Video Gaming Business Entity Disclosure Form if the Illinois Gaming Board determines that such submission is proper and in furtherance of the Video Gaming Act, this Part and the policies of the Illinois Gaming Board.

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- 5) An institutional investor exempt from filing a Video Gaming Business Entity Disclosure Form as allowed in this subsection (c) shall certify in writing to be bound by and comply with the Video Gaming Act and this Part.
- d) Application Procedures
- 1) An applicant is seeking a privilege and assumes and accepts any and all risk of adverse publicity, notoriety, embarrassment, criticism or other action, or financial loss which may occur in connection with the application process.
- 2) Any misrepresentation or omission made with respect to an application may be grounds for denial of the application.
- 3) Applications, forms, and requested materials shall be submitted in triplicate, and further, as required by the applications and instructions.
- 4) Individuals required to submit Video Gaming Personal Disclosure Forms and licensed technician or licensed terminal handler applications shall be photographed and fingerprinted at a place and time designated by the Administrator.
- 5) An application shall be deemed filed when the completed application form, including all required documents and materials, and the application fee have been submitted.
- e) Amendments and Incorporation by Reference
- 1) An application may be amended with approval by the Administrator.
- 2) The Administrator may allow information, documents, or other materials submitted by an applicant to be incorporated by reference into a subsequent application.
- f) Withdrawal of Applications

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NOTICE OF EMERGENCY AMENDMENTS

- 1) A manufacturer's, distributor's, supplier's, terminal operator's, or licensed video gaming location's application may be withdrawn only upon leave of the Board.
 - A) A request for leave to withdraw an application shall not be considered by the Board unless received prior to Board action on licensure.
 - B) The Board may deny leave to withdraw an application if it determines that withdrawal of the application would not be in the best interests of the public the gaming industry, or the State.
- 2) If a manufacturer's, distributor's, supplier's, terminal operator's, or licensed video gaming location's application is withdrawn, the applicant may not reapply for a license within one year from the date withdrawal is granted, without leave of the Board.
- 3) Applications for licensed technician and licensed terminal handler may be withdrawn without leave of the Board, if written notification of withdrawal is received prior to Board action on licensure and unless the intended withdrawal is objected to by the Administrator, in which case leave of the Board is required.

~~All applicants for licenses issued by the Board must submit applications for licensure or renewal of license on forms provided by the Board.~~

(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section 1800.610 Coverage of Subpart**EMERGENCY**

The rules contained in this Subpart shall govern all hearings requested upon issuance of a notice of denial of an application for licensure or a notice of denial of an application to enforce a security interest. Hearings under this Subpart are de novo proceedings for the creation of a record regarding an applicant's suitability for licensure or whether enforcement of a security interest is warranted. A hearing under this Subpart is not an appeal of Board action.

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(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.615 Requests for Hearing ~~Regarding Denial of Application~~
EMERGENCY

- a) If the Board finds that an applicant is not suitable for licensing or that an application to enforce a security interest is not warranted, it shall issue the applicant a notice of denial.
- b) The Board shall serve notice on the applicant by personal service or U.S. certified mail and U.S. mail to the last known address of the applicant. Service is complete four days after mailing.
- c) Should an applicant wish to contest the action the Board has taken regarding his application, the applicant must submit a request for hearing to the Board.
- d) All requests for hearing shall be in writing and shall include an original and one copy. The request shall contain the following:
 - 1) The name, current address and current telephone number of the petitioner (the applicant);
 - 2) Detailed reasons why and the facts upon which the petitioner will rely to show that the petitioner is suitable for licensure or that enforcement of a security interest is warranted, including specific responses to any facts enumerated in the Board's notice of denial;
 - 3) A signature of the petitioner;
 - 4) A verification of the petition in the following form:

The undersigned certifies that the statements set forth in this request are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.
 - 5) The request must be notarized.

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- e) A request for hearing must be made within 10 days after receipt of notice of denial from the Board. A request shall be deemed filed on the date on which it is postmarked.
- f) If a request for hearing is not filed within 10 days after the receipt of notice from the Board, then the notice of denial becomes the final order of the Board denying the applicant's license application or the applicant's application to enforce a security interest.
- g) A request for hearing shall be deemed granted unless denied. The Board may deny a request for hearing if the statement of the reasons and facts that it contains does not establish a prima facie case or fails to comply with any of the other requirements of this Section. The Board's denial of a request for hearing is a final decision and the denial of licensure or denial of application to enforce a security interest becomes a final order on the date the Board denies the request for hearing.
- h) A request for hearing may not be withdrawn or voluntarily dismissed if the Board determines that withdrawal or voluntary dismissal is not in the best interests of the public and the video gaming industry. If the Board allows a petitioner to withdraw a hearing request, the initial notice of denial becomes a final Board order on the date leave to withdraw is granted. If the petitioner does not prosecute his/her case after 21 days, the Board may move for entry of default judgment. Failure to prosecute shall result in entry of default judgment against the petitioner.
- i) The petitioner may submit a request for hearing by:
 - 1) personal delivery;
 - 2) certified mail, postage prepaid; or
 - 3) overnight express mail, postage prepaid.
- j) All requests for hearing must be submitted to the Administrator at the Board's offices in Chicago
- k) If a request is granted, an Administrator Law Judge will be appointed to conducting a hearing.

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(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.650 Proceedings**EMERGENCY**

- a) The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing by clear and convincing evidence that the petitioner is suitable for licensing or that enforcement of a security interest is warranted.
- b) All testimony shall be given under oath or affirmation.
- c) Both parties may present opening statements. Petitioner proceeds first.
- d) The petitioner shall then present his, her, or its case-in-chief.
- e) Upon the conclusion of the petitioner's case-in chief, the Board may move for a directed finding. The Administrative Law Judge may hear arguments on the motion or may grant, deny or reserve decision, without argument.
- f) If no motion for directed finding is made, or if the motion is denied or decision reserved, the Board may present its case.
- g) Each party may conduct cross-examination of adverse witnesses.
- h) Upon the conclusion of the Board's case, the petitioner may present evidence in rebuttal.
- i) Both parties may present closing arguments. The petitioner proceeds first, then the Board, and thereafter the petitioner may present rebuttal argument.

(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

SUBPART I: SECURITY INTERESTS**Section 1800.910 Approvals Required, Applicability, Scope of Approval****EMERGENCY**

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- a) A person may not enforce a security interest in gaming property collateral except as set forth in this Subpart. Any attempt to enforce a security interest is void if the secured party has not complied with the requirements of this Subpart.
- b) This Subpart does not apply to the enforcement of a security interest in property other than gaming property collateral.
- c) The granting of an approval to enforce a security interest does not constitute any of the following:
 - 1) a determination by the Board as to the validity or enforceability of a security interest;
 - 2) licensing eligibility;
 - 3) approval of any other sale, transfer or other disposition of the gaming property collateral after the enforcement of the security interest.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.920 Application for Approval to Enforce Security Interest
EMERGENCY

- a) Except as otherwise provided in this Subpart, a secured party must apply for approval to enforce a security interest in gaming property collateral using such forms as the Board may require. The application for approval must include the following:
 - 1) a complete description of the gaming property collateral that is the subject of the security interest;
 - 2) copies of the security agreement and documents evidencing the obligation secured by the gaming property collateral;
 - 3) a statement by the secured party identifying the act of default by the licensee that is the basis for seeking to enforce the security interest, including notice of default sent to the licensee; and
 - 4) any other information requested by the Board.

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- b) The Board will investigate the facts and circumstances related to the application for approval to enforce a security interest. The investigation may include the following:
- 1) review of all pertinent documents;
 - 2) review of the transaction to determine whether the security interest was given in violation of the Act or this Part or an attempt to evade the requirements of the Act or this Part regarding the sale, assignment, transfer or other disposition of an interest;
 - 3) in a gaming operation or in the type of property subject to this Section, including but not limited to video gaming terminals; and
 - 4) review of any other data or information the Board deems relevant.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.930 Prior Registration
EMERGENCY

- a) Financing for video gaming terminals may only be provided by, and secured from, a person who has registered with the Board on forms provided by the Board.
- b) Prior registration of the secured party seeking to enforce a security interest is required. The Board will not approve the enforcement of any security interest in gaming property collateral unless all persons have been either registered or licensed, as applicable.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

SUBPART J: TRANSPORTATION AND DISTRIBUTION
OF VIDEO GAMING TERMINALS

Section 1800.1010 Restriction on Sale, Distribution, Transfer and Supply, and Operation of Video Gaming Terminals

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EMERGENCY

- a) No licensee shall sell, distribute, supply, or transfer a video gaming terminal to any person that could not lawfully own or operate the video gaming terminal.
- b) No terminal operator or licensed video gaming location shall operate a video gaming terminal without first obtaining a terminal operator's license or a license for a video gaming location, as applicable.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.1020 Transportation of Video Gaming Terminals into the State**EMERGENCY**

- a) A video gaming terminal is shipped or transported into the State when the starting point for shipping or transporting begins outside the State and terminates in the State.
- b) A licensed manufacturer or distributor shipping or transporting a video gaming terminal into the State shall provide the following information to the Board not less than 14 days prior to shipment, unless otherwise directed by the Administrator, on forms provided by the Board:
 - 1) the full name, address, and Illinois Gaming Board license number of the person making the shipment;
 - 2) the method of shipment and the name of the carrier, if any;
 - 3) the manner and method of how the shipment will be secured;
 - 4) the full name, address, and Illinois Gaming Board license number of the person to whom the video gaming terminals are being sent and the destination of the shipment, if different from the address;
 - 5) the number of video gaming terminals in the shipment;
 - 6) the model, serial number, and description of each video gaming terminal;

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- 7) the expected arrival date of the video gaming terminals at their destination within the State; and
- 8) such other information as required by the Board.
- c) Each video gaming terminal transported into the State shall be inspected by an agent of the Board prior to delivery to a licensed video gaming location.
- d) No EPROM, logic board, or non-alterable storage media may be activated prior to signature verification by the Board or its agent.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.1030 Receipt of Video Gaming Terminals in the State
EMERGENCY

- a) Any person in the State that receives a video gaming terminal shall, upon receipt of the video gaming terminal, provide the Board with the following information on forms provided by the Board:
 - 1) the full name, address, and Illinois Gaming Board license number of the person receiving the video gaming terminal;
 - 2) the full name, address, and Illinois Gaming Board license number of the person from whom the video gaming terminal was received;
 - 3) the date of receipt of the video gaming terminal;
 - 4) the model, serial number, and description of each video gaming terminal;
 - 5) the manufacturer of the video gaming terminal;
 - 6) the location where the video gaming terminal will be placed and the Illinois Gaming Board license number of the licensed premises;
 - 7) the expected date and time of installation of the video gaming terminal at the new location; and
 - 8) such other information as required by the Board.

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- b) If the video gaming terminal is not placed in operation upon its receipt, the person who received the video gaming terminal shall notify the Board of the address where the gaming device is stored. The storage location shall be approved in advance by the Board. At the time the video gaming terminal is removed from inventory and transported to another location within the State, the terminal operator shall comply with the requirements in this Subpart.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.1040 Transportation of Video Gaming Terminals Between Locations in the State
EMERGENCY

- a) Manufacturers, distributors, licensed terminal handlers, and terminal operators are authorized to transport video gaming terminals within the State.
- b) Except as otherwise provided in this Section, any authorized person transporting a video gaming terminal from one location to another in the State for any purpose shall notify the Board before transporting the video gaming terminal and provide the following information on forms provided by the Board:
- 1) the full name, address, and Illinois Gaming Board license number of the person transporting the video gaming terminal from its current location;
 - 2) the reason for transporting the video gaming terminal;
 - 3) the full name, address, and Illinois Gaming Board license number of the person to whom the video gaming terminal is being sent and the destination of the video gaming terminal if different from the address;
 - 4) the name and address of the carrier and the method of transport;
 - 5) the manner and method of how the shipment will be secured;
 - 6) the model, serial number, and description of the video gaming terminal;
 - 7) the video gaming terminal license number, if any;

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- 8) the manufacturer of the video gaming terminal;
 - 9) the expected date and time of delivery and/or installation of the video gaming terminal in the new location; and
 - 10) such other information as the Board may require.
- c) This Section does not apply to the movement of video gaming terminals within the same licensed video gaming location. Such relocation is subject to Board approval pursuant to Section 1800.810.
- d) An agent of the Board must approve and may inspect all video gaming terminals before the transportation of video gaming terminals within the State.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.1050 Approval to Distribute Video Gaming Terminals Outside of the State EMERGENCY

- a) Manufacturers and distributors located in the State shall not sell, ship, transport, or distribute video gaming terminals out of the State without the prior approval of the Administrator or as the Board provides. Applications for approval to sell, ship, transport, or distribute video gaming terminals out of the State shall be made, processed, and determined in such manner and using such forms as the Board provides. Each application shall include:
- 1) the full name, state of residence, and address of the purchaser;
 - 2) the full name, state of residence, and address of the person to whom shipment is being made, if different than the purchaser;
 - 3) the number of video gaming terminals to be shipped;
 - 4) the model, serial number, and description of each video gaming terminal to be shipped;
 - 5) the expected date and time of shipment;
 - 6) the method of shipment and name and address of the carrier;

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- 7) the method and manner of how the shipment will be secured; and
 - 8) a statement by the purchaser under penalty of perjury that the video gaming terminals shall be used only for lawful purposes.
- b) Manufacturers and distributors shall not ship video gaming terminals to any destination where possession of video gaming terminals or gaming devices is illegal.
 - c) An agent of the Board may inspect all video gaming terminals before distribution outside of the State. Licensees shall make video gaming terminals available for inspection upon request.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.1060 Placement of Video Gaming Terminals
EMERGENCY

Manufacturers, distributors and terminal operators may store and display, and persons licensed pursuant to the Act may repair, service, or maintain, video gaming terminals only at locations approved in advance by the Administrator.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

Section 1800.1070 Disposal of Video Gaming Terminals
EMERGENCY

- a) A video gaming terminal shall be disposed of only with the Administrator's prior approval and only if the manner of disposal makes the video gaming terminal incapable of use or operation. Any person seeking to dispose of a video gaming terminal shall notify the Administrator in writing prior to disposal and provide the following information:
 - 1) the full name, address, and Illinois Gaming Board license number of the person seeking to dispose of the video gaming terminal;
 - 2) the model, serial number, and description of the video gaming terminal;

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- 3) the manufacturer of the video gaming terminal;
 - 4) the video gaming terminal Illinois Gaming Board license number;
 - 5) the video gaming terminal's hard meter readings;
 - 6) the location of the video gaming terminal;
 - 7) the proposed manner, time, and place of disposal; and
 - 8) any other information required by the Board.
- b) Disposal of a video gaming terminal pursuant to this Section shall take place in the presence of an agent of the Board.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

SUBPART K: STATE-LOCAL RELATIONS**Section 1800.1110 State-Local Relations****EMERGENCY**

- a) Whenever the Board takes any action authorizing or prohibiting the licensing, operation, or use of video gaming terminals, it shall notify the police department or sheriff's office, as the case may be, whose jurisdiction includes the premises on which the video gaming terminals are authorized or prohibited.
- b) Any municipality, county, or law enforcement agency that takes action relating to the operation or use of a video gaming terminal, whether licensed or unlicensed, shall notify the Board and specify the extent of the action taken and the reasons for such action. The Board shall thereupon take whatever action is necessary under the Act. Any law enforcement agency that confiscates video gaming terminals or terminal income shall, as soon as practicable under the circumstances, turn over the video gaming terminals or terminal income to the Board.

(Source: Added by emergency rulemaking at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days)

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- 1) Heading of the Part: Child Care
- 2) Code Citation: 89 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u>	<u>Emergency Action:</u>
50.310	Amendment
50.320	Amendment
- 4) Statutory Authority: Implementing Article I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]
- 5) Effective Date of Rulemaking: June 16, 2010
- 6) If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: These emergency amendments will expire at the end of the 150-day period, or upon adoption of permanent rules, whichever comes first.
- 7) Date filed with the Index Department: June 16, 2010
- 8) A copy of the emergency amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to excess American Recovery and Reinvestment (ARRA) funds that need to be exhausted, the agency is proposing this emergency rulemaking. This rulemaking lowers co-payments fees for all families eligible for child care assistance. Not reducing the child care co-payment fees would threaten the welfare of eligible families. This rulemaking addresses the threat by reducing the child care co-payment fees and allowing eligible families to pay less for their child care, which will help eligible families during these economic times.
- 10) A Complete Description of the Subject and Issues: This rulemaking is being proposed to establish that during the period of May 1, 2010 through September 30, 2011, or as long as ARRA funds are available, the child care co-payment fees will be reduced. This rulemaking also deletes the provisions for households receiving care for less than 5 hours per day.
- 11) Are there any other proposed rulemakings pending on this Part? Yes

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<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
50.260	New Section	33 Ill. Reg. 15979; November 20, 2009
50.610	Amendment	34 Ill. Reg. 7010; May 21, 2010

- 12) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 13) Information and questions regarding these emergency amendments shall be directed to:

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Bldg., 3rd Floor
Springfield, Illinois 62762

217/785-9772

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 50
CHILD CARE

SUBPART A: GENERAL PROVISIONS

- Section
- 50.101 Incorporation by Reference
- 50.110 Participant Rights and Responsibilities
- 50.120 Notification of Available Services
- 50.130 Child Care Overpayments and Recoveries

SUBPART B: APPLICABILITY

- Section
- 50.210 Child Care
- 50.220 Method of Providing Child Care
- 50.230 Child Care Eligibility
- 50.235 Income Eligibility Criteria
- 50.240 Qualified Provider
- 50.250 Additional Service to Secure or Maintain Child Care

SUBPART C: PAYMENT FEES

- Section
 - 50.310 Fees for Child Care Services
- EMERGENCY
- 50.320 Maximum Monthly Income and Parent Fee by Family Size, Income Level and Number of Children Receiving Full-time Care

EMERGENCY

SUBPART D: CHILD CARE ABUSE AND NEGLECT

- Section
- 50.410 Provider Eligibility
- 50.420 Payment for Child Care Services

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SUBPART E: GREAT START PROGRAM

Section

- 50.510 Great START Program
- 50.520 Method of Providing the Wage Supplement
- 50.530 Eligibility
- 50.540 Employer Responsibility
- 50.550 Notification of Eligibility
- 50.560 Phase-in of Wage Supplement Scale
- 50.570 Wage Supplement Scale
- 50.580 Evaluation

SUBPART F: CHILD CARE COLLABORATION PROGRAM

Section

- 50.610 Child Care Collaboration Program
- 50.620 Approvable Models of Collaboration
- 50.630 Requirements for Approval in the Child Care Collaboration Program
- 50.640 Notification of Eligibility
- 50.650 Rules and Reporting for the Child Care Collaboration Program

AUTHORITY: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].

SOURCE: Emergency rules adopted at 21 Ill. Reg. 9502, effective July 1, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 14961, effective November 10, 1997; emergency amendment at 22 Ill. Reg. 12816, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 21037, effective November 27, 1998; emergency amendment at 23 Ill. Reg. 10875, effective August 20, 1999, for maximum of 150 days; amended at 24 Ill. Reg. 1058, effective January 10, 2000; emergency amendment at 24 Ill. Reg. 6604, effective April 5, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 13987, effective September 1, 2000; amended at 24 Ill. Reg. 15423, effective October 10, 2000; emergency amendment at 25 Ill. Reg. 2735, effective February 5, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 8176, effective June 23, 2001; emergency amendment at 25 Ill. Reg. 8443, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 14854, effective October 31, 2001; emergency amendment at 25 Ill. Reg. 16116, effective December 1, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 7113, effective April 25, 2002; amended at 27 Ill. Reg. 12090, effective July 14, 2003; amended at 27 Ill. Reg. 18411, effective November 24, 2003; amended at 28 Ill. Reg. 6895, effective April 23, 2004; emergency amendment at 28 Ill. Reg. 10121, effective July 1, 2004, for a maximum of 150 days; emergency expired November 27, 2004; amended at 29 Ill. Reg. 2687,

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effective February 4, 2005; emergency amendment at 29 Ill. Reg. 13253, effective August 11, 2005, for a maximum of 150 days; emergency expired January 7, 2006; amended at 30 Ill. Reg. 11190, effective June 6, 2006; amended at 31 Ill. Reg. 12584, effective August 20, 2007; emergency amendment at 31 Ill. Reg. 13350, effective September 10, 2007, for a maximum of 150 days; emergency expired February 6, 2008; amended at 32 Ill. Reg. 6048, effective March 31, 2008; emergency amendment at 32 Ill. Reg. 6652, effective April 1, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 9604, effective June 20, 2008; amended at 32 Ill. Reg. 14742, effective August 28, 2008; amended at 33 Ill. Reg. 8195, effective June 8, 2009; emergency amendment at 33 Ill. Reg. 15889, effective November 1, 2009, for a maximum of 150 days; emergency amendment at 33 Ill. Reg. 16517, effective November 1, 2009, for a maximum of 150 days; emergency expired March 30, 2010; amended at 34 Ill. Reg. 5275, effective March 29, 2010; emergency amendment at 34 Ill. Reg. 8619, effective June 16, 2010, for a maximum of 150 days.

SUBPART C: PAYMENT FEES

Section 50.310 Fees for Child Care Services**EMERGENCY**

All parents must share in the cost of child care as illustrated in Section 50.320, except relatives (other than parents) who receive a child-only TANF or GA benefit for children needing care due to the relatives' employment. ~~If the care is for less than 5 hours per day, the parent share is 50% of the amount shown, rounded up to the nearest cent.~~

(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8619, effective June 16, 2010, for a maximum of 150 days)

Section 50.320 Maximum Monthly Income and Parent Fee by Family Size, Income Level and Number of Children Receiving Full-time Care**EMERGENCY**

The monthly co-pays in Table A are subject to the availability of funds under the American Recovery and Reinvestment Act (ARRA) and will be effective ~~May 1, 2010~~November 1, 2009 through September 30, 2011, or as long as ARRA funds are available. Once ARRA funds are exhausted, the monthly co-pays in Table B are effective.

TABLE A

Family Size 2

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Monthly Income	1 Child Monthly Co-Pay
\$ 0 - <u>122327</u>	\$ <u>1.003.68</u>
<u>123328</u> - <u>243494</u>	<u>1.0041.05</u>
<u>244492</u> - <u>365654</u>	<u>1.0048.42</u>
<u>366655</u> - <u>486818</u>	<u>1.0029.46</u>
<u>487819</u> - <u>608984</u>	<u>1.0040.51</u>
<u>609982</u> - <u>7291,145</u>	<u>7.0055.25</u>
<u>7301,146</u> - <u>8501,308</u>	<u>9.0073.66</u>
<u>8511,309</u> - <u>9721,472</u>	<u>10.0092.08</u>
<u>9731,473</u> - <u>1,0931,636</u>	<u>11.0044.17</u>
<u>1,0941,637</u> - <u>1,2151,799</u>	<u>12.0043.27</u>
<u>1,2161,800</u> - <u>1,3361,962</u>	<u>27.0045.37</u>
<u>1,3371,963</u> - <u>1,4572,125</u>	<u>36.0048.47</u>
<u>1,4582,126</u> - <u>1,5792,288</u>	<u>43.0020.57</u>
<u>1,5802,289</u> - <u>1,7002,429</u>	<u>51.0022.67</u>
<u>1,701-1,822</u>	<u>59.00</u>
<u>1,823-1,943</u>	<u>68.00</u>
<u>1,944-2,065</u>	<u>77.00</u>
<u>2,066-2,186</u>	<u>87.00</u>
<u>2,187-2,307</u>	<u>98.00</u>
<u>2,308-2,429</u>	<u>109.00</u>

Family Size 3

Monthly Income	1 Child Monthly Co-Pay	2 Children Monthly Co-Pay
\$ 0 - <u>153423</u>	\$ <u>1.003.68</u>	\$ <u>2.007.37</u>
<u>154424</u> - <u>306606</u>	<u>1.0041.05</u>	<u>2.0044.73</u>
<u>307607</u> - <u>458808</u>	<u>1.0048.42</u>	<u>2.0025.78</u>
<u>459809</u> - <u>6111,010</u>	<u>1.0029.46</u>	<u>2.0044.20</u>
<u>6121,011</u> - <u>7631,212</u>	<u>1.0040.51</u>	<u>2.0058.93</u>
<u>7641,213</u> - <u>9161,414</u>	<u>9.0055.25</u>	<u>10.0081.03</u>
<u>9171,415</u> - <u>1,0691,616</u>	<u>11.0073.66</u>	<u>12.0042.22</u>
<u>1,0701,617</u> - <u>1,2211,818</u>	<u>12.0092.08</u>	<u>13.0046.05</u>
<u>1,2221,819</u> - <u>1,3742,020</u>	<u>14.0044.17</u>	<u>15.0049.88</u>
<u>1,3752,021</u> - <u>1,5262,222</u>	<u>15.0043.27</u>	<u>16.0023.72</u>
<u>1,5272,223</u> - <u>1,6792,424</u>	<u>34.0045.37</u>	<u>35.0027.55</u>
<u>1,6802,425</u> - <u>1,8312,626</u>	<u>46.0048.47</u>	<u>47.0030.38</u>

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<u>1,832,627 - 1,984,828</u>	<u>55.00202.57</u>	<u>56.00346.21</u>
<u>1,985,829 - 2,137,030</u>	<u>64.00224.67</u>	<u>65.00383.04</u>
<u>2,138,031 - 2,289,052</u>	<u>74.00246.76</u>	<u>75.00419.87</u>
<u>2,290-2,442</u>	<u>85.00</u>	<u>86.00</u>
<u>2,443-2,594</u>	<u>97.00</u>	<u>98.00</u>
<u>2,595-2,747</u>	<u>110.00</u>	<u>111.00</u>
<u>2,748-2,900</u>	<u>123.00</u>	<u>124.00</u>
<u>2,901-3,052</u>	<u>137.00</u>	<u>138.00</u>

Family Size 4

Monthly Income	1 Child Monthly Co-Pay	2 or more Children Monthly Co-Pay
\$ 0 - <u>184,481</u>	\$ <u>1.003.68</u>	\$ <u>2.007.37</u>
<u>185,482 - 368,722</u>	<u>1.0041.05</u>	<u>2.0014.73</u>
<u>369,723 - 552,962</u>	<u>1.0018.42</u>	<u>2.0025.78</u>
<u>553,963 - 735,1,203</u>	<u>1.0029.46</u>	<u>2.0044.20</u>
<u>736,1,204 - 919,1,443</u>	<u>1.0040.51</u>	<u>2.0058.93</u>
<u>920,1,444 - 1,103,1,684</u>	<u>11.0055.25</u>	<u>12.0081.03</u>
<u>1,104,1,685 - 1,287,1,924</u>	<u>13.0073.66</u>	<u>14.00125.22</u>
<u>1,288,1,925 - 1,470,2,165</u>	<u>15.0092.08</u>	<u>16.00162.05</u>
<u>1,471,2,166 - 1,654,2,405</u>	<u>17.00114.17</u>	<u>18.00198.88</u>
<u>1,655,2,406 - 1,838,2,646</u>	<u>18.00136.27</u>	<u>19.00235.72</u>
<u>1,839,2,647 - 2,022,2,887</u>	<u>40.00158.37</u>	<u>41.00272.55</u>
<u>2,023,2,888 - 2,205,3,128</u>	<u>55.00180.47</u>	<u>56.00309.38</u>
<u>2,206,3,129 - 2,389,3,369</u>	<u>66.00202.57</u>	<u>67.00346.21</u>
<u>2,390,3,370 - 2,573,3,610</u>	<u>77.00224.67</u>	<u>78.00383.04</u>
<u>2,574,3,611 - 2,757,3,675</u>	<u>90.00246.76</u>	<u>91.00419.87</u>
<u>2,758-2,940</u>	<u>103.00</u>	<u>104.00</u>
<u>2,941-3,124</u>	<u>117.00</u>	<u>118.00</u>
<u>3,125-3,308</u>	<u>132.00</u>	<u>133.00</u>
<u>3,309-3,492</u>	<u>148.00</u>	<u>149.00</u>
<u>3,493-3,675</u>	<u>165.00</u>	<u>166.00</u>

Family Size 5

Monthly Income	1 Child Monthly Co-Pay	2 or more Children Monthly Co-Pay
\$ 0 - <u>215,558</u>	\$ <u>1.003.68</u>	\$ <u>2.007.37</u>

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<u>216559 - 430837</u>	<u>1.0011.05</u>	<u>2.0014.73</u>
<u>431838 - 6451,116</u>	<u>1.0018.42</u>	<u>2.0025.78</u>
<u>6461,117 - 8601,395</u>	<u>1.0029.46</u>	<u>2.0044.20</u>
<u>8611,396 - 1,0751,674</u>	<u>1.0040.51</u>	<u>2.0058.93</u>
<u>1,0761,675 - 1,2901,953</u>	<u>13.0055.25</u>	<u>14.0081.03</u>
<u>1,2911,954 - 1,5052,232</u>	<u>15.0073.66</u>	<u>16.00125.22</u>
<u>1,5062,233 - 1,7202,511</u>	<u>17.0092.08</u>	<u>18.00162.05</u>
<u>1,7212,512 - 1,9352,790</u>	<u>19.00114.17</u>	<u>20.00198.88</u>
<u>1,9362,791 - 2,1503,069</u>	<u>22.00136.27</u>	<u>23.00235.72</u>
<u>2,1513,070 - 2,3653,348</u>	<u>47.00158.37</u>	<u>48.00272.55</u>
<u>2,3663,349 - 2,5793,627</u>	<u>64.00180.47</u>	<u>65.00309.38</u>
<u>2,5803,628 - 2,7943,906</u>	<u>77.00202.57</u>	<u>78.00346.21</u>
<u>2,7953,907 - 3,0094,185</u>	<u>90.00224.67</u>	<u>91.00383.04</u>
<u>3,0104,186 - 3,2244,299</u>	<u>105.00246.76</u>	<u>106.00419.87</u>
<u>3,225-3,439</u>	<u>120.00</u>	<u>121.00</u>
<u>3,440-3,654</u>	<u>137.00</u>	<u>138.00</u>
<u>3,655-3,869</u>	<u>155.00</u>	<u>156.00</u>
<u>3,870-4,084</u>	<u>174.00</u>	<u>175.00</u>
<u>4,085-4,299</u>	<u>193.00</u>	<u>194.00</u>

Family Size 6

Monthly Income	1 Child Monthly Co-Pay	2 or more Children Monthly Co-Pay
\$ 0 - <u>247635</u>	\$ <u>1.003.68</u>	\$ <u>2.007.37</u>
<u>248636 - 493952</u>	<u>1.0011.05</u>	<u>2.0014.73</u>
<u>494953 - 7391,270</u>	<u>1.0018.42</u>	<u>2.0025.78</u>
<u>7401,271 - 9851,587</u>	<u>1.0029.46</u>	<u>2.0044.20</u>
<u>9861,588 - 1,2311,905</u>	<u>1.0040.51</u>	<u>2.0058.93</u>
<u>1,2321,906 - 1,4772,222</u>	<u>15.0055.25</u>	<u>16.0081.03</u>
<u>1,4782,223 - 1,7232,540</u>	<u>17.0073.66</u>	<u>18.00125.22</u>
<u>1,7242,541 - 1,9692,857</u>	<u>20.0092.08</u>	<u>21.00162.05</u>
<u>1,9702,858 - 2,2153,175</u>	<u>22.00114.17</u>	<u>23.00198.88</u>
<u>2,2163,176 - 2,4613,492</u>	<u>25.00136.27</u>	<u>26.00235.72</u>
<u>2,4623,493 - 2,7073,809</u>	<u>54.00158.37</u>	<u>55.00272.55</u>
<u>2,7083,810 - 2,9534,126</u>	<u>74.00180.47</u>	<u>75.00309.38</u>
<u>2,9544,127 - 3,2004,443</u>	<u>88.00202.57</u>	<u>89.00346.21</u>
<u>3,2014,444 - 3,4464,760</u>	<u>103.00224.67</u>	<u>104.00383.04</u>
<u>3,4474,761 - 3,6924,922</u>	<u>120.00246.76</u>	<u>121.00419.87</u>

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<u>3,693-3,938</u>	<u>138.00</u>	<u>139.00</u>
<u>3,939-4,184</u>	<u>157.00</u>	<u>158.00</u>
<u>4,185-4,430</u>	<u>177.00</u>	<u>178.00</u>
<u>4,431-4,676</u>	<u>199.00</u>	<u>200.00</u>
<u>4,677-4,922</u>	<u>221.00</u>	<u>222.00</u>

Family Size 7

Monthly Income	1 Child Monthly Co-Pay	2 or more Children Monthly Co-Pay
\$ 0 - <u>278649</u>	\$ <u>1.003-68</u>	\$ <u>2.007-37</u>
<u>279650 - 555974</u>	<u>1.0041-05</u>	<u>2.0044-73</u>
<u>556975 - 8324,299</u>	<u>1.0048-42</u>	<u>2.0025-78</u>
<u>8331,300 - 1,1094,623</u>	<u>1.0029-46</u>	<u>2.0044-20</u>
<u>1,1104,624 - 1,3874,948</u>	<u>1.0040-51</u>	<u>2.0058-93</u>
<u>1,3884,949 - 1,6642,273</u>	<u>17.0055-25</u>	<u>18.0081-03</u>
<u>1,6652,274 - 1,9412,598</u>	<u>19.0073-66</u>	<u>20.00425-22</u>
<u>1,9422,599 - 2,2182,922</u>	<u>22.0092-08</u>	<u>23.00462-05</u>
<u>2,2192,923 - 2,4963,247</u>	<u>25.0044-17</u>	<u>26.00498-88</u>
<u>2,4973,248 - 2,7733,572</u>	<u>28.00436-27</u>	<u>29.00235-72</u>
<u>2,7743,573 - 3,0503,897</u>	<u>61.00458-37</u>	<u>62.00272-55</u>
<u>3,0513,898 - 3,3274,222</u>	<u>83.00480-47</u>	<u>84.00309-38</u>
<u>3,3284,223 - 3,6054,547</u>	<u>99.00202-57</u>	<u>100.00346-21</u>
<u>3,6064,548 - 3,8824,872</u>	<u>116.00224-67</u>	<u>117.00383-04</u>
<u>3,8834,873 - 4,1595,197</u>	<u>135.00246-76</u>	<u>136.00419-87</u>
<u>4,1605,198 - 4,4365,522</u>	<u>155.00268-86</u>	<u>156.00456-70</u>
<u>4,4375,523 - 4,7145,545</u>	<u>177.00290-96</u>	<u>178.00493-53</u>
<u>4,715-4,991</u>	<u>200.00</u>	<u>201.00</u>
<u>4,992-5,268</u>	<u>224.00</u>	<u>225.00</u>
<u>5,269-5,545</u>	<u>250.00</u>	<u>251.00</u>

Family Size 8

Monthly Income	1 Child Monthly Co-Pay	2 or more Children Monthly Co-Pay
\$ 0 - <u>309664</u>	\$ <u>1.003-68</u>	\$ <u>2.007-37</u>
<u>310665 - 617996</u>	<u>1.0041-05</u>	<u>2.0044-73</u>
<u>618997 - 9264,328</u>	<u>1.0048-42</u>	<u>2.0025-78</u>
<u>9274,329 - 1,2344,660</u>	<u>1.0029-46</u>	<u>2.0044-20</u>

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<u>1,235,661 - 1,543,992</u>	<u>1.0040.51</u>	<u>2.0058.93</u>
<u>1,544,993 - 1,851,323</u>	<u>19.0055.25</u>	<u>20.0081.03</u>
<u>1,852,324 - 2,159,655</u>	<u>22.0073.66</u>	<u>23.00125.22</u>
<u>2,160,656 - 2,468,987</u>	<u>25.0092.08</u>	<u>26.00162.05</u>
<u>2,469,988 - 2,776,319</u>	<u>28.00114.17</u>	<u>29.00198.88</u>
<u>2,777,320 - 3,085,651</u>	<u>31.00136.27</u>	<u>32.00235.72</u>
<u>3,086,652 - 3,393,983</u>	<u>68.00158.37</u>	<u>69.00272.55</u>
<u>3,394,984 - 3,701,315</u>	<u>93.00180.47</u>	<u>94.00309.38</u>
<u>3,702,316 - 4,010,647</u>	<u>110.00202.57</u>	<u>111.00346.21</u>
<u>4,011,648 - 4,318,979</u>	<u>130.00224.67</u>	<u>131.00383.04</u>
<u>4,319,980 - 4,627,311</u>	<u>150.00246.76</u>	<u>151.00419.87</u>
<u>4,628,312 - 4,935,643</u>	<u>173.00268.86</u>	<u>174.00456.70</u>
<u>4,936,644 - 5,244,975</u>	<u>197.00290.96</u>	<u>198.00493.53</u>
<u>5,245,976 - 5,552,169</u>	<u>222.00313.06</u>	<u>223.00530.36</u>
<u>5,553-5,860</u>	<u>249.00</u>	<u>250.00</u>
<u>5,861-6,169</u>	<u>278.00</u>	<u>279.00</u>

TABLE B

Family Size 2

Monthly Income	1 Child Monthly Co-Pay
\$ 0 - 327	\$ 4.33
328 - 491	13.00
492 - 654	21.67
655 - 818	34.66
819 - 981	47.66
982 - 1,145	65.00
1,146 - 1,308	86.66
1,309 - 1,472	108.33
1,473 - 1,636	134.32
1,637 - 1,799	160.32
1,800 - 1,962	186.32
1,963 - 2,125	212.32
2,126 - 2,288	238.32
2,289 - 2,429	264.31

Family Size 3

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Monthly Income	1	2
	Child Monthly Co-Pay	Children Monthly Co-Pay
\$ 0 - 423	\$ 4.33	\$ 8.67
424 - 606	13.00	17.33
607 - 808	21.67	30.33
809 - 1,010	34.66	52.00
1,011 - 1,212	47.66	69.33
1,213 - 1,414	65.00	95.33
1,415 - 1,616	86.66	147.32
1,617 - 1,818	108.33	190.65
1,819 - 2,020	134.32	233.98
2,021 - 2,222	160.32	277.31
2,223 - 2,424	186.32	320.64
2,425 - 2,626	212.32	363.97
2,627 - 2,828	238.32	407.30
2,829 - 3,030	264.31	450.63
3,031 - 3,052	290.31	493.96

Family Size 4

Monthly Income	1 Child	2 or more Children
	Monthly Co-Pay	Monthly Co-Pay
\$ 0 - 481	\$ 4.33	\$ 8.67
482 - 722	13.00	17.33
723 - 962	21.67	30.33
963 - 1,203	34.66	52.00
1,204 - 1,443	47.66	69.33
1,444 - 1,684	65.00	95.33
1,685 - 1,924	86.66	147.32
1,925 - 2,165	108.33	190.65
2,166 - 2,405	134.32	233.98
2,406 - 2,646	160.32	277.31
2,647 - 2,887	186.32	320.64
2,888 - 3,128	212.32	363.97
3,129 - 3,369	238.32	407.30

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3,370 - 3,610	264.31	450.63
3,611 - 3,675	290.31	493.96

Family Size 5

Monthly Income	1 Child	2 or more
	Monthly Co-Pay	Monthly Co-Pay
\$ 0 - 558	\$ 4.33	\$ 8.67
559 - 837	13.00	17.33
838 - 1,116	21.67	30.33
1,117 - 1,395	34.66	52.00
1,396 - 1,674	47.66	69.33
1,675 - 1,953	65.00	95.33
1,954 - 2,232	86.66	147.32
2,233 - 2,511	108.33	190.65
2,512 - 2,790	134.32	233.98
2,791 - 3,069	160.32	277.31
3,070 - 3,348	186.32	320.64
3,349 - 3,627	212.32	363.97
3,628 - 3,906	238.32	407.30
3,907 - 4,185	264.31	450.63
4,186 - 4,299	290.31	493.96

Family Size 6

Monthly Income	1 Child	2 or more
	Monthly Co-Pay	Monthly Co-Pay
\$ 0 - 635	\$ 4.33	\$ 8.67
636 - 952	13.00	17.33
953 - 1,270	21.67	30.33
1,271 - 1,587	34.66	52.00
1,588 - 1,905	47.66	69.33
1,906 - 2,222	65.00	95.33
2,223 - 2,540	86.66	147.32
2,541 - 2,857	108.33	190.65

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2,858 - 3,175	134.32	233.98
3,176 - 3,492	160.32	277.31
3,493 - 3,809	186.32	320.64
3,810 - 4,126	212.32	363.97
4,127 - 4,443	238.32	407.30
4,444 - 4,760	264.31	450.63
4,761 - 4,922	290.31	493.96

Family Size 7

Monthly Income	1	2 or more
	Child Monthly Co-Pay	Children Monthly Co-Pay
\$ 0 - 649	\$ 4.33	\$ 8.67
650 - 974	13.00	17.33
975 - 1,299	21.67	30.33
1,300 - 1,623	34.66	52.00
1,624 - 1,948	47.66	69.33
1,949 - 2,273	65.00	95.33
2,274 - 2,598	86.66	147.32
2,599 - 2,922	108.33	190.65
2,923 - 3,247	134.32	233.98
3,248 - 3,572	160.32	277.31
3,573 - 3,897	186.32	320.64
3,898 - 4,222	212.32	363.97
4,223 - 4,547	238.32	407.30
4,548 - 4,872	264.31	450.63
4,873 - 5,197	290.31	493.96
5,198 - 5,522	316.31	537.29
5,523 - 5,545	342.31	580.62

Family Size 8

Monthly Income	1	2 or more
	Child Monthly Co-Pay	Children Monthly Co-Pay
\$ 0 - 664	\$ 4.33	\$ 8.67

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665 - 996	13.00	17.33
997 - 1,328	21.67	30.33
1,329 - 1,660	34.66	52.00
1,661 - 1,992	47.66	69.33
1,993 - 2,323	65.00	95.33
2,324 - 2,655	86.66	147.32
2,656 - 2,987	108.33	190.65
2,988 - 3,319	134.32	233.98
3,320 - 3,651	160.32	277.31
3,652 - 3,983	186.32	320.64
3,984 - 4,315	212.32	363.97
4,316 - 4,647	238.32	407.30
4,648 - 4,979	264.31	450.63
4,980 - 5,311	290.31	493.96
5,312 - 5,643	316.31	537.29
5,644 - 5,975	342.31	580.62
5,976 - 6,169	368.31	623.95

(Source: Amended by emergency rulemaking at 34 Ill. Reg. 8619, effective June 16, 2010, for a maximum of 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Peremptory Action:</u>
310.APPENDIX A TABLE S	Amendment
310.APPENDIX A TABLE W	Amendment
310.APPENDIX A TABLE X	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table S to reflect two corrected Memoranda of Understanding between the Laborers' International Union of North America - Illinois State Employees Association, Local 2002 and the Southern and Central Illinois Laborers' District Council, and the State of Illinois signed May 20, 2010. The first corrected Memorandum of Understanding (MOU) assigns the Public Service Administrator title Option 7 (inspector function at State Police, sworn) to pay grade RC-704-26 Pay Plan Code Q with corrected rates, effective August 14, 2008. The second corrected MOU assigns the Public Service Administrator title Option 8J (dietary manager function at Corrections) to pay grade RC-704-24 Pay Plan Codes Q and S with corrected rates, effective August 14, 2008.

Section 310.Appendix A Table W is amended to reflect a MOU between the American Federation of State, County and Municipal Employees (AFSCME) and the State of Illinois signed May 28, 2010. The MOU implements the arbitration Opinion and Award (Arb. Nos 5875, etc. 6263-0105-10, etc. (374465, etc.) Arb. Ref. 10.155 (PSA Options 1s and 2s Salary Grade)) dated May 26, 2010 for, in part, the Public Service Administrator title Option 2 that is assigned to the RC-062 bargaining unit and pay grade RC-062-24, effective November 18, 2009.

Section 310.Appendix A Table X is amended to reflect two Memoranda of Understanding between AFSCME and the State of Illinois signed May 28, 2010. One MOU implements the arbitration Opinion and Award noted above for, in part, the Public Service Administrator title Option 1 that is assigned to the RC-063 bargaining unit and pay grade RC-063-24, effective January 20, 2010. The second MOU is for the Public Service Administrator title Option 8N assigned to the RC-063 bargaining unit and pay grade RC-063-24, effective October 28, 2009.
- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)] and by Sections 4, 6, 15 and 21 of

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the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21]

- 6) Effective Date: June 18, 2010
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table S and in the title table, the Option 8J dietary manager function at Corrections is added to the listing of the Public Service Administrator title Option 7 (women and family services coordinator function) also assigned to pay grade RC-704-24. The inspector sworn function is added to the listing of the Public Service Administrator title Option 7 (sex offender registry supervisor non-sworn function at State Police) also assigned to pay grade RC-704-26. The listings are placed in alphabetic order. A Note is added to assist in locating the option definition. The pay grade VR-704-26 Pay Plan Code Q is added to the rate tables.
- In Section 310.Appendix A Table W and in the title table, the Option 2 is added to the listing of the Public Service Administrator title Option 7 Gaming Board and Department of Revenue also assigned to pay grade RC-062-24. The Public Service Administrator title listings are alphabetized. A Note is added to assist in locating the option definition.
- In Section 310.Appendix A Table X and in the title table, the Options 1 and 8N are added to the listing of the Public Service Administrator title Options 3, 4, 6E, 8E and 8T also assigned to pay grade RC-063-24. The Options 1 and 8N are added to the Note.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date filed with the Index Department: June 18, 2010
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.
- 11) Is this rulemaking in compliance with Section 5-50 of the Illinois Administrative Procedure Act? Yes
- 12) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Ill. Reg. Citation:</u>
310.20	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.40	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.47	Amendment	34 Ill. Reg. 3910; April 2, 2010

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310.50	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.80	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.90	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.100	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.110	Repealed	34 Ill. Reg. 3910; April 2, 2010
310.130	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.210	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.220	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.260	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.280	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.410	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.440	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.455	Repealed	34 Ill. Reg. 3910; April 2, 2010
310.490	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.500	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.530	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table A	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table B	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table C	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table D	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table E	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table F	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table G	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table H	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table I	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table J	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table K	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table M	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table N	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table O	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table P	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table Q	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table R	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table S	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table T	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table U	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table V	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table W	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table X	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table Y	Amendment	34 Ill. Reg. 3910; April 2, 2010

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310.Appendix A Table Z	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table AA	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix A Table AB	Amendment	34 Ill. Reg. 3910; April 2, 2010
310.Appendix D	Amendment	34 Ill. Reg. 3910; April 2, 2010

13) Statement of Statewide Policy Objectives: These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.

14) Information and questions regarding these preemptory amendments shall be directed to:

Mr. Jason Doggett
Manager
Compensation Section
Division of Technical Services and Agency Training and Development
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Department of Central Management Services
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The full text of the Preemptory Amendments begins on the next page:

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NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.45	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.47	In-Hiring Rate
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate (Repealed)
310.240	Daily or Hourly Rate Conversion
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated Rate

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310.280	Designated Rate
310.290	Out-of-State Rate (Repealed)
310.295	Foreign Service Rate (Repealed)
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections (Repealed)
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section

310.410	Jurisdiction
310.415	Merit Compensation Salary Range Assignments
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (Repealed)
310.520	Conversion of Base Salary to Daily or Hourly Equivalent
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

310.APPENDIX A Negotiated Rates of Pay

310.TABLE A	RC-104 (Conservation Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE B	VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' – ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Veterans' Affairs, Natural

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	Resources, Human Services, Historic Preservation and Agriculture Managers, IFPE)
310.TABLE D	HR-001 (Teamsters Local #726)
310.TABLE E	RC-020 (Teamsters Local #330)
310.TABLE F	RC-019 (Teamsters Local #25)
310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	VR-704 (Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.APPENDIX B	Schedule of Salary Grade Pay Grades – Monthly Rates of Pay (Repealed)
310.APPENDIX C	Medical Administrator Rates (Repealed)
310.APPENDIX D	Merit Compensation System Salary Schedule
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

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SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory

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amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg.

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8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended

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at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000; preemptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; preemptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; preemptory amendment at 24 Ill. Reg. 18444, effective

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December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; preemptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; preemptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; preemptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; preemptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; preemptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; preemptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; preemptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; preemptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; preemptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; preemptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; preemptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; preemptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 13, 2005; preemptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; preemptory amendment at 28 Ill. Reg. 15336, effective November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory

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amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; preemptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21,

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2007; peremptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; peremptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; peremptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; peremptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; peremptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; peremptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; peremptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; peremptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; peremptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; peremptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; peremptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; peremptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; peremptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; peremptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; peremptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; peremptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; peremptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; peremptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; peremptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; peremptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; peremptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; peremptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; peremptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; peremptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; peremptory amendment at 34 Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; peremptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; peremptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; peremptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; peremptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; peremptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; peremptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; peremptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010.

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE S VR-704 (Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Clinical Services Supervisor	08260	VR-704	24
Forensic Science Administrator I	15881	VR-704	24
Forensic Science Administrator II	15882	VR-704	25
Juvenile Justice Chief of Security	21965	VR-704	24
Police Lieutenant	32977	VR-704	24
Public Service Administrator, Option 7 (women and family services coordinator function)	37015	VR-704	24
Public Service Administrator, Option 7 (criminal intelligence analyst supervisor, strategic management policy administrator, firearms specialist, computer evidence recovery specialist, and narcotics and currency unit supervisor non-sworn functions at State Police, statewide enforcement function at Financial and Professional Regulation, and superintendent, operations center supervisor and training academy supervisor functions at Corrections)	37015	VR-704	25
Public Service Administrator, Option 7 (inspector sworn and sex offender registry supervisor non-sworn functionsfunction at State Police)	37015	VR-704	26
Public Service Administrator, Options 7 (women and family services coordinator function) and 8J (dietary manager function at Corrections)	37015	VR-704	24
Shift Supervisor	40800	VR-704	24

NOTE: The positions allocated to the Public Service Administrator title that are assigned to the negotiated VR-704 pay grade have the following options: 7; and 8J. See the definition of option in Section 310.50.

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Effective August 14, 2008
Bargaining Unit: VR-704

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
24	B	5104	5257	5414	5576	5873	6181	6477	6776	7082	7526	7827
24	Q	5333	5492	5659	5830	6140	6459	6769	7080	7401	7866	8180
24	S	5405	5564	5730	5901	6209	6529	6840	7153	7474	7937	8254
25	B	5440	5602	5771	5944	6269	6600	6929	7258	7588	8075	8399
25	Q	5685	5856	6029	6210	6552	6895	7242	7587	7931	8439	8777
25	S	5760	5926	6105	6284	6624	6966	7312	7657	8000	8511	8852
<u>26</u>	<u>Q</u>	<u>6021</u>	<u>6203</u>	<u>6390</u>	<u>6648</u>	<u>7009</u>	<u>7380</u>	<u>7754</u>	<u>8116</u>	<u>8479</u>	<u>9028</u>	<u>9389</u>

Effective December 31, 2008
Bargaining Unit: VR-704

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
24	B	5104	5257	5414	5576	5873	6181	6477	6776	7082	7526	7827
24	Q	5333	5492	5659	5830	6140	6459	6769	7080	7401	7866	8180
24	S	5405	5564	5730	5901	6209	6529	6840	7153	7474	7937	8254
25	B	5440	5602	5771	5944	6269	6600	6929	7258	7588	8075	8399
25	Q	5685	5856	6029	6210	6552	6895	7242	7587	7931	8439	8777
25	S	5760	5926	6105	6284	6624	6966	7312	7657	8000	8511	8852
26	B	5749	5920	6101	6343	6690	7044	7402	7747	8096	8618	8963
<u>26</u>	<u>Q</u>	<u>6021</u>	<u>6203</u>	<u>6390</u>	<u>6648</u>	<u>7009</u>	<u>7380</u>	<u>7754</u>	<u>8116</u>	<u>8479</u>	<u>9028</u>	<u>9389</u>

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Effective January 1, 2009**Bargaining Unit: VR-704**

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
24	B	5181	5336	5495	5660	5961	6274	6574	6878	7188	7639	7944
24	Q	5413	5574	5744	5917	6232	6556	6871	7186	7512	7984	8303
24	S	5486	5647	5816	5990	6302	6627	6943	7260	7586	8056	8378
25	B	5522	5686	5858	6033	6363	6699	7033	7367	7702	8196	8525
25	Q	5770	5944	6119	6303	6650	6998	7351	7701	8050	8566	8909
25	S	5846	6015	6197	6378	6723	7070	7422	7772	8120	8639	8985
26	B	5835	6009	6193	6438	6790	7150	7513	7863	8217	8747	9097
<u>26</u>	<u>Q</u>	<u>6111</u>	<u>6296</u>	<u>6486</u>	<u>6748</u>	<u>7114</u>	<u>7491</u>	<u>7870</u>	<u>8238</u>	<u>8606</u>	<u>9163</u>	<u>9530</u>

Effective July 1, 2009**Bargaining Unit: VR-704**

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
24	B	5469	5632	5802	6610	6431	6738	7050	7368	7830	8143
24	Q	5713	5888	6065	6388	6720	7043	7366	7700	8184	8511
24	S	5788	5961	6140	6460	6793	7117	7442	7776	8257	8587
25	B	5828	6004	6184	6522	6866	7209	7551	7895	8401	8738
25	Q	6093	6272	6461	6816	7173	7535	7894	8251	8780	9132
25	S	6165	6352	6537	6891	7247	7608	7966	8323	8855	9210
26	B	6159	6348	6599	6960	7329	7701	8060	8422	8966	9324
<u>26</u>	<u>Q</u>	<u>6453</u>	<u>6648</u>	<u>6917</u>	<u>7292</u>	<u>7678</u>	<u>8067</u>	<u>8444</u>	<u>8821</u>	<u>9392</u>	<u>9768</u>

Effective January 1, 2010

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NOTICE OF PEREMPTORY AMENDMENTS

Bargaining Unit: VR-704

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
24	B	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	Q	5827	6006	6186	6516	6854	7184	7513	7854	8348	8681
24	S	5904	6080	6263	6589	6929	7259	7591	7932	8422	8759
25	B	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	Q	6215	6397	6590	6952	7316	7686	8052	8416	8956	9315
25	S	6288	6479	6668	7029	7392	7760	8125	8489	9032	9394
26	B	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
<u>26</u>	<u>Q</u>	<u>6582</u>	<u>6781</u>	<u>7055</u>	<u>7438</u>	<u>7832</u>	<u>8228</u>	<u>8613</u>	<u>8997</u>	<u>9580</u>	<u>9963</u>

(Source: Amended by peremptory rulemaking at 34 Ill. Reg. 8633, effective June 18, 2010)

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NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE W RC-062 (Technical Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Accountant	00130	RC-062	14
Accountant Advanced	00133	RC-062	16
Accountant Supervisor	00135	RC-062	18
Accounting and Fiscal Administration Career Trainee	00140	RC-062	12
Activity Therapist	00157	RC-062	15
Activity Therapist Coordinator	00160	RC-062	17
Actuarial Assistant	00187	RC-062	16
Actuarial Examiner	00195	RC-062	16
Actuarial Examiner Trainee	00196	RC-062	13
Actuarial Senior Examiner	00197	RC-062	19
Actuary I	00201	RC-062	20
Actuary II	00202	RC-062	24
Agricultural Market News Assistant	00804	RC-062	12
Agricultural Marketing Generalist	00805	RC-062	14
Agricultural Marketing Reporter	00807	RC-062	18
Agricultural Marketing Representative	00810	RC-062	18
Agriculture Land and Water Resource Specialist I	00831	RC-062	14
Agriculture Land and Water Resource Specialist II	00832	RC-062	17
Agriculture Land and Water Resource Specialist III	00833	RC-062	20
Aircraft Pilot I	00955	RC-062	19
Aircraft Pilot II	00956	RC-062	22
Aircraft Pilot II – Dual Rating	00957	RC-062	23
Appraisal Specialist I	01251	RC-062	14
Appraisal Specialist II	01252	RC-062	16
Appraisal Specialist III	01253	RC-062	18
Arts Council Associate	01523	RC-062	12
Arts Council Program Coordinator	01526	RC-062	18
Arts Council Program Representative	01527	RC-062	15
Assignment Coordinator	01530	RC-062	20
Bank Examiner I	04131	RC-062	16
Bank Examiner II	04132	RC-062	19
Bank Examiner III	04133	RC-062	22
Behavioral Analyst Associate	04355	RC-062	15

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Behavioral Analyst I	04351	RC-062	17
Behavioral Analyst II	04352	RC-062	19
Business Administrative Specialist	05810	RC-062	16
Business Manager	05815	RC-062	18
Buyer	05900	RC-062	18
Capital Development Board Account Technician	06515	RC-062	11
Capital Development Board Art in Architecture Technician	06533	RC-062	12
Capital Development Board Construction Support Analyst	06520	RC-062	11
Capital Development Board Project Technician	06530	RC-062	12
Chemist I	06941	RC-062	16
Chemist II	06942	RC-062	19
Chemist III	06943	RC-062	21
Child Protection Advanced Specialist	07161	RC-062	19
Child Protection Associate Specialist	07162	RC-062	16
Child Protection Specialist	07163	RC-062	18
Child Support Specialist I	07198	RC-062	16
Child Support Specialist II	07199	RC-062	17
Child Support Specialist Trainee	07200	RC-062	12
Child Welfare Associate Specialist	07216	RC-062	16
Child Welfare Staff Development Coordinator I	07201	RC-062	17
Child Welfare Staff Development Coordinator II	07202	RC-062	19
Child Welfare Staff Development Coordinator III	07203	RC-062	20
Child Welfare Staff Development Coordinator IV	07204	RC-062	22
Children and Family Service Intern – Option I	07241	RC-062	12
Children and Family Service Intern – Option II	07242	RC-062	15
Clinical Laboratory Technologist I	08220	RC-062	18
Clinical Laboratory Technologist II	08221	RC-062	19
Clinical Laboratory Technologist Trainee	08229	RC-062	14
Communications Systems Specialist	08860	RC-062	23
Community Management Specialist I	08891	RC-062	15
Community Management Specialist II	08892	RC-062	17
Community Management Specialist III	08893	RC-062	19
Community Planner I	08901	RC-062	15
Community Planner II	08902	RC-062	17
Community Planner III	08903	RC-062	19
Conservation Education Representative	09300	RC-062	12
Conservation Grant Administrator I	09311	RC-062	18
Conservation Grant Administrator II	09312	RC-062	20
Conservation Grant Administrator III	09313	RC-062	22
Construction Program Assistant	09525	RC-062	12

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Correctional Counselor I	09661	RC-062	15
Correctional Counselor II	09662	RC-062	17
Correctional Counselor III	09663	RC-062	19
Corrections Apprehension Specialist	09750	RC-062	19
Corrections Industries Marketing Representative	09803	RC-062	17
Corrections Leisure Activities Specialist I	09811	RC-062	15
Corrections Leisure Activities Specialist II	09812	RC-062	17
Corrections Leisure Activities Specialist III	09813	RC-062	19
Corrections Parole Agent	09842	RC-062	17
Corrections Senior Parole Agent	09844	RC-062	19
Criminal Intelligence Analyst I	10161	RC-062	18
Criminal Intelligence Analyst II	10162	RC-062	20
Criminal Intelligence Analyst Specialist	10165	RC-062	22
Criminal Justice Specialist I	10231	RC-062	16
Criminal Justice Specialist II	10232	RC-062	20
Criminal Justice Specialist Trainee	10236	RC-062	13
Curator of the Lincoln Collection	10750	RC-062	16
Data Processing Supervisor I	11435	RC-062	11
Data Processing Supervisor II	11436	RC-062	14
Data Processing Supervisor III	11437	RC-062	18
Day Care Licensing Representative I	11471	RC-062	16
Developmental Disabilities Council Program Planner I	12361	RC-062	12
Developmental Disabilities Council Program Planner II	12362	RC-062	16
Developmental Disabilities Council Program Planner III	12363	RC-062	18
Dietary Manager I	12501	RC-062	16
Dietary Manager II	12502	RC-062	18
Dietitian	12510	RC-062	15
Disability Appeals Officer	12530	RC-062	22
Disability Claims Adjudicator I	12537	RC-062	16
Disability Claims Adjudicator II	12538	RC-062	18
Disability Claims Adjudicator Trainee	12539	RC-062	13
Disability Claims Analyst	12540	RC-062	21
Disability Claims Specialist	12558	RC-062	19
Disaster Services Planner	12585	RC-062	19
Document Examiner	12640	RC-062	22
Economic Development Representative I	12931	RC-062	17
Economic Development Representative II	12932	RC-062	19
Educational Diagnostician	12965	RC-062	12
Educator – Provisional	13105	RC-062	12
Employment Security Field Office Supervisor	13600	RC-062	20

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Employment Security Manpower Representative I	13621	RC-062	12
Employment Security Manpower Representative II	13622	RC-062	14
Employment Security Program Representative	13650	RC-062	14
Employment Security Program Representative – Intermittent	13651	RC-062	14H
Employment Security Service Representative	13667	RC-062	16
Employment Security Specialist I	13671	RC-062	14
Employment Security Specialist II	13672	RC-062	16
Employment Security Specialist III	13673	RC-062	19
Employment Security Tax Auditor I	13681	RC-062	17
Employment Security Tax Auditor II	13682	RC-062	19
Energy and Natural Resources Specialist I	13711	RC-062	15
Energy and Natural Resources Specialist II	13712	RC-062	17
Energy and Natural Resources Specialist III	13713	RC-062	19
Energy and Natural Resources Specialist Trainee	13715	RC-062	12
Environmental Health Specialist I	13768	RC-062	14
Environmental Health Specialist II	13769	RC-062	16
Environmental Health Specialist III	13770	RC-062	18
Environmental Protection Associate	13785	RC-062	12
Environmental Protection Specialist I	13821	RC-062	14
Environmental Protection Specialist II	13822	RC-062	16
Environmental Protection Specialist III	13823	RC-062	18
Environmental Protection Specialist IV	13824	RC-062	22
Equal Pay Specialist	13837	RC-062	17
Executive I	13851	RC-062	18
Executive II	13852	RC-062	20
Financial Institutions Examiner I	14971	RC-062	16
Financial Institutions Examiner II	14972	RC-062	19
Financial Institutions Examiner III	14973	RC-062	22
Financial Institutions Examiner Trainee	14978	RC-062	13
Fire Protection Specialist I	15351	RC-062	16
Flight Safety Coordinator	15640	RC-062	22
Forensic Scientist I	15891	RC-062	18
Forensic Scientist II	15892	RC-062	20
Forensic Scientist III	15893	RC-062	22
Forensic Scientist Trainee	15897	RC-062	15
Gaming Senior Special Agent	17191	RC-062	23
Gaming Special Agent	17192	RC-062	19
Gaming Special Agent Trainee	17195	RC-062	14
Guardianship Representative	17710	RC-062	17
Habilitation Program Coordinator	17960	RC-062	17

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Handicapped Services Representative I	17981	RC-062	11
Health Information Administrator	18041	RC-062	15
Health Facilities Surveyor I	18011	RC-062	16
Health Facilities Surveyor II	18012	RC-062	19
Health Facilities Surveyor III	18013	RC-062	20
Health Services Investigator I – Opt. A	18181	RC-062	19
Health Services Investigator I – Opt. B	18182	RC-062	20
Health Services Investigator II – Opt. A	18185	RC-062	22
Health Services Investigator II – Opt. B	18186	RC-062	22
Health Services Investigator II – Opt. C	18187	RC-062	25
Health Services Investigator II – Opt. D	18188	RC-062	25
Historical Documents Conservator I	18981	RC-062	13
Historical Exhibits Designer	18985	RC-062	15
Historical Research Editor II	19002	RC-062	14
Human Relations Representative	19670	RC-062	16
Human Resources Representative	19692	RC-062	17
Human Resources Specialist	19693	RC-062	20
Human Rights Investigator I	19774	RC-062	16
Human Rights Investigator II	19775	RC-062	18
Human Rights Investigator III	19776	RC-062	19
Human Rights Specialist I	19778	RC-062	14
Human Rights Specialist II	19779	RC-062	16
Human Rights Specialist III	19780	RC-062	18
Human Services Casework Manager	19788	RC-062	20
Human Services Caseworker	19785	RC-062	16
Human Services Grants Coordinator I	19791	RC-062	14
Human Services Grants Coordinator II	19792	RC-062	17
Human Services Grants Coordinator III	19793	RC-062	20
Human Services Grants Coordinator Trainee	19796	RC-062	12
Human Services Sign Language Interpreter	19810	RC-062	16
Iconographer	19880	RC-062	12
Industrial and Community Development Representative I	21051	RC-062	17
Industrial and Community Development Representative II	21052	RC-062	19
Industrial Services Consultant I	21121	RC-062	14
Industrial Services Consultant II	21122	RC-062	16
Industrial Services Consultant Trainee	21125	RC-062	11
Industrial Services Hygienist	21127	RC-062	19
Industrial Services Hygienist Technician	21130	RC-062	16
Industrial Services Hygienist Trainee	21133	RC-062	12
Information Technology/Communication Systems Specialist I	21216	RC-062	19

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Information Technology/Communication Systems Specialist II	21217	RC-062	24
Instrument Designer	21500	RC-062	18
Insurance Analyst III	21563	RC-062	14
Insurance Analyst IV	21564	RC-062	16
Insurance Company Claims Examiner II	21602	RC-062	19
Insurance Company Field Staff Examiner	21608	RC-062	16
Insurance Company Financial Examiner Trainee	21610	RC-062	13
Insurance Performance Examiner I	21671	RC-062	14
Insurance Performance Examiner II	21672	RC-062	17
Insurance Performance Examiner III	21673	RC-062	20
Intermittent Unemployment Insurance Representative	21689	RC-062	12H
Internal Auditor I	21721	RC-062	17
Internal Security Investigator I, not Department of Corrections	21731	RC-062	18
Internal Security Investigator II, not Department of Corrections	21732	RC-062	21
Juvenile Justice Youth and Family Specialist, Option 1	21991	RC-062	18
Juvenile Justice Youth and Family Specialist, Option 2	21992	RC-062	20
KidCare Supervisor	22003	RC-062	20
Labor Conciliator	22750	RC-062	20
Laboratory Equipment Specialist	22990	RC-062	18
Laboratory Quality Specialist I	23021	RC-062	19
Laboratory Quality Specialist II	23022	RC-062	21
Laboratory Research Specialist I	23027	RC-062	19
Laboratory Research Specialist II	23028	RC-062	21
Land Acquisition Agent I	23091	RC-062	15
Land Acquisition Agent II	23092	RC-062	18
Land Acquisition Agent III	23093	RC-062	21
Land Reclamation Specialist I	23131	RC-062	14
Land Reclamation Specialist II	23132	RC-062	17
Liability Claims Adjuster I	23371	RC-062	14
Liability Claims Adjuster II	23372	RC-062	18
Library Associate	23430	RC-062	12
Life Sciences Career Trainee	23600	RC-062	12
Liquor Control Special Agent II	23752	RC-062	15
Local Historical Services Representative	24000	RC-062	17
Local Housing Advisor I	24031	RC-062	14
Local Housing Advisor II	24032	RC-062	16
Local Housing Advisor III	24033	RC-062	18
Local Revenue and Fiscal Advisor I	24101	RC-062	15
Local Revenue and Fiscal Advisor II	24102	RC-062	17
Local Revenue and Fiscal Advisor III	24103	RC-062	19

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Lottery Regional Coordinator	24504	RC-062	19
Lottery Sales Representative	24515	RC-062	16
Management Operations Analyst I	25541	RC-062	18
Management Operations Analyst II	25542	RC-062	20
Manpower Planner I	25591	RC-062	14
Manpower Planner II	25592	RC-062	17
Manpower Planner III	25593	RC-062	20
Manpower Planner Trainee	25597	RC-062	12
Medical Assistance Consultant I	26501	RC-062	13
Medical Assistance Consultant II	26502	RC-062	16
Medical Assistance Consultant III	26503	RC-062	19
Mental Health Administrator I	26811	RC-062	18
Mental Health Administrator II	26812	RC-062	20
Mental Health Recovery Support Specialist I	26921	RC-062	17
Mental Health Recovery Support Specialist II	26922	RC-062	18
Mental Health Specialist I	26924	RC-062	12
Mental Health Specialist II	26925	RC-062	14
Mental Health Specialist III	26926	RC-062	16
Mental Health Specialist Trainee	26928	RC-062	11
Meteorologist	27120	RC-062	18
Methods and Procedures Advisor I	27131	RC-062	14
Methods and Procedures Advisor II	27132	RC-062	16
Methods and Procedures Advisor III	27133	RC-062	20
Methods and Procedures Career Associate I	27135	RC-062	11
Methods and Procedures Career Associate II	27136	RC-062	12
Methods and Procedures Career Associate Trainee	27137	RC-062	09
Metrologist Associate	27146	RC-062	15
Microbiologist I	27151	RC-062	16
Microbiologist II	27152	RC-062	19
Natural Resources Advanced Specialist	28833	RC-062	20
Natural Resources Coordinator	28831	RC-062	15
Natural Resources Specialist	28832	RC-062	18
Oral Health Consultant	30317	RC-062	18
Paralegal Assistant	30860	RC-062	14
Pension and Death Benefits Technician I	30961	RC-062	12
Pension and Death Benefits Technician II	30962	RC-062	19
Plumbing Consultant (Department of Public Health)	32910	RC-062	22
Police Training Specialist	32990	RC-062	17
Program Integrity Auditor I	34631	RC-062	16
Program Integrity Auditor II	34632	RC-062	19

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Program Integrity Auditor Trainee	34635	RC-062	12
Property Consultant	34900	RC-062	15
Public Aid Investigator	35870	RC-062	19
Public Aid Investigator Trainee	35874	RC-062	14
Public Aid Lead Casework Specialist	35880	RC-062	17
Public Aid Program Quality Analyst	35890	RC-062	19
Public Aid Quality Control Reviewer	35892	RC-062	17
Public Aid Quality Control Supervisor	35900	RC-062	19
Public Aid Staff Development Specialist I	36071	RC-062	15
Public Aid Staff Development Specialist II	36072	RC-062	17
Public Health Educator Associate	36434	RC-062	14
Public Health Program Specialist I	36611	RC-062	14
Public Health Program Specialist II	36612	RC-062	16
Public Health Program Specialist III	36613	RC-062	19
Public Health Program Specialist Trainee	36615	RC-062	12
Public Information Coordinator	36750	RC-062	18
Public Information Officer I	37001	RC-062	12
Public Information Officer II	37002	RC-062	14
Public Information Officer III	37003	RC-062	19
Public Information Officer IV	37004	RC-062	21
Public Safety Inspector	37007	RC-062	16
Public Safety Inspector Trainee	37010	RC-062	10
<u>Public Service Administrator, Option 8Z</u>	<u>37015</u>	<u>RC-062</u>	<u>19</u>
Public Service Administrator, <u>Options 2 and Option 7</u>			
Gaming Board and Department of Revenue	37015	RC-062	24
Public Service Administrator, Options 8B and 8Y	37015	RC-062	23
Public Service Administrator, Option 8Z	37015	RC-062	19
Railroad Safety Specialist I	37601	RC-062	19
Railroad Safety Specialist II	37602	RC-062	21
Railroad Safety Specialist III	37603	RC-062	23
Railroad Safety Specialist IV	37604	RC-062	25
Real Estate Investigator	37730	RC-062	19
Real Estate Professions Examiner	37760	RC-062	22
Recreation Worker I	38001	RC-062	12
Recreation Worker II	38002	RC-062	14
Rehabilitation Counselor	38145	RC-062	17
Rehabilitation Counselor Senior	38158	RC-062	19
Rehabilitation Counselor Trainee	38159	RC-062	15
Rehabilitation Services Advisor I	38176	RC-062	20
Rehabilitation Workshop Supervisor I	38194	RC-062	12

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Rehabilitation Workshop Supervisor II	38195	RC-062	14
Rehabilitation Workshop Supervisor III	38196	RC-062	16
Reimbursement Officer I	38199	RC-062	14
Reimbursement Officer II	38200	RC-062	16
Research Economist I	38207	RC-062	18
Research Scientist I	38231	RC-062	13
Research Scientist II	38232	RC-062	16
Research Scientist III	38233	RC-062	20
Residential Services Supervisor	38280	RC-062	15
Resource Planner I	38281	RC-062	17
Resource Planner II	38282	RC-062	19
Resource Planner III	38283	RC-062	22
Retirement System Disability Specialist	38310	RC-062	19
Revenue Audit Supervisor (IL)	38369	RC-062	25
Revenue Audit Supervisor (states other than IL, CA or NJ)	38369	RC-062	27
Revenue Audit Supervisor (CA or NJ)	38369	RC-062	29
Revenue Auditor I (IL)	38371	RC-062	16
Revenue Auditor I (states other than IL, CA or NJ)	38371	RC-062	19
Revenue Auditor I (CA or NJ)	38371	RC-062	21
Revenue Auditor II (IL)	38372	RC-062	19
Revenue Auditor II (states other than IL, CA or NJ)	38372	RC-062	22
Revenue Auditor II (CA or NJ)	38372	RC-062	24
Revenue Auditor III (IL)	38373	RC-062	22
Revenue Auditor III (states other than IL, CA or NJ)	38373	RC-062	24
Revenue Auditor III (CA or NJ)	38373	RC-062	26
Revenue Auditor Trainee (IL)	38375	RC-062	12
Revenue Auditor Trainee (states other than IL, CA or NJ)	38375	RC-062	13
Revenue Auditor Trainee (CA or NJ)	38375	RC-062	15
Revenue Collection Officer I	38401	RC-062	15
Revenue Collection Officer II	38402	RC-062	17
Revenue Collection Officer III	38403	RC-062	19
Revenue Collection Officer Trainee	38405	RC-062	12
Revenue Computer Audit Specialist (IL)	38425	RC-062	23
Revenue Computer Audit Specialist (states other than IL, CA or NJ)	38425	RC-062	25
Revenue Computer Audit Specialist (CA or NJ)	38425	RC-062	27
Revenue Senior Special Agent	38557	RC-062	23
Revenue Special Agent	38558	RC-062	19
Revenue Special Agent Trainee	38565	RC-062	14

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Revenue Tax Specialist I	38571	RC-062	12
Revenue Tax Specialist II (IL)	38572	RC-062	14
Revenue Tax Specialist II (states other than IL, CA or NJ)	38572	RC-062	17
Revenue Tax Specialist II (CA or NJ)	38572	RC-062	19
Revenue Tax Specialist III	38573	RC-062	17
Revenue Tax Specialist Trainee	38575	RC-062	10
Site Assistant Superintendent I	41071	RC-062	15
Site Assistant Superintendent II	41072	RC-062	17
Site Interpretive Coordinator	41093	RC-062	13
Site Services Specialist I	41117	RC-062	15
Site Services Specialist II	41118	RC-062	17
Social Service Consultant I	41301	RC-062	18
Social Service Consultant II	41302	RC-062	19
Social Service Program Planner I	41311	RC-062	15
Social Service Program Planner II	41312	RC-062	17
Social Service Program Planner III	41313	RC-062	20
Social Service Program Planner IV	41314	RC-062	22
Social Services Career Trainee	41320	RC-062	12
Social Worker I	41411	RC-062	16
Staff Development Specialist I	41771	RC-062	18
Staff Development Technician I	41781	RC-062	12
Staff Development Technician II	41782	RC-062	15
State Mine Inspector	42230	RC-062	19
State Police Field Specialist I	42001	RC-062	18
State Police Field Specialist II	42002	RC-062	20
Statistical Research Specialist I	42741	RC-062	12
Statistical Research Specialist II	42742	RC-062	14
Statistical Research Specialist III	42743	RC-062	17
Storage Tank Safety Specialist	43005	RC-062	18
Telecommunications Specialist	45295	RC-062	15
Telecommunications Systems Analyst	45308	RC-062	17
Telecommunications Systems Technician I	45312	RC-062	10
Telecommunications Systems Technician II	45313	RC-062	13
Terrorism Research Specialist I	45371	RC-062	18
Terrorism Research Specialist II	45372	RC-062	20
Terrorism Research Specialist III	45373	RC-062	22
Terrorism Research Specialist Trainee	45375	RC-062	14
Unemployment Insurance Adjudicator I	47001	RC-062	11
Unemployment Insurance Adjudicator II	47002	RC-062	13

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Unemployment Insurance Adjudicator III	47003	RC-062	15
Unemployment Insurance Revenue Analyst I	47081	RC-062	15
Unemployment Insurance Revenue Analyst II	47082	RC-062	17
Unemployment Insurance Revenue Specialist	47087	RC-062	13
Unemployment Insurance Special Agent	47096	RC-062	18
Veterans Educational Specialist I	47681	RC-062	15
Veterans Educational Specialist II	47682	RC-062	17
Veterans Educational Specialist III	47683	RC-062	21
Veterans Employment Representative I	47701	RC-062	14
Veterans Employment Representative II	47702	RC-062	16
Volunteer Services Coordinator I	48481	RC-062	13
Volunteer Services Coordinator II	48482	RC-062	16
Volunteer Services Coordinator III	48483	RC-062	18
Wage Claims Specialist	48770	RC-062	09
Weatherization Specialist I	49101	RC-062	14
Weatherization Specialist II	49102	RC-062	17
Weatherization Specialist III	49103	RC-062	20
Weatherization Specialist Trainee	49105	RC-062	12
Workers Compensation Insurance Compliance Investigator	49640	RC-062	20

NOTE: [The positions allocated to the Public Service Administrator title that are assigned to the negotiated RC-062 pay grade have the following options: 2; 7; 8B; 8Y; and 8Z. See the definition of option in Section 310.50.](#)

For the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, Revenue Computer Audit Specialist and Revenue Tax Specialist II position classification titles only – The pay grade assigned to the employee is based on the location of the position and the residence held by the employee. In the same position classification, the employee holding a position and residence outside the boundaries of the State of Illinois is assigned to a different pay grade than the pay grade assigned to the employee holding a position within the boundaries of the State of Illinois. The pay grade assigned to the employee holding a position located within the boundaries of the State of Illinois is the pay grade with the (IL) indication next to the position classification. The pay grade assigned to the employee holding the position located outside the boundaries of the State of Illinois is determined by the location of the employee's residence or position location (e.g., IL, CA or NJ or a state other than IL, CA or NJ). If the employee's residence moves to another state while the employee is in the same position located outside the boundaries of the State of Illinois, or moves into another position located outside the boundaries of the State of Illinois in the same position classification, the base salary may change depending on the location of the

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employee's new residence. In all cases, change in base salary shall be on a step for step basis (e.g., if the original base salary was on Step 5 in one pay grade, the new base salary will also be on Step 5 of the newly appropriate pay grade).

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Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
09	B	2722	2790	2860	2949	3043	3137	3238	3333	3490	3630
09	Q	2831	2902	2976	3067	3167	3264	3370	3471	3637	3783
09	S	2898	2966	3038	3131	3231	3331	3438	3538	3706	3855
10	B	2811	2881	2952	3060	3150	3254	3357	3461	3638	3784
10	Q	2921	2994	3071	3182	3279	3390	3496	3606	3798	3950
10	S	2987	3059	3134	3246	3346	3456	3563	3678	3869	4024
11	B	2912	2987	3061	3165	3267	3385	3496	3605	3796	3948
11	Q	3029	3105	3184	3297	3405	3527	3645	3760	3964	4122
11	S	3094	3169	3247	3362	3470	3594	3714	3831	4033	4194
12	B	3027	3103	3184	3301	3409	3536	3652	3787	3990	4149
12	Q	3148	3229	3315	3437	3551	3687	3813	3951	4167	4333
12	S	3212	3295	3379	3503	3618	3758	3885	4025	4241	4411
12H	B	18.63	19.10	19.59	20.31	20.98	21.76	22.47	23.30	24.55	25.53
12H	Q	19.37	19.87	20.40	21.15	21.85	22.69	23.46	24.31	25.64	26.66
12H	S	19.77	20.28	20.79	21.56	22.26	23.13	23.91	24.77	26.10	27.14
13	B	3138	3217	3304	3425	3556	3688	3823	3967	4186	4354
13	Q	3266	3351	3441	3567	3707	3853	3993	4140	4375	4550
13	S	3332	3418	3507	3636	3778	3926	4064	4216	4451	4629
14	B	3267	3356	3445	3576	3716	3878	4020	4172	4416	4592
14	Q	3405	3495	3591	3728	3880	4048	4201	4361	4615	4798

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14	S	3470	3562	3658	3802	3950	4122	4274	4436	4687	4874
14H	B	20.10	20.65	21.20	22.01	22.87	23.86	24.74	25.67	27.18	28.26
14H	Q	20.95	21.51	22.10	22.94	23.88	24.91	25.85	26.84	28.40	29.53
14H	S	21.35	21.92	22.51	23.40	24.31	25.37	26.30	27.30	28.84	29.99
15	B	3395	3487	3581	3740	3894	4046	4212	4368	4631	4815
15	Q	3537	3635	3737	3901	4064	4227	4403	4565	4837	5032
15	S	3603	3704	3807	3974	4135	4303	4477	4638	4914	5110
16	B	3548	3645	3749	3917	4091	4260	4439	4616	4888	5083
16	Q	3699	3805	3913	4091	4275	4454	4637	4824	5111	5316
16	S	3772	3877	3987	4165	4351	4531	4712	4900	5181	5388
17	B	3709	3817	3929	4109	4299	4481	4663	4852	5140	5346
17	Q	3872	3985	4099	4296	4493	4680	4871	5070	5371	5587
17	S	3944	4058	4173	4371	4569	4758	4946	5143	5450	5667
18	B	3901	4014	4134	4333	4536	4742	4934	5133	5439	5657
18	Q	4073	4193	4319	4533	4741	4957	5159	5364	5686	5913
18	S	4144	4270	4391	4604	4815	5031	5234	5441	5758	5989
19	B	4107	4228	4357	4579	4795	5017	5229	5447	5778	6010
19	J	4107	4228	4357	4579	4795	5017	5229	5447	5778	6010
19	Q	4293	4422	4553	4786	5008	5247	5465	5694	6037	6279
19	S	4369	4498	4630	4862	5085	5321	5541	5771	6112	6357
20	B	4343	4471	4603	4836	5061	5301	5533	5762	6111	6356
20	Q	4538	4672	4811	5053	5291	5542	5780	6022	6389	6644
20	S	4611	4747	4887	5128	5364	5616	5855	6096	6461	6719
21	B	4584	4720	4861	5112	5358	5608	5864	6108	6489	6748
21	U	4584	4720	4861	5112	5358	5608	5864	6108	6489	6748
21	Q	4791	4931	5080	5343	5598	5862	6128	6385	6781	7052
21	S	4865	5006	5156	5415	5673	5937	6203	6458	6856	7131
22	B	4845	4992	5139	5407	5671	5939	6215	6472	6875	7150
22	Q	5064	5215	5369	5651	5929	6206	6493	6766	7184	7471

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22	S	5137	5290	5447	5724	6003	6279	6569	6843	7261	7551
23	B	5139	5292	5451	5740	6034	6321	6612	6899	7333	7627
23	Q	5369	5532	5700	6001	6309	6605	6911	7211	7662	7968
23	S	5447	5608	5774	6074	6382	6680	6985	7284	7737	8045
24	B	5469	5632	5802	6110	6431	6738	7050	7368	7830	8143
24	J	5469	5632	5802	6110	6431	6738	7050	7368	7830	8143
24	Q	5713	5888	6065	6388	6720	7043	7366	7700	8184	8511
24	S	5788	5961	6140	6460	6793	7117	7442	7776	8257	8587
25	B	5828	6004	6184	6522	6866	7209	7551	7895	8401	8738
25	J	5828	6004	6184	6522	6866	7209	7551	7895	8401	8738
25	Q	6093	6272	6461	6816	7173	7535	7894	8251	8780	9132
25	S	6165	6352	6537	6891	7247	7608	7966	8323	8855	9210
26	B	6159	6348	6599	6960	7329	7701	8060	8422	8966	9324
26	U	6159	6348	6599	6960	7329	7701	8060	8422	8966	9324
27	B	6511	6708	7044	7427	7820	8216	8601	8987	9568	9951
27	J	6511	6708	7044	7427	7820	8216	8601	8987	9568	9951
27	U	6511	6708	7044	7427	7820	8216	8601	8987	9568	9951
28	B	6833	7038	7392	7793	8205	8622	9025	9430	10041	10443
29	U	7170	7387	7757	8178	8610	9049	9471	9896	10536	10957

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Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
09	B	2776	2846	2917	3008	3104	3200	3303	3400	3560	3703
09	Q	2888	2960	3036	3128	3230	3329	3437	3540	3710	3859
09	S	2956	3025	3099	3194	3296	3398	3507	3609	3780	3932

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10	B	2867	2939	3011	3121	3213	3319	3424	3530	3711	3860
10	Q	2979	3054	3132	3246	3345	3458	3566	3678	3874	4029
10	S	3047	3120	3197	3311	3413	3525	3634	3752	3946	4104
11	B	2970	3047	3122	3228	3332	3453	3566	3677	3872	4027
11	Q	3090	3167	3248	3363	3473	3598	3718	3835	4043	4204
11	S	3156	3232	3312	3429	3539	3666	3788	3908	4114	4278
12	B	3088	3165	3248	3367	3477	3607	3725	3863	4070	4232
12	Q	3211	3294	3381	3506	3622	3761	3889	4030	4250	4420
12	S	3276	3361	3447	3573	3690	3833	3963	4106	4326	4499
12H	B	19.00	19.48	19.99	20.72	21.40	22.20	22.92	23.77	25.05	26.04
12H	Q	19.76	20.27	20.81	21.58	22.29	23.14	23.93	24.80	26.15	27.20
12H	S	20.16	20.68	21.21	21.99	22.71	23.59	24.39	25.27	26.62	27.69
13	B	3201	3281	3370	3494	3627	3762	3899	4046	4270	4441
13	Q	3331	3418	3510	3638	3781	3930	4073	4223	4463	4641
13	S	3399	3486	3577	3709	3854	4005	4145	4300	4540	4722
14	B	3332	3423	3514	3648	3790	3956	4100	4255	4504	4684
14	Q	3473	3565	3663	3803	3958	4129	4285	4448	4707	4894
14	S	3539	3633	3731	3878	4029	4204	4359	4525	4781	4971
14H	B	20.50	21.06	21.62	22.45	23.32	24.34	25.23	26.18	27.72	28.82
14H	Q	21.37	21.94	22.54	23.40	24.36	25.41	26.37	27.37	28.97	30.12
14H	S	21.78	22.36	22.96	23.86	24.79	25.87	26.82	27.85	29.42	30.59
15	B	3463	3557	3653	3815	3972	4127	4296	4455	4724	4911
15	Q	3608	3708	3812	3979	4145	4312	4491	4656	4934	5133
15	S	3675	3778	3883	4053	4218	4389	4567	4731	5012	5212
16	B	3619	3718	3824	3995	4173	4345	4528	4708	4986	5185
16	Q	3773	3881	3991	4173	4361	4543	4730	4920	5213	5422
16	S	3847	3955	4067	4248	4438	4622	4806	4998	5285	5496
17	B	3783	3893	4008	4191	4385	4571	4756	4949	5243	5453

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17	Q	3949	4065	4181	4382	4583	4774	4968	5171	5478	5699
17	S	4023	4139	4256	4458	4660	4853	5045	5246	5559	5780
18	B	3979	4094	4217	4420	4627	4837	5033	5236	5548	5770
18	Q	4154	4277	4405	4624	4836	5056	5262	5471	5800	6031
18	S	4227	4355	4479	4696	4911	5132	5339	5550	5873	6109
19	B	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	J	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	Q	4379	4510	4644	4882	5108	5352	5574	5808	6158	6405
19	S	4456	4588	4723	4959	5187	5427	5652	5886	6234	6484
20	B	4430	4560	4695	4933	5162	5407	5644	5877	6233	6483
20	Q	4629	4765	4907	5154	5397	5653	5896	6142	6517	6777
20	S	4703	4842	4985	5231	5471	5728	5972	6218	6590	6853
21	B	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883
21	U	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883
21	Q	4887	5030	5182	5450	5710	5979	6251	6513	6917	7193
21	S	4962	5106	5259	5523	5786	6056	6327	6587	6993	7274
22	B	4942	5092	5242	5515	5784	6058	6339	6601	7013	7293
22	Q	5165	5319	5476	5764	6048	6330	6623	6901	7328	7620
22	S	5240	5396	5556	5838	6123	6405	6700	6980	7406	7702
23	B	5242	5398	5560	5855	6155	6447	6744	7037	7480	7780
23	Q	5476	5643	5814	6121	6435	6737	7049	7355	7815	8127
23	S	5556	5720	5889	6195	6510	6814	7125	7430	7892	8206
24	B	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	J	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306
24	Q	5827	6006	6186	6516	6854	7184	7513	7854	8348	8681
24	S	5904	6080	6263	6589	6929	7259	7591	7932	8422	8759
25	B	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	J	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	Q	6215	6397	6590	6952	7316	7686	8052	8416	8956	9315
25	S	6288	6479	6668	7029	7392	7760	8125	8489	9032	9394

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

26	B	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
26	U	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
27	B	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	J	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	U	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
28	B	6970	7179	7540	7949	8369	8794	9206	9619	10242	10652
29	U	7313	7535	7912	8342	8782	9230	9660	10094	10747	11176

(Source: Amended by peremptory rulemaking at 34 Ill. Reg. 8633, effective June 18, 2010)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE X RC-063 (Professional Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Actuary III	00203	RC-063	26
Architect	01440	RC-063	22
Chaplain I	06901	RC-063	16
Chaplain II	06902	RC-063	19
Child Welfare Administrative Case Reviewer	07190	RC-063	22
Child Welfare Advanced Specialist	07215	RC-063	19
Child Welfare Court Facilitator	07196	RC-063	22
Child Welfare Senior Specialist	07217	RC-063	22
Child Welfare Specialist	07218	RC-063	18
Civil Engineer I	07601	RC-063	15
Civil Engineer II	07602	RC-063	17
Civil Engineer III	07603	RC-063	19
Civil Engineer IV	07604	RC-063	22
Clinical Pharmacist	08235	RC-063	25
Clinical Psychologist	08250	RC-063	23
Clinical Psychology Associate	08255	RC-063	18
Day Care Licensing Representative II	11472	RC-063	18
Dentist I	11751	RC-063	23
Dentist II	11752	RC-063	26
Environmental Engineer I	13751	RC-063	15
Environmental Engineer II	13752	RC-063	17
Environmental Engineer III	13753	RC-063	19
Environmental Engineer IV	13754	RC-063	22
Environmental Protection Engineer I	13791	RC-063	15
Environmental Protection Engineer II	13792	RC-063	17
Environmental Protection Engineer III	13793	RC-063	19
Environmental Protection Engineer IV	13794	RC-063	22
Environmental Protection Geologist I	13801	RC-063	14
Environmental Protection Geologist II	13802	RC-063	16
Environmental Protection Geologist III	13803	RC-063	18
Geographic Information Specialist I	17271	RC-063	19
Geographic Information Specialist II	17272	RC-063	23
Geographic Information Trainee	17276	RC-063	15
Graduate Pharmacist	17345	RC-063	20

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Hearing and Speech Advanced Specialist	18227	RC-063	22
Hearing and Speech Associate	18231	RC-063	18
Hearing and Speech Specialist	18233	RC-063	20
Information Services Intern	21160	RC-063	15
Information Services Specialist I	21161	RC-063	17
Information Services Specialist II	21162	RC-063	19
Information Systems Analyst I	21165	RC-063	21
Information Systems Analyst II	21166	RC-063	23
Information Systems Analyst III	21167	RC-063	25
Laboratory Research Scientist	23025	RC-063	23
Landscape Architect	23145	RC-063	22
Landscape Planner	23150	RC-063	19
Librarian I	23401	RC-063	16
Management Systems Specialist	25583	RC-063	21
Mechanical Engineer I	26201	RC-063	15
Mechanical Engineer II	26202	RC-063	17
Mechanical Engineer III	26203	RC-063	19
Nutritionist	29820	RC-063	18
Occupational Therapist	29900	RC-063	17
Occupational Therapist Program Coordinator	29908	RC-063	19
Occupational Therapist Supervisor	29910	RC-063	21
Optometrist	30300	RC-063	14
Pharmacy Services Coordinator	32010	RC-063	25
Physical Therapist	32145	RC-063	17
Physical Therapist Program Coordinator	32153	RC-063	19
Podiatrist	32960	RC-063	14
Project Designer	34725	RC-063	19
Psychologist I	35611	RC-063	17
Psychologist II	35612	RC-063	20
Psychologist III	35613	RC-063	22
Psychologist Associate	35626	RC-063	15
Public Health Educator	36430	RC-063	19
Public Service Administrator, Options 1 , 3 , 4 , 6E , 8E , 8N and 8T	37015	RC-063	24
Public Service Administrator, Option 8D	37015	RC-063	23
Public Service Administrator, Options 8H , 8I Department of Natural Resources and 9G	37015	RC-063	22

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Public Service Administrator, Option 8P Department of Human Services	37015	RC-063	26
Public Service Administrator, Option 8U Department of Human Services	37015	RC-063	21
Rehabilitation/Mobility Instructor	38163	RC-063	19
Rehabilitation/Mobility Instructor Trainee	38167	RC-063	15
School Psychologist	39200	RC-063	18
Senior Public Service Administrator, Option 8E	40070	RC-063	26
Senior Public Service Administrator, Option 8P	40070	RC-063	27
Social Worker II	41412	RC-063	18
Social Worker III	41413	RC-063	19
Social Worker IV	41414	RC-063	21
Staff Pharmacist	41787	RC-063	24
Statistical Research Supervisor	42745	RC-063	20
Veterinarian I	47901	RC-063	18
Veterinarian II	47902	RC-063	20
Veterinarian III	47903	RC-063	21
Vision/Hearing Consultant I	47941	RC-063	16
Vision/Hearing Consultant II	47942	RC-063	20
Vision/Hearing Consultant III	47943	RC-063	21

NOTE: The positions allocated to the Public Service Administrator title that are assigned to the negotiated RC-063 pay grade have the following options: 1; 3; 4; 6E; 8D; 8E; 8H; 8I; 8N; 8P; 8T; 8U; and 9G. See the definition of option in Section 310.50.

Effective May 14, 2009
Bargaining Unit: RC-063

Pay Grade	Pay Plan Code	S T E P S										
		1c	1b	1a	1	2	3	4	5	6	7	8
27	B	6168	6352	6544	6872	7246	7629	8016	8391	8768	9335	9708
27	Q	6448	6640	6841	7184	7575	7975	8380	8772	9166	9759	10149

Effective July 1, 2009

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Bargaining Unit: RC-063

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
14	B	3267	3356	3445	3576	3716	3878	4020	4172	4416	4592
14	Q	3405	3495	3591	3728	3880	4048	4201	4361	4615	4798
14	S	3470	3562	3658	3802	3950	4122	4274	4436	4687	4874
15	B	3395	3487	3581	3740	3894	4046	4212	4368	4631	4815
15	Q	3537	3635	3737	3901	4064	4227	4403	4565	4837	5032
15	S	3603	3704	3807	3974	4135	4303	4477	4638	4914	5110
16	B	3548	3645	3749	3917	4091	4260	4439	4616	4888	5083
16	Q	3699	3805	3913	4091	4275	4454	4637	4824	5111	5316
16	S	3772	3877	3987	4165	4351	4531	4712	4900	5181	5388
17	B	3709	3817	3929	4109	4299	4481	4663	4852	5140	5346
17	Q	3872	3985	4099	4296	4493	4680	4871	5070	5371	5587
17	S	3944	4058	4173	4371	4569	4758	4946	5143	5450	5667
18	B	3901	4014	4134	4333	4536	4742	4934	5133	5439	5657
18	Q	4073	4193	4319	4533	4741	4957	5159	5364	5686	5913
18	S	4144	4270	4391	4604	4815	5031	5234	5441	5758	5989
19	B	4107	4228	4357	4579	4795	5017	5229	5447	5778	6010
19	Q	4293	4422	4553	4786	5008	5247	5465	5694	6037	6279
19	S	4369	4498	4630	4862	5085	5321	5541	5771	6112	6357
20	B	4343	4471	4603	4836	5061	5301	5533	5762	6111	6356
20	Q	4538	4672	4811	5053	5291	5542	5780	6022	6389	6644
20	S	4611	4747	4887	5128	5364	5616	5855	6096	6461	6719
21	B	4584	4720	4861	5112	5358	5608	5864	6108	6489	6748
21	Q	4791	4931	5080	5343	5598	5862	6128	6385	6781	7052
21	S	4865	5006	5156	5415	5673	5937	6203	6458	6856	7131

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

22	B	4845	4992	5139	5407	5671	5939	6215	6472	6875	7150
22	Q	5064	5215	5369	5651	5929	6206	6493	6766	7184	7471
22	S	5137	5290	5447	5724	6003	6279	6569	6843	7261	7551
23	B	5139	5292	5451	5740	6034	6321	6612	6899	7333	7627
23	Q	5369	5532	5700	6001	6309	6605	6911	7211	7662	7968
23	S	5447	5608	5774	6074	6382	6680	6985	7284	7737	8045
24	B	5469	5632	5802	6110	6431	6738	7050	7368	7830	8143
24	Q	5713	5888	6065	6388	6720	7043	7366	7700	8184	8511
24	S	5788	5961	6140	6460	6793	7117	7442	7776	8257	8587
25	B	5828	6004	6184	6522	6866	7209	7551	7895	8401	8738
25	Q	6093	6272	6461	6816	7173	7535	7894	8251	8780	9132
25	S	6165	6352	6537	6891	7247	7608	7966	8323	8855	9210
26	B	6159	6348	6599	6960	7329	7701	8060	8422	8966	9324
26	Q	6453	6648	6917	7292	7678	8067	8444	8821	9392	9768
26	S	6514	6711	6982	7362	7753	8144	8524	8906	9485	9864
27	B	6511	6708	7044	7427	7820	8216	8601	8987	9568	9951
27	Q	6806	7012	7364	7764	8174	8590	8991	9395	10003	10403

Effective January 1, 2010
Bargaining Unit: RC-063

Pay Grade	Pay Plan Code	S T E P S									
		1b	1a	1	2	3	4	5	6	7	8
14	B	3332	3423	3514	3648	3790	3956	4100	4255	4504	4684
14	Q	3473	3565	3663	3803	3958	4129	4285	4448	4707	4894
14	S	3539	3633	3731	3878	4029	4204	4359	4525	4781	4971
15	B	3463	3557	3653	3815	3972	4127	4296	4455	4724	4911

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

15	Q	3608	3708	3812	3979	4145	4312	4491	4656	4934	5133
15	S	3675	3778	3883	4053	4218	4389	4567	4731	5012	5212
16	B	3619	3718	3824	3995	4173	4345	4528	4708	4986	5185
16	Q	3773	3881	3991	4173	4361	4543	4730	4920	5213	5422
16	S	3847	3955	4067	4248	4438	4622	4806	4998	5285	5496
17	B	3783	3893	4008	4191	4385	4571	4756	4949	5243	5453
17	Q	3949	4065	4181	4382	4583	4774	4968	5171	5478	5699
17	S	4023	4139	4256	4458	4660	4853	5045	5246	5559	5780
18	B	3979	4094	4217	4420	4627	4837	5033	5236	5548	5770
18	Q	4154	4277	4405	4624	4836	5056	5262	5471	5800	6031
18	S	4227	4355	4479	4696	4911	5132	5339	5550	5873	6109
19	B	4189	4313	4444	4671	4891	5117	5334	5556	5894	6130
19	Q	4379	4510	4644	4882	5108	5352	5574	5808	6158	6405
19	S	4456	4588	4723	4959	5187	5427	5652	5886	6234	6484
20	B	4430	4560	4695	4933	5162	5407	5644	5877	6233	6483
20	Q	4629	4765	4907	5154	5397	5653	5896	6142	6517	6777
20	S	4703	4842	4985	5231	5471	5728	5972	6218	6590	6853
21	B	4676	4814	4958	5214	5465	5720	5981	6230	6619	6883
21	Q	4887	5030	5182	5450	5710	5979	6251	6513	6917	7193
21	S	4962	5106	5259	5523	5786	6056	6327	6587	6993	7274
22	B	4942	5092	5242	5515	5784	6058	6339	6601	7013	7293
22	Q	5165	5319	5476	5764	6048	6330	6623	6901	7328	7620
22	S	5240	5396	5556	5838	6123	6405	6700	6980	7406	7702
23	B	5242	5398	5560	5855	6155	6447	6744	7037	7480	7780
23	Q	5476	5643	5814	6121	6435	6737	7049	7355	7815	8127
23	S	5556	5720	5889	6195	6510	6814	7125	7430	7892	8206
24	B	5578	5745	5918	6232	6560	6873	7191	7515	7987	8306

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

24	Q	5827	6006	6186	6516	6854	7184	7513	7854	8348	8681
24	S	5904	6080	6263	6589	6929	7259	7591	7932	8422	8759
25	B	5945	6124	6308	6652	7003	7353	7702	8053	8569	8913
25	Q	6215	6397	6590	6952	7316	7686	8052	8416	8956	9315
25	S	6288	6479	6668	7029	7392	7760	8125	8489	9032	9394
26	B	6282	6475	6731	7099	7476	7855	8221	8590	9145	9510
26	Q	6582	6781	7055	7438	7832	8228	8613	8997	9580	9963
26	S	6644	6845	7122	7509	7908	8307	8694	9084	9675	10061
27	B	6641	6842	7185	7576	7976	8380	8773	9167	9759	10150
27	Q	6942	7152	7511	7919	8337	8762	9171	9583	10203	10611

(Source: Amended by peremptory rulemaking at 34 Ill. Reg. 8633, effective June 18, 2010)

DEPARTMENT ON AGING

JULY 2010 REGULATORY AGENDA

- a) Heading and Code Citations: Access to Information of the Department on Aging, 2 Ill. Adm. Code 726
- 1) Rulemaking:
- A) Description: The Department will repeal Part 726 and replace it with updated provisions in a new Part 727 to implement changes in the Freedom of Information Act in accordance with Public Act 96-542.
- B) Statutory Authority: 5 ILCS 140/3(h), 5 ILCS 100/5-15, and 20 ILCS 105/4.01(11)
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated.
- D) Date agency anticipates First Notice: The Department anticipates filing these proposed rulemaking projects during the next six months of this year.
- E) Effect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- Karen Alice Kloppe
Deputy General Counsel
Illinois Department on Aging
421 East Capitol Avenue, #100
Springfield, Illinois 62701-1789
- 217/785-3346
- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF HUMAN RIGHTS

JULY 2010 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Access to Information (2 Ill. Adm. Code 926).

1) Rulemaking:

- A) Description: The proposed amendments will describe changes in the Department's procedures for people to request copies records from the Department and for the Department to respond to requests pursuant to the Freedom of Information Act.
- B) Statutory Authority: Implementing Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15] and the Freedom of Information Act [5 ILCS 140], and authorized by Section 7-101(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A)].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date agency anticipates First Notice: September 1, 2010.
- E) Effect on small business, small municipalities or not for profit corporations: The amended rules allow such entities up to 50 pages free of charge for documents which are subject to disclosure pursuant to the Freedom of Information Act. The amended rules also clarify changes in the procedures for appealing the denial of requests.
- F) Agency contact person for information:
- David T. Rothal
Staff Attorney
Illinois Department of Human Rights – Legal Division
100 W. Randolph St., Ste. 10-100
Chicago, IL 60601
- 312/814-6257 or 217/785-5125 (TTY)
- G) Related rulemaking and other pertinent information: None

b) Part(s) (Heading and Code Citation): Procedures Applicable to All Agencies (44 Ill. Adm. Code 750).

DEPARTMENT OF HUMAN RIGHTS

JULY 2010 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description: The proposed amendment would clarify the Department's procedures for maintaining records of eligible bidder Numbers which have expired by a period of at least one year and clarify that "unlawful discrimination" includes "order of protection status" pursuant to P. A. 96-447.
 - B) Statutory Authority: Implementing Sections 2-105(A), 7-101(A), and 7-105(A) and authorized by Sections 7-101(A) and 7-105(A) of the Illinois Human Rights Act [775 ILCS 5/2-105(A), 7-101(A) and 7-105].
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
 - D) Date agency anticipates First Notice: September 1, 2010.
 - E) Effect on small business, small municipalities or not for profit corporations: None
 - F) Agency contact person for information:

David T. Rothal
Staff Attorney
Illinois Department of Human Rights – Legal Division
100 W. Randolph St., Ste. 10-100
Chicago, IL 60601

312/814-6257 or 217/785-5125 (TTY)
 - G) Related rulemaking and other pertinent information: None
- c) Part(s) (Heading and Code Citation): Housing Discrimination (71 Ill. Adm. Code 2300).
 - 1) Rulemaking:
 - A) Description: The proposed amendment would remove the definition to "Aid, abet, compel or coerce" because the term is not used in the body of the Department's housing regulations.

DEPARTMENT OF HUMAN RIGHTS

JULY 2010 REGULATORY AGENDA

- B) Statutory Authority: Implementing Articles 3, 6 and 7B of the Illinois Human Rights Act [775 ILCS 5/Arts. 3, 6 and 7B], and authorized by Section 7-101(A) of the Illinois Human Rights Act [775 ILCS 5/7-101(A)].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date agency anticipates First Notice: September 1, 2010.
- E) Effect on small business, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
- David T. Rothal
Staff Attorney
Illinois Department of Human Rights – Legal Division
100 W. Randolph St., Ste. 10-100
Chicago, IL 60601
- 312/814-6257 or 312/263-1579 (TTY)
- G) Related rulemaking and other pertinent information: None

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

- a) Parts (Headings and Code Citations): General Rules (35 Ill. Adm. Code 101)
Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102)
Enforcement (35 Ill. Adm. Code 103)
Regulatory Relief Mechanisms (35 Ill. Adm. Code 104)
Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105)
Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106)
Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107)
Administrative Citations (35 Ill. Adm. Code 108)
Tax Certifications (35 Ill. Adm. Code 125)
Identification and Protection of Trade Secrets and Other Non-disclosable Information (35 Ill. Adm. Code 130)
- 1) Rulemaking: Docket Number R04-8
- A) Description: The Board is preparing a rulemaking to amend its procedural rules to allow for electronic filings in all Board proceedings through the Board's "Clerk's Office On-Line" (COOL). The rules will address electronic filings and payment of filing fees.
- B) Statutory authority: Implementing Sections 5, 7.1, 7.2, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 40, 40.1, 40.2, 41, and 58.7 of the Environmental Protection Act (Act) [415 ILCS 5/5, 7.1, 7.2, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 40, 40.1, 40.2, 41, and 58.7] and authorized by Sections 26 and 27 of the Act [415 ILCS 5/26 and 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. Section 28 of the Act [415 ILCS 5/28] does not require public hearings concerning procedural rules. The Board therefore does not currently plan to schedule hearings in this rulemaking. The Board would conduct hearings, however, if the level of public interest indicates that they are desirable.
- D) Date agency anticipates First Notice: The Board anticipates that it may propose amendments for first notice publication in the Illinois Register in the Spring or Summer of 2011.
- E) Effect on small business, small municipalities, or not-for-profit corporation: There may be an effect on any small business, small municipality, or not-for-profit corporation that appears before the Board in any type of proceeding. Proceedings before the Board include enforcement complaint actions, administrative citation actions, rulemaking

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

proceedings, variance proceedings, adjusted standard proceedings, site-specific rulemaking proceedings, permit appeals, property tax certifications, underground storage tank appeals, pollution control facility siting appeals, and any other actions provided by law.

F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking as follows:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda as follows:

Richard McGill
Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
312-814-6983
mcgillr@ipcb.state.il.us

G) Related rulemakings and other pertinent information: As described below, other presently pending proceedings would affect the text of Parts 102 and 106. In Board docket R10-18, the Board has proposed amendments to Part 102 that would allow hearings in rulemakings conducted under Section 7.2 of the Act [415 ILCS 5/7.2] to be held by videoconference. In Board docket R10-19, the Board has proposed a new Subpart H to Part 106 that would establish procedures for Board authorizations under Section 5(d) of the Regulation of Phosphorus in Detergents Act [415 ILCS 92/5(d)]

- b) Parts (Headings and Code Citations): Definitions and General Provisions (35 Ill. Adm. Code 211)
Organic Material Emission Standards and Limitations (35 Ill. Adm. Code 215)
Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code 218)
Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill.

POLLUTION CONTROL BOARD

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Adm. Code 219)

- 1) Rulemaking: No docket presently reserved
 - A) Description: The Illinois Environmental Protection Agency (Agency) is in the process of developing a rulemaking proposal to file with the Board dealing with the Board's regulations for organic material emission standards and limitations for the Metro East and Chicago areas. More specifically, the Agency will be setting forth a proposal to repeal the Gasoline Volatility Standards due to applicability of the Federal gasoline volatility standards. The rulemaking will also contain other minor amendments.
 - B) Statutory authority: Implemented by Section 10 of the Environmental Protection Act [415 ILCS 5/10] and authorized by the Section 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 and 5/28].
 - C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Fall or Winter of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 and 28 of the Act [415 ILCS 5/27 and 5/28].
 - D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Fall or Winter of 2010. After the filing of a proposal by the Agency, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*.
 - E) Effect on small business, small municipalities, or not-for-profit corporation: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that is currently regulated by 35 Ill. Adm. Code 218.585 or 219.585.
 - F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Kent Mohr
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794

- c) Parts (Headings and Code Citations): Permits and General Provisions (35 Ill. Adm. Code 201)
Definitions and General Provisions (35 Ill. Adm. Code 211)
Organic Material Emission Standards and Limitations (35 Ill. Adm. Code 215)
Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code 218)
Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill. Adm. Code 219)

- 1) Rulemaking: No docket presently reserved.

- A) Description: The Illinois Environmental Protection Agency (Agency) is in the process of developing a rulemaking proposal to file with the Board setting forth regulations that will incorporate the Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) for certain area sources, including but not limited to gasoline dispensing facilities.

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- B) Statutory authority: Implemented by Section 10 of the Environmental Protection Act [415 ILCS 5/10] and authorized by the Section 27 of the Environmental Protection Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that would fall under the classification of a gasoline dispensing facility.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
Pollution Control Board
1021 North Grand Ave. East
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POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Kent Mohr
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794

- d) Parts (Headings and Code Citations): Permits and General Provisions (35 Ill. Adm. Code 201)
Definitions (35 Ill. Adm. Code 211)

1) Rulemaking: Docket Number R10-21

- A) Description: The Illinois Environmental Protection Agency (Agency) is in the process of developing a rulemaking streamlining the Board's regulations that affect the permitting of synthetic minor sources and non-major sources. The proposal would address extending the duration of federally enforceable state operating permits (FESOPs) from 5 to 10 years.
- B) Statutory authority: Implementing Sections 9 and 10 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/9, 10 and 27].
- C) Scheduled meeting/hearing dates: The Agency filed a rulemaking proposal with the Board on April 20, 2010. Hearings are scheduled for July 8 and July 21, 2010 in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: The Board expects to publish a Notice of Proposed Amendments in the *Illinois Register* in the Summer or Fall of 2010.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This rule change may affect any small business, small

POLLUTION CONTROL BOARD

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municipality, or not-for-profit corporation subject to the Board's permit rules.

F) Agency contact person for information:

Address comments concerning the substance of the rulemaking:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda,:

Carol Webb
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G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Rachel L. Doctors
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

e) Parts (Headings and Code Citations): Permits and General Provisions (35 Ill. Adm. Code 201)
Definitions and General Provisions (35 Ill. Adm. Code 211)

1) Rulemaking: No docket presently reserved.

A) Description: The Illinois Environmental Protection Agency (Agency) is currently contemplating developing amendments for proposal to the Board

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exempting smaller sources emitting greenhouse gases from permitting. The proposal relates to permitting exemptions under Section 201.146, 201.210 and other related sections in that Part. The proposal will also include streamlining permit exemptions, clarifying exemptions, and adding additional exemptions from the requirements to obtain construction and operating permits for smaller units and sources. The proposal may also amend or create definitions.

- B) Statutory authority: Implementing and authorized by Sections 10, 27, 39 and 39.5 of the Act [415 ILCS 5/10, 27, 39 and 39.5].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Fall of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Fall of 2010. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that emits greenhouse gases or that propose to construct and/or operate projects that are very small and are required to obtain construction and operating permits.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Rachel L. Doctors
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

- f) Parts (Headings and Code Citations): Permits and General Provisions (35 Ill. Adm. Code 201)
Definitions and General Provisions (35 Ill. Adm. Code 211)

- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency (Agency) is currently contemplating developing amendments for proposal to the Board. The proposal relates to the collection of fees under the Clean Air Act Permit Program ("CAAPP") from sources emitting greenhouse gases. The proposal may amend or create definitions.
- B) Statutory authority: Implementing Section 10 of the Act [415 ILCS 5/10] and consistent with by Sections 27 of the Act [415 ILCS 5/27], and necessary should Section 39.5 of the Act be amended [415 ILCS 5/39.5].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act

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[415 ILCS 5/27].

- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that produces the various categories of products and may have to obtain permits and pay higher fees.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
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Address questions concerning this regulatory agenda to:

Carol Webb
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- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Charles Matoesian
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Springfield, IL 62794-9276

- g) Parts (Headings and Code Citations): Major Stationary Sources Construction and Modification (35 Ill. Adm. Code 203)
- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency (Agency) is in the process of developing a rulemaking to add relevant applicability provisions to explicitly address PM_{2.5} and related precursor compounds.
- B) Statutory authority: Implementing Sections 9.1 and 10 and authorized by Section 27 and Section 28.5 of the Environmental Protection Act [415 ILCS 5/9.1, 10 and 27 and 28.5].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Fall of 2009. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Fall of 2009. After the filing of a proposal by the Agency, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This rule change may affect any small business, small municipality, or not-for-profit corporation subject to provisions set forth in 35 Ill. Adm. Code Part 203.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking:

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POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Address questions concerning this regulatory agenda:

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webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Kent Mohr
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

- h) Parts (Headings and Code Citations): Major Stationary Sources Construction and Modification (35 Ill. Adm. Code 203)

- 1) Rulemaking: No docket presently reserved.

- A) Description: The Illinois Environmental Protection Agency (Agency) is currently developing amendments for proposal to the Board. The proposal will establish a "grandfathering" provision for particulate matter less than 2.5 micrometers (PM2.5) in the Federal Prevention of Significant Deterioration (PSD) program. The "grandfathering" provision applies to permit applications submitted before the July 15, 2008, effective date of the new rule, which allows the PM10 surrogate policy to continue to be used as the basis for approving such permits for PM2.5.
- B) Statutory authority: Implementing Section 10 of the Act [415 ILCS 5/10] and authorized by Section 27 of the Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or

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Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].

- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that produces the various components of particulate matter.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
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Address questions concerning this regulatory agenda to:

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- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Charles Matoesian
Illinois Environmental Protection Agency

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

- i) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)
- 1) Rulemaking: Docket number R11-5
- A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] mandates that the Board update the Illinois definition of volatile organic material (VOM) to reflect the additions made by the United States Environmental Protection Agency (USEPA) to the list of compounds exempt from regulation as ozone precursors. Those compounds are determined by USEPA to be exempt from regulation under the state implementation plan (SIP) for ozone in the federal "Recommended Policy on the Control of Volatile Organic Compounds" (Recommended Policy) due to their negligible photochemical reactivity. On February 3, 1992 (57 Fed. Reg. 3945), USEPA codified its definition of VOM at 40 CFR 51.100(s), which now embodies the former Recommended Policy. This codified definition now includes all the compounds and classes of compounds previously exempted in the former Recommended Policy. The Illinois definition of VOM is presently codified at 35 Ill. Adm. Code 211.7150.
- The Board has reserved docket number R11-5 to accommodate any federal amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may make in the period January 1, 2010 through June 30, 2010. At this time, the Board is not aware of any federal amendments to the federal RCRA Subtitle C hazardous waste rules that occurred during this update period.
- The Board will verify the existence of any federal actions that may affect the text of the federal primary drinking water standards and the Board action required in response to each in coming weeks, by about mid-August 2010. The Board will then either propose corresponding amendments to the Illinois definition of VOM using the identical-in-substance procedure or dismiss docket R11-5, as necessary and appropriate.

Section 9.1(e) mandates that the Board complete amendments within one

POLLUTION CONTROL BOARD

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year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2010, the due date for Board adoption of amendments in docket R11-5 would be January 1, 2011.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 9.1(e), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 9.1(e) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board will then schedule and conduct at least one public hearing, as required by Section 118 of the federal Clean Air Act (42 USC § 7418) for amendment of the Illinois ozone SIP.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2010, after which time the Board will either dismiss this docket or propose any amendments to the Illinois definition of VOM that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is assumed to be January 1, 2011, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by early-September 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of a chemical compound that is the subject of a proposed exemption or proposed deletion from the USEPA list of exempted compounds.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R11-5, as follows:

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R11-5, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.
- j) Parts (Headings and Code Citations): Definitions and General Provisions (35 Ill. Adm. Code 211)
Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code 218)
Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill. Adm. Code 219)
- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency (Agency) is currently developing amendments for proposal to the Board. The proposal will modify the definitions of "miscellaneous metal parts and products coating" and "coil coating" for Parts 218 and 219 to clarify that lubricating oils are not considered "coatings" for purposes of Subpart F, Coating

POLLUTION CONTROL BOARD

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Operations, but rather protective oils applied to metal for the purpose of providing lubrication, similar to the treatment of such oils under the Federal National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products, 40 CFR Part 63, Subpart Mmmm.

- B) Statutory authority: Implementing Section 10 of the Act [415 ILCS 5/10] and authorized by Section 27 of the Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that uses lubricating oil that is applied to metal for purposes of lubrication in a metal fabrication process.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
1021 North Grand Avenue East

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JULY 2010 REGULATORY AGENDA

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webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Gina Roccaforte
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

- k) Parts (Headings and Code Citations): Nitrogen Oxides Emissions (35 Ill. Adm. Code 217)

- 1) Rulemaking: Docket Number R06-22

- A) Description: On January 19, 2006, the Board received a rulemaking proposal submitted by the Illinois Environmental Protection Agency (Agency) pursuant to Section 27 and 28 of the Illinois Environmental Protection Act (Act) (415 ILCS 5/27 and 28 (2004)). Included in this proposal are amendments to the regulations governing Nitrogen Oxide (NOx) emissions found at 35 Ill. Adm. Code Part 217, Subparts A, T, U, and W.

In its most recent status report, the Agency states that it will withdraw this proposal and submit a new proposal to sunset the trading provisions, but retain the monitoring, reporting and recordkeeping requirements for these sources.

- B) Statutory authority: Implementing Sections 9.9 and 10 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/9.9, 10 and 27].
- C) Scheduled meeting/hearing dates: In its most recent status report filed with the Board on March 9, 2009, the Agency stated that the U.S. Court of

POLLUTION CONTROL BOARD

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Appeals had remanded the Clean Air Interstate Rule to USEPA without vacating it. *See North Carolina v. EPA*, 550 F.3d 1176 (C.A.D.C. 2008). The Agency further stated that it expects to propose new regulations integrating non-EGUs into the CAIR rules and to withdraw R06-22.

- D) Date agency anticipates First Notice: Because the Agency continues to discuss issues involved in this proceeding and has indicated that it will withdraw its proposal, the Board does not now anticipate adopting a first notice opinion and order in this rulemaking.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This rule change may affect any small business, small municipality, or not-for-profit corporation subject to the Board's nitrogen oxide (NOx) emission rules.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking, noting docket number R06-22 to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R06-22 to:

Tim Fox
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
312-814-6085
foxt@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Rachel L. Doctors
Illinois Environmental Protection Agency

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

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1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

- l) Parts (Headings and Code Citations): Standards and Limitations for Organic Material Emissions for Area Sources (35 Ill. Adm. Code 223)
- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency (Agency) is currently contemplating developing amendments for proposal to the Board. The proposal would alter or remove an exemption for AIM coatings being sold in packages of one quart or less. The proposal may also include some clean-up or housekeeping amendments.
- B) Statutory authority: Implementing Section 10 of the Act [415 ILCS 5/10] and authorized by Section 27 of the Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that produces the various categories of products.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Charles Matoesian
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

- m) Parts (Headings and Code Citations): Hospital/Medical/Infectious Waste Incinerators (35 Ill. Adm. Code 229)

- 1) Rulemaking: No docket presently reserved.

- A) Description: The Illinois Environmental Protection Agency (Agency) is currently developing amendments for proposal to the Board. The proposal will set forth state-wide amendments pertaining to Hospital/Medical Infectious Waste Incinerators. The rulemaking is based upon a recent Federal rule in response to a court remand and to satisfy USEPA's CAA Section 129(a)(5) duty to perform 5-year reviews of MACT standards. The rulemaking revises new source performance standards and emission guidelines for the categories of sources at issue.

POLLUTION CONTROL BOARD

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- B) Statutory authority: Implementing Section 10 of the Act [415 ILCS 5/10] and authorized by Sections 27 of the Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that produces the various categories of products.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information

POLLUTION CONTROL BOARD

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regarding the Agency's development of this proposal, please contact the following Agency attorney:

Charles Matoesian
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

- n) Parts (Headings and Code Citations): Mobile Sources (35 Ill. Adm. Code 240)
- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency (Agency) is in the process of developing a rulemaking proposal to file with the Board. The rulemaking will revise the vehicle emissions test standards as a result of amendments to the Illinois Vehicle Code, specifically the Vehicle Emission Inspection Law, as well as changes to federal law. Concurrently with this rulemaking proposal, the Agency will be amending its rule with respect to procedures to be followed in the performance inspections of motor vehicle emissions.
- B) Statutory authority: Implementing and authorized by the Vehicle Emissions Inspection Law [625 ILCS 5/ch. 13C] and Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board in the Spring or Summer of 2010. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27, 28].
- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal in the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*.

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E) Effect on small business, small municipalities, or not-for-profit corporation: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that owns or operates a motor vehicle that is subject to enhanced I/M testing regulations.

F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Kent Mohr
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794
217-782-5544

o) Parts (Heading and Code Citation): Water Quality Standards (35 Ill. Adm. Code 302)

1) Rulemaking: No docket presently reserved.

A) Description: Pursuant to the requirements of the Clean Water Act to

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conduct triennial reviews of water quality standards, the Illinois Environmental Protection Agency is preparing a rulemaking proposal for filing before the Board [33 U.S.C. §1313(c)(1)]. The proposal is expected to update the Public and Food Processing Water Supply and General Use water quality standards in 35 Ill. Adm. Code Part 302 for boron, manganese and fluoride based on the most up to date scientific information available.

- B) Statutory Authority: Implementing and authorized by Sections 11, 13, and 27 of the Environmental Protection Act [415 ILCS 5/11, 13 & 27].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct hearings as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28].
- D) Date agency anticipates First Notice: An Agency submittal of the rulemaking proposal is anticipated by Fall or Winter of 2009. The Board will conduct proceedings pursuant to Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 & 28] upon receipt of the proposal and would cause a Notice of Proposed Amendments to appear in the *Illinois Register* when it decides to propose amendments for First Notice.
- E) Effect on small businesses, small municipalities or not for profit corporations: This rule may Effect any small business, small municipality or not-for-profit corporation that discharges boron, manganese or fluoride into waters of the State designated as General Use waters or Public and Food Processing Water Supply waters.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

POLLUTION CONTROL BOARD

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Carol Webb
Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Related Rulemaking and other pertinent information: Interested persons may contact the Agency about its prospective rulemaking proposal as follows:

Deborah J. Williams
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217-782-5544

- p) Part (Heading and Code Citation): Water Use Designations and Site Specific Water Quality Standards (35 Ill. Adm. Code 303)

- 1) Rulemaking: Docket Number R08-9 Subdocket A

- A) Description: On November 1, 2007, the Board accepted a proposal for hearing in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9). The proposal filed by the Illinois Environmental Protection Agency (Agency) on October 26, 2007, seeks to amend the Board's water quality standards for the "Chicago Area Water Way System" (CAWS) and the Lower Des Plaines River. On November 15, 2007, after the response time to the motion had run out, the Board granted the Agency's request to hold the hearings in this rulemaking in Chicago and Joliet.

In this rulemaking, the Agency proposes amendments to update the designated uses and criteria necessary to protect the uses for the waters currently designated for Secondary Contact and Indigenous Aquatic Life Uses. These specific designations were for those waters not suited for

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General Use activities. All waters in Illinois that carry these designations are water bodies that were a part of the engineering effort that reversed the flow of the Chicago River and are known as the CAWS and the Lower Des Plaines River. In 2000 and 2002, the Agency began pilot programs for the Lower Des Plaines River and CAWS to develop use attainability analysis (UAA) for these waters. These proposed rule changes incorporate the findings of the pilot programs.

On March 18, 2010, the Board split this rulemaking into four subdockets. Subdocket A will deal with issues related to recreational use designations.

- B) Statutory authority: Implementing and authorized by Sections 11, 13, and 27 of the Environmental Protection Act [415 ILCS 5/11, 13 & 27].
- C) Scheduled meeting /hearing date: The Board has scheduled and held multiple days of hearings in this rulemaking as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. Hearings have been held during calendar years 2008 and 2009 in Chicago, Joliet, and Des Plaines. The Board has held 37 days of hearing, and received numerous comments on this subdocket.
- D) Date agency anticipates First Notice: The Board will consider this rulemaking for first notice publication in the *Illinois Register* in the Fall or Winter of 2010.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may Effect any small business, small municipality, or not-for-profit corporation that discharges into the Chicago River or the lower Des Plaines River.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

POLLUTION CONTROL BOARD

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Marie Tipsord
Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
312-814-4925
tipsorm@ipcb.state.il.us

- G) Related rulemaking and other pertinent information: For information regarding the Agency's development of this proposal, please contact:

Deborah J. Williams
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, Il. 62794-9276

- q) Part (Heading and Code Citation): Water Use Designations and Site Specific Water Quality Standards (35 Ill. Adm. Code 303)

- 1) Rulemaking: Docket Number R08-9 Subdocket B

- A) Description: On November 1, 2007, the Board accepted a proposal for hearing in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9). The proposal filed by the Illinois Environmental Protection Agency (Agency) on October 26, 2007, seeks to amend the Board's water quality standards for the "Chicago Area Water Way System" (CAWS) and the Lower Des Plaines River. On November 15, 2007, after the response time to the motion had run out, the Board granted the Agency's request to hold the hearings in this rulemaking in Chicago and Joliet.

In this rulemaking, the Agency proposes amendments to update the designated uses and criteria necessary to protect the uses for the waters currently designated for Secondary Contact and Indigenous Aquatic Life Uses. These specific designations were for those waters not suited for General Use activities. All waters in Illinois that carry these designations are water bodies that were a part of the engineering effort that reversed the

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flow of the Chicago River and are known as the CAWS and the Lower Des Plaines River. In 2000 and 2002, the Agency began pilot programs for the Lower Des Plaines River and CAWS to develop use attainability analysis (UAA) for these waters. These proposed rule changes incorporate the findings of the pilot programs.

On March 18, 2010, the Board split this rulemaking into four subdockets. Subdocket B will address issues relating to disinfection and whether or not disinfection may or may not be necessary to meet those use designation.

- B) Statutory authority: Implementing and authorized by Sections 11, 13, and 27 of the Environmental Protection Act [415 ILCS 5/11, 13 & 27].
- C) Scheduled meeting /hearing date: The Board has scheduled and held multiple days of hearings in this rulemaking as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. Hearings have been held during calendar years 2008 and 2009 in Chicago, Joliet, and Des Plaines. The Board has held 37 days of hearing, and additional hearings have been scheduled in 2010.
- D) Date agency anticipates First Notice: The Board will consider this rulemaking for first notice publication in the *Illinois Register* in the Winter of 2011.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may Effect any small business, small municipality, or not-for-profit corporation that discharges into the Chicago river or the lower Des Plaines River.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

POLLUTION CONTROL BOARD

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Marie Tipsord
Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
312-814-4925
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- G) Related rulemaking and other pertinent information: For information regarding the Agency's development of this proposal, please contact:

Deborah J. Williams
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, Il. 62794-9276

- r) Part (Heading and Code Citation): Water Use Designations and Site Specific Water Quality Standards (35 Ill. Adm. Code 303)

- 1) Rulemaking: Docket Number R08-9 Subdocket C

- A) Description: On November 1, 2007, the Board accepted a proposal for hearing in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9). The proposal filed by the Illinois Environmental Protection Agency (Agency) on October 26, 2007, seeks to amend the Board's water quality standards for the "Chicago Area Water Way System" (CAWS) and the Lower Des Plaines River. On November 15, 2007, after the response time to the motion had run out, the Board granted the Agency's request to hold the hearings in this rulemaking in Chicago and Joliet.

In this rulemaking, the Agency proposes amendments to update the designated uses and criteria necessary to protect the uses for the waters currently designated for Secondary Contact and Indigenous Aquatic Life Uses. These specific designations were for those waters not suited for General Use activities. All waters in Illinois that carry these designations are water bodies that were a part of the engineering effort that reversed the flow of the Chicago River and are known as the CAWS and the Lower

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Des Plaines River. In 2000 and 2002, the Agency began pilot programs for the Lower Des Plaines River and CAWS to develop use attainability analysis (UAA) for these waters. These proposed rule changes incorporate the findings of the pilot programs.

On March 18, 2010, the Board split this rulemaking into four subdockets. Subdocket C will address the issues involving proposed aquatic life uses.

- B) Statutory authority: Implementing and authorized by Sections 11, 13, and 27 of the Environmental Protection Act [415 ILCS 5/11, 13 & 27].
- C) Scheduled meeting /hearing date: The Board has scheduled and held multiple days of hearings in this rulemaking as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. Hearings have been held during calendar years 2008 and 2009 in Chicago, Joliet, and Des Plaines. The Board has held 37 days of hearing, and additional hearings will be scheduled in 2010.
- D) Date agency anticipates First Notice: The Board will consider this rulemaking for first notice publication in the *Illinois Register* in the Winter or Spring of 2011.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may Effect any small business, small municipality, or not-for-profit corporation that discharges into the Chicago River or the lower Des Plaines River.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Marie Tipsord
Pollution Control Board

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100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
312-814-4925
tipsorm@ipcb.state.il.us

- G) Related rulemaking and other pertinent information: For information regarding the Agency's development of this proposal, please contact:

Deborah J. Williams
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, Il. 62794-9276

- s) Part (Heading and Code Citation): Water Use Designations and Site Specific Water Quality Standards (35 Ill. Adm. Code 303)

- 1) Rulemaking: Docket Number R08-9 Subdocket D

- A) Description: On November 1, 2007, the Board accepted a proposal for hearing in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303, and 304 (R08-9). The proposal filed by the Illinois Environmental Protection Agency (Agency) on October 26, 2007, seeks to amend the Board's water quality standards for the "Chicago Area Water Way System" (CAWS) and the Lower Des Plaines River. On November 15, 2007, after the response time to the motion had run out, the Board granted the Agency's request to hold the hearings in this rulemaking in Chicago and Joliet.

In this rulemaking, the Agency proposes amendments to update the designated uses and criteria necessary to protect the uses for the waters currently designated for Secondary Contact and Indigenous Aquatic Life Uses. These specific designations were for those waters not suited for General Use activities. All waters in Illinois that carry these designations are water bodies that were a part of the engineering effort that reversed the flow of the Chicago River and are known as the CAWS and the Lower Des Plaines River. In 2000 and 2002, the Agency began pilot programs for the Lower Des Plaines River and CAWS to develop use attainability

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analysis (UAA) for these waters. These proposed rule changes incorporate the findings of the pilot programs.

On March 18, 2010, the Board split this rulemaking into four subdockets. Subdocket D will address the issues dealing with water quality standards and criteria which are necessary to meet the aquatic life use designations.

- B) Statutory authority: Implementing and authorized by Sections 11, 13, and 27 of the Environmental Protection Act [415 ILCS 5/11, 13 & 27].
- C) Scheduled meeting /hearing date: The Board has scheduled and held multiple days of hearings in this rulemaking as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. Hearings have been held during calendar years 2008 and 2009 in Chicago, Joliet, and Des Plaines. The Board has held 37 days of hearing, and additional hearings will be scheduled in 2010.
- D) Date agency anticipates First Notice: The Board will consider this rulemaking for first notice publication in the *Illinois Register* in the Winter or Spring of 2011.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may Effect any small business, small municipality, or not-for-profit corporation that discharges into the Chicago River or the lower Des Plaines River.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Marie Tipsord
Pollution Control Board
100 W. Randolph, Suite 11-500

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Chicago, Illinois 60601
312-814-4925
tipsorm@ipcb.state.il.us

- G) Related rulemaking and other pertinent information: For information regarding the Agency's development of this proposal, please contact:

Deborah J. Williams
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, Il. 62794-9276

- t) Parts (Headings and Code Citations): Water Use Designations and Site Specific Water Quality Standards (35 Ill. Adm. Code 303)

- 1) Rulemaking: Docket Number R07-21

- A) Description: On May 30, 2007, the City of Joliet (Joliet) filed a proposal for a site-specific rulemaking with the Board. Joliet's proposal seeks site-specific relief from the Board's general use water quality standards for copper and fluoride (35 Ill. Adm. Code 302.208(e) and (g)) and provisions for determining water quality based effluent limitations (35 Ill. Adm. Code 304.105). Joliet states that under its proposal, the general use water quality standards for copper and fluoride and the provisions for determining water quality based effluent limitations would not apply to that portion of Hickory Creek downstream from the Joliet Street Bridge in Joliet to the juncture with the Des Plaines River that receives the discharge from the Joliet East Side waste water treatment plant (WWTP). Instead, Joliet proposes that its East Side WWTP discharge would have to comply with limits of 0.15 milligrams per liter (mg/L) for copper and 3.5 mg/L for fluoride as monthly average values.

Joliet explains that its petition is a follow-up to a March 30, 2007 Consent Order entered in a Will County Circuit Court case between Joliet, the Illinois Environmental Protection Agency (IEPA), and the Attorney General's Office. According to Joliet, the Consent Order set interim daily maximum limits for copper limit (0.1156 mg/L) and fluoride (3.5 mg/L).

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The Board has delayed hearing in this rulemaking at the request of Joliet. In its December 31, 2009 amended petition, Joliet reported that in June or July 2010, it expects to receive additional information from IEPA concerning potential funding sources for WWTP improvements. Once this information is received, the Board will set hearing on the amended proposal.

- B) Statutory authority: Implementing and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27]
- C) Scheduled meeting/hearing dates: In its December 31, 2009 amended petition, Joliet reported that in June or July 2010, it expects to receive additional information from IEPA concerning potential funding sources for WWTP improvements. Once this information is received, the Board will set hearing on the amended proposal.
- D) Date agency anticipates First Notice: The Board anticipates that it may propose a site-specific rule for first- notice publication in the *Illinois Register* in the Summer or Fall of 2010.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may Effect any small business, small municipality, or not-for-profit corporation that discharges downstream of Joliet's discharge into the Des Plaines River, as outlined above.
- F) Agency contact person for information:

Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Kathleen Crowley
Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

POLLUTION CONTROL BOARD

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312-814-6929
crowlek@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: None
- u) Parts (Headings and Code Citations): Sewer Discharge Criteria (35 Ill. Adm. Code 307)
Pretreatment Programs (35 Ill. Adm. Code 310)
- 1) Rulemaking: Docket number R11-4
- A) Description: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] mandates that the Board update the Illinois wastewater pretreatment regulations to reflect revisions made to the federal wastewater pretreatment rules made by the United States Environmental Protection Agency (USEPA).
- The Board has reserved docket number R11-4 to accommodate any amendments to the federal wastewater pretreatment rules, 40 CFR 400 through 499, that the USEPA may have made in the period January 1, 2010 through June 30, 2010. At this time, the Board is not aware of any federal amendments to the federal wastewater pretreatment regulations that occurred during this update period.
- The Board will verify the existence of any federal actions that may Effect the text of the federal wastewater pretreatment regulations and the Board action required in response to each set of federal amendments in coming weeks, by about mid-August 2010. The Board will then propose corresponding amendments to the Illinois wastewater pretreatment regulations using the identical-in-substance procedure under docket R11-4, as necessary and appropriate.
- Section 13.3 of the Act mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2010, the due date for Board adoption of amendments in docket R11-4 would be January 1, 2011.
- B) Statutory authority: Implementing and authorized by Sections 7.2, 13,

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13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3 & 27].

- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2010, after which time the Board will propose any amendments to the Illinois wastewater treatment rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is assumed to be January 1, 2011, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by mid-October 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois wastewater pretreatment rules is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit corporation that pretreatment engages in the discharge of pollutants into the collection system of a publicly-owned treatment works that is the subject of any federal amendments.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R11-4, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket

POLLUTION CONTROL BOARD

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number R11-4, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: No other presently known proceeding would Effect provisions of 35 Ill. Adm. Code 307 and 310.

Section 13.3 of the Environmental Protection Act provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- v) Part (Heading and Code Citation): Standards for Sludge Management (35 Ill. Adm. Code 313)

- 1) Rulemaking: No docket presently reserved.

- A) Description: The Illinois Environmental Protection Agency (Agency) is currently preparing a rulemaking proposal for filing before the Board relating to land application of sewage sludge. The rules would establish pollutant limits, pathogen reduction requirements, and vector control measures applicable to sludge applied to land.
- B) Statutory authority: Implementing and authorized by Sections 11 and 27 of the Environmental Protection Act [415 ILCS 5/11 & 27]
- C) Scheduled meeting/hearing date: No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct hearings as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28].

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- D) Date agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal during the Spring or Summer of 2010. After the filing of a proposal by the Agency, the Board will cause a Notice of Proposed Rules to appear in the *Illinois Register*.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may Effect any small business, small municipality, or not-for-profit corporation that generates or uses sewage sludge.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information:

The Agency has stated that it anticipates proposing amendments to its rules entitled "Design Criteria for Sludge Application on Land," 35 Ill. Adm. Code 391, which involve a related subject matter.

For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Stefanie Diers
Illinois Environmental Protection Agency

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Interested persons may also contact the following Agency representative about its prospective rulemaking proposal:

Alan Keller, P.E.
Manager, Northern Municipal Unit
Illinois Environmental Protection Agency
Division of Water Pollution Control
Bureau of Water
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
217-782-0810

- w) Parts (Heading and Code Citation): Agriculture Related Water Pollution (35 Ill. Adm. Code Subtitle E)
- 1) Rulemaking: No docket presently reserved.
 - A) Description: The Illinois Environmental Protection Agency (Agency) will prepare a rulemaking proposal for filing before the Board relating to the United States Environmental Protection Agency's Environmental Protection Concentrated Animal Feeding Operation National Pollutant Discharge Elimination System (NPDES) regulations that were adopted on December 22, 2008.
 - B) Statutory Authority: Implementing and authorized by Sections 11, 13, and 27 of the Environmental Protection Act [415 ILCS 5/11, 13 & 27].
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct hearings as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28].
 - D) Date agency anticipates First Notice: An Agency submittal of the rulemaking proposal is anticipated by Spring or Summer of 2010. The Board will conduct proceedings pursuant to Sections 27 and 28 of the

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Environmental Protection Act [415 ILCS 5/27 & 28] upon receipt of the proposal and would cause a Notice of Proposed Amendments to appear in the *Illinois Register* when it decides to propose amendments for First Notice.

- E) Effect on small businesses, small municipalities or not for profit corporations: This rule could Effect any agri-business that meets the definition of a Concentrated Animal Feeding Operation and discharges or proposes to discharge to waters of the State.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Related Rulemaking and other pertinent information: Interested persons may contact the Agency about its prospective rulemaking proposal as follows:

Deborah J. Williams
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 1927
Springfield, Illinois 62794-9276
217-782-5544

POLLUTION CONTROL BOARD

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x) Part (Heading and Code Citation): Primary Drinking Water Standards (35 Ill. Adm. Code 611)

1) Rulemaking: Docket Number R11-6

A) Description: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] mandates that the Board update the Illinois SDWA regulations to reflect the USEPA amendments to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations.

The Board has reserved docket number R11-6 to accommodate any amendments to the SDWA national primary drinking water standards, 40 CFR 141 through 143, that the United States Environmental Protection Agency (USEPA) may make in the period January 1, 2010 through June 30, 2010. At this time, the Board is not aware any federal amendments to the SDWA primary drinking water regulations that occurred during this update period.

The Board will verify the existence of any other federal actions that may Effect the text of the federal primary drinking water standards and the Board action required in response to each in coming weeks, by about mid-August 2010. The Board will then propose corresponding amendments to the Illinois SDWA primary drinking water regulations using the identical-in-substance procedure or dismiss docket R11-6, as necessary and appropriate.

Section 17.5 mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. In docket R11-6, if the earliest federal amendments in the applicable period occurred on January 1, 2010, the due date for Board adoption would be January 1, 2011.

B) Statutory authority: Implementing and authorized by Sections 17, 17.5, and 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 & 27].

C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-

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substance proceedings.

- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2010, after which time the Board will propose any amendments to the Illinois SDWA drinking water rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be July 1, 2011, for the purposes of illustration, the Board would vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by early October 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit corporation in Illinois that owns or operates a "public water supply," as defined by Section 3.28 of the Act, *i.e.*, it has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R11-6, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R11-6, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street Suite 11-500
Chicago, Illinois 60601

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312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: No other presently-known proceeding would Effect provisions of Part 611.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- y) Part (Heading and Code Citation): Primary Drinking Water Standards (35 Ill. Adm. Code 611)

- 1) Rulemaking: Docket number R10-17

- A) Description: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] mandates that the Board update the Illinois drinking water regulations to reflect the USEPA amendments to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations.

The Board has reserved docket number R10-17 to accommodate any amendments to the SDWA national primary drinking water standards, 40 CFR 141 through 143, that the United States Environmental Protection Agency (USEPA) may make in the period July 1, 2009 through December 31, 2009. At this time, the Board is not aware of any federal amendments to the SDWA primary drinking water regulations that occurred during this update period.

The Board will verify the existence of any federal actions that may Effect the text of the federal primary drinking water standards and the Board action required in response to each in coming weeks, by about mid-February 2010. The Board will then propose corresponding amendments to the Illinois SDWA primary drinking water regulations using the identical-in-substance procedure or dismiss docket R10-17, as necessary and appropriate.

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Section 17.5 mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on July 1, 2009, the due date for Board adoption of amendments in docket R10-17 would be July 1, 2010.

- B) Statutory authority: Implementing and authorized by Sections 17, 17.5, and 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2010, after which time the Board will propose any amendments to the Illinois SDWA drinking water rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be July 1, 2010, for the purposes of illustration, the Board would vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by early April 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit corporation in Illinois that owns or operates a "public water supply," as defined by Section 3.28 of the Act, *i.e.*, it has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance.
- F) Agency contact person for information: Address written comments

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concerning the substance of the rulemaking, noting docket number R10-17, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R10-17, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: The presently reserved SDWA update docket for the period January 1, 2009 through June 30, 2009 (R10-1) could Effect provisions of 35 Ill. Adm. Code 611. Consolidation of the reserved SDWA update dockets (R10-1 and R10-17) may be possible and desirable for expeditions consideration of all of amendments involved in both dockets.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- z) Part (Headings and Code Citations): Laboratory Accreditation Rules (35 Ill. Adm. Code 611)

- 1) Rulemaking: No docket presently reserved.

A) Description: The Illinois Environmental Protection Agency

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(Agency) is currently developing a proposal for filing with the Board. The proposal will seek to amend the public water supplies rules found in 35 Ill. Adm. Code 611 to cross reference the Agency's own laboratory accreditation rules found at 35 Ill. Adm. Code 186. These prospective amendments to Sections 611.359, 611.611, 611.646, and 611.648 would cross-reference the laboratory accreditation rules at 35 Ill. Adm. Code 186. Currently, the existing text of Part 611 references 35 Ill. Adm. Code 183, which are joint rules of the Agency, the Illinois Department of Public Health, and the Illinois Department of Nuclear Safety. A repeal of Part 183 has been completed.

- B) Statutory Authority: Sections 27 and 28 of the Illinois Environmental Protection Act [415 ILCS 5/27 & 28].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct hearings as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28].
- D) Date Agency Anticipates First Notice: An Agency submittal of the rulemaking proposal is anticipated by Spring or Summer of 2010. The Board will conduct proceedings pursuant to Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 & 28] upon receipt of the proposal and would cause a Notice of Proposed Amendments to appear in the *Illinois Register* when it decides to propose amendments for First Notice.
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments may Effect small business, small municipalities, and not-for-profit corporations that own or operate a "public water supply", as defined by Section 3.28 of the Act, i.e., it has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance with the federally-derived National Primary Drinking Water Standards of 35 Ill. Adm. Code 611. However, it is anticipated that the proceeding will not likely have a quantifiable Effect on these entities because the program for national laboratory certification is voluntary. The burden of compliance with the

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requirements, such as filing documentation, reporting or completion of the necessary forms, likely will not increase.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Other pertinent information concerning these amendments:
Interested persons may contact the Agency about its prospective rulemaking proposal as follows:

Stefanie Diers
Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

- aa) Part (Heading and Code Citation): Groundwater Quality (35 Ill. Adm. Code 620)

- 1) Rulemaking: Docket Number R08-18

- A) Description: On February 19, 2008, the Board received a rulemaking proposal from the Illinois Environmental Protection Agency (Agency) to amend the Board's groundwater quality rules (35 Ill. Adm. Code 620). On March 20, 2008, the Board accepted the Agency's proposal for hearing in

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Proposed Amendments to Groundwater Quality Standards, 35 Ill. Adm. Code 620, docket R08-18. In its proposal, the Agency notes that it is periodically necessary to amend the groundwater quality standards to account for new scientific data, federal updates, updated technical references, and the discovery of additional groundwater parameters. To that end, the proposed amendments, according to the Agency are intended to ensure that as the science and technical data behind the standards evolve, the groundwater regulations stay current.

The Agency states that in developing the proposal, the Agency evaluated the electronically-reported groundwater data for Illinois Resource Conservation and Recovery Act (RCRA) and solid waste facilities under its purview. A data query was conducted for some 300 groundwater parameters not included in 35 Ill. Adm. Code 620.Subpart C. The Agency explains that it also evaluated confirmed groundwater contaminants at various cleanup sites. The Agency now proposes, for example, updates to make Part 620 consistent with groundwater remediation objectives listed in the Tiered Approach to Corrective Action Objectives (TACO) (35 Ill. Adm. Code 742) for several chemicals detected in groundwater but not currently included in Part 620. The Agency also proposes a groundwater standard for perchlorate based on the new reference dose published by the United States Environmental Protection Agency (USEPA) and recommended by the National Academy of Science (NAS). Additionally, the Agency is proposing an amendment to the existing groundwater standard of 0.050 milligrams per liter (mg/L) for arsenic based on the amendment of the federal drinking water standard or maximum contaminant level (MCL) for arsenic to 0.010 mg/L. The Agency further proposes amendments to the provisions on incorporations by reference, including the addition of "Guidance Document for Groundwater Protection Needs Assessments (January 1995)," prepared by the Agency, the Illinois State Water Survey, and the Illinois State Geologic Survey.

- B) Statutory authority: Implementing and authorized by Section 8 of the Illinois Groundwater Protection Act (IGPA) [415 ILCS 55/8] and Section 27 of the Environmental Protection Act [415 ILCS 5/27].
- C) Scheduled meeting /hearing date: The Board held two hearings in this rulemaking as required by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, 28]. The first hearing took place in Chicago on June 18, 2008, and the second hearing took place in

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Springfield on July 16, 2008.

- D) Date agency anticipates First Notice: The Board anticipates that it may propose amendments for first-notice publication in the *Illinois Register* in the Summer or Fall of 2009.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The Agency does not anticipate that the proposed amendments would have a significant impact on any small business, small municipality, or not-for-profit corporation. Sources and facilities that may be impacted would include those that cause, threaten, or allow the contamination of groundwater. According to the Agency, however, the proposed groundwater quality standards do not establish new corrective action or monitoring programs, and new constituent standards would be phased into existing programs, as appropriate, over time. The Agency explains that any economic impact resulting from applying the new standards therefore would be incremental and occur on a site-by-site basis over time. Considering the resource and its end users, the Agency indicates that economic benefits may result from adopting these standards, including reduced health risks, reduced expenses for treating water at wellheads, and reduced expenses for obtaining water supplies.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Richard McGill
Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601
312-814-6983
mcgillr@ipcb.state.il.us

POLLUTION CONTROL BOARD

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- G) Related rulemaking and other pertinent information: A related rulemaking is pending in Board docket R09-9, captioned Proposed Amendments to Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742)

For information regarding the Agency's development of this proposal, please contact:

Richard Cobb
Illinois Environmental Protection Agency
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

- bb) Parts (Headings and Code Citations): RCRA and UIC Permit Programs (35 Ill. Adm. Code 702)
RCRA Permit Program (35 Ill. Adm. Code 703)
Procedures for Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Identification and Listing of Hazardous Waste (35 Ill. Adm. Code 721)
Standards Applicable to Generators of Hazardous Waste (35 Ill. Adm. Code 722)
Standards Applicable to Transporters of Hazardous Waste (35 Ill. Adm. Code 723)
Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 724)
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 725)
Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill. Adm. Code 726)
Land Disposal Restrictions (35 Ill. Adm. Code 728)
Standards for Universal Waste Management (35 Ill. Adm. Code 733)
Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)
Standards for the Management of Used Oil (35 Ill. Adm. Code 739)

- 1) Rulemaking: Docket Number R11-2

- A) Description: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] mandates that the Board update the Illinois rules implementing Subtitle C of the federal Resource Conservation and Recovery Act (RCRA) to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle C regulations.

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The Board has reserved docket number R11-2 to accommodate any amendments to the federal RCRA Subtitle C program, 40 CFR 260 through 270, 273, and 279, that USEPA made in the period January 1, 2010 through June 30, 2010. At this time, the Board is aware of two sets of amendments to the federal RCRA Subtitle C hazardous waste regulations that occurred during this update period. Those sets of amendments are described as follows:

January 8, 2010 (75 Fed. Reg. 1236)

USEPA amended the requirements applicable to imports and exports of hazardous waste. The amendments included revisions to the hazardous waste generator; transporter; and treatment, storage, and disposal facility standards. The amendments further add notice and consent requirements for spent lead-acid batteries exported for reclamation. Some of the amendments relate to the flow of paperwork for exception reporting and to matching paperwork for submission to USEPA for hazardous waste imports.

March 18, 2010 (75 Fed. Reg. 12989)

USEPA adopted several technical corrections and clarifications to various of the hazardous waste regulations. Included are revisions to over 40 provisions in nine of the ten parts of the hazardous waste regulations.

The Board will verify the existence of any other federal actions that Effect the RCRA Subtitle C regulations and the Board action required in response to each in coming weeks, by about mid-August 2010. The Board will then propose corresponding amendments to the Illinois UIC regulations using the identical-in-substance procedure or dismiss docket R11-2, as necessary and appropriate.

Section 22.4(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. In docket R11-2, if the earliest federal amendments in the applicable period occurred on January 1, 2010, the due date for Board adoption would be January 1, 2011.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.4(a), and 27 of the Environmental Protection Act [415 ILCS 5/7.2,

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22.4(a) & 27].

- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2010, after which time the Board will propose any amendments to the Illinois RCRA Subtitle C hazardous waste rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is assumed to be January 1, 2010, the Board would vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by early September, 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit corporation that engages in the generation, transportation, treatment, storage, or disposal of hazardous waste.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R11-2, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R11-2, as follows:

POLLUTION CONTROL BOARD

JULY 2010 REGULATORY AGENDA

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: Related rulemakings include the consolidated RCRA Subtitle C update docket for the periods of July 1, 2008 through December 31, 2008 and January 1, 2009 through June 30, 2009 (R09-16/R10-4), and the reserved UIC update docket for the period of January 1, 2010 through December 31 2010 (R11-7). No other presently-known proceeding would Effect Parts 703, 721, 722, 723, 724, 725, 726, 728, 733, 738, and 739.

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- cc) Parts (Headings and Code Citations): RCRA and UIC Permit Programs (35 Ill. Adm. Code 702)
UIC Permit Program (35 Ill. Adm. Code 704)
Procedures For Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Underground Injection Control Operating Requirements (35 Ill. Adm. Code 730)
Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)

- 1) Rulemaking: Presently reserved docket number R11-7

- A) Description: Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] mandates that the Board update the Illinois underground injection control (UIC) regulations to reflect amendments to the United States Environmental Protection Agency (USEPA) UIC regulations.

The Board has reserved docket number R11-7 to accommodate any

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amendments to the federal UIC regulations, 40 CFR 144 through 148, during the period January 1, 2010 through June 30, 2010. At this time, the Board is not aware of any federal amendments to the federal UIC rules that occurred during this update period.

The Board will verify the existence of any federal actions that Effect the UIC regulations and the Board action required in response to each in coming weeks, by about mid-August 2010. The Board will then propose corresponding amendments to the Illinois UIC regulations using the identical-in-substance procedure or dismiss docket R11-7, as necessary and appropriate.

Section 13(c) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on January 1, 2010, the due date for Board adoption of amendments in docket R11-7 would be January 1, 2011.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 13(c) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13(c) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2010, after which time the Board will propose any amendments to the Illinois UIC rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be January 1, 2011, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by mid-October 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved

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docket.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit corporation in Illinois to the extent the Effected entity engages in the underground injection of waste.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R11-7, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R11-7, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: The consolidated RCRA Subtitle C update docket for the periods July 1, 2008 through December 31, 2008 and January 1, 2009 through June 30, 2009 (R09-16/R10-4) and the reserved RCRA update docket for the period January 1, 2010 through June 30, 2010 (R11-2) will Effect the text of Parts 702, 705, and 720. No other presently known proceeding would Effect either Part 704, 730, or 738.

Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules.

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Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- dd) Parts (Headings and Code Citations): Procedures for Permit Issuance (35 Ill. Adm. Code 705)
- 1) Rulemaking: No docket presently reserved.
 - A) Description: 35 Ill. Adm. Code 705 contains procedural requirements the Illinois Environmental Protection Agency (Agency) must follow for the issuance of RCRA (Resource Conservation and Recovery Act) and UIC (Underground Injection Control) permits. The Agency is considering a proposal that would amend 35 Ill. Adm. Code 705.165 to make it consistent with the requirements in the corresponding provision in the U.S. Environmental Protection Agency's RCRA and UIC rules, 40 C.F.R. 124.10(e) (2008).
 - B) Statutory authority: These rules will be proposed pursuant to Sections 4(i), 22.4(b), 27 and 28 of the Environmental Protection Act [415 ILCS 5/4(i), 22.4(b), 27, 28].
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct hearings in accordance with Sections 27 and 28 of the Act [415 ILCS 5/27, 28].
 - D) Date Agency anticipates First Notice: The Agency may submit a proposal to the Board as soon as the Spring or Summer of 2010, after which the Board will cause publication of a Notice of Proposed Rules in the Illinois Register.
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: Generally, small businesses, small municipalities and not-for-profit corporations will not be affected by the proposal unless they wish to participate in public comment or public hearing proceedings for RCRA or UIC permit applications. If so, they may be required to request the specified documents from the Agency rather than receiving them unsolicited along with the public notice of a tentative permit denial, comment period or hearing.

POLLUTION CONTROL BOARD

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F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
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Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb
Pollution Control Board
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G) Related rulemakings and other pertinent information: For information regarding the development of these rules please contact:

Mark Wight
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
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217-782-5544
Mark.Wight@illinois.gov

G) Related rulemakings and other pertinent information: No other presently known proceeding would impact the text of Part 731.

Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public

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comments on the proposal for 45 days after the date of publication.

- ee) Part (Headings and Code Citation): Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742)
- 1) Rulemaking: Docket Number R09-9
- A) Description: On September 3, 2008, the Illinois Environmental Protection Agency (Agency) filed a proposal with the Board to amend the Board rules for Tiered Approach to Corrective Action Objectives (TACO)(35 Ill. Adm. Code 742). On September 16, 2008, the Board accepted the Agency's proposal for hearing in Proposed Amendments to Tiered Approach to Corrective Action Objectives (35 Ill. Adm. Code 742), docket R09-9. According to the Agency, the proposed amendments seek to add the indoor inhalation exposure route to the existing risk-based methodology and update remediation objectives for all of the exposure routes under TACO. On October 2, 2009, the Agency filed a Motion to Stay the portion of the proceedings that relate to the indoor inhalation exposure route, but requested that the remainder of the proposal be allowed to proceed to First Notice. On November 5, 2009, the Board granted the Agency's requested partial stay through November 5, 2010, unless the Board issues an order terminating the stay sooner. The Board required the Agency to file status reports during the term of the stay.
- B) Statutory Authority: These amendments were proposed pursuant to Section 27 of the Environmental Protection Act [415 ILCS 5/27].
- C) Scheduled Meeting/Hearing Dates: The Board held two hearings in this rulemaking as required by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, 28]. The first hearing took place in Springfield on January 27, 2009, and the second hearing took place in Chicago on March 17, 2009.
- D) Date Agency Anticipates First Notice: The Board anticipates that it may propose amendments for first-notice publication in the *Illinois Register* in the Summer or Fall of 2010.
- E) Effect on Small Business, Small Municipalities, or Not-for-Profit Corporations: The amendments may Effect any small business, small municipality or not-for-profit corporation performing environmental

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remediation under a program subject to the Board's TACO rules, such as the Site Remediation Program (SRP), the Leaking Underground Storage Tank (LUST) Program, or a Resource Conservation and Recovery Act (RCRA) Part B permit. According to the Agency, the use of TACO has put many sites back into safe, productive use while significantly decreasing remediation expenses statewide. The Agency contends that its proposed amendments are economically reasonable and that the public policy reasons for adding the indoor inhalation exposure route to the TACO rules far outweigh any extra costs that may be incurred due to the addition of the new exposure route.

F) Agency Contact Person for Information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Richard McGill
Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
312-814-6983
mcgillr@ipcb.state.il.us

G) Related Rulemaking and other pertinent information: A related rulemaking is pending in Board docket R08-18, captioned Proposed Amendments to Groundwater Quality Standards, 35 Ill. Adm. Code 620.

For information regarding the development of these amendments please contact:

Kimberly A. Geving
1021 N. Grand Avenue East
P.O. Box 19276

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Springfield, Illinois 62794-9276

- ff) Parts (Headings and Code Citations): Solid Waste (35 Ill. Adm. Code 807)
Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)
Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)
Information to Be Submitted in a Permit Application (35 Ill. Adm. Code 812)
Procedural Requirements for Permitted Landfills (35 Ill. Adm. Code 813)
Interim Standards for Existing Landfills and Units (35 Ill. Adm. Code 814)
Procedural Requirements for All Landfills Exempt from Permits (35 Ill. Adm. Code 815)

1) Rulemaking: Docket Number R11-1

- A) Description: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] mandates that the Board update the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle D municipal solid waste landfill (MSWLF) regulations to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle D MSWLF rules.

The Board has reserved docket number R11-1 to accommodate any amendments to the RCRA Subtitle D regulations, 40 CFR 258, that USEPA may make in the period January 1, 2010 through June 30, 2010. At this time, the Board is not aware of any federal amendments to the federal MSWLF rules that occurred during this update period.

The Board will verify the existence of any additional federal actions that may affect the text of the federal primary drinking water standards and the Board action required in response to each in coming weeks, by about mid-August 2010. The Board will then propose corresponding amendments to the Illinois RCRA Subtitle D MSWLF regulations using the identical-in-substance procedure or dismiss docket R11-1, as necessary and appropriate.

Section 22.40(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, January 1, 2010, the due date for adoption of amendments in docket R11-1 would be January 1, 2011.

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- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.40(a) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.40(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2010, after which time the Board will propose any amendments to the Illinois RCRA Subtitle D MSWLF rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be January 1, 2011, the Board would vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by mid-October 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit that engages in the land disposal of municipal solid waste.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R11-1, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket

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number R11-1, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: Docket R10-9 entitled "In the Matter of : Financial Assurance Instruments—Renewal and Terms: Amendments to 35 Ill. Adm. Code 807.Subpart F, 810.104 and 811.Subpart G" would Effect the text of 35 Ill. Adm. Code 807, 810, or 811.

Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- gg) Parts (Headings and Code Citations): Solid Waste (35 Ill. Adm. Code 807)
Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)
Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)

- 1) Rulemaking: Docket number R10-9

- A) Description: On July 27, 2009, the Illinois Environmental Protection Agency (Agency) filed a rulemaking proposal before the Board. That proposal was filed pursuant to the Board's general rulemaking authority of Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 and 28].

The Board has assigned docket number R10-9 for consideration of the Agency's proposal.

The Agency proposal requests that the Board make a number of changes

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in the landfill financial assurance provisions. The Agency's proposal states that the current State requirements date back to 1985 and 1990. The proposal states that the Board added federally derived requirements applicable to municipal solid waste landfills in 1993, amending them in 1997 and 1999. The Agency asserts that the financial assurance provisions have remained substantially unchanged since these times. The Agency wants the Board to update the financial assurance regulations to account for changes that have occurred over the years—principally with regard to comparable provisions in federally derived hazardous waste regulations.

The Agency wants the Board to update certain documents incorporated by reference to the latest versions of these documents that are available. The Agency wants the Board to shorten the minimum required terms of bonds and letters of credit used to provide financial assurance from the current four or five years to one year. The Agency requests that the Board add evergreen renewal language to bonds and letters of credit, in order to shift the burden of maintaining continuous financial assurance to regulated entities. The Agency asserts that the current lack of such renewal provisions has imposed the burden of ensuring continuous coverage on the Agency.

Any person interested in reviewing the Agency's proposal or any other documents introduced to docket R10-9 may do so online at the Board's web page: www.ipcb.state.il.us, using the "E-Library" feature indicated on the home page.

- B) Statutory authority: Implementing and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27 & 28].
- C) Scheduled meeting/hearing dates: Section 28 of the Act [415 ILCS 5/28] requires that the Board conduct public hearings on the Agency's proposal in two separate areas of the State, after first publishing newspaper notice of the hearings at least 20 days prior to the date of the hearings. The Board has held one hearing in Springfield in Spring 2010. A second hearing is scheduled to be held in Chicago in Summer 2010.
- D) Date agency anticipates First Notice: The Board expects to proceed with publication of first notice in Fall or Winter 2010.

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- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit that owns or operates a landfill in Illinois.

- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R10-9, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R10-9, as follows:

Daniel Robertson, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6931
robertsd@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: The RCRA Subtitle D MSWLF update for the period July 1, 2009 through December 31, 2009 (R10-12) may Effect the text of any of 35 Ill. Adm. Code 807, 810, or 811.

For information regarding the development of these amendments, please contact:

Stephanie Flowers, Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Stephanie.Flowers@il.gov

- hh) Parts (Headings and Code Citations): Solid Waste (35 Ill. Adm. Code 807)
Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)

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Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)
Information to Be Submitted in a Permit Application (35 Ill. Adm. Code 812)
Procedural Requirements for Permitted Landfills (35 Ill. Adm. Code 813)
Interim Standards for Existing Landfills and Units (35 Ill. Adm. Code 814)
Procedural Requirements for All Landfills Exempt from Permits (35 Ill. Adm. Code 815)

1) Rulemaking: Presently reserved docket number R10-12

- A) Description: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] mandates that the Board update the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle D municipal solid waste landfill (MSWLF) regulations to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle D MSWLF rules.

The Board has reserved docket number R10-12 to accommodate any amendments to the RCRA Subtitle D regulations, 40 CFR 258, that USEPA may make in the period July 1, 2009 through December 31, 2009. At this time, the Board is not aware of any federal amendments to the federal MSWLF regulations that occurred during this update period.

The Board will verify the existence of any additional federal actions that may affect the text of the federal primary drinking water standards and the Board action required in response to each in coming weeks, by about mid-February 2010. The Board will then propose corresponding amendments to the Illinois RCRA Subtitle D MSWLF regulations using the identical-in-substance procedure or dismiss docket R10-12, as necessary and appropriate.

Section 22.40(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on July 1, 2009, the due date for Board adoption of amendments in docket R10-12 would be July 1, 2010.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.40(a) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.40(a) & 27].

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- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2010, after which time the Board will propose any amendments to the Illinois RCRA Subtitle D MSWLF rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be July 1, 2010, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by mid-April 2010. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may Effect any small business, small municipality, or not-for-profit that engages in the land disposal of municipal solid waste.
- F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking, noting docket number R10-12, as follows:

John T. Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda, noting docket number R10-12, as follows:

Michael J. McCambridge, Attorney

POLLUTION CONTROL BOARD

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Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-6924
mccambm@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: The proceeding based on a petition of the Agency entitled, "In the Matter of: Financial Assurance Instruments--Renewal and Terms: Amendments to 35 Ill. Adm. Code 807.Subpart F, 810.104 and 811.Subpart G" (R10-9) may Effect the text of any of 35 Ill. Adm. Code 807, 810, or 811.

Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- ii) Parts (Headings and Code Citations): Proposed Site-Specific Closures of Surface Impoundments (35 Ill. Adm. Code 840)

- 1) Rulemaking: Docket Number R09-21

- A) Description: On May 19, 2009, Ameren Energy Generating Company (Ameren) filed a proposal for site-specific rulemaking. Ameren proposes a new subchapter in the Board's waste disposal regulations to address the closure of surface impoundments. Specifically, Ameren seeks the adoption of regulations through which it can close Ash Pond D at its Hutsonville Power Station (Station) near Hutsonville, Crawford County.

Ameren argues that the Board's water pollution regulations apply during the operation of surface impoundments such as Pond D. Ameren further argues that, when closed, those surface impoundments are not defined as landfills and do not fit within the scope of the Board's waste disposal rules or other regulations. Ameren claims that these circumstances warrant adoption of a site-specific rule. Specifically, Ameren proposes a new subchapter addressing surface impoundments under the existing Subtitle G

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regulations governing waste disposal.

- B) Statutory authority: Implementing and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, 28].
- C) Scheduled meeting /hearing date: The Board held a hearing on September 29, 2009 in Robinson, Crawford County.
- D) Date agency anticipates First Notice: The Board may propose a site-specific rule for first notice publication in the *Illinois Register* in the Spring or Summer of 2010.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This proposal may Effect a small business, small municipality or not-for-profit corporation operating and wishing to close a surface impoundment.
- F) Agency contact person for information:

Address written comments concerning the substance of the R09-21 rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address concerning this regulatory agenda to:

Carol Webb
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

- G) Related rulemaking and other pertinent information: No other presently anticipated proceedings would Effect the text of the proposed Part 840.

jj) Part (Headings and Code Citations): Management of Used and Waste Tires (35 Ill. Adm.

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Code 848)

- 1) Rulemaking: No docket presently reserved.
 - A) Description: The Illinois Environmental Protection Agency (Agency) is planning to propose amendments to the Board's regulations that will allow better implementation of the used and waste tire management program. The proposal will include, among others, changes necessary to make the Board's rules consistent with legislative amendments to Title XIV of the Environmental Protection Act [415 ILCS 5/53 et seq.] resulting from Public Act 92-0024.
 - B) Statutory authority: Sections 27 and 55.2 of the Environmental Protection Act [415 ILCS 5/27 and 55.2].
 - C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct hearings as required by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28].
 - D) Date Agency anticipates First Notice: The Agency may submit a proposal to the Board as soon as the Spring or Summer of 2010, after which the Board will cause publication of a Notice of Proposed Rules in the *Illinois Register*.
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may Effect any small business, small municipality or not-for-profit corporation that manages used or waste tires.
 - F) Agency contact person for information:

Address written comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Address questions concerning this regulatory agenda to:

Carol Webb

POLLUTION CONTROL BOARD

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Pollution Control Board
1021 North Grand Avenue East
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Springfield, Illinois 62794-9274
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webbc@ipcb.state.il.us

- G) Related rulemakings and other pertinent information: For information regarding the development of these rules please contact:

Stephanie Flowers
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217-782-5544
Stephanie.Flowers@il.gov

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- a) Part(s) (Heading and Code Citations): Illinois Business Brokers Act of 1995, 14 Ill. Adm. Code 140
- 1) Rulemaking:
- A) Description of Rule(s): Amend rules and draft rules generally to conform regulations to legislative enactments.
- B) Statutory Authority: Illinois Business Brokers Act of 1995 [815 ILCS 307/10-1]
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: Unknown
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: Unknown
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Tanya Solov, Director
Illinois Securities Department
69 W. Washington Street, Suite 1220
Chicago, IL 60602
312-793-3384 Fax 312-793-1202
tsolov@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- b) Part(s) (Heading and Code Citations): Illinois Securities Law of 1953, 14 Ill. Adm. Code 130
- 1) Rulemaking:
- A) Description of Rule(s): Amend rules and draft rules generally to conform regulations to state and federal legislative enactments and rules of the US Securities and Exchange Commission.
- B) Statutory Authority: Illinois Securities Law of 1953 [815 ILCS 5/1]

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- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: Unknown
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: Unknown
- F) Agency Contact Person for Information:

Illinois Secretary of State
Tanya Solov, Director
Illinois Securities Department
69 W. Washington Street, Suite 1220
Chicago, IL 60602
312-793-3384 Fax 312-793-1202
tsolov@ilsos.net

- G) Related Rulemakings and Other Pertinent Information: None

c) Part(s) (Heading and Code Citations): Illinois Business Opportunity Sales Law of 1995, 14 Ill. Adm. Code 135

- 1) Rulemaking:
 - A) Description of Rule(s): Amend rules and draft rules generally to conform regulations to legislative enactments.
 - B) Statutory Authority: Illinois Business Opportunity Sales Law of 1995 [815 ILCS 602/5-1]
 - C) Scheduled Meeting/Hearing Dates: None
 - D) Date Agency Anticipates First Notice: Unknown
 - E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: Unknown
 - F) Agency Contact Person for Information:

SECRETARY OF STATE

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Illinois Secretary of State
Tanya Solov, Director
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69 W. Washington Street, Suite 1220
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tsolov@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

d) Part(s) (Heading and Code Citations): Illinois Loan Brokers Act of 1995, 14 Ill. Adm. Code 145

1) Rulemaking:

A) Description of Rule(s): Amend rules and draft rules generally to conform regulations to legislative changes.

B) Statutory Authority: Illinois Loan Brokers Act of 1995 [815 ILCS 175/15-1]

C) Scheduled Meeting/Hearing Dates: None

D) Date Agency Anticipates First Notice: Unknown

E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: Unknown

F) Agency Contact Person for Information:

Illinois Secretary of State
Tanya Solov, Director
Illinois Securities Department
69 W. Washington Street, Suite 1220
Chicago, IL 60602
312-793-3384 Fax 312-793-1202
tsolov@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

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- e) Part(s) (Heading and Code Citations): Emergency Contact Database, 92 Ill. Adm. Code 1030.14
- 1) Rulemaking:
- A) Description of Rule(s): This rulemaking will implement procedures to allow an individual who participates in the emergency contact database to add disability or special needs information to the database. This database is accessible only to law enforcement when the driver's license or identification card holder is unable to communicate.
- B) Statutory Authority: 15 ILCS 335/11A and 625 ILCS 5/6-117.2
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: September 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Brenda Glahn, Assistant General Counsel
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-271-1270 Fax 217-524-1689
bglahn@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- f) Part(s) (Heading and Code Citations): Suspension or Revocation for Fatal Accident and Personal Injury Suspensions or Revocations, 92 Ill. Adm. Code 1040.46
- 1) Rulemaking:
- A) Description of Rule(s): This rulemaking will implement House Bill 4580, which requires the Secretary of State to revoke the driver's license of a

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person that was convicted of a moving violation that resulted in the proximate cause of the death of another.

- B) Statutory Authority: 625 ILCS 5/6-205
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: September 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:

Illinois Secretary of State
Brenda Glahn, Assistant General Counsel
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-271-1270 Fax 217-524-1689
bglahn@ilsos.net

- G) Related Rulemakings and Other Pertinent Information: None

g) Part(s) (Heading and Code Citations): Illinois Safety and Family Financial Responsibility Law, 92 Ill. Adm. Code 1070.110

1) Rulemaking:

- A) Description of Rule(s): This rulemaking will set forth the procedures the Secretary of State will follow when issuing a Family Financial Responsibility Permit to a person whose driver's license has been suspended upon receipt of notification of non-payment of child support, as provided by the Illinois Department of Healthcare and Family Services.
- B) Statutory Authority: 625 ILCS 5/7-702.1
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: September 2010

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- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Brenda Glahn, Assistant General Counsel
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-271-1270 Fax 217-524-1689
bglahn@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- h) Part(s) (Heading and Code Citation): Safe Driver License Renewals, 92 Ill. Adm. Code 1030
- 1) Rulemaking:
- A) Description of Rule(s): This rulemaking will set forth the procedures the Secretary of State will follow in determining the eligibility and subsequent issuance of an applicant for a driver license renewal through the Safe Driver Renewal Program.
- B) Statutory Authority: 625 ILCS 5/6-109 and 625 ILCS 5/6-110(g)
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: September 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Brenda Glahn, Assistant General Counsel
Driver Services Department

SECRETARY OF STATE

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2701 South Dirksen Pkwy.
Springfield, IL 62723
217-271-1270 Fax 217-524-1689
bglahn@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

i) Part(s) (Heading and Code Citations): Charter Bus Driver Endorsement Requirement, 92 Ill. Adm. Code 1030.82

1) Rulemaking:

A) Description of Rule(s): Adding offenses that would prevent a person from obtaining or maintaining an Illinois school bus permit if convicted of one or more criminal offenses as enacted by the General Assembly.

B) Statutory Authority: 625 ILCS 5/2-104 and 625 ILCS 5/6-521

C) Scheduled Meeting/Hearing Dates: None

D) Date Agency Anticipates First Notice: July 2010

E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None

F) Agency Contact Person for Information:

Illinois Secretary of State
Jennifer Egizii
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-557-4462 Fax 217-558-4942
jegizii@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

j) Part(s) (Heading and Code Citations): Definitions, 92 Ill. Adm. Code 1035.10

1) Rulemaking:

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- A) Description of Rule(s): Adding definitions for the terms failure to perform the pre-trip and/or post-trip inspections by a school bus driver; possession of a school bus; and cellular communication device enacted by the General Assembly.
- B) Statutory Authority: 625 ILCS 5/2-104 and 625 ILCS 5/6-106.1
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: July 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Jennifer Egizii
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-557-4462 Fax 217-558-4942
jegizii@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- k) Part(s) (Heading and Code Citations): Requirements of Applicants for a School Bus Permit, 92 Ill. Adm. Code 1035.15
- 1) Rulemaking:
- A) Description of Rule(s): Adding offenses that would preclude a person from obtaining or maintaining an Illinois School Bus Permit if convicted of one or more of the criminal offenses enacted by the General Assembly.
- B) Statutory Authority: 625 ILCS 5/2-104 and 625 ILCS 5/6-106.1
- C) Scheduled Meeting/Hearing Dates: None.

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- D) Date Agency Anticipates First Notice: July 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Jennifer Egizii
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jegizii@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- l) Part(s) (Heading and Code Citations): Denial, Cancellation or Suspension of a School Bus Driver Permit, 92 Ill. Adm. Code 1035.35
- 1) Rulemaking:
- A) Description of Rule(s): Adding a new sanction recently enacted by the General Assembly regarding the suspension of a school bus driver permit for failure to perform a pre-trip and post-trip inspection of the school bus.
- B) Statutory Authority: 625 ILCS 5/2-104 and 625 ILCS 5/6-106.1
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: July 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Jennifer Egizii
Driver Services Department

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

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jegizii@ilsos.net

- G) Related Rulemakings and Other Pertinent Information: None
- m) Part(s) (Heading and Code Citations): Employer Responsibility 92 Ill. Adm. Code 1035.45
- 1) Rulemaking:
- A) Description of Rule(s): Adding a new responsibility recently enacted by the General Assembly requiring the employer to notify Secretary of State when a school bus driver fails to perform the pre-trip or post-trip inspection of a school bus.
- B) Statutory Authority: 625 ILCS 5/2-104 and 625 ILCS 5/6-106.1
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: July 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Jennifer Egizii
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2701 South Dirksen Pkwy.
Springfield, IL 62723
217-557-4462 Fax 217-558-4942
jegizii@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- n) Part(s) (Heading and Code Citations): Establish Expiration of Driver's License, 92 Ill. Adm. Code 1030.1

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- 1) Rulemaking:
 - A) Description of Rule(s): This Part will address the authority granted to the Secretary of State to amend the established definition of an approved driver education course in accordance to the requirements of 625 ILCS 5/1-103 in the Illinois Vehicle Code.
 - B) Statutory Authority: Implementing and authorized by Section 625 ILCS 5/1-103.
 - C) Scheduled Meeting/Hearing Dates: None
 - D) Date Agency Anticipates First Notice: January 1, 2011
 - E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
 - F) Agency Contact Person for Information:

Illinois Secretary of State
Jennifer Egizii
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-557-4462 Fax 217-558-4942
jegizii@ilsos.net
 - G) Related Rulemakings and Other Pertinent Information: None
- o) Part(s) (Heading and Code Citations): Driver's License Testing/Written Test, 92 Ill. Adm. Code 1030.80
 - 1) Rulemaking:
 - A) Description of Rule(s): This Part is being amended to address the requirements of 625 ILCS 5/6-109, which authorizes the Secretary of State to establish the minimum number of required questions that an applicant must take in order to be eligible for a driver's license or instruction permit.

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JULY 2010 REGULATORY AGENDA

- B) Statutory Authority: 625 ILCS 5/6-109
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: December 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:

Illinois Secretary of State
Jennifer Egizii
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2701 South Dirksen Pkwy.
Springfield, IL 62723
217-557-4462 Fax 217-558-4942
jegizii@ilsos.net

- G) Related Rulemakings and Other Pertinent Information: None

p) Part(s) (Heading and Code Citations): Illinois Offense Table, 92 Ill. Adm. Code 1040.20

1) Rulemaking:

- A) Description of Rule(s): This Part will address the requirements of 625 ILCS 5/12-610.1 and 5/12-610.2, which adds two new offenses prohibiting the use of a hand-held cell phone in school and construction zones and no texting while driving; 625 ILCS 5/3-707 adds new offense of operation of an uninsured motor vehicle causing bodily harm; 720 ILCS 570/204, 401 and 402 adds BZP to the Illinois controlled Substances Act; 625 ILCS 5/11-1426.2 adds the offense of operation of a low-speed vehicle on public street; 625 ILCS 5/11-1002.5 adds the offense of failure to stop and yield right a way to a pedestrian.
- B) Statutory Authority: Implementing and authorized by Section 625 ILCS 5/12-610.1; Section 625 ILCS 5/12-610.2; Section 625 ILCS 5/3-707; Sections 720/204; 720 ILCS 570/401; Section 720 ILCS 570/402; Section 625 ILCS 5/11-1426.21; and Section 625 ILCS 5/11-1002.5.

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JULY 2010 REGULATORY AGENDA

- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: January 1, 2011
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:

Illinois Secretary of State
Jennifer Egizii
Driver Services Department
2701 South Dirksen Pkwy.
Springfield, IL 62723
217-557-4462 Fax 217-558-4942
jegizii@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- q) Part(s) (Heading and Code Citations): Exemption of Facility Administered Road Test, 92 Ill. Adm. Code 1030.88
 - 1) Rulemaking:
 - A) Description of Rule(s): This Part is being amended to address the requirements of Section 1030.30, which authorizes the Department to exempt an applicant from a facility-administered road test by providing acceptable proof of successful completion of a Motorcycle Rider Education course.
 - B) Statutory Authority: 625 ILCS 6-103(2)
 - C) Scheduled Meeting/Hearing Dates: None
 - D) Date Agency Anticipates First Notice: December 2010
 - E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
 - F) Agency Contact Person for Information:

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

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Springfield, IL 62723
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jegizii@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

r) Part(s) (Heading and Code Citations): Restrictions, 92 Ill. Adm. Code 1030.92

1) Rulemaking:

A) Description of Rule(s): This Part is being amended to address the requirements of the Federal Motor Carrier Safety Regulations (FMCSR), Title 49, Part 384.204 which authorizes the Department to replace three existing Illinois license restrictions with two new FMCSR license restrictions.

B) Statutory Authority: 625 ILCS 5/6-113(a)

C) Scheduled Meeting/Hearing Dates: None

D) Date Agency Anticipates First Notice: January 1, 2011

E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None

F) Agency Contact Person for Information:

Illinois Secretary of State
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SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- G) Related Rulemakings and Other Pertinent Information: None
- s) Part(s) (Heading and Code Citations): Illinois State Library, Library Services Division, 23 Ill. Adm. Code 3010
- 1) Rulemaking: Amend
- A) Description of Rule(s): Revision in exhibit B related to use of public service area.
- B) Statutory Authority: Implementing and authorized by the State Library Act [15 ILCS 3200]
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: August 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield, Illinois 62701-1796
217-558-4185 Fax 217-557-2619
jnatale@isls.net
- G) Related Rulemakings and Other Pertinent Information: None
- t) Part(s) (Heading and Code Citations): Illinois State Library, Acquisition Division, Illinois Documents Section, 23 Ill. Adm. Code 3020
- 1) Rulemaking:

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- A) Description of Rule(s): Government Document Section responsibilities in Subpart A and Document Depository responsibilities in Subpart B will be updated.
- B) Statutory Authority: Implementing Section 21 and authorized by Section 2 of the State Library Act [15 ILCS 320/2 and 21].
- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: August 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:

Illinois Secretary of State
Joseph Natale
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Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield, Illinois 62701-1796
217-558-4185 Fax 217-557-2619
jnatale@islsso.net

- G) Related Rulemakings and Other Pertinent Information: None
- u) Part(s) (Heading and Code Citations): Illinois State Library Grant Programs, 23 Ill. Adm. Code 3035
- 1) Rulemaking:
 - A) Description of Rule(s): Subpart E will be added to explain the new Public Library Construction Grant Program; clarify in grant application procedures in Subpart A; and amend definition of “Educational agencies” in Subpart B.
 - B) Statutory Authority: Implementing and authorized by the Illinois Library System Act [75 ILCS 10].

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- C) Scheduled Meeting/Hearing Dates: None
- D) Date Agency Anticipates First Notice: September 2010
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: The new standards detail assessment and reporting procedures for regional library systems.
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
300 South Second Street
Springfield, Illinois 62701-1796
217-558-4185 Fax 217-557-2619
jnatale@islsso.net
- G) Related Rulemakings and Other Pertinent Information: None
- v) Part(s) (Heading and Code Citations): Title 71: Public Buildings, Facilities and Real Property, Chapter IV: Secretary of State, Section 2005.70 Distribution of Leaflets and Solicitation of Funds
- 1) Rulemaking:
- A) Description of Rule(s): Amend administration rule to prohibit political activity or charitable solicitation on Capital Complex Property.
- B) Statutory Authority: 15 ILCS 305/5
- C) Scheduled Meeting/Hearing Dates: Unknown
- D) Date Agency Anticipates First Notice: Unknown
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

F) Agency Contact Person for Information:

Illinois Secretary of State
Donna Mulcahy Fitts, Director
Department of Physical Services
Howlett Building – Room 034
Springfield, Illinois 62756
217-782-3896 Fax 217-782-2229
dfitts@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

w) Part(s) (Heading and Code Citations): Title 71: Public Buildings, Facilities and Real Property, Chapter IV: Secretary of State, Section 2005.60 Use of Building for No-Demonstration Activity or Fund Raising Event

1) Rulemaking:

A) Description of Rule(s): New Rule to address changes in use of Capital Complex Property to prevent fire hazards.

B) Statutory Authority: 15 ILCS 305/5

C) Scheduled Meeting/Hearing Dates: Unknown

D) Date Agency Anticipates First Notice: Unknown

E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None

F) Agency Contact Person for Information:

Illinois Secretary of State
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SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- G) Related Rulemakings and Other Pertinent Information: None
- x) Part(s) (Heading and Code Citations): Title 71: Public Buildings, Facilities and Real Property, Chapter IV: Secretary of State, Section 2005.50 Demonstrations
- 1) Rulemaking:
- A) Description of Rule(s): Amend Administrative Rules to reflect minor changes in forms for requests from groups who want to schedule an activity on Capital Complex Property.
- B) Statutory Authority: 15 ILCS 305/5
- C) Scheduled Meeting/Hearing Dates: Unknown
- D) Date Agency Anticipates First Notice: Unknown
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:
- Illinois Secretary of State
Donna Mulcahy Fitts, Director
Department of Physical Services
Howlett Building – Room 034
Springfield, Illinois 62756
217-782-3896 Fax 217-782-2229
dfitts@ilsos.net
- G) Related Rulemakings and Other Pertinent Information: None
- y) Part(s) (Heading and Code Citations): Title 71: Public Buildings, Facilities and Real Property, Chapter IV: Secretary of State, Section 2005.40 Prohibited Activities
- 1) Rulemaking:
- A) Description of Rule(s): Amend Administrative Rules to reflect changes in legislation and policy.

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

- B) Statutory Authority: 15 ILCS 305/5
- C) Scheduled Meeting/Hearing Dates: Unknown
- D) Date Agency Anticipates First Notice: Unknown
- E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None
- F) Agency Contact Person for Information:

Illinois Secretary of State
Donna Mulcahy Fitts, Director
Department of Physical Services
Howlett Building – Room 034
Springfield, Illinois 62756
217-782-3896 Fax 217-782-2229
dfitts@ilsos.net

- G) Related Rulemakings and Other Pertinent Information: None

z) Part(s) (Heading and Code Citations): Title 71: Public Buildings, Facilities and Real Property, Chapter IV: Secretary of State, Section 2005.30 Business Hours and Public Access

- 1) Rulemaking:
 - A) Description of Rule(s): Amend Administrative Rules to reflect new office hours.
 - B) Statutory Authority: 15 ILCS 305/5 and 20 ILCS 5/5-635
 - C) Scheduled Meeting/Hearing Dates: Unknown
 - D) Date Agency Anticipates First Notice: Unknown
 - E) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: None

SECRETARY OF STATE

JULY 2010 REGULATORY AGENDA

F) Agency Contact Person for Information:

Illinois Secretary of State
Donna Mulcahy Fitts, Director
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Howlett Building – Room 034
Springfield, Illinois 62756
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dfitts@ilsos.net

G) Related Rulemakings and Other Pertinent Information: Noneaa) Part(s) (Heading and Code Citations): Title 71: Public Buildings, Facilities and Real Property, Chapter IV: Secretary of State, Section 2005.10 Applicability1) Rulemaking:A) Description of Rule(s): Amend Administrative Rules to update new addresses due to relocation and name change of building.B) Statutory Authority: 15 ILCS 305/5C) Scheduled Meeting/Hearing Dates: UnknownD) Date Agency Anticipates First Notice: UnknownE) Effect on Small Businesses, Small Municipalities or Not for Profit Corporations: NoneF) Agency Contact Person for Information:

Illinois Secretary of State
Donna Mulcahy Fitts, Director
Department of Physical Services
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Springfield, Illinois 62756
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dfitts@ilsos.net

G) Related Rulemakings and Other Pertinent Information: None

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 15, 2010 through June 21, 2010 and have been scheduled for review by the Committee at its July 13, 2010 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
7/29/10	<u>Capital Development Board</u> , Illinois Energy Conservation Code (71 Ill. Adm. Code 600)	2/16/10 34 Ill. Reg. 2383	7/13/10
7/29/10	<u>Capital Development Board</u> , Community Health Center Construction (71 Ill. Adm. Code 42)	3/12/10 34 Ill. Reg. 3166	7/13/10
7/29/10	<u>Office of the State Fire Marshal</u> , Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (Repealer) (41 Ill. Adm. Code 170)	11/20/09 33 Ill. Reg. 16022	7/13/10
7/29/10	<u>Office of the State Fire Marshal</u> , Compliance Certification for Underground Storage Tanks (Repealer) (41 Ill. Adm. Code 171)	11/20/09 33 Ill. Reg. 16196	7/13/10
7/29/10	<u>Office of the State Fire Marshal</u> , General Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill. Adm. Code 174)	11/20/09 33 Ill. Reg. 16205	7/13/10
7/29/10	<u>Office of the State Fire Marshal</u> , Technical Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill. Adm. Code 175)	11/20/09 33 Ill. Reg. 16244	7/13/10

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

7/29/10	<u>Office of the State Fire Marshal</u> , Administrative Requirements for Underground Storage Tanks and the Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill. Adm. Code 176)	11/20/09 33 Ill. Reg. 16352	7/13/10
7/29/10	<u>Office of the State Fire Marshal</u> , Compliance Certification for Underground Storage Tanks (41 Ill. Adm. Code 177)	11/20/09 33 Ill. Reg. 16392	7/13/10
7/29/10	<u>Department of Transportation</u> , Regulations for State Operating Assistance to Downstate Areas (92 Ill. Adm. Code 653)	3/12/10 34 Ill. Reg. 3208	7/13/10
7/30/10	<u>Department of Human Rights</u> , Procedures of the Department of Human Rights (56 Ill. Adm. Code 2520)	4/30/10 34 Ill. Reg. 5946	7/13/10
7/30/10	<u>Department of Revenue</u> , Property Tax Code (86 Ill. Adm. Code 110)	4/9/10 34 Ill. Reg. 5150	7/13/10
7/31/10	<u>Department of Public Health</u> , Sexual Assault Survivors Emergency Treatment Code (77 Ill. Adm. Code 545)	4/9/10 34 Ill. Reg. 5140	7/13/10
7/31/10	<u>Department of Public Health</u> , Freestanding Emergency Center Code (77 Ill. Adm. Code 518)	4/16/10 34 Ill. Reg. 5555	7/13/10

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/28.1(d)(3)

LISTINGS OF ADJUSTED STANDARDS AND COMBINED SEWER OVERFLOW
EXCEPTIONS GRANTED BY THE BOARD DURING FISCAL YEAR 2010

Section 28.1(d)(3) of the Environmental Protection Act (Act) (415 ILCS 5/28.1(d)(3) (2006)) requires the Board to annually publish in the *Illinois Register* and *Environmental Register* a listing of all determinations made pursuant to Section 28.1 at the end of each fiscal year. This notice sets forth all adjusted standard and combine sewer overflow exception determinations made by the Board during the fiscal year 2010 (July 1, 2009, through June 30, 2010).

Final Actions Taken by the Pollution Control Board in Adjusted Standards Proceedings During
Fiscal Year 2010 (July 1, 2009 through June 30, 2010)Docket/Docket TitleFinal Determination

In the Matter of: Petition of Maximum Investments, LLC for an Adjusted Standard from 35 Ill. Adm. Code 740.210(a)(3) for Stoney Creek Landfill in Palos Hills, Illinois, AS 09-2 (June 18, 2009, motion for reconsideration denied August 20, 2009)

The Board dismissed this adjusted standard petition on procedural grounds. Petitioner sought an adjusted standard from the Board's rules on the site remediation program so that ultimately petitioner could receive a release from liability as a prospective purchaser under Section 22.2b of the Environmental Protection Act (Act). However, Section 58.2 of the Act requires an applicant to be an owner or operator, or to have consent to act on behalf of the owner or operator. The Board found that petitioner had neither authority, nor consent. Because this requirement is statutory, the Board found that it did not have the authority to grant the adjusted standard. On July 20, 2009, petitioner filed a motion for reconsideration. The Board found that petitioner provided no new evidence or change in the law that would indicate that the Board's June 18, 2009 order was in error. Therefore, the motion to reconsider was denied.

In the Matter of: Petition of Westwood

The Board denied this request for adjusted

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/28.1(d)(3)

Lands, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 807.104 and 810.103 or, in the alternative, a finding of inapplicability) AS 09-03, (January 7, 2010, motion to reconsider pending as of June 30, 2010)

standard or finding of inapplicability for petitioner's facility in Madison, Madison County. Petitioner sought a determination that steelmaking slag fines used as raw materials in its process do not constitute "waste" under the Environmental Protection Act. Alternatively, petitioner sought an adjusted standard from specified definitions in the Board's solid waste regulations. Due to deficiencies in the petition, amended petition and response, the Board could not determine that the steelmaking slag fines are not a waste or that an adjusted standard is warranted. Petitioner filed a motion to reconsider, along with supplemental information. This motion remains pending as of June 30, 2010.

In the Matter of: Petition of Royal Fiberglass Pools, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 215.301 AS 09-4 (February 18, 2010)

The Board granted an adjusted standard from the 8 lb/ per hour rule, subject to conditions, for petitioner's fiberglass swimming pool manufacturing facility in Dix, Jefferson County. Petitioner sought the adjusted standard on grounds that the 8 lb/hr rule is not technically feasible for its batch-type manufacturing, and air pollution controls are not economically reasonable due to the high volume air flow. The Board found that petitioner provided sufficient justification for the adjusted standard. Conditions of the adjusted standard include certain requirements that may arise as new production methods become more technologically or economically reasonable. The adjusted standard is limited to petitioner's spray booths existing as of August 20, 2009, and federal laws and regulations remain applicable to the facility.

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION PURSUANT TO 415 ILCS 5/28.1(d)(3)

Final Actions Taken by the Pollution Control Board in Combine Sewer Overflow Exception Proceedings During Fiscal Year 2010 (July 1, 2009 through June 30, 2010)

The Board took no action in combined sewer overflow exception proceedings during fiscal year 2010, as none were filed with the Board or pending during fiscal year 2010.

Request copies, noting the appropriate docket number, to:

John Therriault, Assistant Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-3629

Address questions concerning this notice, noting the appropriate docket number, to:

Carol Webb
Pollution Control Board
1021 North Grand Avenue East
Springfield, Illinois 62794-9274
217-524-8509
webbc@ipcb.state.il.us

PROCLAMATIONS

2010-198
Association Week

WHEREAS, the Association Forum of Chicagoland represents CEOs and executives from associations located in Chicago and its surrounding communities; and,

WHEREAS, the Association Forum represents over 1,700 associations in the Chicagoland area; and,

WHEREAS, the associations that this group serves generate more than 9 billion dollars annually for Chicago's economy; and,

WHEREAS, the members of the Association Forum employ more than 47,000 people; and,

WHEREAS, the Association Forum represents institutions such as the American Bar Association, the American Medical Association, the American Hospital Association, the Healthcare Information and Management Systems Society and the National Association of Realtors and many others; and,

WHEREAS, the Chicago area is home to one of the largest concentrations of association headquarters in the United States, and ranks first in the number of healthcare-related organizations; and,

WHEREAS, Chicagoland associations sponsor more than 30,000 meetings, seminars, conventions and trade shows in the Chicago area which attract more than 2 million attendees; and,

WHEREAS, the Association Forum provides learning, experience and resources to its members; and,

WHEREAS, the Association Forum will celebrate Association Week 2010 from June 22-24; and,

WHEREAS, the contributions of associations and employees to their communities will be recognized during Association Week by such events as the Annual Meeting, All-Star Day, and the Honors Gala:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 21-25, 2010 as **ASSOCIATION WEEK** in Illinois in support of our associations, and encourage all citizens to recognize and celebrate the many contributions that associations headquartered in Illinois have made and continue to make to the health, education and overall well-being of the people of this great state.

PROCLAMATIONS

Issued by the Governor June 4, 2010

Filed by the Secretary of State June 18, 2010

2010-199**National Reunification Day**

WHEREAS, reunification with family is the preferred outcome for children removed from their homes and placed in foster care; and,

WHEREAS, for many of the children in foster care, reunification with their family is the best option for a permanent and loving home; and,

WHEREAS, every year, hundreds of thousands of children are successfully reunified with their families; and,

WHEREAS, all children need the care, love, security and stability that can be provided through family unity, including parents, siblings, grandparents and other extended family members who can create a solid foundation for personal growth, development and maturity; and,

WHEREAS, reunification takes work, commitment, and investment of time and resources by parents, family members, social workers, foster parents, service providers, attorneys, courts and the community; and,

WHEREAS, for many years a number of jurisdictions in the United States have been observing National Reunification Day, a project of the American Bar Association, to celebrate the accomplishments of families who have overcome an array of challenges to reunify safely and successfully, and others who are starting this practice now; and,

WHEREAS, in Illinois, the Family Defense Center, a non-profit legal advocacy organization dedicated to family justice in the child welfare system, is planning an educational conference for National Reunification Day, featuring a parent discussion panel and several workshops. The event is also planned as a celebration of reunification; and,

WHEREAS, June 19, 2010 will be the first National Reunification Day to celebrate families and communities coming together, to acknowledge the hard work it takes to reunify a family, and to raise awareness about the importance of family reunification to children in foster care:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 19, 2010, as **NATIONAL REUNIFICATION DAY** in Illinois, and call upon all citizens to acknowledge the importance of supporting our families.

PROCLAMATIONS

Issued by the Governor June 4, 2010
Filed by the Secretary of State June 18, 2010

2010-200
Alpha Kappa Alpha Sorority Week

WHEREAS, Alpha Kappa Alpha Sorority was founded on the campus of Howard University in 1908; and,

WHEREAS, Alpha Kappa Alpha Sorority boasts a 102-year-old legacy of Sisterhood and Service; and,

WHEREAS, Alpha Kappa Alpha Sorority will host its 2010 International Biennial Convention in St. Louis from July 9-16, 2010; and,

WHEREAS, St. Louis, Missouri is the home of founder Ethel Hedgeman Lyle; and,

WHEREAS, the 64th International Biennial Convention will launch Alpha Kappa Alpha Sorority's second century of sisterhood and service; and,

WHEREAS, 15,000 Alpha Kappa Alpha members, led by International President Barbara A. McKinzie, will convene to support the host chapters by showcasing the good works of Alpha Kappa Alpha Sorority during this Convention; and,

WHEREAS, this convention will welcome the President of Liberia and Alpha Kappa Alpha member Ellen Johnson Sirleaf; and,

WHEREAS, Alpha Kappa Alpha Sorority will host an ecumenical service featuring some of the world's most renown African-American female pastors; and,

WHEREAS, Illinois Chapters of Alpha Kappa Alpha Sorority are host chapters for the 64th International Biennial Convention in St. Louis:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 9-16, 2010 as **ALPHA KAPPA ALPHA SORORITY WEEK** in Illinois, and wish their members a successful 2010 International Biennial Convention.

Issued by the Governor June 4, 2010
Filed by the Secretary of State June 18, 2010

PROCLAMATIONS

2010-201**Eta Phi Beta Sorority Week**

WHEREAS, in 1942 a group of eleven women met and decided to begin an organization to serve the needs of African American business and professional women and create a place and space where they could connect, express and share; and,

WHEREAS, these women formed Eta Phi Beta Sorority, Incorporated - a sisterhood that would connect black women to each other professionally, provide a space where they could express the highest standard of womanhood and share their gifts, talents and skills with each other and ultimately the world; and,

WHEREAS, their vision was to promote high scholastic standards, personal growth and career awareness and provide opportunities for community service; and,

WHEREAS, Eta Phi Beta Sorority, Inc. was incorporated in 1943 and since then, the women of Eta Phi Beta Sorority, Inc. have offered their best to their respective local communities and the world community at large; and,

WHEREAS, Eta Phi Beta Sorority, Inc.'s purpose is "To promote and develop closer fellowship among business and professional women and to work for their welfare"; and,

WHEREAS, Eta Phi Beta Sorority Inc. provides women the opportunity to achieve the highest standards in all business fields, support high school graduates by providing scholarships that further education in business and professional fields, and assist in programs designed to improve the quality of life for people who are developmentally disabled; and,

WHEREAS, Eta Phi Beta Sorority will host its 2010 National Convention in Chicago from July 26-30, 2010; and,

WHEREAS, Eta Phi Beta members will convene to showcase the good works of Eta Phi Beta Sorority during this Convention:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 26 - 30, 2010 as **ETA PHI BETA SORORITY WEEK** in Illinois, and welcome their members to the Land of Lincoln for their 2010 National Convention.

Issued by the Governor June 4, 2010

Filed by the Secretary of State June 18, 2010

2010-202

PROCLAMATIONS

Robert Guercio Day

WHEREAS, Robert A. Guercio, a lifelong resident of the State of Illinois, grew up in Chicago where he attended Alexander Graham Bell Elementary School; and,

WHEREAS, after earning degrees from Northern Illinois University and Roosevelt University, Robert Guercio returned to teach at Bell Elementary before serving as Assistant Principal of Lincoln Elementary School and Principal of Agassiz School; and,

WHEREAS, in 1993 Robert Guercio became principal of the school he attended in his youth - Alexander Graham Bell Elementary School; and,

WHEREAS, Robert Guercio's career with the Chicago Public Schools has spanned 36 years; and,

WHEREAS, during that time, Robert Guercio has served on the Mayor's Task Force for Special Education where he facilitated the inclusion of disabled students with their non-disabled peers; served as a LAUNCH principal mentor which helps to train future leaders for the Chicago Public Schools and held the position of auxiliary president of the Chicago Principals and Administrators Association, representing administrators from over thirty schools; and,

WHEREAS, Robert Guercio, over the course of a long and distinguished career in public education, has earned numerous awards and recognitions, most notably the "Outstanding Principal Award" from the Chicago Principals Association in 1998; and,

WHEREAS, Robert Guercio, in addition to helping countless youth develop their full potential as an educator and principal, has also worked closely with a number of community organizations, including the Neighborhood Boys and Girls Club, the Lions' Club and the North Center Chamber of Commerce; and,

WHEREAS, Robert Guercio will retire from the Chicago Public Schools on June 30, 2010 to spend more time with his wife Mary Ellen and their four children and four grandchildren; and,

WHEREAS, on June 12, a celebration will be held to congratulate Robert Guercio on his retirement and to honor him for his many years of service to the Chicago Public Schools and the children of our State:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 12, 2010 as **ROBERT GUERCIO DAY** in Illinois, in recognition of his accomplishments and contributions in the field of education, and offer my best wishes for an enjoyable and rewarding retirement.

PROCLAMATIONS

Issued by the Governor June 4, 2010

Filed by the Secretary of State June 18, 2010

2010-203**Illinois Wesleyan University Titans Baseball Day**

WHEREAS, team sports can build a sense of community at colleges and universities and can inspire both current students and alumni with a sense of pride, especially when student athletes display their excellence, persistence and teamwork in a championship battle; and,

WHEREAS, the Illinois Wesleyan University Titans men's baseball team, led by longtime coach Dennis Martel, entered the NCAA Division III Baseball Championship as underdogs after finishing the regular season 19-19 and coming in as the bottom seed in the College Conference of Illinois and Wisconsin Tournament; and,

WHEREAS, the Illinois Wesleyan University Titans had never won a game in the NCAA Division III College World Series, going 0-2 in their only other appearance, in 2001; and,

WHEREAS, the Illinois Wesleyan University Titans showed their character, their determination and their talent by going on an extraordinary 10-game winning streak in the NCAA Division III College World Series; and,

WHEREAS, the Illinois Wesleyan University Titans suffered a tough loss to the SUNY Cortland Red Dragons on May 31, 2010, in the double-elimination tournament; and,

WHEREAS, the Illinois Wesleyan University Titans battled back in the title game on June 1, running up an extraordinary score of 17-5 to become the champions of the 2010 NCAA Division III College World Series; and,

WHEREAS, the Illinois Wesleyan University Titans' third baseman, Jeff Grodecki, was honored as the tournament's most outstanding player after hitting a pair of home runs in the championship game and finishing the tournament with a .650 batting average; and,

WHEREAS, the Illinois Wesleyan University Titans baseball team has brought home Illinois Wesleyan University's fifth-ever NCAA Division III championship:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby commend the Illinois Wesleyan University Titans baseball team for their spirit, their determination, and their impressive display of grace under pressure in winning the NCAA Division III College

PROCLAMATIONS

World Series and hereby proclaim June 8, 2010 as **ILLINOIS WESLEYAN UNIVERSITY TITANS BASEBALL DAY** in Illinois.

Issued by the Governor June 7, 2010

Filed by the Secretary of State June 18, 2010

2010-204**Flag Honors – State Representative Eddie P. Washington**

WHEREAS, longtime State Representative Eddie P. Washington, a loyal and dedicated public servant to Illinois, passed away on Saturday, June 5, 2010. He was 56; and,

WHEREAS, born in St. Louis, Missouri, The Honorable Eddie P. Washington was the first African-American lawmaker elected from the 60th District (Lake County) to the Illinois General Assembly; and,

WHEREAS, after receiving his early education in East St. Louis, Illinois in the public school system, The Honorable Eddie P. Washington received his B.A. at Southern Illinois University in Edwardsville; and,

WHEREAS, The Honorable Eddie P. Washington started his political career in 1986 as precinct committeeman; and,

WHEREAS, since 2003, The Honorable Eddie P. Washington represented the 60th District in the Illinois House, where he championed the causes that were important to the people he represented, and was a leader in efforts to reduce criminal recidivism; and,

WHEREAS, The Honorable Eddie P. Washington was remembered by colleagues as a legislator who loved reaching out to the disenfranchised and who fought tirelessly to create opportunities for the less fortunate through education and civic involvement; and,

WHEREAS, over the course of his life, The Honorable Eddie P. Washington made the State of Illinois a better place to live and work, and has left behind a legacy that will continue to resonate in the state for many years to come; and,

WHEREAS, a devoted husband, loving father, loyal friend, and passionate legislator, The Honorable Eddie P. Washington will be deeply missed by all who had the opportunity to know him; and,

WHEREAS, funeral services for The Honorable Eddie P. Washington, who is survived by his wife Flor D'Luis Washington, three sons, four daughters, his mother, two brothers, 10

PROCLAMATIONS

grandchildren, and a host of aunts, uncles, cousins and friends, will be held Wednesday, June 9:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all persons or entities governed by the Illinois Flag Display Act to fly their flags at half-staff from sunrise on June 8, 2010 until sunset on June 9, 2010 in honor and remembrance of Representative Washington, whose dedication and commitment to public service was unwavering.

Issued by the Governor June 7, 2010

Filed by the Secretary of State June 18, 2010

2010-205**Stanley Cup Champions Chicago Blackhawks Day**

WHEREAS, the Chicago Blackhawks made their debut as a professional ice hockey team on November 17, 1926, defeating the Toronto St. Patricks by a score of 4-1 before 9,000 fans in the Chicago Coliseum; and,

WHEREAS, the Chicago Blackhawks, renowned as one of the "Original Six," went on to win three National Hockey League Championships in the next 35 years, defeating the Detroit Red Wings in 1934, the Toronto Maple Leafs in 1938, and the Detroit Red Wings again in 1961 to bring Lord Stanley's Cup home to Illinois; and,

WHEREAS, the Chicago Blackhawks' team rosters have featured some of the greatest hockey players of all time, including Stan Mikita, Bobby Hull, Tony Esposito, Denis Savard, and countless other great ambassadors for the sport; and,

WHEREAS, the Chicago Blackhawks enjoyed a tremendously successful 2009-2010 season, earning 112 points from 52 wins and demonstrating masterly puck possession and goal tending; and,

WHEREAS, the Chicago Blackhawks displayed both talent and tenacity as they defeated the Nashville Predators, Vancouver Canucks, and San Jose Sharks on their path to the Stanley Cup Finals; and,

WHEREAS, the Chicago Blackhawks defeated the Philadelphia Flyers on Wednesday, June 9, 2010, at the Wachovia Center in Philadelphia in overtime by a score of 4 to 3, putting an end to a 49-year Stanley Cup drought; and,

PROCLAMATIONS

WHEREAS, the Chicago Blackhawks' forward Patrick Kane scored the game-winning goal 4 minutes and 6 seconds into overtime, backed by goaltender Antti Niemi's 21 saves and stellar performances by other teammates; and,

WHEREAS, the Chicago Blackhawks' team captain Jonathan Toews led his squad in points throughout the playoffs, capturing the Conn Smythe Trophy as the Most Valuable Player in the postseason; and,

WHEREAS, the Chicago Blackhawks' Stanley Cup victory reflects the dedication, passion and commitment of Team Chairman Rocky Wirtz, Team President John McDonough, General Manager Stan Bowman, and Head Coach Joel Quenneville; and,

WHEREAS, the Chicago Blackhawks make an important contribution to the quality of life in Illinois, entertaining and inspiring sports fans, providing a focal point for civic pride, and helping those in need and expanding opportunities for youth through the Chicago Blackhawks Community Fund:

THEREFORE I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim Friday, June 11, 2010 to be **STANLEY CUP CHAMPIONS CHICAGO BLACKHAWKS DAY** in Illinois, and encourage sports fans to show their Blackhawks pride and celebrate the 2010 Stanley Cup victory by wearing the colors and gear of the Blackhawks to school, to work, and at home throughout the Land of Lincoln.

Issued by the Governor June 11, 2010
Filed by the Secretary of State June 18, 2010

2010-206
United States Army Day

WHEREAS, the United States Army traces its history to 10 companies of riflemen that answered the call for a Continental Army and enlisted on June 14, 1775; and,

WHEREAS, throughout its history, members of the United States Army have served our country at home and abroad, in defense of our nation and our allies around the world; and,

WHEREAS, today, over 700,000 soldiers continue the rich traditions of the United States Army by serving in over 100 countries throughout the world; and,

WHEREAS, the bravery and courage of members of the United States Army has resulted in over 2,400 Army personnel becoming recipients of our nation's highest award for valor, the Congressional Medal of Honor; and,

PROCLAMATIONS

WHEREAS, 2010 marks the 235th birthday of the United States Army:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 14, 2010 as **UNITED STATES ARMY DAY** in Illinois, and encourage all citizens to recognize the achievements of current and former members of the United States Army.

Issued by the Governor June 11, 2010

Filed by the Secretary of State June 18, 2010

2010-207
Homeownership Month

WHEREAS, June is recognized each year as National Homeownership Month; and,

WHEREAS, the State of Illinois recognizes that home is the foundation on which families build their lives and communities are shaped; and,

WHEREAS, sustainable homeownership strengthens families and stabilizes communities; and,

WHEREAS, the people of Illinois deserve the opportunity to achieve the American dream of homeownership; and,

WHEREAS, the Illinois Housing Development Authority (IHDA), the lead state housing finance agency, offers affordable homeownership opportunities for first-time homebuyers and Veterans at a time when market prices and interest rates have dropped to historic lows; and,

WHEREAS, IHDA's 30-year fixed rate mortgage provides buyers with the opportunity to apply for a second forgivable loan in the amount of up to 5 percent of the purchase price for a maximum of \$6,000 to be used as down payment; and,

WHEREAS, too many of our state's residents face the threat of foreclosure. The State of Illinois has made it a priority to help the people of Illinois protect their homes; and,

WHEREAS, the State of Illinois has sponsored a series of outreach events, connected homeowners with a statewide network of HUD-approved counselors who can help determine if homeowners qualify for a mortgage modification under President Obama's Making Home Affordable program, and implemented initiatives to help homeowners who are struggling in this economy; and,

PROCLAMATIONS

WHEREAS, in Illinois, we are dedicated to protecting the American dream of homeownership and making that dream sustainable:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2010 as **HOMEOWNERSHIP MONTH** in Illinois.

Issued by the Governor June 15, 2010

Filed by the Secretary of State June 18, 2010

2010-208**African/Caribbean International Festival of Life Days**

WHEREAS, the 18th Annual African/Caribbean International Festival of Life will be held on July 2-5, 2010; and,

WHEREAS, this year's African/Caribbean International Festival of Life is again dedicated to "Health Awareness"; and,

WHEREAS, during the festival, Walgreen's will be conducting a "Health Pavilion", which includes blood pressure screening and information on preventing diabetes, cholesterol and other medical issues; and,

WHEREAS, the primary objective of the Festival is to bring together under one umbrella people of various nationalities, cultures and ethnic backgrounds; and,

WHEREAS, the African/Caribbean International Festival of Life will feature a variety of world beat music, such as: reggae, calypso, gospel, salsa, blues, rhythm & blues, highlife, spoken word and more; and,

WHEREAS, exhibitors from various parts of the country and overseas will journey to Chicago to offer a variety of international crafts, cultural clothing and ethnic items along with food from Africa, the Caribbean and other parts of the globe:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim July 2-5, 2010 as **AFRICAN / CARIBBEAN INTERNATIONAL FESTIVAL OF LIFE DAYS** in Illinois, and urge all residents to participate in this family event.

Issued by the Governor June 17, 2010

Filed by the Secretary of State June 18, 2010

2010-209

PROCLAMATIONS

Amateur Radio Week

WHEREAS, amateur radio operators are celebrating over a century of the miracle of the human voice broadcast over the airwaves; and,

WHEREAS, the Federal Communications Commission (FCC) defines the Amateur Radio Service as a voluntary, noncommercial, communication service used by persons interested in radio technique as a hobby and not for reasons of financial gain; and,

WHEREAS, amateur radio has continued to provide a bridge between peoples, societies and countries by creating friendships and facilitating the sharing of ideas; and,

WHEREAS, amateur radio operators, also known as ham radio operators, use radio technology mostly as a form of personal enjoyment, however, amateur radio is also a vital asset in the field of emergency communications and has been formally recognized by a number of national relief organizations; and,

WHEREAS, amateur radio operators have provided countless hours of community service over the years without any thought of compensation; and,

WHEREAS, during natural disasters, telephone and cell phone systems are often disrupted, creating a need for amateur radio operators to step in and coordinate communication efforts with disaster relief teams; and,

WHEREAS, amateur radio operators have played a significant role in aiding relief workers in national emergencies, including the Oklahoma City Bombing in April 1995, the terrorist attacks on September 11, 2001, the Hurricanes Katrina and Rita, and the tornadoes that ravaged Illinois communities in April 2004 and March 2006; and,

WHEREAS, in addition to providing their services to emergency response organizations, amateur radio operators also serve as weather spotters in the Skywarn program of the U.S. Government Weather Bureau, as well as provide free radio communications for local parades, bike- and walk-a-thons, fairs, and other charitable public events; and,

WHEREAS, the American Radio Relay League (ARRL), a not-for-profit organization, is the largest organization of radio amateurs in the United States with more than 155,000 members; and,

WHEREAS, this year on June 26-27 the ARRL Amateur Radio Field Days exercise will be held to demonstrate radio amateurs' skills and readiness to provide self supporting communications even in fields without further infrastructure:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 20-27, 2010 as **AMATEUR RADIO WEEK** in Illinois, and encourage all citizens to recognize the services this state's amateur radio operators provide in keeping our communities safe.

PROCLAMATIONS

Issued by the Governor June 17, 2010
Filed by the Secretary of State June 18, 2010

2010-210
Chiropractic Health Care Month

WHEREAS, every year, more than 30 million Americans throughout the country, including 2 million in Illinois, visit chiropractors who locate and help correct joint and spinal problems; and

WHEREAS, chiropractic physicians have long stressed that exercise, good posture, and balanced nutrition are essential to proper growth, development, and health maintenance; and

WHEREAS, Illinois chiropractic physicians are dedicated to protecting and promoting patient rights, the practice of chiropractic medicine and fostering the growth of chiropractic through ongoing training and a commitment to safe and ethical practice; and

WHEREAS, chiropractic is a safe, conservative approach to pain relief and wellness, and is the most popular form of natural healthcare in the world; and

WHEREAS, the science of chiropractic and the physicians who practice it have contributed greatly to the health and wellbeing of the people of Illinois:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 2010 as **CHIROPRACTIC HEALTH CARE MONTH** in Illinois, to raise awareness about chiropractic care.

Issued by the Governor June 17, 2010
Filed by the Secretary of State June 18, 2010

2010-211
Small Business Week

WHEREAS, small businesses make tremendous contributions to the economic structure of our nation, accounting for 75 percent of all new jobs; and

WHEREAS, Illinois agencies play a significant role in the development of small businesses within the state. The Illinois Secretary of State's office is responsible for incorporating such businesses, and the Illinois Department of Commerce and Economic Opportunity assists new and existing small businesses with various matters including: providing business counseling,

PROCLAMATIONS

assisting with the development of business plans, and providing business education and training opportunities; and

WHEREAS, the State of Illinois Department of Commerce and Economic Opportunity (DCEO) has continued a long term partnership with the U.S. Small Business Administration (SBA) supporting the Illinois Small Business Development Center (SBDC) and the Illinois Entrepreneurship Network (IEN); and

WHEREAS, the DCEO and SBA partnership has resulted in assistance being provided to over 714,000 entrepreneurs and small businesses; and

WHEREAS, the State of Illinois is proud to recognize that there are 362,196 small business employer firms in Illinois, and they employ 3.7 million people:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 27 – July 3, 2010 as **SMALL BUSINESS WEEK** in Illinois and encourage all citizens to recognize the contributions these businesses make to our state.

Issued by the Governor June 17, 2010

Filed by the Secretary of State June 18, 2010

2010-212**Quebec National Day**

WHEREAS, the links between Illinois and Quebec are numerous, and can be traced back centuries to the French-speaking missionaries and voyagers who left Quebec City and Montreal to explore the land of Illinois and eventually settle here; and,

WHEREAS, in 1969, Quebec established its delegation in the City of Chicago, due to the business and cultural preeminence of the city; and,

WHEREAS, Quebec is active, along with Illinois, in both the Council of Great Lakes Governors and the Great Lakes Commission as an associate member; and,

WHEREAS, today, trade between Illinois and Quebec exceeds \$3 billion U.S. dollars; and,

WHEREAS, the staff of the Quebec Delegation in Chicago have established commercial links between Illinois and Quebec companies and have brought Quebec performing artists, intellectuals, and writers to the theatres and universities of this state; and,

PROCLAMATIONS

WHEREAS, the Quebec Delegation in Chicago seeks to broaden the economic, cultural, educational and tourism links between Quebec and the Midwest; and,

WHEREAS, every year on the 24th of June, which is Saint John the Baptist's Day, the people of Quebec celebrate their history and values with La Fête Nationale du Québec:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 24, 2010 as **QUEBEC NATIONAL DAY** in Illinois, in recognition of the numerous connections that unite Illinois and Quebec, and encourage all citizens to join in this vibrant and spirited commemoration.

Issued by the Governor June 17, 2010

Filed by the Secretary of State June 18, 2010

ILLINOIS ADMINISTRATIVE CODE
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